

FINAL APPROVAL OF EXEMPTED FISHING PERMITS FOR THE 2004 SEASON

Situation: Exempted fishing permits (EFPs) allow fishing activities that would otherwise be prohibited. 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.

At the September meeting, the Council considered seven draft EFP applications for 2004 and adopted set-aside harvest caps for six. The California Department of Fish and Game (CDFG) and the Washington Department of Fish and Wildlife (WDFW) are each sponsoring EFPs to experiment with trawl modifications for the selective harvest of shelf flatfish while excluding non-target species. These studies are intended to complement promising research completed by the Oregon Department of Fish and Wildlife (ODFW) using low-rise trawl nets with cut-back headropes. These gear modifications could be considered for fleet-wide regulations in 2005-2006. WDFW is also sponsoring EFPs to selectively harvest dogfish while avoiding canary and yelloweye rockfish, continue an Arrowtooth Flounder Trawl EFP with mandatory gear modifications designed to exclude rockfish and retain flatfish, and to test strategies to selectively harvest pollock. ODFW applied for a new EFP to test a discard reduction strategy using written agreements between the state, vessels, and processors to reduce the economic incentive for discarding in the Dover sole, thornyhead, and sablefish (DTS) trawl fishery.

Additionally, a joint ODFW, WDFW, CDFG application has been submitted to allow legal retention of Pacific salmon, Pacific halibut, and incidental groundfish in the shore-based Pacific whiting fishery. At the September meeting, the Council recommended the continued use of EFPs for enumerating bycatch in this fishery to allow more time for public input on a permanent monitoring program being developed.

Applicants have had the opportunity to review and revise their EFP proposals in response to comments received from the Council and Advisory Bodies at the September meeting. Final EFP applications not available in time for this distribution will be included as supplemental material. Included in the reference materials is a copy of the time line for EFP consideration under multi-year management that was approved by the Council at the last meeting, including the schedule for the release of set-aside quotas to the general fisheries should final approval not occur.

Council Action:

1. Approve EFPs for Implementation in 2004.

Reference Materials:

1. Exhibit D.13.b, ODFW Report 1, *Joint ODFW, WDFW, CDFG Application for Issuance of an Exempted Fishing Permit to Allow Retention on Incidentally Caught Species in the Shore-based Pacific Whiting Fishery.*

2. Exhibit D.13.b, ODFW Report 2, *Application for Issuance of an Exempted Fishing Permit to Test a Reduced-Discard Strategy for The Deepwater Complex Fishery.*
3. Exhibit D.13.b, Supplemental CDFG Report 1, *Application for Issuance of an Exempted Fishing Permit to Test a Selective Flatfish Trawl (including Scottish Seine) in and area otherwise closed to fishing, 2004.*
4. Exhibit D.13.b, Supplemental WDFW Report 1, *Application for Issuance of an Exempted (Experimental) Fishing Permit for Arrowtooth Flounder.*
5. Exhibit D.13.b, Supplemental WDFW Report 2, *Application for Issuance of an Exempted (Experimental) Fishing Permit for Nearshore Flatfish.*
6. Exhibit D.13.b, Supplemental WDFW Report 3, *Application for Issuance of an Exempted (Experimental) Fishing Permit for Pollock.*
7. Exhibit D.13.b, Supplemental WDFW Report 4, *Application for Issuance of an Exempted (Experimental) Fishing Permit for Spiny Dogfish.*
8. Exhibit D.13.c, GMT Attachment 1, *Council Process for Consideration of Exempted Fishing Permits for Multi-Year Management.*

Agenda Order:

- a. Agendum Overview
- b. State EFP Proposals for 2004
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Approve EFPs for Implementation in 2004

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State Representatives

PFMC
10/15/03