

West Coast Fishermen's Alliance

Exhibit C.8.c
Public Comment
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Pacific Fisheries Management Council
2130 SW Fifth Avenue
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Dear Chairman Lone:

The West Coast Fishermen's Alliance would like to submit the following comments regarding the proposed Sablefish Limited Entry Fixed Gear Permit Stacking Plan.

Provision 1: Basic Stacking.

We support the **PFMC. moving forward in the process of developing a Permit Stacking plan for The Fixed Gear Sablefish fishery. We support this plan even if the moratorium on IFQ's is not lifted.**

If Stacking is allowed and the moratorium is not lifted we support the following adjustment to the tier allocations.

1. That those who are participating in the stacking plan would bare the burden of any reduction of allocation or loss of time at sea. Those who do not participate would not see there season or allocation reduced . This will make the transition into the stacking plan fair to those who do not participate, by not economically impacting non participants. This will reduce any controversy that would be raised on this issue. However if the moratorium is lifted all allocations will revert back to their normal values using the harvest guideline for that year.

Provision 2: The Base Permit and Gear Usage.

We support **Option 2 c. The vessel may fish with any fixed gear endorsed on at least one of its stacked permits.** The plan that has been shopped around the Fishing Industry for the past several years has always been discussed in terms of allowing any permit to be used for the gear type designation that will be fished as long as the base permit fits the vessel.

There are no reasonable arguments for not allowing the most conservative and selective gear type to be used. This is one of the priority issues that is being discussed at both the PFMC and State levels of management. In regard to dealing with stock rebuilding and by catch issues.

On many occasions Pot fishers have testified to the Council regarding the efficiency of their gear and its ability to avoid bycatch. In the following are listed several reasons why the option to use Sablefish Pot permits should be allowed.

a. Pot gear is safer to use than hook gear for obvious reasons, with the shortage of experianced crew members in the labor pool now days , safty is becoming more of an issue.

b. Pot gear is species specific with virtually no bycatch of other species. Mesh sizes can be adjusted to allow small fish to escape, reducing impacts on juvenial fish.

c. Pot gear is also economically more efficient than long line gear. It takes much less labor to maintain the gear, and Pots do not require large baiting crews that are often seen in the long line hook fleet.

d. Pot gear has less potential for habitat degradation.

e. Long line gear has some bycatch though it is a small amount compared to Trawl, it does still occur, i.e.; Sharks, ratfish, skates, halibut, species of deep water rockfish, and other bottom dwelling creatures.

f. Long line is very labor intensive, some small vessels have as many as 12 employees during the derby where a pot vessel might only have 3 employees to harvest the same amount of fish in the same length of time.

g. Long line does have some negative impacts on habitat, it hooks rocks and turns them over, and sweeps across the ocean floor if the fishermen are not careful in there hauling practices.

It seems to us that if the council really wants to move toward the use of alternate gear types and promote conservative harvest practices while reducing habitat degradation, this would be a good place to start.

We would encourage the council to not let this opportunity slip by to as it would be very difficult to go back later and once again change the plan to accommodate these conservation issues.

Provision 3: Limits on Stacking.

We support the **Provision that no more than three permits could be stacked on any one vessel.** This would ensure that the demographics of the fleet would remain similar to what we see today, and the fleet size would not shrink below 56 vessels coast wide. This would help to ensure that communities and processors can also remain viable during this transitional period. But most importantly would discourage the accumulation of excessive shares of the resource by stakeholders with very deep pockets.

We also support a cap of 5% on individual ownership of the resource, while allowing on initial implementation those who have more than 5% to be grandfathered in. Second generation ownership could not exceed 5% of the total allowable catch for an individual or corporation. **The Cap of 5% currently equals 3 top tier permits.**

Provision 4: Combination of Stacked Permits.

We support **Option 4 a. Permits may be unstacked.**

If permits are not allowed to be unstacked we are afraid that this plan will not meet the Magnusen- Stevens requirements allowing for new entrants into the fishery, as fishers retire or when vessels are lost. There is another reason for allowing the transferability of these permits. Example: If 3 vessels had only 2 permits on their respective vessels add one of them wanted to sell out and get out of fishing. The vessels who were going to stay in would not be able to break up this block of permits and stack them on their vessels, reducing the potential of the fleet to reduce its capacity. We need some flexibility with in the fleet to deal with the ever changing needs of the individuals who are participate in this plan, if we don't provide this flexibility the plan will be ineffective.

Provision 5: Fishery Duration.

We support the **Option 5 a. A fishery structure that would last April 1 thru Oct. 31.** This would allow ample time for harvesters to market their product in a reasonable manner. Commercial fishing is documented to be the most dangerous occupation in the United States, being forced to fish under a derby management system for the sole purpose of avoiding the ITQ definition is a great dis-service to the Fishermen and women of the West Coast. This Management system forces fishermen that are already at risk to fish in weather conditions that a prudent fisherman would never consider working in under normal circumstances. We can consider our selves very lucky that we haven't lost any one in our fleet in the past few years, it will only be a matter of time before this tragedy will occur under our current system. I am personally not at all interested in becoming a statistic for determining the mortality rate for the Fishing industry. I would hope that PFMC would support this option, if flexibility is allowed through an exemption in the current moratorium on ITQ,s.

Provision 6: At Sea -Processing.

We support **Option 6 b. At sea processing would be allowed in the fixed gear Sablefish fishery.**

We see absolutely no advantage in giving up now, something that may turn out to be our only option in the future. As the effects of the groundfish collapse reach some of our small coastal ports the infrastructure may collapse, leaving many communities with out a processor. This would leave only two options available to the fisherman, processing on board or relocating to a port that still has processing infrastructure. The Council should value added strategies by fishermen not prohibit them. We must have the option of at sea processing and develop new markets for our products that will add value to the fish for the fishermen. One of our goals as an organization has always been to support and promote the viability of our small boat fishermen and the communities they live and work in. If the fleet can not remain viable, the question wheather or not processors will survive becomes a mute point.

Provision 7: Owner on Board Provisions.

We support **Option 7 a. The permit owner would be required to be onboard the vessel during fishing operations.**

This option would discourage the ownership of permits by non fishing related investors or corporations that may be interested in buying up our west coast fishing resources. This would apply to only second generation owners that haven't previously owned permits in the fixed gear fishery.

Provision 8: Stacking of Non sablefish Cumulative Limits.

We support **the stacking of non sablefish endorsements**, but as conservation and rebuilding dictate we would support the reduction of second and third cumulative limits, to facilitate the rebuilding of species that are over fished.

Provision 9: Vessels without Sablefish Endorsements.

We support **Option 9 b. Allow the limited entry daily trip fishery to continue at the same time as the directed fishery only those who were non endorsed would be allowed to participate.** This option would allow those who are involved in the daily trip limit fishery to no be adversely impacted by the implementation of the fixed gear stacking plan. This would reduce any controversy surround this issue.

The West Coast Fishermen's Alliance recommends that the Council move forward on this issue in an expedient manner, time is of the essence. We would also like to caution the Council not to try and complicate this plan by adding all types of bells and whistles. We do not want to risk destroying the consensus that has been developed. Keep the plan simple and don't loose the momentum we currently have.

Sincerely,

John Warner
West Coast Fishermen's Alliance.