

EXEMPTED FISHING PERMITS – PRELIMINARY OR FINAL ACTION

At its September 2025 meeting, the Pacific Fishery Management Council (Council) adopted changes to Council Operating Procedure (COP) 20, which describes the schedule for reviewing exempted fishing permit (EFP) applications for highly migratory species (HMS) fisheries. The main changes adopted in September were 1) the Council will consider HMS EFPs at the November and March meetings instead of June and September, 2) the Council may take final action in one meeting instead of a two-meeting process, and 3) applications may be submitted for the first time at either the November or March meeting at which EFP applications will be considered by the Council.

Background

The National Marine Fisheries Service (NMFS) has the authority to issue or deny EFPs and specifies the application, review, and issuance requirements and process through nationwide federal regulations ([50 CFR 600.745](#)). An EFP application is submitted to and considered by the NMFS Regional Administrator (RA), who makes a preliminary determination whether it contains all the required information and constitutes an appropriate activity. If the RA determines that the application warrants further consideration, NMFS will prepare a Federal Register Notice (FRN) and accept public comment on the application. The RA may also consult with the Council during the comment period. Additional information is available on the NMFS West Coast Region [website](#).

Typically, the Council receives EFP applications from the applicant and/or NMFS and considers those applications at meetings specified in COPs. The timing and process specified in the Council's COPs don't necessarily align with the timing of EFP applications submitted directly to NMFS, because applications may be submitted to NMFS at any time. However, NMFS traditionally considers Council recommendations on EFPs in making its decisions.

The HMS Management Team (HMSMT) and HMS Advisory Subpanel (HMSAS) will review EFP applications and make recommendations to the Council for action. The Council may take preliminary or final action to endorse EFPs and make recommendations to NMFS on issuing the EFPs. The Council may also defer action and request that the applicant submit additional information for Council consideration at the next meeting at which consideration of HMS EFPs is scheduled.

November Council Tasks

As of the advanced Briefing Book deadline, two EFP applications had been received by Council Staff. One application (I.3 Attachment 1) is for night deep-set buoy gear and night linked buoy gear. The Council has previously considered and endorsed EFPs for these activities. The other (I.3 Attachment 2) proposes EFP fishing with Extended Link Buoy Gear (XLBG) simultaneously set deep and shallow, above and below the thermocline. The purpose is to target both Pacific swordfish and Pacific bluefin tuna, while minimizing seabird interactions and bycatch of other species. The applicant currently holds an EFP for XLBG but not to fish simultaneously deep and shallow. The Council should consider the applications and Advisory Body reports and should also confer with

NMFS on the status of the applications. The Council may recommend that NMFS issue the EFPs or may request further consideration at the March 2026 Council meeting.

Council Tasks:

- 1. Review EFP applications and consider whether to endorse each application or request additional information for further consideration at the March 2026 Council meeting.**
- 2. For any EFP applications endorsed at this meeting, convey support to NMFS and request EFP issuance.**

Reference Materials:

1. Agenda Item I.3, Attachment 1: Exempted Fishing Permit Application from Andrew Hemstreet (F/V White Pearl).
2. Agenda Item I.3, Attachment 2: Exempted Fishing Permit Application from Pflieger Institute of Environmental Research (PIER).
3. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- I.3 Exempted Fishing Permits Kerry Griffin
- a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Endorse EFP Applications and Recommend NMFS Issuance;
Request Additional Review and Consideration, as Appropriate

PFCMC
10/21/2025