

**Subject:** [Fwd: Fwd: Written comment for April 8-12,2002 council meeting, Agenda item E.2.f.]

**Date:** Mon, 01 Apr 2002 09:46:38 -0800

**From:** "John DeVore" <John.DeVore@noaa.gov> Internal

**To:** Dan Waldeck <daniel.waldeck@noaa.gov>

----- Original Message -----

**Subject:** Fwd: Written comment for April 8-12,2002 council meeting, Agenda item E.2.f.

**Date:** Mon, 01 Apr 2002 08:18:23 -0800

**From:** "PFMC Comments" <[pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov)>

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**Subject:** Written comment for April 8-12,2002 council meeting, Agenda item E.2.f.

**Date:** Thu, 28 Mar 2002 12:28:16 -0800

**From:** "Laura/Chuck Deach" <[lsdeach@rockisland.com](mailto:lsdeach@rockisland.com)>

**To:** "Pacific Fisheries Management Council" <[pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov)>

E.2.f.

Laura Deach

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27 March 2002

Dr. Donald McIsaac, Executive Director

Pacific Fishery Management Council

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Portland, OR 97220-1384

Dear Dr. McIsaac:

This letter concerns the PFMC's proposal to limit entry in the open access fleet. Creating the open access fleet was a mistake. Fixing it with another limited entry program would be an even bigger mistake. I request that the council consider the alternative option of closing the directed portion of the open access fleet by 2004, allocate the necessary portion of the open access quota to the open access incidental fisheries, and redistribute the remainder of the open access quota to the existing limited entry fleet and recreational fisheries. Although this alternative appears harsh, I believe it will reduce capacity, bycatch, and target species discards far better than the creation of 200 more groundfish permits. Enforcement and management burdens would be minimized, and greater economic benefits would be realized. The following comments refer to the directed portion of the open access fleet.

In 1990, your SSC commented, "Management tools traditionally used by the council (landing limits, trip frequency limits, ratios and quotas) have reached the limits of their usefulness in achieving the council's conservation goals..." Creating another groundfish limited entry program of 200 permits will institutionalize this broken management: Small Daily Trip Limits Forever. Does the council really want this? Trip limits create target species discards. The smaller the trip limit poundage, and the more frequent the landing period, the greater the discard becomes. (This is reflected in the move to cumulative landing limits.) And, it has become evident that no matter how small the trip limit poundage becomes some fleet, or portion of, will form to catch it, reducing the effectiveness of trip limits. Capacity cannot be controlled with limited entry and trip limit management. When ABC's drop another 30%, which for some species they will, the 200 permits you create today will no longer be in balance with the resource. The trip limits will decrease, there will be too many permits, and the council will request a buyback program for this limited entry program.

What is the discard rate of this fishery? Observers for this fleet are an impossibility, but we can play with numbers. From 1994 to 1999, a six-year period, there were 98,775 landings for the open access directed fishery. If each vessel discarded one five pound fish for each landing, you have half a million pounds discarded in six years. If each vessel discarded ten fish, you have five million pounds thrown away. What if they discard more? With the current conditions on the West coast, permanently adding another fleet with management created discards is unacceptable.

What is the cost of enforcement for this fishery? There were 3500 vessels making 100,000 landings during the six-year period. How many of these deliveries were monitored? How many deliveries weren't recorded because they weren't monitored? Is there poaching occurring? This fishery cannot possibly be enforced. Yet, the council was extremely concerned about reasonable enforcement with respect to implementation of IQ programs. Concerned enough to use "potential enforcement problems" as a main reason not to implement IQ's. Where is the council's concern now?

What is the cost of management for this fishery? What is the expense of processing all those fish tickets? How much time does council and staff spend on estimating fleet size, trip limits, frequency limits, catch rates and inseason adjustments? And, what is this cost compared to the quantity and value of fish being delivered by this fleet?

What purpose does the council's goal of maintaining small daily trip limits for the "small boat fleet" serve today? Is it appropriate given the current conditions of the resource? The premise of maintaining year round opportunity for the trawl fleet is to maintain grocery store shelf space. Is this true for the "small boat fleet?" What defines the "small boat fleet?" Is it vessel size, number of crew, area fished, poundage caught, income earned? It would seem that "small boat fleet" is best defined as vessels earning less than \$30,000. Does one boat earning \$100,000 put more back into the community than ten boats earning \$10,000? Does one boat earning \$300,000 put more into the economy than ten boats earning \$30,000? If there is not enough to trickle down.... Through trip limit management, higher producing boats always lose fish to smaller producing boats. Is this fair? Why is the "small boat fleet" a sacred cow?

Amendment Six states, "Vessels without permits for longline and fishpot gear and vessels using gears other than groundfish trawl, longline, and fishpot gear would participate in the open access fishery. These exempted gears harvest only about 10% of the value and 5% of the volume of the groundfish resource. Representatives of the exempted gears agreed that they were willing to take the risk that influxes of participants to these fisheries could occur, reducing the viability of the fishery. All on the committee agreed that members of the exempted gears could come forward at a later date and request **inclusion under the program** if they so desired." (Amend. Six pp.4-3-4). Amendment Six reiterates on page 17-3, "If representative's from these gear groups come forward and request the gear group as a whole be **included under the Limited Entry program**, this may be considered by the council as part of a future amendment." And again, on page 17-8, "...it may be necessary to bring that fishery **under the limited access system**." But, the chickenshit political response I got to these observations was, "Amendment Six doesn't say how open access would be included." Excuse me? "Include, Inclusion, Inclusive" as defined by Webster's 1990 edition, "1. taking everything into account 2. including the terms or limits mentioned". "The" is defined as, "1. that (one) being spoken of or already mentioned 2.that (one) which is present 3. that one designated or identified as by title...." There is a title, and there are terms and limits. There is an established window period and MLR's. But, now the council discusses a completely new limited entry program with a window period fifteen years later. This type of behavior does not build credibility.

What trust does the council expect when you declare that half of the existing limited entry fleet must be eliminated, but the first step is to add 200 more permits? Options to reduce the current fleet include requesting government funds and/or a loan, or requiring two permits to continue fishing, forcing current permitted fishermen to buy or sell. But, first the council is going to issue 200 more permits. And, to who? To "fishers" that either never met the original limited entry requirements, requested exclusion from the program, or were not yet even participating. These "fishers" represent the most recent added excess capacity to the groundfish fishery. Why would the council issue them permits, especially when you struggle to eliminate half of the current, existing permits? This type of behavior irreparably damages the council's trust and credibility. The current situation on the West coast cannot tolerate another 200 permits. Please consider this alternative option.

Sincerely,

Laura Deach

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