

PRELIMINARY EXEMPTED FISHING PERMIT (EFP) APPROVAL FOR 2021-2022

Groundfish EFPs authorize vessels to engage in collection of limited experimental data through activities that would otherwise be prohibited by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act or MSA) or other fishery regulations. As described in Council Operating Procedure (COP) 19 (Agenda Item H.5, Attachment 1, **Electronic Only**), EFPs may promote increased utilization of underutilized species, realize the expansion potential of the groundfish fishery, or increase the harvest efficiency of the fishery. EFPs are commonly used to explore ways to reduce effort on overfished species, encourage innovation and efficiency in the fisheries, provide access to target species while directly measuring the bycatch associated with those fishing strategies, or to evaluate current and proposed management measures.

The Council process for considering and recommending EFP proposals is a biennial one that is synchronized with its biennial groundfish harvest specifications and management measures decision making process (see Agenda Item H.6 and H.8, respectively). Under this agenda item, the Council should review EFP applications and determine which to forward for public review. Any Council-recommended modifications to EFP applications will be communicated to the EFP sponsors and the public. If appropriate, the Council may also task the Scientific and Statistical Committee with doing a more thorough review of EFP proposals, prior to the June 2020 Council meeting. Yield set-asides needed for the EFPs should also be adopted. These set asides will then be taken into account when the Council adopts preliminary 2021-2022 harvest specifications (Agenda Item H.6).

The Council is scheduled to make its final recommendations for 2021-2022 EFPs and set asides at its June 2020 meeting in San Diego, California, at which time final harvest specifications and management measures are also adopted. National Marine Fisheries Service (NMFS) will then be notified of those EFPs the Council included in its final recommendations. Council Operating Procedure 19 (Attachment 1, **Electronic Only**) further describes the process and required components of EFP applications.

Seven 2021-2022 EFP applications were submitted for Council consideration at this meeting, as listed in the following table.

Sponsor	Short Description	Set-Aside Requested and Salmon Bycatch
West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund (Attachment 2)	Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2021-2022	None/Salmon Bycatch Caps
California Department of Fish and Wildlife (Attachment 3)	California Department of Fish and Wildlife; 2021-2022 Exempted Fishing Permit Application	None, Input solicited on need (see Harvest Limits, p. 3)
Coastal Conservation Association California (CCA CAL) Okuma Fishing Tackle Corp (Attachment 4)	Cowcod (<i>Sebastes levis</i>) Fishing off Southern California Coast	7 mt cowcod (p. 2)
San Francisco Community Fishing Association & Dan Platt (Attachment 5)	Yellowtail Rockfish Jig Fishing off California	See Table 1 (pp. 10-11)
Captain David Kosta (Attachment 6)	Kosta Oregon Experimental Fishing Permit Proposal	See Table 1 (pp 11-12)
Scott Cook (Attachment 7)	Commercial Midwater Hook & Line Rockfish Fishing in the RCA off the Oregon Coast	See Table 1 (pp. 1-2)
Washington Department of Fish and Wildlife (Attachment 8)	Proposal for an Exempted Fishery Permit Washington Department of Fish and Wildlife Enhanced Yelloweye Recreational Fishery Biological Sampling	1 mt Yelloweye (p. 3)

Progress reports on the San Francisco Community Fishing Association & Dan Platt EFP and Scott Cook EFP, both of which were approved for 2019-2020, are provided in Attachments 9 and 10, respectively. Washington Department of Fish Wildlife has provided a report in support of its EFP (Agenda Item H.5.a, WDFW Report 1).

Council Action:

1. **Decide which 2021-2022 EFP applications should be moved forward for public review, providing preliminary recommendations for modification, as appropriate.**
2. **Decide whether or not to refer any EFPs to the Scientific and Statistical Committee or other advisory bodies to engage in a more thorough EFP review.**
3. **Adopt yield set-asides to accommodate those EFPs recommended for public review.**

Reference Materials:

1. Agenda Item H.5, Attachment 1: Council Operating Procedure 19, Protocol for Consideration of Exempted Fishing Permits for Groundfish Fisheries (**Electronic Only**).
2. Agenda Item H.5, Attachment 2: Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2021-2022 (*West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund*).
3. Agenda Item H.5, Attachment 3: California Department of Fish and Wildlife; 2021-2022 Exempted Fishing Permit Application (*California Department of Fish and Wildlife*).
4. Agenda Item H.5, Attachment 4: Cowcod (*Sebastes levis*) Fishing off Southern California Coast (*Coastal Conservation Association California (CCA CAL) Okuma Fishing Tackle Corp*).
5. Agenda Item H.5, Attachment 5: Yellowtail Rockfish Jig Fishing off California (*San Francisco Community Fishing Association and Dan Platt*).
6. Agenda Item H.5, Attachment 6: Kosta Oregon Experimental Fishing Permit Proposal (*Captain David Kosta*).
7. Agenda Item H.5, Attachment 7: Commercial Midwater Hook & Line Rockfish Fishing in the RCA off the Oregon Coast (*Scott Cook*).
8. Agenda Item H.5, Attachment 8: Proposal for an Exempted Fishery Permit Washington Department of Fish and Wildlife Enhanced Yelloweye Recreational Fishery Biological Sampling (*WDFW*).
9. Agenda Item H.5, Attachment 9: Interim Report Exempted Fishing Permit Testing Jig Fishing Gear Targeting Yellowtail Rockfish For 2019/2010 Groundfish Fisheries.
10. Agenda Item H.5, Attachment 10: E-Mail from Scott Cook, Dated October 9, 2019 Providing Yellowtail EFP Interim Report 2019.
11. Agenda Item H.5.a, WDFW Report 1: Washington Department of Fish and Wildlife Report on Exempted Fishing Permit For Yelloweye Rockfish.
12. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- H.5 Preliminary Exempted Fishing Permit Approval for 2021-2022 Jim Seger
- a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Adopt Preliminary Exempted Fishing Permits and Proposed Set-Asides for Public Review

PFMC
10/24/19