

GROUND FISH MANAGEMENT TEAM REPORT ON  
AMENDMENT 22: LIMITING ENTRY IN THE OPEN ACCESS GROUND FISH FISHERY

*Introduction*

The Council has considered several times since 1994 converting the open access (OA) fishery to a permitted fishery. Due to changing workload priorities, this issue has repeatedly been delayed. Most recently at its September 2006 meeting, the Council re-visited the OA limitation process and decided to go forward with additional exploration and updating of OA fishery information in preparation for the June discussion.

The GMT reviewed the report *Review and Update of Open Access Groundfish Permitting Issue and Possible Range of Alternatives for Issuance of B and C Limited Entry Permits*, (Agenda Item E.4.a, Attachment 2) and offers the following comments.

*Purpose and Need for Limitation*

The GMT feels that limitation of the OA fishery will help to address the issues of bycatch reduction, overfished species management, and overcapitalization and thus will ultimately assist managers to better match harvest capacity with resource availability. In addition, when completed, it will provide a better basis for projecting landings and help stabilize seasonal catches so that inseason management is more predictable under the proposed alternatives. The intent is to issue the OA permit coastwide, but a one size fits all application may not be the most appropriate. Due to differential needs, the GMT recommends that the report reflect the purpose and needs of each state.

*Vessel Monitoring Systems (VMS)*

The report suggests VMS will not be sufficient for meeting the strategic plan goal of matching the open access fleet with groundfish resource availability, nor will it meet the Council's goals for reducing fishery capacity. However, the GMT believes that VMS will provide useful information for the OA limitation process such as better estimates of numbers of vessels fishing under OA. Another benefit of VMS would be verification that fish tickets are filled out during landings and, if not, it would be an enforcement mechanism against vessels that failed to fill out a fish ticket if they made a fishing trip.

*Definition and Division of Permits*

The GMT discussed the need for further clarification of the definitions of the criteria for a directed and incidental permit. Questions arose regarding the delineation of directed and incidental trips for purposes of regulation and enforcement, and differentiation of permits based on strategy (e.g., can someone be issued a permit with a species specific endorsement?). The GMT notes that the Council may want to address such issues as alternatives are being developed.

### *Enforcement Issues*

The GMT has identified potential areas of concern for enforcement related to fishing in state waters for federal species that are not covered under existing state permit programs. The GMT suggests that states meet with enforcement to help identify and resolve these issues.

### *Qualifying Criteria*

The GMT feels that the determination of qualifying periods will be a key concern and the basis of qualifying criteria (pounds, value, etc.) will determine the final composition of the remaining fleet. There have been extensive changes in the fishery due to regulation changes, market factors, and stock availability (e.g. salmon) over the course of the full qualifying period (1994-2006). The GMT suggests that the following issues be considered on a state-by-state basis when determining qualifying criteria: (1) which years and control dates should be used for determining historical participation; (2) how should vessels be dealt with that have a long overall historical participation but intermittent catch/landings; (3) the number and characteristics of vessels that could be excluded by using various historical years for catch histories; and (4) applicability of species specific permits or permits with species endorsements.

### *Use or Lose Provision*

The GMT recognizes that a use or lose provision may cause unintended fluctuations in participation and needs further analysis. For example, a fisher may be forced to fish in a given year under a use or lose provision. It could also limit the flexibility to use the open access fishery in intermittent years.

### *Review Process*

The GMT noted that there was no discussion in the report concerning a mechanism for a review process. The GMT recommends that a 5-year review process be included to allow for a re-evaluation of participants and resources and to evaluate how the process is working.

### GMT Recommendations:

1. States identify the purpose and need for their state and develop state-specific qualification criteria.
2. Define criteria for incidental and directed permits.
3. Regulations that state the level of groundfish associated with each incidental or directed permit.
4. Recommend that states meet with enforcement to identify potential areas of concern and analyze those items in the Environmental Assessment.
5. Include a 5-year review process.