

David Bitts  
*President*  
Larry Collins  
*Vice-President*  
Tom Hart  
*Secretary*  
Marlyse Battistella  
*Treasurer*  
***In Memoriam:***  
Nathaniel S. Bingham  
Harold C. Christensen



W.F. "Zeke"  
Grader, Jr.  
*Executive Director*  
Glen H. Spain  
*Northwest Regional Director*  
Vivian Helliwell  
*Watershed Conservation Director*  
Duncan MacLean  
*Salmon Advisor*

<http://www.pcffa.org>

**Please Respond to:**

**California Office**

P.O. Box 29370  
San Francisco, CA 94129-0370  
Tel: (415) 561-5080  
Fax: (415) 561-5464

**Northwest Office**

P.O. Box 11170  
Eugene, OR 97440-3370  
Tel: (541) 689-2000  
Fax: (541) 689-2500

17 March 2009

Mr. Don Hansen, Chair  
Pacific Fishery Management Council  
7700 NE Ambassador Place  
Portland, OR 97220-1384

RE: Groundfish Intersector Allocation

Dear Chairman Hansen:

The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents working men and women in the West Coast commercial fishing fleet. Among those fishermen, belonging to PCFFA member organizations, that we represent are many engaged in the open access groundfish fishery, as well as some in the fixed gear limited entry and trawl fisheries. On behalf of our open access groundfish members, we wish to convey to the Council our four concerns with Amendment 21 - which will set intersector groundfish allocations – as it is now drafted.

**First**, we note that recent landing history reflects: a) the sweeping effects of the Rockfish Conservation Area; and b) very conservative total allowable catch's (TACs), especially on former rockfish target species like canaries and yelloweye. However, it is PCFFA's understanding that most, if not all, of these stocks are rebuilding and may well be rebuilt in advance of the schedules suggested by the Council's Groundfish Management Team (GMT).

In making its decision on Amendment 21, PCFFA requests the Council consider and provide for the possibility of increased future opportunity for all sectors, including open access, to catch rockfish. This is particularly critical for the open access fishery which, unlike the trawl fleet, cannot access the flatfish stocks within the groundfish fishery. Rockfish have historically been an important part of the fishing portfolio of these smaller hook-and-line boats that supply the high value rockfish to the market. It has been the smaller hook-and-line boats in the open access fishery that have borne the brunt of rockfish conservation measures for over a decade – they should be entitled to enjoy the fruits of their conservation by being allowed fair access to rockfish stocks as populations rebuild and catch restrictions can be relaxed.

**Second**, in today's world of RCA and conservative TACs, the survival of open access fishermen will depend on at least maintaining current allocations for open access, especially for black cod. It is impossible to select among the three alternatives currently in Amendment 21. That is because only in Alternative 2 is the non-treaty non-trawl sector broken out into its three components: fixed gear, directed open access, and recreational. In Alternative 2 the open-access share of black cod north of 36 North is reduced from the 16% 2005 observed average to about 12%, which is unfair to that sector. What's worse is we are unable to discern whether the other options provide a greater or lesser percentage to the open access fishery. Clearly, if we are to be able to make reasoned, responsible recommendations to you regarding an option, we have to know what all each option entails. The way the alternatives are currently drafted, in the language of Amendment 21, that is unclear.

**Third**, under the trawl IFQ as currently proposed, it is our understanding that as the TAC increases, the trawl fleet will be provided more fish than they historically caught. While we have no problem in fishermen sharing in the bounty of rebuilt stocks, it is key that we remember to share. The increases do not belong to the trawl fleet alone. For that reason, we believe fairness and equity dictates that all sectors of the groundfish fishery share in increased TACs for groundfish. Since the fixed gear and open access fleets do not typically harvest flatfish (sole, flounder), we suggest the greater portion of an increased TAC for rockfish, sablefish, and lingcod be allocated to the fixed gear, open access and recreational sectors, while increases in the TAC for flatfish species be allocated to the trawl fleet.

**Finally**, if trawl consolidation leads to the formation of community fishing associations (CFAs) to maintain smaller ports' access to groundfish, the CFAs will need to acquire quota somehow. The current alternatives in Amendment 21 don't provide for CFA quota. One way that has been proposed is to buy trawl quota from a willing seller. We support that concept, but that may not be adequate. Therefore two other methods for CFAs to acquire quota need to be included. Those are: a) divestiture - When entities whose quota share exceeds accumulation caps divest, CFAs must be eligible to acquire that quota share; and b) "public public" quota: a portion of the recent trawl buyback was financed not by loans to the remaining trawlers, but by direct federal (taxpayer) purchase. We believe quota corresponding to that publicly financed portion of the buyback should be set aside for non-IFQ sectors, including CFAs.

What PCFFA seeks here is twofold: 1) to assure that the smaller hook-and-line fleet which supplies the high value rockfish to the markets is dealt with fairly in intersector allocation; and 2), to maintain some semblance of the historic coastwide fleet and landings profile, and port infrastructures, with particular emphasis on protection of smaller producers (even processors), in the face of the socioeconomic earthquake of trawl IFQ implementation.

We have watched and appreciate the Council showing concern for, and grappling with, these same issues, and we hope you will receive and consider these suggestions in the constructive spirit in which they are offered.

Sincerely,

Dave Bitts  
President