

**HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON PROPOSED
 DEEP-SET BUOY GEAR EXEMPTED FISHING PERMITS**

The Highly Migratory Species Advisory Subpanel (HMSAS) has reviewed the 15 Proposed Deep Set Buoy Gear (DSBG) exempted fishery permit (EFP) applications. With an acknowledgement that the Council has recommended for approval, and the National Marine Fisheries Service (NMFS) is now reviewing 62 permits for issuance, there appears to be a considerable number of permits that will only fish their EFPs in the Southern California Bight. Because a key purpose of issuing EFPs is to allow for activities in support of fisheries-related research, there seems to be an excessive number of EFPs focusing in southern California waters shoreward of 120° W. Because the HMSAS is concerned that the current round of EFPs does not broaden the study area, it suggests that the applications of Fuller, Hutto, Hyman, and White not move forward at this time. The HMSAS suggests that these applications could be revised and resubmitted if they focus their study area north of Point Conception or seaward of 120° W.

With regard to the Applications submitted for decision:

Name	Recommendation
Robert Breneman	Council Approval
Scott Breneman	Council Approval
Pietro Buompensiero	Council Approval
Josh Dagama	Council Approval
Daniel Fuller	Resubmit per above
Clint Funderburg	Council Approval
David Hutto	Resubmit per above
Ben Hyman	Resubmit per above
Tyler Scarbrough	Council Approval
Greg Surgener	Council Approval
William Sutton	Council Approval
Matt White	Resubmit per above
Thomas Wright	Council Approval
Thomas Carson/Nathan Perez (Revised)	Council Approval

The HMSAS also notes that the submission of these EFPs at every meeting when HMS is on the agenda since June 2016 has become untenable. The HMSAS strongly recommends the Council revert to its annual schedule as described in Council Operating Procedure 20 C(1). COP 20 states “the HMSMT and 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.”

Pending prosecution of Council approved, but unissued EFPs, the HMSAS recommends the Council not accept future EFPs for DSBG that are intended to be fished in the Southern California Bight. The HMSAS also recommends that future EFP applications, if any, should not

be submitted using the current simplified application form. The HMSAS also suggests that future applicants indicate that they have a NMFS-issued HMS permit, their vessel have a U.S. Coast Guard Commercial Fishing Safety decal, have adequate bunk space to house observers unless they plan day trips only, and have completed NMFS-sponsored Protected Species training.

Terms and conditions for EFPs when issued:

- Most EFPs will be issued for a two-year time frame. The HMSAS suggests the Council recommends to NMFS that unless an EFP holder has completed at least one set during the first calendar year, the EFP will be rescinded.

PFMC
03/13/18