

**SUMMARY OF PROVISIONS FOR PERMIT STACKING ALTERNATIVE
AND OTHER ACTIONS TO CONSIDER**

Provision 1: Basic Stacking (No Options)

Provision 2: The Base Permit and Gear Usage

- Options: **2a.** Use only the gear on the base permit.
 2b. Use any fixed gear on a stacked permit that fits the boat.
 2c. Use any fixed gear on any of the stacked permits.

Waive trawl permit downsizing provision for stacked fixed gear permits (applies only if stacked permits can be unstacked—see Provision 4).

Provision 3: Limits on Stacking and Ownership

Stacking: No more than 3 permits on a single vessel. *Analysis of 2 and 4 permit limits is provided along with options for 4 or 5 permits to be stacked if none of the permits is a Tier-1 permit.*

Ownership: Restrict the number of fixed gear sablefish permits owned by an individual to:

- Options: **Ownership Limit:**
 (a) 2 permits,
 (b) 3 permits,
 (c) 4 permits, or
 (d) an amount with tier limits that add-up to 5% of the total sablefish allocated to the fixed gear primary season.

Options include a grandfather clause so owners don't have to sell if they already own permits in excess of these limits. *A date should be set for determining current concentration of ownership. Possibilities include the November Council meeting, the date the regulations are approved, the date the regulations become effective.*

- Options: **Calculating Ownership:**
 (a) If you own part of the permit the whole thing counts toward the ownership limit.
 (b) Only your portion of the owned permit counts toward the limit (1/4 interest counts as 1/4 permit)

Provision 4: Combination of Stacked Permits

- Options: **4a.** Permits may be unstacked.
 4b. Permits may not be unstacked and tier endorsements are not tradeable.
 4c. Permits may not be unstacked and tier endorsements are tradeable among the endorsed fleet.

Provision 5: Fishery Duration

- Options: **5a.** Extended season: After 2001, April 1 through October 31. For 2001, as early as possible through October 31.
 Consider adding provisions:
 seller must provide copies of fishtickets for year,
 buyer must keep seller's fishtickets on board and all subsequent fishtickets.

- 5b. Modified derby (current situation):
Consider adding provisions:
delegate season duration and limits to NMFS for 2001.

Provision 6: At-sea Processing

- Options: 6a. Prohibit at-sea processing except for vessels that can demonstrate the landing of at least 2000 pounds of frozen sablefish in 1998, 1999, or 2000. **(Note: Data is not available to assess amounts of frozen landings).**
- 6b. Allow at-sea processing:
Consider an alternative that would qualify vessels on the basis of freezer capacity as of a certain date.

Provision 7: Permit Ownership and Permit-Owner-on-Board Provisions

- Options: 7a. Only individual human beings can acquire permits.
The permit owner is required to be on board while fishing.
- Grandfather clauses provide exceptions to (1) allow businesses already owning permits to continue their ownership and acquire additional permits, (2) allow current owners to be absent during fishing operations, so long as they own the vessel. Both the grandfather clauses expire with a change in ownership of the permit or business owning the permit.
- 7a.1. **Determine what share of the vessel the permit owner must own to qualify for the grandfather clause exception: Options (a) 20%, (b) 100%, or (c) some other value (specify).**
Consider adding:
a control date for determining permit ownership;
a provision requiring the submission of ownership information, including contracts for the transfer and sale of permits
- 7b. Business entities can own, and permit owner does not have to be on board.

Provision 8: Nonsablefish Cumulative Limits

- Options: 8a. Nonsablefish cumulative limits cannot be stacked.
8b. Some credit is given for additional nonsablefish cumulative limits.

Provision 9: Vessels Without Sablefish Endorsements

The limited entry daily-trip-limit fishery for vessels without sablefish endorsements.

- Options: 9a. Current situation: closed during the primary fishery.
9b. Open during the primary fishery.

Provision 10: U.S. Citizenship Requirement

- Options: 10a. Only U.S. citizens would be allowed to acquire fixed gear sablefish permits.
10b. Current situation: anyone eligible to own a U.S. fishing vessel may acquire fixed gear sablefish limited entry permits.

Provision 11: Advance Notice of Landing Required

- Options: 11a. Six hours advance notice of landing required for stacked permits.
11b. No advance notice required.
11c. Six hours advance notice required for all fixed gear sablefish permits.

**Consider adding:
flexibility to ask other information such as hail weight and landing location.**

Provision 12: Stacking Deadline

- Options:
- 12a. Declare intent to stack by June 30 for 2001 and by **January 15** in all subsequent years; or
 - 12b. all permit stacking would have to occur by June 30 for 2001 and by **May 15** in all subsequent years.
 - 12c. Current situation: no notice of intent to stack would be required.