

STANDARDS AND CRITERIA FOR APPROVING EXEMPTED FISHING PERMITS

Situation: Exempted fishing permits (EFPs) allow fishing activities that would otherwise be prohibited (Section 7.0 of the Groundfish Fishery Management Plan (FMP), Exhibit E.7, Attachment 1). As an example, EFPs provide a process for testing innovative fishing gears and strategies to substantiate methods for prosecuting sustainable and risk-averse fishing opportunities. The Council has signaled its intent to make greater use of EFPs in the new groundfish management regime of depth restrictions and widespread area closures to reduce harvest of overfished species. However, there are potential drawbacks to significant EFP proliferation. Low optimum yields (OYs) for overfished species force hard allocation decisions between allowing immediate fleet-wide fishing opportunities in directed and incidental groundfish fisheries versus the longer term potential benefits ascribed to gaining new information from EFPs. Additionally, concerns were expressed about the need to manage the EFP approval process in a more timely manner and based on more explicit scientific criteria. For these reasons, the Council is tasking the Groundfish Management Team (GMT) with recommending standards and criteria for approving EFPs.

The GMT has provided a rough draft of a Council Operating Procedure (COP) that prescribes a set schedule and other protocols for Council consideration in approving EFP applications (Exhibit E.7, Attachment 2). However, there are several unresolved issues in this draft. Further, the GMT has not discussed scientific criteria for evaluating EFPs based on their potential for influencing long-term sustainable management strategies.

It is anticipated the GMT will provide the Council with a supplemental statement at the April meeting with discussion points for further consideration. The attachments provided in this agenda are not GMT recommendations; they are designed to stimulate further discussion on these points.

The Council task at this point should be to consider the general scope and primary elements of the GMT's initial draft for a COP dealing with EFP applications and provide guidance on outstanding issues. The Council should also discuss the process for completing the development of this COP.

Council Action:

- 1. Provide guidance on developing criteria and scientific standards for approving EFPs**

Reference Materials:

1. Section 7.0 of the Groundfish FMP (Exhibit E.7, Attachment 1).
2. Draft Council Operating Procedure: Protocol for Council Consideration of Exempted Fishing Permits (EFPs) for Pacific Coast Groundfish Fisheries (Exhibit E.7, Attachment 2).

Agenda Order:

- a. Agendum Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt a Criteria and Standards for Approving EFPs

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