

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
FINAL CRITERIA FOR EXEMPTED FISHING PERMITS AND CONSIDERATION OF
PROPOSALS FOR THE 2004 SEASON

The Groundfish Advisory Subpanel (GAP) discussed the Revised Proposed Council Operating Procedure for EFPs as presented in Exhibit C.5.b, GMT Attachment 2. We recommend the following revisions.

On page 1, under "Submission," we recommend the GAP be required to review EFP proposals prior to issuance. While the Groundfish Management Team (GMT) and Scientific and Statistical Committee (SSC) have the scientific and technical credentials to comment on methodology and management data needs, the GAP has the expertise to consider whether an EFP proposal makes sense, especially in regard to gear modifications and effects on participants in the fishery.

On page 2, in the list of required information for a completed application, the following should be included:

- * a description of how vessels will be chosen to participate in the EFP; and
- * a description of the anticipated cost and known sources of funding.

The GAP believes that including this information will provide a better sense of the practicality of a proposed EFP.

On page 3, the GAP notes there is no discussion of who will investigate EFP applicants in terms of their enforcement history. Will this be done by the Council? The GMT? The SSC? Some members of the public and the GAP also expressed concern that a double jeopardy standard is being imposed: if a fisherman or processor has an exemplary record, but wound up paying a single fine during their entire career, they could be banned - by somebody, as it isn't clear - from participating in an EFP fishery, even though they might have innovative proposals for solving bycatch problems.

On page 4, under "Report Contents," the GAP recommends the report should contain a discussion of the value of the fishery for which the EFP was issued. Since EFPs are of short duration, this will allow the Council and advisory bodies to better judge whether benefits were maximized in the event that a scarce species is provided to an EFP fishery and not to a non-EFP fishery.

The GAP also notes the monthly updates of EFP landings of overfished species and others are not provided in any formal manner, but are often transmitted informally to the GMT for purposes of harvest attainment projections and inseason management. The GAP requests the EFP landing updates be provided to the GAP.

On the issue of how to assign scarce species to EFP and non-EFP fisheries, the majority of the GAP recommends that no formal system be put in place, but rather that the GMT, in consultation

with the GAP, continue to make its best efforts to assign harvest projections to fisheries.

A minority of the GAP recommends that non-EFP fishery needs be calculated first before assigning any catches to EFPs.

In regard to the EFP proposals presented to the GAP for review, the GAP was not allowed time for appropriate review of individual EFPs and has no comments at this time.

PFMC
09/10/03