

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM
REPORT ON EXEMPTED FISHING PERMITS

The Highly Migratory Species Management Team (HMSMT) discussed the 14 exempted fishing permit (EFP) applications submitted for Council consideration at the June 2022 meeting. Eight of these applications request permits to use deep-set buoy gear (DSBG) either standard (SBG) and/or linked (LBG) as previously approved by the Council and issued by National Marine Fisheries Service (NMFS). The remaining six applications request a permit to fish modified versions of DSBG (e.g., by increasing the number of pieces of gear, increasing the gear footprint, or fishing at night). The HMSMT acknowledges the thought and effort that went into developing these proposals to test modified approaches as a means to increase the economic benefit of targeting swordfish off the west coast with DSBG. The HMSMT feels that these new applications are potentially motivated by economic considerations, such as large increases in operating costs. The original limits on footprint and numbers of hooks have potentially limited the economic viability of currently approved DSBG configurations, which leads to new attempts at increasing revenues production to offset increased operation costs.

A summary table of submitted applications is available in the [Situation Summary](#) for this agenda item. References in this report to numbered applications correspond to the labels in that table.

For applications 1-4, 7, 9, 13, and 14, which request EFPs for the already approved DSBG configurations, the HMSMT supports the Council recommending these applications to NMFS for issuance at this meeting.

For application 5, which requests fishing SBG within 3nm of the California coast, issuing an EFP for fishing in state waters is outside of NMFS and the Council's purview and would require a state-issued EFP. Aside from that, the HMSMT recommends the Council approve this application for fishing in Federal waters at this meeting.

The remaining EFP applications contain proposed changes that can be grouped into three categories: increase in number of gear pieces, increase in the size of the gear footprint, and use of night set buoy gear (NSBG).

For proposals requesting permission to fish at night (6, 10, and 11), the HMSMT recognizes that night fishing presents additional challenges and potential bycatch risks. However, night fishing has previously been conducted without any observed interactions with protected species, no lost gear, and has had no unmarketable catch. The HMSMT believes that an increase in the number of vessels fishing NSBG will add valuable data to inform the feasibility of this fishing activity on a larger scale, and supports these applications being moved forward to September for final consideration.

For application 10, the HMSMT has concerns with potential ambiguity in data collection among day versus night sets. Given that day and night buoy gear may have different environmental impacts, the HMSMT desires to maintain distinct datasets for day and night and has reservations about a combined day/night approach.

For the request in application 6 to increase the allowable footprint for DSBG, the HMSMT has concerns that such an increase may decrease the ability to actively tend the gear, while increasing challenges to enforcement and potential for gear conflicts with other fisheries in the Southern California Bight (SCB).

For applications 6, 8, 10, and 11, which request an increase in the number of pieces of SBG, the HMSMT recommends an increase to no more than 15 pieces of SBG with no more than 30 hooks total. The HMSMT feels that this represents a precautionary approach that simultaneously mitigates potential risk while generating valuable data on the ability to manage and maintain an increased number of gear pieces and on economic and environmental effects. If applicants still wish to try more pieces of gear after a year of fishing 15 pieces, they may submit an additional EFP application to the Council and request consideration for additional pieces.

For application 12, the HMSMT understood that the intent of the proposal was to evaluate “scaling up” of LBG for use by larger vessels while fishing outside of the SCB and in areas north of Point Conception. While the team recognizes the need to evaluate the feasibility of scaling the gear to satisfy economic interests of larger-sized vessels, concerns were raised regarding the proposed footprint (10 nm as opposed 5 nm) and the ability to service the gear in a timely manner. However, given that the proposed fishing activity would occur outside of the SCB, the HMSMT expects that the potential for gear conflicts would be reduced. The application would benefit from more explicitly stating the proposed location, as the HMSMT views the larger footprint and many more bouys to be incompatible with other EFP permitted vessels that almost exclusively fish south and east of Pt. Conception. The HMSMT has some reservations regarding the proposal to use a lighter weight, as it is unclear if less weight would be sufficient to maintain proper gear configuration to avoid entanglements and bycatch. However, the HMSMT supports the trial and anticipates receiving an update on its performance at a later date.

To conclude, the HMSMT suggests that the Council approve applications 1-4, 5 (modified), 7, 9, 13, and 14 at this meeting, and consider the aforementioned points when issuing its final recommendations for the remaining applications at the September 2022 meeting.

PFMC
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