Amendment 21 versus Amendment 6
Relative to this action, the GMT would like to point out that the limited entry and open access allocations previously established under Amendment 6 would be abolished for Amendment 21 species. The open access fishery was previously allocated a percentage of fish from the commercial (trawl and non-trawl) fisheries, which would no longer exist. If the Council wanted to maintain the flavor of Amendment 6 by providing the open access sector with a fixed share of harvest, a new one would need to be calculated for the 2013-14 specifications and management measures.

The GMT discussed whether there was need to re-calculate new non-trawl limited entry and open access allocations given the fact that many of the species that would require new allocations (e.g. chilipepper and minor shelf rockfish) are not fully utilized. These Amendment 21 species either have no directed open access fisheries or full utilization is limited due to overfished species interactions.

At this time the GMT does not see a need to calculate new allocations for the 2013-14 specifications and management measures. As stated previously, many of these species are not fully utilized and the GMT does not feel there are any risks to exceeding an annual catch limit (ACL) and the non-trawl fishery harvest guideline could be shared by both sectors. At such time that a stock does become more fully utilized non-IQ limited entry and open access allocations could be considered.

Set-Asides
The GMT understands that there may be multiple interpretations on the actions that would be necessary to allow inseason flexibility in modifying set-asides for exempted fishing permits, research catches, and incidental open access (and potentially tribal set-asides if the tribes want to change those inseason). One interpretation is that the set-asides would be formally changed in the regulations (requiring notice and comment rulemaking) and the second is that the regulations would remain unchanged and unused set-aside amounts could be considered in determining risk of exceeding ACLs or other hard fishery targets in managing non-individual quota (non-IQ) directed fisheries. Simply put, the second approach would be akin to how the Council has balanced the scorecard in the past by accounting for all projected impacts inseason.
For the IQ fishery, it may be more difficult to distribute new quota pounds (QP) compared to the non-IQ fishery. The amount of set-aside redistributed to the IQ fishery would have to be large enough that the newly distributed QP equaled at least one pound per account (for those with quota shares [QS]) since National Marine Fisheries Service (NMFS) cannot issue QP in increments of less than that amount. There is also an associated staff time cost with redistributing QP to the IQ fishery for both the NMFS Northwest Region and Fisheries Science Center that may come at a cost to other Council priorities. This redistribution would require a regulatory change.

Since set-asides cannot be released until a fishery has closed or research completed, any set-aside will most likely be released later in the year, if at all, and the extent that it could be utilized by the fisheries are unknown at this time. The GMT supports an approach to allowing inseason flexibility in modifying set-asides that does not require regulations to be modified inseason. We would also suggest that the Council may want to get clarification on the necessary process steps for redistributing set-aside fish from NMFS.

**PIE Rule – Old items**

*Moving between limited entry and open access fisheries*

The GMT does not see any accounting issues relative to this issue, nor will it have an impact on any GMT models.

*Review and, as necessary, revise catch accounting regulations*

Relative to revising catch accounting regulations, the GMT would like to highlight that the sablefish trip limit models rely on the current accounting methods where “*Any groundfish caught by a vessel with a limited entry permit will be counted against the limited entry allocation while the limited entry fishery for that vessel’s limited entry gear is open.*” Deviating from the current catch accounting regulations could affect trip limit models.

**PIE Rule – New items**

*Add process under the Shorebased IFQ Program in case harvest specifications and management measures are delayed.*

Relative to the Pacific halibut individual bycatch quota pounds annual allocation, the Council may want to consider revising the regulations on the conversion rate from legal sized to legal and non-legal sized halibut such that the regulations reference the ratio calculation from the most current observer data instead of having a fixed value of 0.62.

Additionally, the GMT notes that the Pacific halibut total constant exploitation yield (CEY) is usually not known by January 1. As such, the Council may consider recommending NMFS issue QP in two parts. The first part could be issued based on some portion of the International Pacific Halibut Commission (IPHC) staff recommended total CEY from their interim meeting. The second part could be issued based on the final total CEY that results from the IPHC annual meeting in late January.

**PFMC**

06/11/11