

GROUND FISH ADVISORY SUBPANEL REPORT ON PRELIMINARY REVIEW OF EXEMPTED FISHING PERMITS (EFPS) FOR 2010

The Groundfish Advisory Subpanel (GAP) reviewed six requests for exempted fishing permits (EFPs). Two of the EFPs are new and four are continuations of previous EFPs. At this time the GAP recommends that all six EFPs go forward, but wishes to offer the following comments on each proposal.

1. Fosmark Chilipepper selective gear

This request is a continuation of the 2008 EFP. There are two differences in this application from the original. Mr. Fosmark would like to change the period of the EFP from January through December to April through April in order to enable him to operate the EFP more fully taking into account timing of permit issuance and fish presence. It is the GAP's understanding that EFPs can be issued for a one year period that does not necessarily have to be a calendar year.

The second change has to do with the required observer coverage. Mr. Fosmark has engaged a volunteer who he would like trained as an observer for his EFP. The GAP is concerned about real and perceived bias for volunteer observers, and is also concerned about the precedent that this could set. Unpaid observers may erode the credibility of the EFP process. For this reason the GAP would decline this part of the request while moving the balance of this proposal forward for consideration.

2. The Nature Conservancy

This is a request to extend an EFP for a third year of operation. Within the GAP a majority felt that this EFP could continue to provide valuable information regarding both the structure and functioning of a community fishing association (CFA) including reducing monitoring costs through pooling of observers and electronic monitoring, while others felt that the EFP has gone beyond the learning and information stage and is now merely a request for continued fishing operations. There was interest in having The Nature Conservancy put electronic monitoring on their trawl vessel to study the validity of that as a potential viable option for the trawl individual fishing quota (IFQ) program.

3. Oregon Recreational Yellowtail Rockfish

This EFP is a continuation of a previous EFP that was approved. However, due to the delay in National Marine Fisheries Service (NMFS) permitting and other unavoidable circumstances, the EFP was not able to be fully conducted during the time frame specified. A second year of this EFP will be starting shortly after this meeting. The proponents would like to consider this request for a third year of operations as a placeholder in the event that conclusive results are not reached through the balance of this calendar year. The GAP feels there is significant interest among the Oregon recreational group to move this request forward. In addition, the GAP notes that one of

the goals of the EFP is to feed into the management context so it is likely that 2 or more years of data will be needed.

4. Recreational Rockfish Seaward of the RCA

This request is a continuation of the previous Recreational Fishing Alliance EFP with a few changes. The original purpose of this EFP was to establish a commercial passenger fishing vessel (CPFV) Slope rockfish fishery seaward of the rockfish conservation area (RCA) with emphasis on chilipepper rockfish using restricted hook and line gear to minimize bycatch of overfished species. Due to permitting delays and the lack of winter customers, very little opportunity was available to do this experiment.

This year one change to the EFP has been proposed. The applicants request that the period of the EFP would run from April 2009 to April 2010. They believe that more customers may be available during the winter months. As noted above, the GAP believes this change in timeline is in compliance with EFP rules.

The GAP highlighted that there has been a lack of interest in this EFP as it now stands. One reason for this may be the requirement to use only 2 hooks. The applicants request up to 5 hooks to allow full utilization of the 10 fish bag limit. The GAP notes that at present there is some inconsistency in the request for 5 hooks and that the applicants should clarify that in the application package. The applicants also request the ability to retain all fish caught since they are fully observed. The GAP did not see any concerns with that part of the request.

5. San Francisco Fishermen's Cooperative

This is a new request to fish vertical hook and line gear within the RCA and the Cordell Bank sub area RCA. The request is to use up to 10 boats over a 3 year time span.

One of the purposes of the EFP would be to determine the possibility of creating or modifying fisheries to fit within management guidelines. Some on the GAP were concerned that this is too many boats over too long of a time span for an EFP. The assumptions to be tested in the EFP could be verified in short order and the number of boats and duration of the EFP were thought by some to be excessive.

Serious concern was also raised that establishing a baseline as proposed would yield so many overfished species that it would shut down the EFP almost before it started. Finally the GAP noted that Cordell Bank is a canary hotspot and that the EFP might work better if it was amended to fish only south of 37°50' N. latitude.

The GAP would support going forward at this time to allow some revision of the proposal that would meet the concerns expressed.

6. Oregon Department of Fish and Wildlife

This is a new proposal sponsored by the Oregon Department of Fish and Wildlife for an EFP to collect biological information on yelloweye rockfish in the Oregon recreational fishery.

Although this would mean additional yelloweye to be accounted for in the scorecard, the GAP feels research of this overfished species is necessary and could be helpful in the continued rebuilding of the species. Prohibited retention of yelloweye has made it difficult to obtain the catch-at-age data sampling needed for updated science and assessments. This EFP would cover the Oregon coast out to 40 fathoms and would run from April through September 2010. The GAP recommends moving this EFP forward for consideration.

Some California GAP members wondered whether they could create a similar EFP to get updated scientific information on cowcod.

General comments

While the GAP recommends moving all six EFPs forward for further review at this time, we wish to offer the following general comments. Since all of the EFPs contain various caps for non-targeted overfished species, how these add up in the scorecard and affect primary target fisheries is a major consideration. For this reason EFPs for specific research should be given priority over experimental fisheries.

The GAP would hope that if an EFP is approved that they would start on the appropriate date and reach timely conclusions so that others have the opportunity to bring forth new requests. The limited amount of bycatch species that make EFPs necessary could preclude new proposals.

PFMC
06/14/09