

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM (HMSMT)
REPORT ON HMS EXEMPTED FISHING PERMIT PROTOCOL

The Highly Migratory Species Management Team (HMSMT) finalized the proposed Exempted Fishing Permit (EFP) protocol at its August 3-5, 2005, meeting (see Agenda Item C.3.a, Attachment 1), and recommends that the Council approve it for public review, with final consideration scheduled in November.

With regard to the schedule to consider EFPs for the following fishing year that is proposed in the protocol, the HMSMT recommends an annual two-meeting process at the Council's June and September meetings. The HMSMT notes that the HMS fishing year is from April 1 through March 31. Having final approval scheduled in September of the previous year will allow the National Marine Fisheries Service staff time to review the application and do applicable protected species analyses, as needed, prior to the following scheduled fishing year. For Example:

June 2006	Draft HMS EFP applications for Council consideration to approve for public review.
Sept 2006	Final consideration of approval of HMS EFP applications
Oct 2006 – Feb 2007	NMFS protected species analysis/BiOp development (if needed).
Apr 2007	EFP effective date (or later that year, depending on fishery and season).

The HMSMT's August meeting focused on the discussion and development of alternatives to allow a limited amount of drift gillnet fishing within the area that is currently closed. Because fishing effort will likely need to be limited based upon anticipated levels of leatherback sea turtle mortalities, the HMSMT is recommending that an EFP be the implementing mechanism for the drift gillnet fishery within the currently closed area. In other words, the current closed area would remain in place, and, if approved, a limited number of participants could access the closed area through an EFP.

Given this recommendation, the HMSMT notes that this action cannot be accommodated with the schedule outlined in the proposed protocol and provide a drift gillnet fishery in the late summer/fall of 2006. Therefore, the HMSMT recommends that the effective date of the protocol be April 2006 (which is the beginning of the HMS fishing year); in the interim, the HMSMT recommends the Council consider the drift gillnet EFP application for 2006 through a two-meeting process, scheduled for November 2005 and March 2006.

HMSMT Recommendations:

1. Approve EFP protocol and schedule (Exhibit C.3.a, Supplemental Revised Attachment 1) for public review, which would be effective in April 2006.
2. Approve interim EFP protocol and scheduled (Exhibit C.3.a, Supplemental Attachment 2) for public review, which would be effective from November 2005 until April 2006.
3. Consider approval of the drift gillnet EFP through a two-meeting process tentatively scheduled for initial council review of EFP alternatives at the November 2005 Council meeting and guidance to the HMSMT to proceed with NEPA. Selection of a preferred alternative will be done at the March 2006 Council meeting.