

GROUND FISH ADVISORY SUBPANEL STATEMENT
ON INTERPRETATION OF AMENDMENT 14

The Groundfish Advisory Subpanel (GAP) met with NMFS and Council staff to discuss interpretation of the fixed gear permit stacking amendment. We offer the following comments, based on Exhibit 3.a, Supplemental Attachment 7.

Issue 1, Duration of owner-on-board exemption

The GAP supports Option C, with two changes: the break in ownership can be up to 1 year; and an additional provision should be added as follows: a person who qualified for the exemption as of the control date, but later divested, a permit can retain rights to an owner-on-board exemption as long as that person obtains another permit within 1 year of the date the owner-on-board regulations are implemented.

The GAP believes this additional language will solve problems for those who temporarily left the fishery without undermining the intent of this provision of Amendment 14.

Issue 2, Affect on individuals who are corporate owners

The majority of the GAP supports Option A with a minor change as follows: "A person who has **a 30% or greater** ownership interest..."

The majority believed the original Option A was too broad and Option B was too restrictive. The additional language would constrain expansion of ownership exemptions while still recognizing the complexities of vessel and permit ownership in the fishery.

A minority of the GAP believes Option B more clearly reflected the intent of the Council in approving this provision of Amendment 14.

Issue 3, Deceased owners

The majority of the GAP supports Option B with a 3-year grace period. This option is preferred by NMFS and parallels similar regulations in the Alaskan fishery. A minority of the GAP believes a 1-year grace period is sufficient.

Issue 4, Loss of exemption

The GAP supports Option A, continuing the provision regarding exemption loss. The GAP fully understands the implications for permit owners.

Issues 5 and 6, Joint ownership of permits

The GAP discussed these issues, continues to support the provisions, and agrees that NMFS should be allowed to make corrections to the records as discussed in the Exhibit.

Issue 7, Permit numbers on fishtickets

The GAP believes it is desirable to modify fishtickets to include space for recording permit numbers and urges the Council to request the states make those modifications. Until new fishtickets are available, states should require permit numbers be written on some appropriate place on the ticket. Over the long term, the GAP urges NMFS to develop a "card swipe" system to track landings which should be made available for all groundfish species and all gear types where cumulative limits (including sablefish tier limits) are used.

The GAP then discussed proposed regulatory changes which might be used to resolve problems faced by

individuals who have been affected by the interaction of Amendment 14 regulations and general groundfish limited entry regulations. Mr. Mike Pettis of Oregon gave a presentation to the GAP on the problems that he, his wife, and his son have faced.

The GAP examined a regulatory option involving an increase in the number of permits that could be leased without violating the stacking limit (Option B on page 5 of the Exhibit). After a lengthy discussion involving the GAP, the NMFS representative, Council staff, Mr. Pettis, and members of the public the GAP voted on whether to maintain the status quo or recommend the proposed regulatory change. Of the members present and voting, 8 favored the status quo; 4 favored recommending the regulatory change; and 4 abstained.

PFMC
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