

## FINAL REVIEW OF EXEMPTED FISHING PERMITS (EFPs) FOR 2011

Exempted fishing permits (EFPs) provide a process for testing innovative fishing gears and strategies to substantiate methods for prosecuting sustainable and risk-averse fishing opportunities. The Council considered four EFP applications at their September meeting and preliminarily adopted one for public review. The Council will do a final review of the Oregon Department of Fish and Wildlife (ODFW) EFP application at this meeting in consideration of recommending this EFP to the National Marine Fisheries Service (NMFS).

The proposed EFP is one sponsored by the ODFW that seeks to collect biological data from yelloweye rockfish encountered in the Oregon sport charter fishery (Attachment 1). Since the objective of this EFP is to collect biological samples to inform future yelloweye assessments, the Council recommended the 0.06 mt yelloweye impact associated with this EFP be taken from the research set-aside rather than the EFP set-aside established in the 2011-12 biennial specifications process.

Attachment 2 contains the 2010 progress report from the Morro Bay/Port San Luis EFP designed to test the effectiveness of a regional community fishing association to manage a groundfish fishery with hook-and-line and trap gears in central California by vessels using limited entry trawl permits. A second report examines the feasibility of electronic monitoring systems deployed during the Morro Bay/Port San Luis EFP to accurately capture fixed gear fishing activities and catch compared to self reporting in vessel logbooks and records compiled by a human observer (Attachment 3).

At its September meeting, the Council discussed that static EFP set asides are required in order to calculate the trawl and non-trawl allocations necessary to support a rationalized trawl fishery (see 75FR60868, definition of fishery harvest guideline). Therefore, EFP set asides need to be estimated during the biennial process in order to calculate the allocations for each year. However, depending on the incoming proposals, the estimated amounts may be insufficient to accommodate EFP activities. Further, in recent years, due to workload issues at NMFS, there have been challenges with timely issuance of permits. Therefore, there was some discussion about the possibility of two-year EFPs, timed appropriately with the biennial process. If the Council is interested to scope this issue further, the topic could be raised under Agenda Item K.4, Future Council Meeting Agenda and Workload Planning, and scheduled for further discussion.

Under this agenda item, the Council should review the ODFW yelloweye EFP application, consider public and advisory body comments, and consider recommending this 2011 EFP to NMFS.

### **Council Action:**

- 1. Consider the ODFW EFP application for 2011 and provide a final recommendation to NMFS.**
- 2. Review the Morro Bay/Port San Luis EFP progress reports.**
- 3. Consider recommending future action to modify the EFP process.**

Reference Materials:

1. Agenda Item H.4.a, Attachment 1: Application to the Pacific Fishery Management Council for an EFP to collect biological information from yelloweye rockfish encountered in the Oregon sport charter fishery.
2. Agenda Item H.4.a, Attachment 2: Morro Bay/Port San Luis Exempted Fishing Permit Progress Report for the Pacific Fishery Management Council.
3. Agenda Item H.4.a, Attachment 3: Morro Bay/Port San Luis Exempted Fishing Permit Electronic Monitoring Pilot Project Progress Report for the Pacific Fisheries Management Council.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Final Recommendations for EFPs

**Kelly Ames**

PFMC  
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