

## GROUND FISH ADVISORY SUBPANEL REPORT ON EXEMPTED FISHING PERMITS (EFPs) FOR 2008

The Groundfish Advisory Subpanel (GAP) discussed four applications for Exempted Fishing Permits (EFPs) for the 2008 season and has the following recommendations and comments.

### General

The GAP appreciates the work that the four applicants have done to improve their proposals over the course of the last year. The GAP also values the continued efforts of fishermen and others who think creatively about ways to utilize EFPs through the Council process. With respect to all four applications, the GAP does not support implementation of any EFP that could disrupt or negatively impact existing and current fishing operations. Specifically, when balancing the 2008 scorecard for overfished species, the majority of the GAP (13 in support, 4 in opposition and 2 abstentions) believes that if other existing fisheries need to be reduced to accommodate the bycatch amounts for the EFPs then the Council should not recommend their final approval. Currently the scorecard for the start of the 2008 season is oversubscribed and these current projections do not include bycatch possibilities for the EFPs – a reallocation of overfished species impacts will have to occur at this meeting in order to accommodate the EFP proposals.

**If the Council decides that the impacts to other existing fisheries are worth incurring, then the GAP has the following comments with regards to the EFPs:**

### Applications 1, 2 & 4.

The GAP recommends implementing applications 1, 2 and 4 with bycatch caps recommended by the GMT. Applications 1 and 2 are commercial fisheries-related and allow fishermen an opportunity to test targeting healthy chilipepper stocks with minimal impact on overfished species. Application 4 is focused on recreational charter vessels and would potentially move effort outside of current areas which could relieve pressure on overfished species. Further, the GAP's support for implementing application 4 is dependent on any enforcement issues being resolved satisfactorily to all parties.

### Application 3

The majority of the GAP does not recommend final approval of The Nature Conservancy / Environmental Defense (TNC/ED) EFP for several reasons:

1. The GAP continues to believe that the amount of sablefish that the EFP seeks to capture will harm existing fishermen in the Conception area. For example, if this EFP had been in place during 2007 the fishery would have closed prematurely as the optimum yield (OY) would have already been exceeded. One can reasonably expect that the current fishing effort in the Conception area will continue in 2008. If this EFP were implemented it would disrupt and negatively impact existing current fishing operations. The applicants stated during GAP discussion that if the EFP is not approved they will likely lease the trawl permits to trawlers who will then participate in the same fishery. They argued that those permits will and can impact the sablefish OY in the area. The panel agrees, but also recognizes that those permits would then be accounted for in the modeling of trip limits for all vessels and they would not be receiving special privileges while negatively impacting current participants.

2. There are claims that fish is not being landed into Morro Bay due to the buyout of six trawl permits. However, the Quota Species Monitoring indicates and the GMT concurs that sablefish landings in the area are significantly increased from recent years. The GAP believes this EFP is mostly about sablefish and notes that there is no visible strategy described in the proposal to catch the other species (flatfish) that are traditionally delivered by trawlers.
3. The GAP has never supported an EFP proposal that was solely allocative in nature and is uncomfortable with the implications of doing so in this context. The GAP believes this EFP equates to a de facto individual quota and does not believe that the EFP process should be used to allocate fish to any one particular group. The applicants appear to believe they have guaranteed access to landings history associated with 6 trawl permits that were bought in Morro Bay. It is unclear to the GAP what the landings history associated with these permits is – while the applicants have provided an average catch of sablefish there has been no agency documentation to quantify these amounts. The GAP respectfully reminds the Council that until there is an individual trawl quota program in place, there is no guaranteed access to any amount of fish and there is no hard allocation.
4. The GAP questions what type of economic impact study the group can complete. What are the inputs to be used? What are they comparing community stability and profitability to?
5. The GAP questions where this experiment will ultimately lead. Generally EFPs are used to explore the possibilities of new types of fisheries or fishing strategies. Is this an experiment to inform the individual quota (IQ) process and then after one year it simply goes away? The GAP believes that if the applicants perform a “review” of their proposed operations after one year they will likely describe success, in that success is equal to the requested amount of fish being caught and marketed. The GAP believes they will then seek additional allocations of sablefish to this program and area.
6. If the TNC/ED partnership wishes to explore how regional fishery organizations work and report their findings to inform the IQ process they do not require special privileges or an EFP in order to do that. A Regional Fishery Association could be formed with existing limited entry fixed gear permit holders. It also appears that these are the individuals that the applicants would be working with anyway, not the trawlers whose permits were bought out. The experiment will still be ongoing when final preferred options in the trawl IQ process are selected so it is unclear how this experiment would inform the IQ program.

A minority of two GAP members believes that the TNC EFP has some benefits. They believe that the proposal would provide a local community the opportunity to examine the potential profitability with limited amounts of various commercial species. The EFP is a prototype of a gear switching option which is an option currently provided for trawlers in the TITQ options. The results could assist the Council on development of this option.

PFMC  
11/06/07