

PRELIMINARY APPROVAL OF NEW EXEMPTED FISHING PERMITS (EFP)

The Council received one exempted fishing permit (EFP) application as of the advanced briefing book public comment deadline of May 26. This application is from Mr. David Stephens, a commercial fisherman/educator fishing primarily Southern California waters based out of San Diego. He proposes to test deep-set buoy gear. Attachment 1 contains his application. Federal regulations state “A NMFS Regional Administrator or Director may authorize, for limited testing, public display, data collection, exploratory fishing, compensation fishing, conservation engineering, health and safety surveys, environmental cleanup, and/or hazard removal purposes, the target or incidental harvest of species managed under an FMP or fishery regulations” (550 CFR 600.745(b)). The Council has established a process in Council Operating Procedure 20 (Attachment 2) to develop recommendations to the Regional Administrator on the issuance of EFPs and related terms and conditions.

According to Council Operating Procedure 20, the Highly Migratory Species Management Team (HMSMT) and HMS Advisory Subpanel (HMSAS) will review EFP proposals in June and make recommendations to the Council for action; the Council will consider those proposals for preliminary action. Final action on EFPs will occur at the September Council meeting. Only those EFP applications that were considered in June may be considered in September. COP 20 states “When a proposal is submitted to the HMSMT that includes a significant scientific component that would benefit from SSC [Scientific and Statistical Committee] review, the HMSMT can refer the application to the SSC for comment.” The HMSMT will review the proposal at the June meeting and if there is a need for SSC review, that body will do so at the September meeting.

At this meeting the Council will receive recommendations from the HMSMT and HMSAS on the EFP application and decide whether to further consider the application for recommendation to NMFS.

Council Action:

Preliminarily Approve New EFPs for Public Review.

Reference Materials:

1. Agenda Item D.3, Attachment 1: Exempted Fishing Permit Application from David Stephens.
2. Agenda Item D.3, Attachment 2: Council Operating Procedure 20, Protocol for Consideration of Exempted Fishing Permits for Highly Migratory Species Fisheries.

Agenda Order:

- D.3 Preliminary Approval of New Exempted Fishing Permits (EFP) Kit Dahl
- a. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** Preliminarily Approve New EFPs for Public Review