

# American Fisheries Act

Management Measures to Protect  
West Coast Groundfish Fisheries

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# Purpose for Council Action

Protect West Coast fisheries from harm

If no action, Secretary could implement measures

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# Council Objective Today

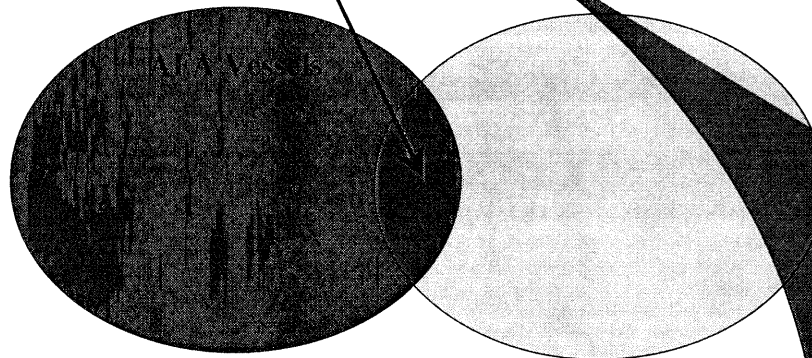
**Determine qualifying criteria to exclude vessels and processors that gained an advantage (i.e., "benefited") from the AFA.**

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Excluding AFA vessels with LE permits.  
The number excluded will depend on the criteria.

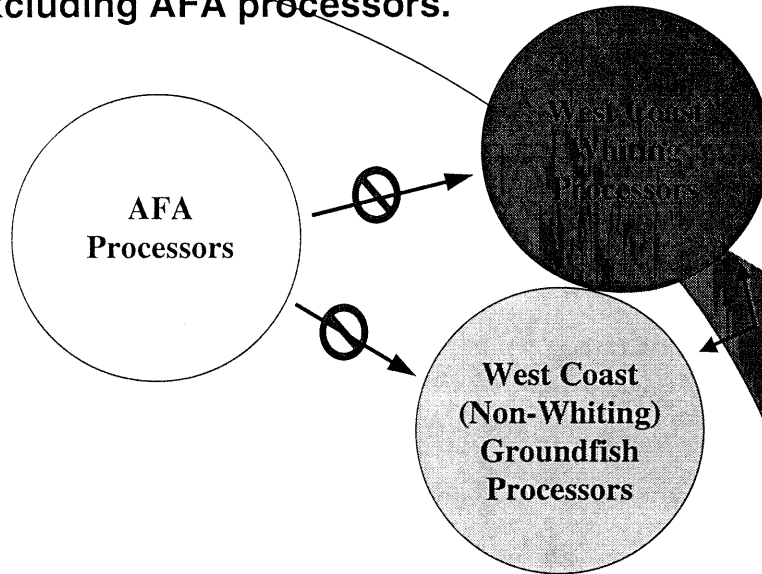
**AFA Vessels with limited entry permits**



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## Excluding AFA processors.



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## Key Points

- **Restrictions must be linked to protecting against harm caused by the AFA.**
- **Establish criteria to exclude AFA beneficiaries.**
- **Explain why the qualifying criteria are appropriate.**
- **Set a duration on the restrictions.**

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## Definitions

### **AFA vessel.**

Catcher vessel, catcher processor, or mothership receiving a portion of the directed pollock quota.

### **AFA processor.**

Processor receiving a portion of the directed pollock quota.

### **Spill-over vessel or processor.**

AFA vessel with a West Coast LE permit; or AFA processor.

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## Sectors for Exclusion Consideration

- I. AFA Catcher Vessels (C/V)**
- II. AFA Motherships (M/S) and  
AFA Catcher Processors (C/P)**
- III. AFA Processors**

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## I. C/V Exclusion Groups

### Whiting fishery

- A. Catcher vessels delivering offshore.
- B. Catcher vessels delivering shorebased.

### Groundfish Fishery

- A. C/Vs landing (non-whiting) groundfish shorebased.

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## I. Catcher Vessel Exclusions

Three approaches to exclude spill-over vessels:

- 1 Vessel is excluded.
- 2 Limited entry permit is retired or restricted.
- 3 Vessel excluded and permit retired.

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## Why vessels vs. permits?

If restrictions are not placed on the permit, an excluded vessel could sell permit to a non-AFA vessel or transfer to new boat.

This could result in another vessel entering the fishery, causing harm.

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## Catcher Vessel Exclusions

The proposed criteria are:

### Catch history:

- a. minimum tonnage requirements, i.e., 50 mt;
- b. number of deliveries, i.e., 30 deliveries.

### Window periods:

- a. 1994, 1995, 1996, 1997;
- b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99.

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## Sectors for Exclusion Consideration

- I. AFA Catcher Vessels**
- II. AFA Motherships (M/S) and  
AFA Catcher Processors (C/P)**
- III. AFA Processors**

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## C/P and M/S Exclusions

### Approaches to exclude spill-over C/Ps and M/Ss:

#### For C/Ps –

- Vessel is excluded.
- Limited entry permit is retired or restricted.
- Vessel excluded and permit retired.

#### For M/Ss –

- Vessel excluded or restricted.

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## C/P and M/S Exclusions

The proposed criteria are:

For C/Ps –

- possessed limited entry permit;
- window period, i.e., 1997, 1998, 1999 through 9/16/99.

For M/Ss (and C/Ps as M/Ss) –

- processing history;
- window period.

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## Sectors for Exclusion Consideration

**I. AFA Catcher Vessels**

**II. AFA Motherships (M/S) and  
AFA Catcher Processors (C/P)**

**III. AFA Processors**

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# Processor Exclusion Groups

**I. Whiting Processors**

**II. (Non-whiting) Groundfish Processors**

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# Processor Exclusions

**Approaches to exclude processors:**

- **If no history, no future participation**
- **If some history, future participation restricted to historic.**

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## Processor Exclusions

The proposed criteria are:

For whiting processors –

- processing history, i.e., 1000 mt;
- federal authorization;
- qualifying years, i.e., 1998 or 1999.

For (non-whiting) groundfish processors –

- processing history.

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## Conclusion

**Purpose of Council action is to recommend management measures to protect against spill-over effects (harm) from the AFA.**

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## Key Points

- Restrictions must be linked to protecting against harm caused by the AFA.
- Establish criteria to exclude AFA beneficiaries.
- Explain why the qualifying criteria are appropriate.
- Set a duration on the restrictions.

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## Exclude Vessels or Permits?

- Vessel is excluded.
- Limited entry permit is retired or restricted.
- Vessel excluded and permit retired.

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## Options for excluding spill-over C/Vs

- I. Whiting Fishery (offshore)
  - A. Exclude C/Vs delivering offshore that have not:
    - A.i. harvested 50 mt whiting during:
      - a. 1994, 1995, 1996, 1997; or
      - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or
    - A.ii. made 30 deliveries during:
      - a. 1994, 1995, 1996, 1997; or
      - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or
    - A.iii. made 10 deliveries during 1997.

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## Options for excluding spill-over C/Vs

- I. Whiting Fishery (shorebased)
- B. C/Vs landing shorebased that do not meet the following requirements will be excluded.
  - B.i. harvested 50 mt whiting during:
    - a. 1994, 1995, 1996, 1997; or
    - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or
  - B.ii. made 30 deliveries during:
    - a. 1994, 1995, 1996, 1997; or
    - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or
  - B.iii. made 10 deliveries during 1997.

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## Options for excluding spill-over C/Vs

### II. (Non-whiting) Groundfish fishery

A. C/Vs without shorebased landings of (non-whiting) gf during the qualifying period will be excluded.

A.i. 1994, 1995, 1996, 1997; or

A.ii. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or

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## Direction Needed to Finalize Catcher Vessel Options

Determine criteria to exclude spill-over vessels.

Why are these the right criteria?

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## Options for excluding spill-over permits

**Permits on AFA vessels will be retired or restricted based on catch history during the qualifying period.**

- A.i. harvested 50 mt of groundfish during:**
  - a. 1994, 1995, 1996, 1997; or**
  - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or**
- A.ii. made 30 deliveries of groundfish during:**
  - a. 1994, 1995, 1996, 1997; or**
  - b. 1994, 1995, 1996, 1997, 1998, 1999 through 9/16/99; or**
- A.iii. made 10 deliveries of groundfish during 1997.**

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## Direction Needed to Finalize Permit Options

Determine criteria to retire or restrict spillover vessel permits.

Why are these the right criteria?

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## Options for excluding spillover C/Ps and/or M/Ss

- **C/Ps not licensed to harvest gf in 1997, 1998, or 1999 through 9/16/1999 are excluded from the whiting fishery.**
- **M/Ss (and C/Ps as M/Ss) that did not receive at least 1000 mt of whiting during the 1998 or 1999 regular whiting season are excluded.**

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## Direction Needed to Finalize C/P and M/S Options

**Determine criteria to exclude spill-over vessels.**

**Why are these the right criteria?**

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## Options for excluding spillover processors

### **I. Whiting Processors**

**AFA facilities would be EXCLUDED from the whiting fishery unless:**

**Facility recv'd at least 1000 mt of whiting in the 1998 or 1999 regular whiting season; or held state or federal authorization to receive or process unsorted whiting in 1998 or 1999.**

**Once during the year, a processing company that owns or controls a qualified processor or receiving station may substitute a facility owned or controlled by the same company.**

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## Options for excluding spillover processors

### II. (Non-whiting) Groundfish Processors

AFA facilities would be **EXCLUDED** from WC (non-whiting) groundfish fisheries unless:

**AFA facility has processing history in WC (non-whiting) groundfish fishery. Future participation is based on processing history.**

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## Direction Needed to Finalize Processor Options

- **Clear rationale for excluding AFA processors.**
- **Linkage between restrictions and the AFA.**
- **Determine the qualifying criteria.**
- **Why are these the right criteria?**
- **Ensure that restrictions on AFA processors do not harm (non-whiting) WC groundfish processors.**

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## **AFA Cooperative**

**Arrangement between vessels and processors to use a portion of the directed pollock quota allocated.**

**For example, an inshore cooperative formed by catcher vessels and shorebased processors would share a portion of the inshore sector's pollock allocation.**

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## **Benefits to Vessels (C/V, C/P, and M/S)**

**Vessels in cooperatives, or who lease their portion of the pollock allocation, can optimize their pollock fishing. This operational advantage could harm WC fisheries, as these vessels could increase participation in WC fisheries.**

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## Benefits to Processors

**An operational advantage is less distinct.**

**It might be possible for an AFA processing company in Alaska to build a new WC facility. It might also be possible for an AFA processing company to buy an existing WC facility and expand the range of species the facility processes. Both of these could be seen as harm current WC processors.**

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