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Date: Thu, Jun 12, 2014 at 5:51 PM
Subject: Public Comment Agenda Item F. 3 Omnibus and Agenda Item F6 Fixed Gear
To: "pfmc.comments@noaa.gov" <pfmc.comments@noaa.gov>
Agenda Item F.3 Omnibus and F.6 Fixed Gear Public Comment

Dear Chair Lowman and Council Members:

My husband , Bob Eder and I are owner/operators of the F/V Timmy Boy , based in Newport Oregon. We fish for sablefish under the LE Fixed Gear program, and also participate in the trawl IQ program, using fixed gear.

We are submitting this letter as public comment under two agenda items, as I have received varying guidance from NMFS and Council staff as to where this would best fit.

We would like to propose a rule change to 50 CFR 660, Subpart C, Section 660.12 (a) (11). This rule currently provides that it is a violation to fail to remove all fish from the vessel at landing (as defined in § 660.11) and prior to beginning a new fishing trip. “Land or Landing” is defined in the regulations as: “To begin transfer of fish, offloading fish, or to offload fish from any vessel. Once transfer of fish begins, all fish aboard the vessel are counted as part of the landing. “

Recently, we’ve received various interpretations as to how this rule is applied, depending on whether it is Fixed Gear Limited Entry Sablefish, or Trawl IQ Sablefish. It appears that if it is our trawl sablefish, it can be unloaded at 2 different locations, as long as they are both licensed first receivers. Conversely, it appears that if it is fixed gear sablefish, the rule is being interpreted to require we offload all our fish at one time, which, practically speaking, means at one location.

We’d like a rule change so that when we come in with a load of fixed gear sablefish, we can unload some to a buyer at a public hoist, for example, and then deliver the remainder to our main processor. Fish tickets , paper or in the future, electronic, would be written at both places for the amount sold, and the LE fixed gear permit numbers would be on the tickets so the fish is accounted for.

One of the reasons we’d like to do this is so we can potentially add value to our fish. We’d like to sell to an emerging live sablefish market, which does pay premium prices. We may also want to deliver fish across the dock and sell some of our fish to our own fish company for custom processing. In either event, the rule currently prohibits our ability to develop markets for our fixed gear fish, other than selling the entire load at one place for one set of prices.

A change in the rule as described above would provide for additional economic opportunity and development, to benefit the entire coast wide fixed gear fleet, and the public it serves.

Thank you for your consideration.

Sincerely,

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