

## PRELIMINARY EXEMPTED FISHING PERMIT APPROVAL FOR 2023-2024

Groundfish Exempted Fishing Permits (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 E.4, 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 E.3 and H.5, 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 2022 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 biennial management measures for 2023-2024 (Agenda Item E.5).

The Council is scheduled to make its final recommendations for 2023-2024 EFPs and set asides at its June 2022 meeting, 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.

Six 2023-2024 EFP applications have been submitted for Council consideration at this meeting, as listed in the following table.

Sponsor	Short Description	Groundfish Set-Aside(s) Requested/ Salmon Bycatch Caps
California Department of Fish and Wildlife (Attachment 2)	California Department of Fish and Wildlife Report On 2023-2024 Exempted Fishing Permits and Interim Report of Progress to Date	None (See p. 3)
Washington Department of Fish and Wildlife (Attachment 3)	Proposal for an Exempted Fishery Permit Washington Department of Fish and Wildlife Enhanced Yelloweye Recreational Fishery Biological Sampling	None (See 3 <sup>rd</sup> page, Section h)
San Francisco Community Fishing Association & Dan Platt (Attachment 4)	Yellowtail Rockfish Jig Fishing off California	Groundfish: Table 1, p. 11. No salmon.
West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund (Attachment 5)	Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2023-2024	No groundfish. Salmon, p. 4
Scott Cook (Attachment 6)	Commercial Midwater Hook & Line Rockfish Fishing in the RCA off the Oregon Coast	Groundfish and salmon: Table 1 that starts on the 3 <sup>rd</sup> page of the attachment.
Real Good Fish (Attachment 7)	Monterey Bay Regional Exempted Fishing Permit Targeting Chilipepper Rockfish	Groundfish: p. 3 No salmon

Progress reports on 2021-2022 EFPs are due at this meeting and should include catch-to-date and intent to continue the EFP in 2022. Progress reports provided for the advance briefing book are as follows: California Department of Fish and Wildlife EFP as part of Attachment 2, WDFW EFP as Attachment 8, Real Good Fish EFP as Attachment 9 (letter of intent for 2022 plus the 2019-2020 final report, which includes data through July 2021), and the San Francisco Community Fishing Association Yellowtail Rockfish Jig Fishing EFP (Attachment 10).

**Council Action:**

1. **Decide which 2023-2024 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 E.4, Attachment 1: Council Operating Procedure 19, Protocol for Consideration of Exempted Fishing Permits for Groundfish Fisheries (**Electronic Only**).
2. Agenda Item E.4, Attachment 2: California Department of Fish and Wildlife Report On 2023-2024 Exempted Fishing Permits and Interim Report of Progress to Date (*California Department of Fish and Wildlife*).
3. Agenda Item E.4, Attachment 3: Proposal for an Exempted Fishery Permit Washington Department of Fish and Wildlife Enhanced Yelloweye Recreational Fishery Biological Sampling (*Washington Department of Fish and Wildlife*).
4. Agenda Item E.4, Attachment 4: Yellowtail Rockfish Jig Fishing off California (*San Francisco Community Fishing Association and Dan Platt*).
5. Agenda Item E.4, Attachment 5: Year-Round Coastwide Midwater Rockfish EFP (*West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund*)
6. Agenda Item E.4, Attachment 6: Commercial Midwater Hook & Line Rockfish Fishing in the RCA off the Oregon Coast (*Scott Cook*).
7. Agenda Item E.4, Attachment 7: Monterey Bay Regional Exempted Fishing Permit Targeting Chilipepper Rockfish (*Real Good Fish*).
8. Agenda Item E.4, Attachment 8: Enhanced Yelloweye Recreational Fishery Biological Sampling Washington Department of Fish and Wildlife 2021 Preliminary Report of Results.
9. Agenda Item E.4, Attachment 9: Letter of Intent for 2022 from Real Good Fish/Local Bounty plus the Monterey Bay Regional Chilipepper Rockfish Final EFP for 2019-2020 (including 2021 EFP data).
10. Agenda Item E.4, Attachment 10: 2021 Interim Report for Emley/Platt EFP.
11. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- E.4 Preliminary Exempted Fishing Permit Approval for 2023-2024 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 and Provide Other Guidance, as Necessary

PFMC  
10/28/21