

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM SUPPLEMENTAL REPORT ON EXEMPTED FISHING PERMITS - PRELIMINARY OR FINAL ACTION

The Highly Migratory Species Management Team (HMSMT) discussed the Night-Set Buoy Gear (NSBG) exempted fishing permit (EFP) application from Mr. Hemstreet ([Attachment 1](#)), as well as the two EFP applications from the Pflieger Institute of Environmental Research (PIER) for modifications to both Extended Link Buoy Gear (XLBG; [Attachment 2](#)) and Deep-Set Buoy Gear (DSBG; [Attachment 3](#)).

The HMSMT recommends the Council:

- 1) Request NMFS issue a NSBG EFP to Mr. Hemstreet
- 2) Request NMFS consider additional flexibility for NSBG
- 3) Endorse the proposed modifications to the PIER XLBG EFP
- 4) Request NMFS issue an EFP for ring DSBG to PIER

While the Council has expressed its wishes to approach EFPs for new gears differently than it did with DSBG (i.e. not creating a de facto fishery under EFPs), the five EFP applications for NSBG already issued have conducted limited effort to date. The HMSMT thus proposes that the Council recommend that NMFS approve the NSBG EFP application from Mr. Hemstreet. Should more NSBG applications be received in the future, the Council should request NMFS not renew EFPs with minimal or no effort and instead issue them to new applicants.

Additionally, the HMSMT suggests that the Council ask NMFS to build in some flexibility when addressing Endangered Species Act compliance for NSBG EFPs. This could allow for actively fishing EFP holders to adjust fishing strategy to better target desired species in periods of environmental changes. One potential flexibility could be to include allowance for changes in fishing depth.

The HMSMT views the two applications from PIER as modifications to gear configurations currently used in authorized fisheries and EFPs. The first ([Attachment 2](#)) requests an exemption to the depth limit to allow for fishing a shallower mainline to each piece of XLBG, as well as modifications to hook size and bait type. The second ([Attachment 3](#)) proposes adding monofilament rings to the terminal end of DSBG, in addition to the hooks, to increase swordfish catch while avoiding bait depredation. These proposed modifications could be endorsed in one meeting as final, avoiding delays in the evaluation and testing process.