

## GROUND FISH MANAGEMENT TEAM REPORT ON FINAL REVIEW OF EXEMPTED FISHING PERMITS (EFPs) FOR 2011

One Exempted Fishing Permit (EFP) application, the Oregon Department of Fish and Wildlife (ODFW) yelloweye EFP, was forwarded for further review at the September 2010 Council meeting and submitted for approval at this meeting. The EFP application was a re-submission from last year. The Recreational Fishing Alliance (RFA-OR) yellowtail EFP, which was issued in late August of 2010 and is valid through August of 2011, impacts are also considered.

The Groundfish Management Team (GMT) also reviewed the reports submitted by The Nature Conservancy (TNC; Agenda Item H.4.a. Attachments 2 and 3) on the Morro Bay/Port San Luis Exempted Fishing Permit and would like to thank TNC for the timely submission of these reports.

### **2010 Approved Proposal Resubmitted for 2011**

#### Oregon Department of Fish and Wildlife (Agenda Item H.4.a, Attachment 1)

ODFW informed the GMT that they will be withdrawing this EFP application, due to the combination of uncertainty in a funding source for the dedicated sampler for this project and the delay in the 2011 harvest specifications rules and the need to start 2011 with a balance of 14 mt of yelloweye rockfish in the scorecard. While the GMT understands the limitations and complications for 2011, we would like to encourage this and other innovative projects aimed at gathering more information to inform the yelloweye rockfish stock assessment once these complications have been addressed and there is more certainty in what yelloweye catch may be available for EFPs.

### **Exempted Fishing Permits Approved for 2010 that Continue into 2011**

#### Recreational Fishing Alliance, Oregon

The RFA Oregon EFP was approved by the Council in November 2009 (Agenda Item G.3.a, Attachment 3), and issued by NMFS in August 2010. The EFP is designed to test a modified terminal tackle when targeting yellowtail rockfish in areas seaward of the 40-fathom depth restriction in Oregon waters. Due to the timing of the permit issuance, all trips under this EFP, and associated impacts to target and incidental species, will occur in 2011. During the 2011 and 2012 biennial specifications process, in conjunction with Amendment 21, the Council set aside 2.0 mt of yellowtail rockfish annually for EFPs. At this level, yellowtail rockfish (the target species) will be the most limiting species to this project, preventing a full-season of trips and data collection. Project participants estimate a minimum of 6.0 mt is needed to fully prosecute this EFP.

**The GMT recommends that the Council increase the “off the top” EFP deduction for yellowtail rockfish from 2 to 10 mt, by submitting public comment on the proposed rule for the 2011-2012 harvest specifications and management measures (75 FR67810).** The GMT recommendation is higher than the applicant estimate in order to provide a buffer, so that the underutilized target species is not limiting the fishing activities that this EFP is meant to test.

In reviewing the proposed rule, the fishery harvest guideline would be 3,857 mt, reducing both the trawl and non-trawl allocations (Table 1). **The GMT notes that NMFS will also need to consider the reduction to the trawl allocation when implementing quota pounds for the start of 2011.**

Yellowtail rockfish is an underutilized species; total mortality over the last three years has been less than 20% of the optimal yield annually. The GMT believes this EFP can be accommodated without adversely impacting the trawl and non-trawl allocations. Under trawl rationalization, it is anticipated that the trawl fleet will have increased utilization of yellowtail rockfish; however the quota pounds of co-occurring overfished species (e.g. canary and widow) will likely prevent a full attainment of the trawl sector's yellowtail allocation. Further, the increased yellowtail set aside would not limit other fisheries within the non-trawl allocation because these sectors also have limited access to yellowtail stocks given the co-occurring overfished species and the current non-trawl rockfish conservation areas.

**GMT Recommendation**

- 1. Increase the “off the top” EFP deduction for yellowtail rockfish from 2 mt to 10 mt by submitting public comment on the proposed 2011-2012 harvest specifications and management measures (75 FR67810).**

PFMC  
11/06/10

**Table 1. Yellowtail rockfish 2011 proposed rule allocations under Amendment 21 and the proposed change to the yellowtail rockfish EFP set aside. (changes are in bold)**

**2011 Proposed Rule Allocations Under Amendment 21.**

Species/Species Group/Area	2011 ACL	Tribal	EFP	Research	Incidental OA	Fishery HG	Trawl A21%	Non-trawl A21%	Trawl A21 mt	At-sea whiting set asides	Non-Whiting A21 %	Whiting A21 %	Non-Whiting A21 mt	Whiting A21 mt	Non-trawl A21 mt
Yellowtail N. of 40°10' N lat.	4,364	490.0	2.0	4.0	3.0	3,865	88%	12%	3,401	300	The rest	300	2,801	300	464

**Option 1. Increased Yellowtail EFP Set Aside for 2011 and Resulting Amendment 21 Allocations.**

Species/Species Group/Area	2011 ACL	Tribal	EFP	Research	Incidental OA	Fishery HG	Trawl A21%	Non-trawl A21%	Trawl A21 mt	At-sea whiting set asides	Non-Whiting A21 %	Whiting A21 %	Non-Whiting A21 mt	Whiting A21 mt	Non-trawl A21 mt
Yellowtail N. of 40°10' N lat.	4,364	490.0	<b>10.0</b>	4.0	3.0	3,857	88%	12%	<b>3,394</b>	300	The rest	300	<b>2,794</b>	300	<b>463</b>

\*The whiting/non-whiting allocations are only used for the initial allocation calculations.