

**UPDATE ON EXEMPTED FISHING PERMITS (EFPS) FOR 2021-2022**

At its November 2019 meeting, the Council approved a number of groundfish EFPs for public review and final action in June 2020 as part of the cycle for the 2021-2022 groundfish specifications. At the same time, it scheduled this agenda item as a check-in on the EFPs and an opportunity to incorporate a trawl electronic monitoring (EM) EFP into the package. The Council’s November actions on the EFPs that were moved forward are described in Agenda Item H.3, Attachment 1. As reflected in the following table, one EFP approved by the Council has since been withdrawn and another, an EM EFP, has not been submitted.

EFP Applicant	EFP Title/Description	Status
West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund	Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2021-2022	Updated (Agenda Item H.3, Attachment 2)
California Department of Fish and Wildlife	Recreational Cowcod Sampling in California	Updated (Agenda Item H.3.a, CDFW Report 1)
Coastal Conservation Association California (CCA CAL) Okuma Fishing Tackle Corp	Recreational Cowcod Retention in California	Withdrawn (Agenda Item H.3, Attachment 3)
San Francisco Community Fishing Association & Dan Platt	Yellowtail Rockfish Jig Fishing Off California	Updated (Agenda Item H.3, Attachment 4)
Scott Cook	Commercial Midwater Hook-and-Line Rockfish in RCA off Oregon	No Change (Agenda Item H.3, Attachment 5)
Washington Department of Fish and Wildlife	Enhanced Yelloweye Recreational Fishery Biological Sampling	Updated (Agenda Item H.3, Attachment 6)
Real Good Fish	Monterey Bay Regional Exempted Fishing Permit Targeting Chilipepper Rockfish	Updated and modified set-aside request. (Agenda Item H.3, Attachment 7)
	Electronic Monitoring	None received.

Also, at its November 2019 meeting, the Council directed a letter be written to NMFS requesting that the effectiveness date for EM regulations for the West Coast be delayed to 2022 and stating that at its March 2020 meeting the Council expected to consider an EM EFP to cover the 2021 fishery (Agenda Item H.3, Attachment 8). In response, the Council received a February 4, 2020 letter from National Marine Fisheries Service (NMFS/NOAA Fisheries, Agenda Item Attachment 9) indicating that NMFS needed to continue on schedule with the EM regulations for 2021 and raising question as to whether the reasons for an EFP raised in the Council letter meet EFP criteria:

In order for NOAA Fisheries to approve an EFP, it must be an activity regarding the targeting or incidental harvest of species managed under a Fishery Management Plan or fishery

regulations that would otherwise be prohibited. It is not clear from your letter that any of the proposed reasons meet these requirements.

**Council Action:**

- 1. Review updated EFPs and determine if any additional guidance is necessary.**
- 2. Review correspondence pertaining to EM and the development of an EFP and provide guidance.**

**Reference Materials:**

1. Agenda Item H.3, Attachment 1: Summary of Council November 2019 Actions on 2021-2022 EFPs.
2. Agenda Item H.3, Attachment 2: Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2021-2022.
3. Agenda Item H.3, Attachment 3: January 31, 2020 letter from Kotow and Lasko Withdrawing CCA CAL/Okuma Fishing Tackle EFP Proposal.
4. Agenda Item H.3, Attachment 4: Groundfish EFP Proposal: Yellowtail Rockfish Jig Fishing off California
5. Agenda Item H.3, Attachment 5: Commercial Midwater Hook-and-Line Rockfish in RCA off Oregon
6. Agenda Item H.3, Attachment 6: Proposal for an Exempted Fishery Permit, Washington Department of Fish and Wildlife, Enhanced Yelloweye Recreational Fishery Biological Sampling
7. Agenda Item H.3, Attachment 7: Monterey Bay Regional Exempted Fishing Permit Targeting Chilipepper Rockfish
8. Agenda Item H.3, Attachment 8: December 9, 2019 letter from Mr. Phil Anderson to Mr. Chris Oliver.
9. Agenda Item H.3, Attachment 9: February 4, 202, letter from Mr. Chris Oliver to Mr. Phil Anderson.
10. Agenda Item H.3.a, CDFW Report 1: California Department of Fish And Wildlife Report on 2021-2022 Exempted Fishing Permits
11. If received, Public Comments are electronic only ([see e-portal](#)).

**Agenda Order:**

- H.3 Update on Exempted Fishing Permits (EFPs) for 2021-2022 Jim Seger
- a. Reports and Comments of Management Entities and Advisory Bodies
  - b. Public Comment
  - c. **Council Action:** As Needed, Provide Guidance on EFP's Adopted for Public Review in November and Consider Including the Trawl Sector Electronic Monitoring EFPs

PFMC  
02/11/20