

Application for Issuance of an Exempted Fishing Permit (EFP) to Fish Trawl Permits with Longline, Trap, Pot, and Hook-and-line gear in a Community Based Fishing Association off the Central California Coast

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2 Statement of purpose and goals of the experiment for which an EFP is needed, including a general description of the arrangements for the disposition of all species harvested under the EFP.

This proposal requests an EFP for 2009 to allow this partnership to continue a demonstration project in Morro Bay and Port San Luis, California begun under an EFP in 2008. The partnership will provide reports to the PFMC regarding performance of the community based fishing association this year. These reports will be heavily focused on lessons learned in organizing this fishing enterprise and the first year of performance. This project builds on the foundation laid with the 2008 EFP. Extending the project to a second year of operation

under an EFP in 2009 will capitalize on the decision made by PFMC in the approval of the 2008 EFP, maximize the benefits of the lessons learned, further cement relationships between environmental groups and the commercial fishing industry and will provide insight into how the fishing association will continue to operate long into the future. In addition, extension to a second year will allow us to test the ability of the community-based fishing association to adapt to changes in fishing caps resulting from changes in stock abundance and regulations. Finally, the extension would provide sufficient data and experience for the CBFA partners to decide if and how to formalize the CBFA and cooperative fishing in this area into a permanent fishing enterprise that could hold fishing privileges and oversee cooperative conservation and management activities.

While Council approval was given in November 2007, NMFS will issue the final 2008 EFP within the month, and fishing is likely to begin in early July 2008. We have identified eligible and willing participants, hired NOAA-trained observers, made progress on developing the guidelines and harvest plan that will guide implementation, and other key milestones. In addition, TNC is partnering with the WCGOP to use the EFP as a platform to test the feasibility of using electronic monitoring as a component of meeting full accountability requirements. This proposal requests an EFP for 2009 to allow this 2008 EFP partnership demonstration project in Morro Bay and Port San Luis, California that begins this summer to continue into 2009.

2.1 Purpose and Goals

We request approval by the Pacific Fisheries Management Council (PFMC) for an EFP to allow The Nature Conservancy to continue work under the EFP approved by the Council in November 2007, to employ six Limited Entry Trawl "A" permits using longline, trap, pot, and hook-and-line gear by leasing those permits to not more than six fishermen. Further, as we did last year, we request permission to use these permits under shared hard caps for target and bycatch species, not subject to existing trawl trip limits, but subject to a harvest plan that will include measures to manage the pace of the EFP fishery. These exemptions to the rules governing Limited Entry Trawl permits are necessary to conduct the EFP experiment. We are not proposing any changes in the EFP experiment, but for ease of reference, we have incorporated the same description of the experiments from the 2008 application.

This second year of the Exempted Fishing Permit (EFP) will allow us to continue test the proposition that establishing a cooperatively managed, community based fishing association that employs trawl licenses to use longline, trap, pot, and hook-and-line gear off the Central California coast, under shared hard caps for target and bycatch species, can provide several important benefits. Under the EFP, the applicants will test whether granting the option of switching from trawl gear to fixed gear types can be manageable and, perhaps, desirable within the larger groundfish fishery management structure. The EFP will also test whether forming relationships among fishermen under a cooperative structure with shared catch limits and several unique elements would mitigate the impact of trawl effort reduction or removal on associated communities and fishermen in these areas.

The applicants' hypothesis is that reduced bycatch of overfished species and higher value of target species caught by converting some trawl effort to longline, trap, pot, and hook-

and-line gear will improve both the environmental and economic performance of the local groundfish fishery. Because the six trawl permits based in Morro Bay were purchased by The Nature Conservancy (TNC), and trawling effort has not been replaced in the area, the permits could be re-deployed without severe impacts on other fishermen. In addition, the EFP offers the opportunity to compare the economic performance of a fixed gear groundfish fishery under the EFP to baseline conditions during a trawl fishery operating recently in the same area.

Cooperative-based management has been identified as a tool for enhancing management and economic benefits in fisheries. The trawl fishery of the Central Coast of California provides a unique opportunity to test this idea in a real-world situation with features not found in current cooperatively-managed fisheries. These features include:

1. Multi-species fishery with several severely depressed stocks and constraining catch limits;
2. Single owner of multiple permits who can facilitate formation of a cooperative fishing arrangement;
3. Approved, economically viable, more selective alternative gear technologies available; and,
4. Possible future rationalization that could include gear switching opportunities and may include other provisions that would affect communities' ability to establish this type of fishing enterprise.

To conduct this test, TNC will be leasing up to six of its Limited Entry Trawl "A" permits, under the exemptions and requirements described in this proposal, to no more than six fishermen to fish using longline, trap, pot, and hook-and-line gear under shared hard caps for target species and bycatch. TNC will be the entity responsible for developing the lease arrangements under which fishermen will participate in this EFP and for enforcing the terms of their use, and for ensuring that implementation of this EFP is accountable to state and federal regulatory and reporting requirements.

Further, TNC is working with fishermen participating in the EFP and the Morro Bay Commercial Fishermen's Organization, the Port San Luis Commercial Fishermen's Association, the City of Morro Bay, the Port San Luis Harbor District, the Department of Fish and Game, and Environmental Defense Fund to develop the terms of the arrangement under which these fishermen will operate on a cooperative basis pursuant to the terms of the EFP. This arrangement will be referred to throughout this proposal as a "community based fishing association." In 2008, the conditions for this arrangement will be established in the terms and conditions of the lease agreements and reinforced by the terms and conditions of the EFP.

2.2 Disposition of species to be harvested under the EFP

Species caught within the limits authorized for the EFP may be retained and sold by the vessel. All rockfish will be retained. Prohibited species must be surrendered to law enforcement.

3 **Justification for Issuance of the EFP, including potential impacts of issuing the EFP.**

There are three main points that justify the issuance of this EFP through 2009:

1. It will further the goals and objectives of the Pacific Coast Groundfish Fishery Management Plan.
2. It will provide information regarding the mechanics of trawl IFQ process by providing experience with gear switching, RFA-based management, and improving monitoring efforts – all of which are or could be important elements of the trawl IFQ program.
3. It will test ways to reduce impacts on small fishing communities of the trawl IFQ program.

Furthering the Goals of the Pacific Coast Groundfish Fishery Management Plan: This EFP is designed to test the ability of a community based fishing association that uses gear-switching and shared hard caps to better achieve Pacific Coast Groundfish Fishery Management Plan (PCGFMP) goals and objectives. The goals of the PCGFMP are to prevent overfishing and rebuild overfished stocks, prevent habitat loss, maximize the value of the groundfish resource, and to provide opportunities to utilize abundant stocks to the extent possible within the constraints of overfished species rebuilding requirements. However, the current management system provides few positive incentives or opportunities for fishermen to change the way they do business to meet the PCGFMP rebuilding or habitat protection objectives. In addition, regulatory obstructions exist to fishermen being allowed the flexibility to manage their fishing operations in a way that would enhance the value of their catch while reducing their costs. By permitting the use of trawl permits with fixed gear (which will likely offer some improvements in habitat impacts and selectivity), with shared hard caps, under collective decision-making on pooled access to the resource, this EFP will test the efficacy of a community based fishing association and gear switching as mechanisms for better aligning management and fishing incentives.

Informing Trawl Rationalization: This EFP will approximate some of the conditions that could follow implementation of IFQs for the West Coast trawl fishery. Fishermen will likely be confronted with highly constrained limits on target species and bycatch of overfished species, as well as additional regulatory costs (i.e. monitoring). Fishermen may choose a number of strategies to maximize the value of their catch while staying within constraints, including switching gears (currently an option in the proposed alternatives) and pooling effort through a Regional Fishing Association (RFA, an option under the MSFCMA). An RFA could be charged with making decisions regarding deployment of fishing effort within constraints established by the Council, for determining distribution of limited human observer coverage across this fishery, and for developing strategies and incentives to achieve harvest targets while remaining below hard caps for overfished species. Managing quota under an IFQ program collectively may provide additional conservation and economic benefits, but it will be important that provisions in the IFQ regulations permit this sort of consolidation for coordinated management purposes or that regulations guiding the development of RFAs are promulgated so that communities like these can retain their traditional groundfish industries.

The trawl IFQ options currently under review call for 100% observer coverage. This EFP will similarly utilize 100% human observer coverage and will provide practical and valuable information on how a community would employ and manage observers. By acting in a coordinated manner, fishermen may be able to reduce costs while still providing required

information to managers. Furthermore, the EFP will illuminate the challenges of monitoring and managing a community based fishing association in the context of the larger west coast groundfish fishery. The EFP will also provide information on costs of management under a rationalized fishery.

In addition, the EFP will provide practical experience in developing a working relationship between a community based fishing association, the PFMC, and NOAA Fisheries. Through lease agreements, The Nature Conservancy – acting for and in collaboration with the community based fishing association - will hold participants to constraints specified in the EFP, and ensure compliance with the regulatory and reporting requirements established by the PFMC the regulatory and reporting processes established by the PFMC, the State of California, and NOAA Fisheries. This will provide insights as to how community based organizations in the future might be used to assist managers in getting timely information about the fishery including members compliance with regulatory requirements.

Reducing Impacts on Fishing Communities: Evidence suggests that cooperative, community based fishing associations offer an opportunity to strengthen fisheries on the West Coast. Regulations to rebuild stocks and protect habitat promote fisheries sustainability and address the consequences of overcapacity, but at a very high economic and social price to fishing communities. Public perceptions about trawl fishing practices, market dislocations, increasing costs and diminishing harvest opportunities, as well as buyouts to reduce capacity have taken their toll on communities that rely on the groundfish trawl fleet. On a large scale, rationalization of the trawl fleet is likely a net benefit, but its effects on a community scale are less clear. Regionally based fishing associations could provide an opportunity for fishermen to coordinate their efforts, pool resources, and make collective investments in fishery infrastructure, in order to optimize the value of the resource, meet rebuilding and habitat conservation requirements, and preserve fishing heritage. This part of the experiment is consistent with PCGFMP objectives to provide for the sustained participation of fishing communities, and minimize adverse economic impacts.

The use of shared hard caps for target species and bycatch proposed by this EFP will allow the community based fishing association to take steps that are likely to improve the opportunity offered to fishermen and the community, including through the following means:

1. Enhancing harvest efficiency— by coordinating on harvest, members can reduce costs of harvest by sharing information, eliminating redundant effort, and reducing the incentive to stuff capital.
2. Commanding increased price – switching to longline, trap, pot, or hook-and-line gear is likely to deliver a higher quality or preferred product that may command a higher price.
3. Pooling risk – by sharing a hard cap for bycatch, the group are able to spread compliance risk across members and minimize effort associated with individual fishing operations, including the race to fish. This could enable more targeted harvesting, and has the potential to raise revenues and reduce costs.

While community based fishing associations that operate under shared caps and facilitate gear switching will likely prove to be a valuable approach in many places around the country, practical experience is extremely limited. Morro Bay and Port San Luis have many attributes that lend themselves to testing this approach:

- Extensive outreach to area fishermen has already occurred, including a survey to establish interest in leasing TNC trawl permits in order to fish them with fixed gear, and several fishermen have already requested to participate in this EFP.
- The City of Morro Bay and the Port San Luis Harbor District are sponsors of this EFP along with the Morro Bay Commercial Fishermen's Organization and the Port San Luis Commercial Fisherman's Association. Strong local support is essential to running a successful experiment.
- One of the project partners, The Nature Conservancy, purchased six limited entry trawl permits from Morro Bay fishermen, removing trawl capacity that has not been replaced by trawl fishermen from other places. This presents an opportunity to target some species without substantial negative consequences for other communities relying on the same resource.

4 Statement of whether the proposed EFP has broader significance than the applicant's individual goals.

While cooperative management has been used successfully in fisheries throughout the world, there is less knowledge about how such an approach could work on the West Coast, in a constrained multispecies fishery, within the management options created by new provisions of the MSFCMA which allow the establishment of RFAs as part of Limited Access Privilege Programs, such as IFQ programs. This EFP will provide managers with insights into how a fishing association could work to achieve PFMC/NOAA Fisheries' strategic goals for groundfish and FMP objectives; information that will be useful in development of regulations or guidelines governing establishment of RFAs pursuant to language in the Magnuson-Stevens Fishery Conservation and Management Act (Sec. 303A(c)(4)).

This project continues work that will begin under an EFP in 2008. While the partnership will provide reports to the PFMC regarding performance of the community based fishing association this year, those reports will be more heavily focused on lessons learned from trying to organize this fishing enterprise and lessons learned in the first year of performance. Extending the project to a second year of operation under an EFP in 2009 will provide greater insight into how the fishing association will operate after many startup challenges have been resolved.

Management measures related to rationalization, such as the trawl IFQ program, will require enhanced monitoring, because such programs emphasize individual accountability to catch limits. This EFP will explore how to structure a more cost-effective monitoring system - from the perspective of both fishermen and fishery managers.

5 Expected total duration of the EFP

This EFP will be valid for one year, and will allow the continuation of a demonstration project initiated under an EFP in 2008. This demonstration project is intended to lay the groundwork for a permanent fishing enterprise that could hold fishing privileges and oversee cooperative conservation and management activities.

6 Number of vessels covered under the EFP

This EFP will use 6 Limited Entry Trawl "A" permits held by The Nature Conservancy and will include no more than six fishery participants and will employ no more than six vessels.

7 A description of the species (target and incidental) to be harvested under the EFP and the amount(s) of such harvest necessary to conduct the experiment; this description should include harvest estimates of overfished species

This proposal requests an Exempted Fishing Permit be issued to The Nature Conservancy to grant permission to lease up to six Limited Entry Trawl "A" permits to fishermen for use with longline, trap, pot, and hook-and-line gear. Further, we request permission to use these permits under a shared hard cap and, rather than be subject to existing trawl trip limits, be subject to measures established by the fishing association to pace fishing effort throughout the year. (see section 12)

Under this EFP, TNC will lease up to six permits to a specified set of participants in the fishing association who will have the opportunity to fish up to specified hard caps of target species and bycatch species. If the fishing association is on track to exceed its bycatch cap prior to reaching its target species cap, then fishing under the EFP will end (prior to its reaching the target species hard caps).

7.1 Target species caps

For the 2008 EFP, the following species were identified, through an examination of catch histories of the six permits that are the subject of this proposal, Morro Bay ex-vessel revenue data, and interviews with Central Coast fishermen, to have been historically harvested under the six trawl permits used for this experiment and to be accessible in commercially viable amounts using gear specified in this proposal. There is one exception to this last statement – flatfish are included here in greatly reduced amounts compared to trawl landings and it is unlikely that these caps will be reached during the course of this EFP.

For the requested 2009 EFP, we propose that the list of species for which hard caps are requested remain the same as was approved by the PFMC in 2008. With regard to the hardcap numbers proposed for each species, we would develop proposed amounts for 2009 following a similar rationale to that used for establishing the 2008 levels.

Species:	Hard cap approved for EFP in 2008:	Hard cap requested for EFP in 2009:
Sablefish	50 mt	<i>Request for target species hard caps would follow a similar rationale to that used for establishing the 2008 levels and will be subject to GMT deliberations and Council decisions regarding 2009/10 management specifications.</i>
Southern Slope Rockfish	50 mt	
Blackgill Rockfish	20 mt	
Longspine thornyhead	60 mt	
Shortspine thornyhead	60 mt	
Lingcod	15 mt	
<i>Other:</i>		
Chilipepper rockfish	20 mt	
Splitnose Rockfish	1000 lbs	
Flatfish:		
Dover sole	10 mt	
Petrable sole	10 mt	
Other flatfish	10 mt	

The hard cap requested for sablefish was based on the catch history of the six permits purchased by The Nature Conservancy in 2006, which provides a good starting point because this trawl capacity was removed very recently from the Conception Area and has not been replaced. From 1994 to 2004, Morro Bay trawl landings represented on average 46% of Conception Area landings of sablefish. Together, when the TNC permits were active, they accounted for approximately 30% of Conception Area landings for sablefish. Average total Conception Area landings of sablefish between 1998 and 2006 were 168 metric tons. The proposed hard cap is derived by taking 30% of the average or 50 metric tons.

Hardcaps for species other than sablefish is expected to be less than the proposed hard cap figures authorized by the PFMC. These hard cap proposals are based on potential catch deemed necessary by the applicants to effectively prosecute the EFP, interest from fishermen likely to participate in catching these species, and the need to minimize negative impacts on other fishermen and areas.

7.2 Bycatch caps

In 2008, bycatch hard caps were recommended by the California Department of Fish and Game and further refined by the PFMC based on the overfished species scorecard. Recognizing the complex issues related to allocating overfished species, we propose to work with the PFMC to develop appropriate hardcaps for overfished species in 2009 based on additional information on stock status, GMT deliberations, and the development of the 2009 scorecard. The 2008 EFP hard caps may serve as a starting point for that process:

Species:	Hard cap approved for EFP in 2008:	Hard cap requested for EFP in 2009:
Canary Rockfish	50 lbs	<i>Request for hardcaps for overfished species would be based on 2008 levels, stock status, GMT recommendations, and the 2009 scorecard.</i>
Yelloweye Rockfish	150 lbs	
Widow Rockfish	2 mt	
Darkblotched Rockfish	1000 lbs	
Pacific Ocean Perch	300 lbs	
Cowcod	300 lbs	
Bocaccio	5 mt	

All caps will be apportioned to individual vessels within the fishing association to achieve the goals of the EFP.

8 Infrastructure to monitor, process data, and administer the EFP.

The Nature Conservancy will be the entity to which the EFP, if approved, is issued and the entity principally responsible for managing implementation of this EFP.

- 8.1 The Nature Conservancy will manage all fishing leases and will be responsible for enforcing the terms that govern their use. This will include working with fishermen to establish lease terms that reflect the purposes and goals of this EFP. TNC will be responsible for ensuring accountability to relevant State and Federal regulatory and legal requirements.
- 8.2 Data collection, analysis, and reporting will be managed by a dedicated project manager under contract to The Nature Conservancy and who works closely with a local community

based fishery association committee (“the Committee”) that is comprised of representatives of the sponsors of this proposal and the participants in this EFP.

- 8.3 The project manager’s responsibilities include but are not limited to the following tasks:
- Facilitating communication among EFP participants;
 - Ensuring that no vessel fishes without an observer and that observer work guidelines are complied with;
 - Monitoring and enforcing compliance of vessels with rules under the EFP;
 - Collecting and compiling socioeconomic and other fishery data; and,
 - Preparing, in cooperation with the Committee and others, as appropriate, reports to the PFMC on progress under this EFP.
- 8.4 At-sea monitoring will be done by NOAA-trained observers under contract between TNC and the West Coast Groundfish Observer Program with costs covered jointly by project sponsors.
- 8.5 Data collection and processing for the research questions presented in the proposal will be managed as follows:
- Information regarding the operation of the community based fishing association will be compiled by the project manager working in close coordination with the participants and the Committee.
 - Economic data will be collected by the project manager and analyzed by an economist under contract to The Nature Conservancy for this purpose.
- 8.6 A Committee has been formed that will serve as the board of the proposed community based fishing association. This Committee includes representatives from the Morro Bay Commercial Fishermen’s Organization, the Port San Luis Commercial Fisherman’s Association, the City of Morro Bay, the Port San Luis Harbor District, The Nature Conservancy, and Environmental Defense Fund. The Committee’s responsibilities include:
- Implementing a process to choose participants including, developing the application, distributing to likely participants, screening for eligibility, and – in the event more than six eligible fishermen indicate interest – the Committee will convene an impartial selection panel to make the final determination regarding selection;
 - Overseeing development of the fishing plan with participating fishermen;
 - Overseeing the budget;
 - Overseeing the project manager; and,
 - Ensuring compliance with all EFP reporting requirements.
- 9 Mechanism to ensure that the harvest limits for targeted and incidental species are not exceeded and are accurately accounted**

All participating vessels will be required to land fish in Morro Bay or Port San Luis. Harvest limits for each vessel will be established by the fishing association. Catch information will be monitored using observer data collected at-sea, as observers will be present on every

fishing trip. Catches of rockfish will also be monitored through a dockside census of retained rockfish. All participants will enter into data sharing agreements as a condition of the lease agreement to facilitate access to fishery information and will be required to submit copies of catch information to the project manager within 48 hours after each fishing trip taken under this EFP.

Total landings and discard of all species will be accounted for by the project manager who will provide regular reports. For in-season monitoring relative to catch limits, data on catches will be collected on a by-permit basis and cumulatively for the EFP from observer data and tracked relative to hard caps, and reported every two weeks to NOAA Fisheries. The project manager will move to more frequent tracking as the EFP approaches its catch limits. All fishing will cease prior to attaining the caps associated with this EFP. Any unintentional overages will be reported to the Council as soon as possible.

Although this proposal requests an exemption from trip limits, the purposes for establishing trip limits including pacing and maintaining the fishery throughout the year, reducing discards, and protecting overfished species, are extremely important. Before fishing may commence, the fishing association will develop specific guidelines in a harvest plan that describes how fishing under the EFP will achieve these purposes.

10 Description of the proposed data collection and analysis methodology

10.1 In what ways can a community-based fishing association help to meet management objectives while simultaneously improving the economics of the fishery and the fishing community?

The Central Coast represents a unique set of circumstances for developing a cooperative fishing association, referred to in this project as a CBFA focused on both economic optimization and improved management performance. Historically, the majority of Morro Bay and Port San Luis fisheries' access to the groundfish resource has been through their trawl fleet. While other forms of fishing activity take place in these communities, trawlers from these areas have been responsible, for example, for up to a quarter of the sablefish harvest in the Conception Area.

Changing economics, increasing costs of doing business, and regulations have driven many fishermen who trawled to seek other options – many of them choosing to sell their permits and find other ways to earn their livings. These individual decisions have taken their toll on these communities as well. Within the prospect of rationalization of the trawl sector and individual quotas, looms the possibility that remaining access will soon move permanently to the north and access for central coast communities to the resource off their shores will be lost.

Provisions in the reauthorization of the MSFCMA provide for the creation of RFAs as a way for fishing communities to cooperate and maintain access to the resource under a quota share program. This project provides a practical opportunity to develop a fishing association that can improve the conservation performance of the fishery (particularly with regard to bycatch of depleted species), provide economic opportunity for fishermen, improve accountability to managers, and enhance community stability and other benefits from the fishery.

Following the 2008 EFP, the process of establishing a CBFA, selecting members, developing performance benchmarks and harvest plans, and its operation during the fishing year will be documented in the form of a case study. For the 2009 EFP, we will document the second year of operation of the community based fishing association, focusing on refinements in governance, harvest planning, and organization that will emerge from this experience.

10.2 How does the economic performance of the fishery change under gear switching and cooperative local management?

Fishing under the 2009 EFP will produce more economic information and will be able to provide additional information on the contributions of the community based fishing association to the well-being of the community and the viability of the enterprise. A second year of information is critical to understanding whether we are able to meet our community goals as we will have worked through many of the inevitable challenges associated with starting an enterprise like this, as artifacts introduced by start-up challenges will be less of a confounding variable in the interpretation of performance data.

A specific focus of the 2008 project is to study the socioeconomic consequences of gear switching and of a cooperative community based fishing association using shared hard caps. This evaluation will use data collected from members (costs, revenues, effort, behavior, beliefs, etc.) as well information on non-members (both historical data from fishermen in the area and available contemporary data).

Through this project, we will provide information on changes in fishing behavior, revenue, marketing opportunities, distribution channels, product value, and costs of monitoring. Our baselines will include past fishing activity in MB/PSL as well as data drawn from fishing done concurrently with the EFP in order to control for temporal effects. In addition, we will gather information and report on the socioeconomic consequences at the community level and other relevant information.

11 Description of how vessels will be chosen to participate in the EFP

TNC will be responsible for developing the lease agreements under which the six Limited Entry Trawl "A" Permits that are the subject of this EFP will be fished and will be responsible for enforcing the terms of their use, including, but not limited to, monitoring and observer requirements, data collection and information sharing, participation in the fishing association and compliance with association guidelines regarding implementation of the fishery, distribution of target and bycatch species, and mechanisms to pace the fishery throughout the year. Failure to comply with lease conditions and agreed upon association guidelines will result in revocation of permission to fish under the EFP.

The selection process will be run by the Committee described in section 8.5. Eligible applicants are those that meet the following criteria, developed jointly by the applicants:

- Meets PFMC eligibility requirements for participating in an EFP fishery as described in Council Operating Procedure No. 19.
- Experience using specified gear, with preference given to those with experience fishing in the geographic area of study.
- Willingness and ability to land in Morro Bay or Port San Luis.

- Access to a suitable vessel that meets Coast Guard safety requirements and can carry an observer.

In 2008, interested fishermen in the Central Coast area were given the opportunity to complete an application to aid in determining their eligibility. A final participant selection process to narrow down participants was facilitated by an impartial selection committee convened and overseen by the Committee. Because fishing under the 2008 EFP has not yet commenced it remains to be determined whether continuing with the same group of fishermen is of interest to either the fishermen or the members of this partnership. If not, a new selection process will be run in 2009.

12 For each vessel, the approximate time and places fishing will take place, and the type, size and amount of gear to be used

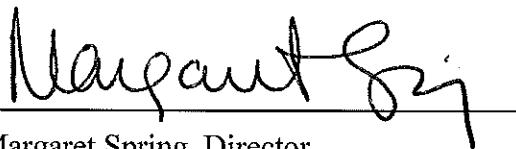
Under this EFP, no more than six vessels will use longline, trap, pot, and hook-and-line gear and will have the opportunity to fish between the date the 2009 EFP is issued and December 2009. Fishing will be constrained to the area between 36° North latitude (Point Lopez) and 34°27' North latitude (Point Conception) and in waters outside of the seaward boundary of the rockfish conservation area (deeper than 150 fathoms).

All fishing by EFP vessels will be done in compliance with state and federal regulations, with the exception of the exemptions granted by this EFP.

Vessels will be required to land fish in Morro Bay or Port San Luis.

Participants in the fishing association and the Committee will work cooperatively to develop a harvest plan for the fishing association that describes how fishing under the EFP will proceed. This plan will describe the requirements for participation in the EFP and the penalties for failure to comply. In addition to specifically describing the structure of the association, the specific goals and purposes – as described in this EFP, and the group's decision-making process, roles and responsibilities and communication requirements.

13 Signature of applicant (on behalf of all applicants)



Margaret Spring, Director
California Coastal and Marine Program
The Nature Conservancy