

GROUND FISH MANAGEMENT TEAM REPORT ON EXEMPTED FISHING PERMITS (EFPs)

Standards and Criteria for Approving EFPs

Following the June Council meeting, the Groundfish Management Team (GMT) revised its proposed process and timeline for Exempted Fishing Permit (EFP) application review and consideration (GMT Attachment 1) to include additional checkpoints for updates to the “bycatch scorecard” and potential release of EFP Optimum Yield set asides inseason.

The GMT also revised its proposed Council Operating Procedure that describes the standards and criteria for approving exempted fishing permits (GMT Attachment 2) in response to Council guidance we received at the June meeting (changes are in bold and underlined). In addition, the GMT supports 100% shoreside sampling coverage of the EFP trips be conducted by the sponsoring individual or agency. However, due to the tight budget constraints of state fish and wildlife agencies, the GMT recognizes that this may not be achieved.

The GMT recommends that the Council approve the revised Council Operating Procedure for the standards and criteria for approving EFPs, as well as the proposed process and timeline.

EFP Proposals for 2004

The GMT reviewed and had a lengthy discussion on the following EFP proposals for 2004:

ODFW Deepwater Complex (DTS) EFP

The GMT received a presentation from Mr. Mark Saelens on this EFP proposal. There were concerns initially expressed regarding proposed price differentials for the targeted species (i.e., DTS), potential changes in fishing behavior as a result, and the possibility of earlier OY attainment for DTS species. These concerns were adequately addressed through our discussions with ODFW staff and EFP processing participants, as well as clarification of the EFP provisions. Our understanding is that the EFP would be conducted in Periods 2 and 3 and the GMT would like to receive preliminary catch totals for targeted species at the June meeting, so we can anticipate adjustments to projected DTS catches, if needed. As the EFP would take place seaward of the RCA, it is unlikely that current rockfish limits will be exceeded with the proposed EFP; however, the GMT believes that bycatch caps need to be established, particularly for darkblotched rockfish and Pacific ocean perch. The GMT supports the approval of this EFP because the primary objective is bycatch reduction and it will not impact canary rockfish.

CDFG Selective Flatfish Trawl EFP

The GMT discussed the continuation of this proposed EFP for its final year in 2004, with the same bycatch caps as were in place for 2003. The GMT believes this EFP would provide valuable data on the use of the same selective flatfish trawl gear that has been tested in the

ODFW Selective Flatfish Trawl EFP in 2002 in a different area. Given the objectives of the EFP, and its minimal estimated impact on canary rockfish, the GMT supports this EFP going forward.

California Charter/Party Fishing Vessel (CPFV) EFP

There is a California CPFV EFP being proposed by a professor at Cal Poly University. This EFP is research-oriented in nature, collecting data to support stock assessment efforts, rather than data that would be directly used to develop management measures (e.g., bycatch data). West Coast stock assessments that have used this data set in the past include black rockfish, bocaccio, and cabezon. While the GMT believes that data collection to support stock assessment efforts is valuable, the GMT identified several questions regarding this proposed EFP. As these questions are more technical and would be better addressed by research scientists, the GMT requested that the SSC review this EFP application. It is our understanding that the SSC plans to refer the EFP to its Groundfish Subcommittee for review and has identified additional questions and requested additional analyses of the original data set. As these questions and analyses will take some time to address and develop, the GMT recommends that this EFP be deferred until 2005, pending the outcome of the SSC's review.

WDFW Longline Dogfish EFP

The GMT received a verbal presentation of the proposed WDFW-sponsored EFPs. The longline dogfish EFP was conducted in 2003, and 2004 would be its final year. While three vessels qualified for the EFP in 2003, only one vessel was able to participate. The GMT believes that the data collected in this EFP is not ready for implementation, as the amount of data (one vessel fishing for a few months) is not sufficient to draw conclusions that could be applied on a fleetwide basis. Further, while the NMFS observer program has increased its coverage of longline vessels, that coverage has primarily been on vessels targeting sablefish, not dogfish. The GMT supports this EFP be approved as the data collected would be valuable and the canary impact is estimated to be minimal.

WDFW Midwater Pollock EFP

The midwater pollock EFP was scheduled for a different time period in 2003 (April-June) than the time fishing occurred under state regulation in 2002 (August). There were three vessels that qualified, but only one participated, for a total of three trips in May. WDFW is proposing that this be the final year for this EFP and that this fishery be covered by federal regulations in 2005. The proposed EFP for 2004 would take place during the same time period as the initial year (August-October). The GMT supports this EFP be approved as the data collected would be valuable and the canary impact is estimated to be minimal.

WDFW Arrowtooth Flounder Trawl EFP

WDFW is proposing this EFP be continued in 2004 for its final year. In 2003, this EFP required participants to use selective gear (i.e., excluder devices), although a prescribed gear configuration was not set. In 2004, there would be specific gear and area requirements for the EFP; the excluder requirements would be narrowed down to three configurations, including one that would allow the selective flatfish trawl gear being tested in Oregon and California. WDFW plans to have the 2004 EFP provisions closely mimic the federal regulations that would be in place if this fishery was provided fleetwide. The GMT supports this EFP be approved and encourages it moving into regulations in 2005. The expected canary bycatch for this EFP, while reduced from the 2003 cap, is still at 2.5 mt. In the event that additional canary is needed to balance the bycatch scorecard for 2004, the GMT recommends that the amount of canary set aside for this EFP be slightly scaled back, perhaps to 2.0 mt.

WDFW Selective Flatfish Trawl EFP

This is a new EFP that is being proposed as the first year of two. This EFP would have specific gear and area requirements, including the use of the selective flatfish trawl being tested in Oregon and California. However, there are a few fishermen that would like to test gear that is slightly modified from the current selective flatfish gear being used; therefore, different selective gear configurations would be allowed to be tested in this EFP. There was some concern that this EFP could hinder the movement of the Oregon and California selective flatfish EFPs into federal regulations. The GMT recommends that, if the selective gear configuration currently being tested would be prescribed in federal regulations that would apply fleetwide, then this EFP would not go forward or be continued (depending on the timing of the regulatory action—2004 vs. 2005). The GMT believes that the data collected in this EFP would be valuable as it would provide data on the use of this gear in a different area by a different portion of the fleet and recommends it move forward. The GMT felt that it is particularly important that the gear configurations that are required under the EFP are consistent with the selective flatfish trawl gear being tested in Oregon and California.

Whiting EFP

Additionally, the GMT briefly discussed the Whiting EFP and notes that, while there is not a formal written EFP application available at this time, the proposed EFP for 2004 would not differ from the 2003 EFP. The GMT advocates putting in a placeholder for this EFP with the understanding that a final complete EFP application will be available at the November Council meeting.

Prioritization of EFPs

The GMT prioritized the EFPs that we are recommending for approval based on the criteria outlined in the proposed Council Operating Procedure and the estimated impacts to overfished species. As in the past, the GMT believes that the whiting EFP be given priority consideration (absent regulations to implement Amendment 10), and the impacts to overfished stocks for this EFP are accounted for as a separate line item in the bycatch scorecard. The GMT's priority order for the remaining EFPs is:

1. ODFW Deepwater Complex (DTS) EFP (0 mt canary)
2. CDFG Selective Flatfish Trawl EFP (0.5 mt canary)
WDFW Longline Dogfish EFP (0.1 mt canary)
WDFW Midwater Pollock EFP (0.1 mt canary)
3. WDFW Arrowtooth Flounder Trawl EFP (2.5 mt canary)
4. WDFW Selective Flatfish Trawl EFP (1.0 mt canary)

Total Canary: 4.2 mt