

ANALYSIS OF MANAGEMENT ALTERNATIVES

The issues and options before the Council are outlined in the decision path provided as Figure 1 (page 5). Options proposed under the AFA agenda item appear to be focused on two primary objectives:

- Amendment 15 Objective 1: Protect from adverse impacts of the AFA (as authorized by the AFA)
- Objective 2: Reduce latent capacity in the groundfish permit system.

Evaluation of the performance of these management options in terms of these two objectives reveals significant performance differences and similarities between the options. In the draft amendment developed for public review, options will also be evaluated in terms of other goals and objectives of the groundfish fishery management plan (FMP), the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Regulatory Flexibility Act and other applicable laws.

The following is the count of each category of AFA permitted vessels; the number of such vessels with some West Coast presence for periods described in Issues 2, 3 and 4 for each respective category; and the number of non-AFA vessels.

	Count of AFA Permitted Vessels	AFA Permitted Vessels with Some West Coast Presence	Number of Non-AFA Vessels In the West Coast groundfish fishery
Catcher Vessels	112	35 (26 held permits as of 06/29/00)	248 (trawl permits held by non-AFA vessels)
Catcher-Processor Vessels	21	10 ^{a/}	0
Motherships	3	3	0

a/ Note there is one additional catcher processor active on the West Coast during the Issue 3 qualifying period, however, that vessel is prohibited from participating in US fisheries under the terms of the AFA.

Catcher Vessel Issues (Issues 1 and 2)

Issue 1 - Qualification Requirements and Subdivision of the Fishery

Under Issue 1, the Council would establish the **qualifying requirements and possible subdivision of the fishery (Option 1.a)**. Issue 1 can be divided into three questions as follows.

Question 1. Should AFA Catcher Vessel Participation be Limited? Page 6

- Option 1.a Limit AFA catcher vessel entry separately for each sector (at-sea whiting, shoreside whiting, non-whiting groundfish)
- Option 1.b Limit AFA catcher vessel entry to the groundfish fishery as a whole
- Option 1.c No new limit on participation

Question 2. Should Qualification Require that a Permit Be Held on a Specific Date?

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- Option 1.a no requirement for a vessel to hold a permit on a specific date in order to qualify.
- Option 1.b a permit must have been held as of October 1, 1998

Question 3. What Landing/Delivery Requirement Should be Used? Page 10

Option 1.a	minimum landings/deliveries qualifying periods	50 mt; 100 mt; 500 mt; or 10 deliveries 1994 - 1997; or 1994 - Sept 16, 1999
Option 1.b	minimum landings/deliveries qualifying period	500 mt 1994 - Sept 30, 1998

Resolution of the questions as they pertain to Option 1.a and 1.b may be mixed and matched to some degree. For example, Option 1.a could be selected with the addition of the Option 1.b requirement that a permit be held as of October 1, 1998. Or, Option 1.b might be selected with AFA vessels earning West Coast access privileges by meeting any of the 1.a landing requirements.

Issue 2- Restrictions Imposed for Catcher Vessels Page 14

Under Issue 2 the Council would establish the **restrictions imposed** (vessel restriction, permit restriction, or both vessel and permit restriction). Issue 1 determined which catcher vessels would be restricted. Issue 2 determines how the restrictions will be imposed.

Restriction of AFA vessel participation will involve one of the following (1) the creation of a new type of permit (Option 2a, vessel medallions), (2) modification of the existing permit system (Option 2b, new groundfish limited entry permit restrictions and requirements), or (3) creation of a new type of permit and modification of the existing permit system (Option 2c, vessel medallions and new groundfish limited entry permit restrictions and requirements). Regardless of the mechanism used to impose the restrictions, qualification will be based on vessel history and will be determined as part of the consideration of Issue 1. Within each of these options, in most cases choices will need to be made regarding groundfish limited entry permit requirements and transferability.

Option 2a Vessel Restricted (Medallion System Created)

AFA vessels qualifying under the criteria established under Issue 1 would be issued medallions (groundfish permits held by AFA vessels will not be affected).

In order to participate in the West Coast groundfish fishery an AFA vessel must possess an catcher vessel medallion and a groundfish limited entry permit.

If Option 1.a is also selected, the medallions would specify the sector(s) in which the vessel is allowed to participate.

Subissue 2.a.1 Groundfish Limited Entry Permit Requirement

No suboptions. AFA vessels would have to continue to hold at least one groundfish trawl permit in order to enter the fishery.

Subissue 2.a.2 Medallion Transferability

Suboption 2.a.2.a Medallion **can** be transferred between AFA vessels (no length or other capacity restriction)

Suboption 2.a.2.b Medallion **cannot** be transferred between AFA vessels (the Council may consider allowing substitution if a vessel is completely lost)

Option 2b Limited Entry Permit Restricted and New Permit Requirement

Groundfish limited entry permits would be affixed with an AFA "brand" based on the catch history of the vessel holding the permit as of June 29, 2000. The brand would indicate the qualifying criteria met by the AFA vessel holding the permit or that the AFA vessel did not meet qualifying criteria. The brand on the permit held by an AFA vessel that did not meet the qualifying criteria (see Issue 1) would render the permit invalid on a temporary or permanent basis (depending on permit transferability restrictions and decisions made under Issue 5). If Option 1.a is adopted the brand would indicate the sector(s) in which the vessel may participate (those sectors for which the

vessel met that qualifying requirements)

Subissue 2.b.1 Groundfish Limited Entry Permit Requirement

- Suboption 2.b.1.a An AFA vessel would be required to hold at least one groundfish trawl permit (**branded or unbranded**) in order to participate in the fishery.
- Suboption 2.b.1.b An AFA vessel would be required to hold at least one **branded** groundfish trawl permit in order to participate in the fishery.

Subissue 2.b.2 Permit Transferability

- Suboption 2.b.2.a Permits are transferable and the AFA brand restricts the permit whether it is on an AFA or nonAFA vessel.
- Suboption 2.b.2.b Permits are transferable and the AFA brand restricts the permit only when it is on an AFA vessel.
- Suboption 2.b.2.c Permits with AFA brands are not transferable.

Option 2c Vessel Restricted (Medallion System Created) Limited Entry Permit Restricted and New Permit Requirement

This option combines Options 2a and 2b. In doing so it would create a West Coast catcher-vessel medallion system for AFA vessels and restrict permits by placing a brand on permits held by an AFA vessel as of June 29, 2000. AFA vessels would be required to hold an AFA medallion to participate in West Coast fisheries, but may or may not be required to hold an AFA branded permit, depending on the suboption selected.

Subissue 2.c.1 Groundfish Limited Entry Permit Requirement

- Suboption 2.c.1.a An AFA vessel would be required to hold at least one groundfish trawl permit (**branded or unbranded**) in order to participate in the fishery.
- Suboption 2.c.1.b An AFA vessel would be required to hold at least one **branded** groundfish trawl permit in order to participate in the fishery.

Subissue 2.c.2 Medallion Transferability

- Suboption 2.c.2.a Medallion **can** be transferred between AFA vessels (no length or other capacity restriction)
- Suboption 2.c.2.b Medallion **cannot** be transferred between AFA vessels (the Council may consider allowing substitution if a vessel is completely lost)

Subissue 2.c.3 Permit Transferability

- Suboption 2.c.3.a Permits are transferable and the AFA brand restricts the permit whether it is on an AFA or nonAFA vessel.
- Suboption 2.c.3.b Permits are transferable and the AFA brand restricts the permit only when it is on an AFA vessel.
- Suboption 2.c.3.c Permits with AFA brands are not transferable.

Catcher-Processors (Issues 3) Page 19

Currently, catcher-processors must hold groundfish trawl permits, but there is no separate limited entry system for catcher-processors. Any catcher-processor that can acquire a limited entry permit with a large enough length endorsement may enter the fishery. The Council may consider creating a new program for catcher-processors in order to limit the number of AFA vessels entering as catcher processors. This program would not prevent non-AFA catcher processors from acquiring general limited entry groundfish permits and combining them into a permit large enough to enter the fishery.

- Option 3a. Require that AFA catcher-processors hold West Coast catcher-processor medallions. Issue catcher-processor medallions for any AFA catcher-processor vessel that held a groundfish limited entry permit in 1997, 1998, or 1999, through September 16, 1999. The requirement for the catcher-processor medallion would be in addition to the requirement that a groundfish limited entry permit be held. ***NonAFA catcher-processors could enter the fishery without a medallion. Medallions would not be length specific and would be transferable to other AFA catcher-processors (Council should confirm intent)***
- Option 3b Status quo. Place no new restrictions on entry by AFA catcher-processors to the West Coast groundfish fishery.

Motherships (Issue 4) Page 20

Mothership participation in the West Coast groundfish fishery is not restricted by a limited entry program. The Council may consider creating a new program for motherships in order to limit the number of AFA vessels entering the fishery as motherships. This program would not prevent expansion of the mothership fleet through entry of non-AFA motherships.

- Option 4a. Require that AFA vessels operating as motherships hold West Coast mothership medallions. Issue mothership medallions for any AFA vessel that received at least 1000 mt of Pacific whiting during the regular whiting season in 1998 or 1999. ***NonAFA motherships could enter the fishery without a medallion. Medallions would not be length specific and would be transferable to other AFA motherships (Council should confirm intent)***
- Option 4b Status quo. Place no entry restriction on AFA vessels operating as motherships in the West Coast groundfish fishery.

Duration of Restrictions (Issue 5) Page 21




Many of the restrictions imposed by the AFA will expire December 31, 2004. The North Pacific Fishery Management Council may continue the restrictions set to expire by recommending regulations to NMFS. West Coast restrictions to prevent harm may terminate with termination of the AFA restrictions or continue.

- Option 5.a Restrictions would be permanent, until changed by the Council or NMFS
- Option 5.b Restrictions would automatically expire with the expiration of the AFA or regulations recommended by the AFA which have largely the same impact as the AFA, whichever comes last.

Appeals and Technical Amendment (Issue 6) Page 22

Under Option 6.a, the Council would not be consulted on any appeal of NMFS actions taken under the qualification standards the Council recommends under Issues 1, 3 or 4. Under Option 6.b, NMFS would consult with the Council on any appeals related to the issuance of medallions and permits pursuant to this amendment. To increase Council flexibility to meet its responsibilities for consulting with NMFS on permit appeals, a technical amendment is proposed such that the specifics of the membership and other aspects of the Council's permit review board, currently specified in Section 14.5, would be deleted from that section and maintained as part of the Council operating procedures.

Figure 1. Display of options, page number for analysis in parentheses.

<p><u>1. AFA CV Restrictions (6)</u></p> <p>1.a Restrictions (by sector) 1.b Restrictions (general) 1.c No restrictions</p>	<p>If 1.a or 1.b is preferred alternative</p> 	<p><u>3. AFA C-P Restrictions (19)</u></p> <p>3.a Restrictions 3.b No restrictions</p>	<p><u>4. AFA MS Restrictions (20)</u></p> <p>4.a Restrictions 4.b No restrictions</p>	<p><u>5. Duration of Restrictions(21)</u></p> <p>5.a Permanent 5.b Expire</p>
<p>If 1.a is the preferred alternative –</p> 	<p><u>2. AFA CV Restrictions (14)</u></p> <p>2.a On Vessel 2.b On Groundfish Permit 2.c On Vessel and Permit</p>			<p><u>6. Appeals and Technical Amendment(22)</u></p> <p>6.a No Council role 6.b Council role.</p>
<p>If 2.a preferred →</p> <p>If 2.b preferred →</p> <p>If 2.c preferred →</p>		<p><u>2.a.1 G'fish Permit Requirement</u></p> <p>Trawl A permit required, does not need to be from another AFA CV.</p>	<p><u>2.a.2 Medallion Transferable</u></p> <p>2.a.2.A Yes, substitution 2.a.2.B No, substitution</p>	
		<p><u>2.b.1 G'fish Permit Requirement</u></p> <p>2.b.1.A Trawl A permit (any) 2.b.1.B One Trawl A permit (AFA)</p>	<p><u>2.b.2 Permit Transferable</u></p> <p>2.b.2.A Yes, AFA brand on 2.b.2.B Yes, AFA brand off 2.b.2.C No</p>	
		<p><u>2.c.1 G'fish Permit Requirement</u></p> <p>2.c.1.A Trawl A permit (any) 2.c.1.B One trawl A permit (AFA)</p>	<p><u>2.c.2 Medallion Transferable</u></p> <p>2.c.2.A Yes, substitution 2.c.2.B No, substitution</p>	<p><u>2.c.3 Permit Transferable</u></p> <p>2.c.3.A Yes, AFA brand on 2.c.3.B Yes, AFA brand off 2.c.3.C No</p>
<p><u>1.a Qualifying Requirements</u></p>				
<p>Specify qualifying requirements for each of the three sectors.</p>	<p><u>At-Sea Whiting</u></p> <p>50, 100, 500 mt, or 10 deliveries</p>	<p><u>Shorebased Whiting</u></p> <p>50, 100, 500 mt, or 10 deliveries</p>	<p><u>Non-whiting Groundfish</u></p> <p>50, 100, 500 mt, or 10 deliveries</p>	
<p>1994 - 1997 or 1994 - 9/16/1999</p>		<p>1994 - 1997 or 1994 - 9/16/1999</p>	<p>1994 - 1997 or 1994 - 9/16/1999</p>	

Issue 1 - Question 1. Should AFA Vessel Participation be Limited?

The primary choice for Issue 1 is a decision on

whether or not there is a need to prevent harm caused by the AFA by excluding or limiting AFA vessel participation in the West Coast groundfish fishery (i.e., select 1.a or 1.b, vs. 1.c as preferred alternative).

Once this decision is made, then it can be determined whether there is a need to consider the qualifying requirement options analyzed for Issue 1 options (1.a or 1.b) and other features of the types of restrictions that are considered as part of Issue 2. Supplementary to this question is one of whether and the degree to which the Council wishes to pursue reduction of latent permit capacity (the second objective identified in the introduction). Only Option 1.a could significantly reduce latent permit capacity. The relative performance of Options 1.a and 1.b are summarized in Table 1 and discussed in more detail on the following pages.

Has There Been Harm from the AFA?

The primary impetus for consideration of this amendment is the AFA and its requirement that the Pacific Council recommend regulations to limit harm that AFA firms may cause West Coast firms. This provision does not require that harm be demonstrated but allows preventive action to be taken. However, given the length of time that has now passed since the enactment of the AFA, it is possible to consider whether any of the feared consequences have come to pass. While data is not available for a complete economic analysis and isolation of causes of the changing economic fortunes in the groundfish fishery, a review of changes in catcher vessel (1) gross landings and (2) entry and exit is instructive. For this analysis, two years prior to the 1998 enactment of the AFA (1996-1997) are compared to the two years after enactment of the AFA (1999-2000).

Expanded Participation (Changes in Landings)

Landings by AFA vessels expanded only moderately after enactment of the AFA. However, non-AFA vessels of similar size experienced a substantial decrease in average landings.

	Number of Vessels			Average Annual Vessel Landings (mt)	
	Total	With Decreased Landings	With Increased Landings	'96-'97	'99-'00
West Coast AFA Vessels					
Groundfish and Whiting	22	10	12	2,835	3,104
Whiting	21	10	11	2,931	3,141
Non-whiting Groundfish	13	8	5	62	48
West Coast Non-AFA Vessels of Size Similar to AFA Vessels (groundfish trawl vessels >70')					
Groundfish and Whiting	91	69	22	838	633
Whiting	28	20	8	1,714	1,400
Non-whiting Groundfish	91	69	22	280	202

Note: This table is an extract of data presented in Tables 2 and 3 and developed by Dr. James Hastie (GMT, NWFSC-NOAA).

New Entry and Exit

There was only slightly more entry by AFA vessels than by similar sized non-AFA-vessels, however new AFA vessels entering the fishery harvested more than the average AFA vessel while new non-AFA vessels averaged nearly 90% less harvest than vessels already in the fishery. Substantially more West Coast non-AFA vessels left the fishery, as compared to AFA vessels.

Number of Vessels and Average Landings ('99-'00 compared to '96-'97)	West Coast AFA Vessels	West Coast Non-AFA Vessels of Similar Size
New Entrants	3 (3,325 mt)	2 (67 mt)
Exits	2 (1,011 mt)	18 (472 mt)

Of the AFA vessels that did not participate in 1996 or 1997 but participated after enactment of the AFA (1999 or 2000), all three held permits as of October 1, 1998 and had over 500 mt of whiting landings (or 50 mt of non-whiting groundfish) from 1994 through September 30, 1998. Therefore, these vessels would likely qualify to continue participation, regardless of which Option 1.a or Option 1.b qualifying criteria were selected.

Limiting Access of AFA Vessels (Option 1.a and 1.b, vs. Option 1.c)--West Coast Vessels (non-AFA and AFA) vs. non-West Coast AFA Vessels

Option 1.a or 1.b would prevent approximately 80 AFA vessels from acquiring groundfish trawl limited entry permits and entering the West Coast fishery when combined with most of the options under Issue 2.

Both Option 1.a and 1.b may be specified to prevent non-West Coast AFA vessels from using the advantages presented them by the AFA to expand their West Coast activities. However, there are some suboptions such as 2.b.1.a that could nullify this benefit. Under 2.b.1.a, the permit would be permanently restricted to a particular sector but an AFA vessel could enter by acquiring any trawl limited entry permit.

Limiting Access by Sector vs. Limiting Access to the Groundfish Fishery as a Whole (Option 1.a vs. 1.b)--West Coast non-AFA Vessels vs. West Coast AFA Vessels

- Option 1.a could limit the expansion of activity by 11 to 33 AFA vessels (depending on qualifying requirements and choices made under Issue 2).
- Option 1.a may reduce latent permit capacity. Option 1.b does not significantly reduce latent permit capacity.
- Option 1.a is more complex than Option 1.b.

Using a vessel based restriction (see Issue 2) the differences between Option 1.a and 1.b primarily affect up to between 24 to 33 vessels AFA vessels active on the West Coast.

Under Option 1.a, access privileges for some AFA vessels may be reduced such that many qualifying AFA vessels could only fish in particular segments of the groundfish fishery, rather than the whole fishery. Thus Option 1.a would make it more difficult for West Coast AFA vessels to use the advantages presented them by the AFA to expand their West Coast activities. That is, future participation could be restricted based on past participation. Thus, for a comparable number of qualifying vessels, under Option 1.a West Coast non-AFA vessels would receive more protection from expansion of activity by West Coast AFA vessels than they would under Option 1.b.

AFA vessels qualifying for all three sectors would not experience diminished access to the fishery. Depending on the qualifying criteria, between 0 and 15 AFA vessels may qualify for all three sectors, leaving between 11 and 33 AFA vessels with more restricted access than they would have under Option 1.b. The numbers of vessels allowed in the fishery under Option 1.a would be somewhat less if permits are restricted rather than vessels.

Option 1.a may be specified in such a way that latent (unused) permit capacity could be reduced (see Issue 2). An example of unused permit capacity is an at-sea whiting vessel that never uses its permit to land non-whiting groundfish. Issue 2 suboptions that maintain sector restrictions on permits can permanently reduce latent capacity. However, there are some options such as 2.a.1 that would nullify this benefit. Under 2.a.1 only the medallion would be restricted and an AFA vessel could transfer its permit to a non-AFA vessel that would be able to use it in any sector of the groundfish fishery.

Issue 1 - Question 2. Should Qualification Require that a Permit Be Held on a Specific Date?

Option 1.a has no requirement that a West Coast groundfish trawl permit be held as of any specific date. Option 1.b requires that such a permit be held as of October 1, 1998, the day the AFA became effective.¹

Requiring that a permit be held on a certain date is a criteria that can be used to consider and take into account present participation, historical fishing practices in and dependence on the fishery, and other relevant considerations (MSA Section 303(b)(6)), such as meeting the intent of the AFA. Possession of West Coast groundfish permits represent fishing privileges that are capital assets to the firm holding the permit. The firm or vessel holding the permit is dependent on the fishery to recover revenues in compensation for the cost of keeping the capital asset committed to the fishery. For the qualifying period selected for Option 1.b every vessel must have held a permit in order to participate in the fishery. The specification of October 1, 1998 (the date the AFA became effective) is based on the presumption that any vessel divesting itself of a permit prior to that time had already committed to leaving the fishery and AFA vessels entering the fishery after that time may have done so in anticipation of the flexibility and other benefits that would be forthcoming as a result of the AFA. The AFA specifies that the Pacific Council consider management measures to prevent harm resulting from the AFA. It is therefore relevant to consider permit ownership on this date as a qualifying requirement.

Another date which might be used in combination with this date or as a substitute for the date is June 29, 2000. An advance notice of proposed rulemaking was published specifying that permits held by AFA vessels as of this date may be restricted or invalidated.

In considering whether to use a requirement that a permit be held as of a certain date as part of the qualifying requirements, it is relevant to consider changes that may have occurred in the fishery between the specified date and a more recent date that might be used to define current participation. For purposes of this analysis June 29, 2000 will be used as the more recent date. Between October 1, 1998 and June 29, 2000 four AFA vessels changed their permits. Two AFA vessels that had no permit as of October 1, 1998 acquired a permit by June 29, 2000 and two AFA vessels that had a permit on October 1, 1998 divested themselves of permits by June 29, 2000. One permit transferred from one AFA vessel to another and the other permit changes involved transfers between AFA and non-AFA vessels.

The following are the number of vessels meeting the permit holding and landing/delivery qualifying requirements for Option 1.b. Comparable information is displayed for Option 1.a to provide a comparison between an October 1, 1998 permit holding requirement and an June 29, 2000 permit holding requirement. Six vessels that met the Option 1.b landing/delivery requirement, are disqualified because they did not meet the permit holding requirement.

1/ The effective date for the AFA is October 1, 1998. This is the start of the '98/'99 fiscal year. The effective date was established when the AFA was signed into law on October 21, 1998 (Public Law 105-277).

Option 1.a (based applying the specified landing requirement to all 3 sectors and a '94-9/16/99 qualifying period)	Number of AFA Vessels		Option 1.b	Number of AFA Vessels
	50 mt Lndg/Del Requirement	500 mt Lndg/Del Requirement		
Met Landing/Del Requirement but Does Not Have a Permit as of 6/29/00	7	6	Met Only Landing/Del Requirement (Did not have a permit as of 10/1/98)	6 (2 of these have since acquired permits)
Vessel Had a Permit as of 6/29/00 but Meets No Landing/Del Requirements	0	0	Met Only Permit Requirement (held a permit on 10/1/98)	0
Vessel Met Landing/Del Requirement and Has a Permit as of 6/29/00	26 (two of these vessels entered after 10/1/98)	26 (two of these vessels entered after 10/1/98)	Met Permit and Landing Requirement	26 (two of these vessels have since divested themselves of their permit)
Did Not Meet Landing/Del Requirement and Did Not Hold Permit as of 6/29/00	2	3	Met Neither Lndg/Del nor Permit Requirement	3

The effects of the permit holding date would be modified further by options selected under Issue 2, specifically whether the vessel would be restricted (a medallion required), the permit would be restricted (the permit branded), or the vessel and permit would be restricted (both medallion and permit). The first column in the following table shows the number of vessels qualifying under each Issue 2 option with Option 1.b as specified. The second column shows the number of vessels that would qualify if Option 1.b did not include the permit holding requirement.

Number of Qualifying Vessels	Option 1.b as specified	Option 1.b without the permit holding requirement (10/1/98) Option 2b
Option 2a - vessels restricted by medallions	26	32
Option 2b - permits restricted by brands	24	26
Option 2c - permits and vessels restricted	24	24

Issue 1 - Question 3. What Landing/Delivery Requirement Should be Used?

Under Option 1.a, there are 128 possible combinations of landing/delivery requirements. Under Option 1.b there is one. The number of vessels qualifying under Option 1.b is adequately described in the discussion of Question 2 above (see page 9). This section will focus first on vessels qualifying under Option 1.a and then discuss issues related to leasing, geographic distribution, and biological impacts.

Option 1.a Qualifying Requirement Choice

Narrowing the Option 1.a Qualifying Requirements

Where two or more landing requirements result in the same vessels qualifying, the landing requirements can be collapsed into a single requirement. The analysis in Appendix A identifies the landing requirements that can be collapsed. On the basis of this analysis, the following is the matrix of remaining landing/delivery requirement options to be applied for each of the two qualifying periods. The result is that the number of landing/delivery requirement options can be narrowed to 24 (12 landing/delivery requirement combinations times 2 qualifying periods).

	At-Sea Whiting	Shoreside Whiting	Non-Whiting Groundfish
50 mt	X	X	X
100 mt			X
500 mt		X	X
10 deliveries		X	X

Note that the at-sea whiting landing/delivery requirement could be specified as 50 mt, 100 mt, 500 mt, or 10 deliveries and the same vessels would qualify. Similarly the 50 mt shoreside whiting landing/delivery requirement could be specified as 50 mt or 100 mt and the same vessels would qualify.

Vessels Qualifying Under Option 1.a²

For the 1994-1997 qualifying period, there were **32** AFA catcher vessels that took part in West Coast fisheries.

For the 1994-1999 qualifying period, there were **35** AFA catcher vessels that took part in West Coast fisheries.

Two of the AFA vessels landed only albacore on the West Coast.

For the 1994 through 1997 qualifying period, every AFA vessel with some West Coast groundfish participation during the period could qualify for participation in at least one segment of the fishery, so long as the shoreside whiting and groundfish qualifying requirements are not raised above 100 mt and the 10 delivery requirement is not used for the shoreside whiting landing requirement. Table 4 shows the number of vessels qualifying for each of the relevant³ combinations of qualifying requirements for each segment of the fishery. Dashed lines divide the table into twelve sections. As an example of how to read the table, the first (left) box on the top row shows the number of qualifiers when the requirements are set at 50 mt for shoreside groundfish (other than whiting), 50 or 100 mt of shoreside whiting, and 50 mt of at-

2/ AFA catcher vessels participating in West Coast harvest (including tribal harvest allocations) are included in this analysis. The analysis is based on a June 2000 extract of PacFIN landing receipt data for 1994-September 16, 1999 and a May 4 tabulation of data on the offshore fishery. The tabulation for the offshore fishery includes all of 1999 less the tribal fishery occurring after September 16, 1999.

3/ Options for different levels of qualification for the at-sea catcher vessel segment of the fishery are not displayed because the same vessels qualify under all the options specified by the Council.

sea whiting.⁴ There are 14 AFA vessels that qualify only for at-sea whiting participation, 5 that qualify for at-sea whiting and shoreside whiting participation, 2 that qualify for at-sea whiting and shoreside groundfish participation, one that qualifies only for shoreside whiting participation, one the qualifies only for shoreside groundfish (other than whiting) participation, and 9 that qualify for participation in all three segments. All together, 30 vessels qualify for at-sea whiting, 15 for shoreside whiting, and 12 for shoreside groundfish. Many vessels qualify for more than one segment. The total number of vessels qualifying for at least one endorsement is 32.

Similar information is displayed in Table 5 for a 1994 through 1999 qualifying period. For the 1994 through 1999 qualifying period, there are 2 vessels with some participation on the West Coast that would not have sufficient landings to qualify under any of the landing requirement options specified by the Council.

Permits Held by Qualifying Vessels Under Option 1.a

While the vessel landing/delivery history may be the basis for qualifying, under Issue 2 the qualifying basis may be used to restrict the vessel (through issuance of a medallion, Option 2a), restrict the permit held by the vessel as of June 29, 2000 (through the branding of the permit, Option 2b), or restrict both the vessel and permit (Option 2c). Therefore, discriminating between the landing/delivery history options requires consideration of some of the Issue 2 choices. If Option 2a is selected, the number of medallions issued and the sectors for which the medallions provided access would mirror the number of qualifying vessels, described in the previous section. If Option 2b is selected, the permits held by AFA vessels as of June 29, 2000 would be branded. Tables 6 and 7 provide information on the number of permits that would qualify under each combination of landing/delivery requirements, as determined by the landing/delivery history of the vessels holding those permits. While between 31 and 33 AFA vessels would qualify for at least one segment of the West Coast groundfish fishery, only between 24 and 26 of these vessels held permits. Only those vessels holding permits would be initially granted some access to the West Coast groundfish fishery.

Summary of Option 1.a AFA Catcher Vessel Access Privileges as Modified by Issue 2 Choices

Qualifying requirements cannot be set independently of Issue 2 choices. The following summarizes the modification of access privileges that would occur as a result of Option 1.a qualification choices, as affected by Issue 2 option choices.

Option 1.a	Number of access privileges modified
Option 2a - vessels restricted by medallions	If the 1994-1997 qualifying period is used 31-32 medallions would be issued to AFA vessels (sector combinations as per Table 4) If the 1994-1999 qualifying period is used 32-33 medallions would be issued to AFA vessels (sector combinations as per Table 5)
Option 2b - permits restricted by brands	If the 1994-1997 qualifying period is used 24-25 permits held by AFA vessels would be branded (sector combinations as per Table 6) 1-2 permits held by AFA vessels would be rendered invalid If the 1994-1999 qualifying period is used 26 permits held by AFA vessels would be branded (sector combinations as per Table 7) No permits would be rendered invalid
Option 2c - permits and vessels restricted	The number of medallions would be as per Option 2a The number of permits branded would be as per Option 2b For either qualifying period 6-7 medallions would be issued to vessels without branded permits

4/ Or 100 mt, or 500 mt, or 10 deliveries of at-sea whiting.

Geographic Distribution of Ownership and Vessels

Option 1.a

Under Option 1.a, the residence of the vessel owners affected by the choice of qualification requirements are all in the Seattle area (Table 8). There are 21 AFA vessel owners in the Seattle area. Of these, between 16 and 19 have vessels that meet Option 1.a qualifying requirements for at least one sector. The primary delivery areas of the affected vessels are Astoria, Newport, Coos Bay and at-sea.

Considering only vessels for which permits were held as of June 29, 2000, again all affected permits were held for vessels with owners that lived in the Seattle area (Table 9). A comparison of Table 8 and 9 shows that vessel owners outside the Seattle area held permits for their vessels as of June 29, 2000. Nine Seattle residents would be excluded from qualifying because they held no permit for their AFA vessel as of June 29, 2000. An additional 1 or 2 (also from the Seattle area) could be excluded on the basis of the landing requirements selected.

Option 1.b

Under Option 1.b the number of vessels qualifying also varies by Options selected in Issue 2.

Number of Qualifying Vessels	Option 1.b as specified
Option 2a - vessels restricted by medallions	26
Option 2b - permits restricted by brands	24
Option 2c - permits and vessels restricted	24

The geographic distribution of these vessels in terms of the residence of the vessel owners and the areas in which the vessels fish is shown in Table 10. The residence of all owners of AFA vessels affected by the choice between Option 1.a and 1.b is in the Seattle area (compare Table 8 and 10).

Vessels that Did Not Hold Permits as of June 29, 2000

Of the 35 AFA vessels with some participation from 1994 through 1999, 26 held permits as of June 29, 2000. Of the 9 AFA vessels that did not hold permits as of June 29, 2000:

- 2 never held groundfish permits, making only tuna landings on the West Coast
- 4 vessels last held permits in 1997 or earlier, and the permits have since been transferred. Three of these permits were transferred to other AFA vessels.
- 1 vessel held a permit through 1999. The permit appears to have been transferred to a different owner and has not yet been registered for use with a new vessel.
- 1 vessel held a "B" permit, which has since expired.
- 1 vessel held a permit that has been combined with another permit.

The Leasing Complication

When permits are to be restricted and a permit is associated with a vessel through a lease arrangement, equity concerns can arise as to whether a non-AFA entity should be penalized because that entity had leased its permit to an AFA vessel.

As of June 29, 2000, 26 permits were held by AFA vessels. Only one of these permits appears to have been held in a lease arrangement. That AFA vessel leased its permit from the owner of another AFA qualified vessel. Both the lessee and the lessor owned vessels that would qualify for at-sea whiting participation on the West Coast. Therefore, it appears leasing arrangements will not present equity complications with respect to qualifying requirements and the possible restriction or revocation of permits.

Biological Impacts

Discards. Subdivision of the AFA vessel fishery (Option 1.a) could create a situation in which vessels not qualifying for both a whiting and nonwhiting sector might be forced to discard species in the sector they did not qualify for. It appears only one AFA vessel might receive a “nonwhiting groundfish” endorsement and not a “whiting” endorsement. About half or more of the AFA fleet would receive whiting endorsements and not endorsements for “nonwhiting groundfish” species.

Number of vessels qualifying for	Qualifying Period	
	1994-1997	1994-1999
nonwhiting groundfish		
Other groundfish	1-15 of 31-32	1-18 of 32-33

Roughly, one-third to one-half of the fleet would qualify only for the at-sea whiting sector. Option 1.b would not subdivide the fishery and have no appreciable effects on discards.

Issue 2- Restrictions to be Imposed

The primary decision under Issue 2 is whether to restrict

- the vessel (Option 2a: create a medallion system which would act as a permit system for AFA vessels in parallel with the current groundfish permit system);
- the permit (Option 2b: brand the groundfish limited entry permits held by AFA vessels as of June 29 2000); or
- the vessel and permit (Option 2c: create a medallion system and brand permits held by AFA vessels).

Within the primary options there are three subissues which may need to be addressed, depending on the primary option:

- Permit Requirement
- Medallion Transferability
- Permit Transferability

Permit Requirement Subissue

To participate in the West Coast groundfish fishery all catcher vessels, including AFA catcher vessels, must hold a groundfish limited entry permit. Suboptions for the permit requirement issue are provided only for Options 2.b and 2c. The suboptions address the question of whether the AFA vessel can hold any groundfish permit or must hold an AFA branded permit.

For Option 2.b, the only way to address the objective of reducing harm from the AFA would be to require that an AFA vessel hold a branded limited entry groundfish permit in order to participate in the West Coast groundfish fishery (Option 2.b.1.B). Otherwise (Option 2.b.1.A), any of the 112 AFA catcher vessels could acquire an unbranded permit (e.g. from a nonAFA vessel) and enter the fishery. Thus, under Option 2.b.1.A the brand would only be of benefit to the degree that it reduces latent capacity (Objective 2).

For Option 2c, AFA vessel participation is limited, and AFA harm reduced, by the medallion requirement. To require that an AFA vessel also hold an AFA branded permit (Option 2.c.1.B) makes a small reduction in the total number of AFA vessels that may participate. Under Option 2.c.1.A (a vessel may enter with any groundfish permit) a maximum of 33 vessels may qualify in, when this option is implemented in combination with Option 1.a (26 in combination with Option 1.b). Under Option 2.c.1.B (a vessel must hold an AFA branded groundfish permit) a maximum of 26 vessels may qualify, when this option is implemented in combination with Option 1.a (24 in combination with Option 1.b).

Medallion Transferability

The subissue on medallion transferability pertains only to Options 2.a and 2.c and addresses whether one AFA catcher vessel may be allowed to substitute for another at the vessel and medallion owners. Even if medallions are not transferable (Option 2.a.2.B or 2.c.2.B) it is expected that vessel substitution would still be allowed if a vessel is totally lost. Medallions would not have size endorsements therefore, if medallions are transferable (Option 2.a.2.A or 2.c.2.A), larger AFA catcher vessels could be substituted for smaller ones. However, vessels would still be required to hold a groundfish permit and the groundfish permit would constrain the size of the vessel.

Permit Transferability

The subissue on permit transferability pertains only to Options 2.b and 2.c. If permits are to be transferable (Options 2.b.2.A, 2.b.2.B, 2.c.3.A, or 2.c.3.B), then the question is whether or not the AFA brand will stay active when the permit is associated with a non-AFA vessel. When combined with Option 1.a (brands for three sectors), the AFA brand may substantially constrain the activity of the permit for between 18 and 33 permits. When combined with Option 1.b, there are up to two permits that could be rendered inactive by their AFA brands. Under Option 1.b, all other branded permits would provide access to all three sectors of the West Coast groundfish fishery. By keeping the restrictions of the brand active

when the permit is attached to a non-AFA vessel (Options 2.b.2.A or 2.c.3.A), the reduction in latent permit capacity achieved by the branding process is maintained. Alternatively, the brands and their constraining effect on permit latent capacity can be maintained by prohibiting permit transfers (Option 2.b.2.C or 2.c.3.C).

Releasing the brand constraint when a permit is transferred to a nonAFA vessel (Option 2.b.2.B or 2.c.3.B) will on the one hand allow permit latent capacity to be re-established, which would reduce progress toward Objective 2. However, on the other hand, relief of the constraint would be more likely to induce the transfer of permits from AFA to nonAFA vessels (i.e., permits would be relieved of the sector constraints when transferred to a nonAFA vessel). The transfer from an AFA to a nonAFA vessel could increase the achievement of Objective 1 so long as the nonAFA vessel is not more active than the AFA vessel would have been. If the nonAFA vessel is bidding the permit away from the AFA vessel because the nonAFA vessel anticipated a greater profitability than the AFA vessel, then the transfer to the nonAFA vessel could reactivate latent capacity, presuming that greater profitability comes from catching more fish and not other types of efficiencies. However, compared to the status quo, there would still be less active capacity than if this amendment had not been implemented (i.e. if the nonAFA vessel could generate more profit from catching more fish than the AFA vessel, then the nonAFA vessel would bid the permit away from the AFA vessel even in the absence of this proposed plan amendment.)

Option 2c and Interaction of Medallion and Permit Transferability Subissues

Depending on the transferability options selected, Option 2c may perform in a fashion qualitatively similar to Option 2a or 2b with respect to the primary objectives. While Option 2c may, in some cases, appear qualitatively identical to either Option 2a or 2b with respect to performance in meeting the two primary objectives, there may be differences in the number of AFA vessels able to participate under each option. The differences in number of participating vessels is summarized in the following section (“Summary of Main Impacts”).

Performance of Option 2c relative to Options 2.a and 2.b, assuming the same number of vessels would be able to participate under any of the options.

Permit Transferability	Medallion Transferability	
	Yes (Option 2.c.2A)	No (Option 2.c.2.B)
Yes, brand active (Option 2.c.3.A)	Same as 2.a for Objective 1 Better performance on Objective 2	Same as 2.a for Objective 1 Better performance on Objective 2
Yes, brand inactive (Option 2.c.3.B)	Same as 2.a for Objectives 1 and 2	Same as 2.a for Objectives 1 and 2
No (Option 2.c.3.C)	For Objectives 1 and 2 performs the same as requiring AFA vessels to hold a nontransferable AFA branded permit under Option 2.b	For Objectives 1 and 2 , performs the same as requiring AFA vessels to hold a nontransferable AFA branded permit under Option 2.b for Objectives 1 and 2

Summary of Main Impacts

The following is a general summary of how the primary options would address the two objectives:

- Objective 1: prevention of AFA harm and
- Objective 2: removal of latent permit capacity

The degree to which the primary options meet the objectives often depend on suboptions selected. In the following text tables, suboptions that substantially influence the result are indicated (and in some cases provided a separate summary line). Separate tables are provided for consideration of Issue 2 options in combination with Issue 1 options (Option 1.a and 1.b).

Option 1.a (Limit AFA catcher vessel entry separately for each sector) performance with respect to primary objectives.

Option 1.a	Licenses required for AFA vessels to participate (groundfish limited entry permit and/or medallion)	Objective 1 Prevent AFA Harm	Objective 2 Remove Latent Capacity
Option 2a restrict vessel	Must hold a groundfish permit (any) and AFA medallion	+ 30-33 AFA vessels would receive medallions. See tables 5 & 6. 79-82 AFA vessels would not be able to participate in the fishery	0 AFA vessels could exit the West Coast groundfish fishery, transferring permits to nonAFA vessels and eliminating any gain from the sector restrictions on the permit.
Option 2b restrict permit	Must hold a groundfish permit (any) (Option 2.b.1.A)	0 Does not prevent AFA vessels from entering the fishery 24-26 permits would be branded. See Tables 6 & 7.	+ (performance, net zero if brand becomes inactive with transfer, Option 2.b.2.B) 0-15 permits would be branded for all sectors, 0-2 permits would be branded for no sectors (and become invalid).
	Must hold an AFA branded groundfish permit (Option 2.b.1.B)	+ 24-26 permits would be branded and available for use by AFA vessels, 84-86 AFA vessels would not be able to participate in the fishery. See Tables 6 & 7.	+ (net zero if brand becomes inactive with transfer, Option 2.b.2.B) 0-15 would be branded for all three sectors, 0-2 permits would be branded for no sectors (and become invalid).
Option 2c restrict vessel and permit	Option 2.c.1.A Must hold a groundfish permit (any) (Option 2.c.1.A) and an AFA medallion	+ 30-33 AFA vessels would receive medallions 79-82 AFA vessels would not be able to participate in the fishery for lack of a medallion. See Tables 4 & 5.	+ (net zero if brand becomes inactive with transfer, Option 2.c.3.B) 0-15 medallions would be endorsed for all three sectors, the remainder. 0-2 permits would be branded for no sectors (and become invalid).
	Must hold an AFA branded groundfish permit (Option 2.c.1.B) and an AFA medallion	+ 24-26 permits would be branded and available for use by AFA vessels, 84-86 AFA vessels would not be able to participate in the fishery. Some vessels would have permits but no AFA medallions. See Tables 6 & 7.	+ (net zero if brand becomes inactive with transfer, Option 2.c.3.B) 0-15 permits would be branded for all sectors, 0-2 permits would be branded for no sectors (and become invalid).

In the above table it can be seen that Option 2.b combined with suboption 2.b.1.B (i.e. vessel and permit restricted, must hold an AFA branded permit) has effects virtually identical to Option 2.c combined with suboption 2.c.1.B (i.e. permit restricted, must hold an AFA branded permit).

Option 1.b (Limit AFA catcher vessel entry to the groundfish fishery as a whole) performance with respect to primary objectives.

Option 1.b	Licenses required for AFA vessels to participate (groundfish limited entry permit and or medallion)	Objective 1 Prevent AFA Harm	Objective 2 Remove Latent Capacity
Option 2a restrict vessel	Any groundfish permit AFA medallion	+ 26 AFA vessels would receive medallions. 86 AFA vessels would not be able to participate in the fishery	0
Option 2b restrict vessel	Option 2.b.1.A Any groundfish permit	0 Does not prevent AFA vessels from entering the fishery 24 permits would be branded.	Slightly positive 2 permits could be rendered inactive (Option 2.b.2.A and 2.b.3.C) OR No effect if brand becomes inactive when permit is transferred to a non-AFA vessel (Option 2.b.2.B)
	Option 2.b.1.B AFA branded groundfish permit	+ 24 permits would be branded and available for use by AFA vessels, 88 AFA vessels would not be able to participate in the fishery.	Slightly positive 2 permits could be rendered inactive (Option 2.b.2.A and 2.b.3.C) OR No effect if brand becomes inactive when permit is transferred to a non-AFA vessel (Option 2.b.2.B)
Option 2c restrict vessel and permit	Option 2.c.1.A Any groundfish permit AFA medallion	+ 26 AFA vessels would receive medallions, 24 permits would be branded, 86 AFA vessels would not be able to participate in the fishery for lack of a medallion. See Tables 6 & 7.	Slightly positive 2 permits could be rendered inactive (Option 2.b.2.A and 2.b.3.C) OR No effect if brand becomes inactive when permit is transferred to a non-AFA vessel (Option 2.b.2.B)
	Option 2.c.1.B AFA branded groundfish permit AFA medallion	+ 26 AFA vessels would receive medallions, 24 permits would be branded and available for use by AFA vessels, 88 AFA vessels would not be able to participate in the fishery for lack of a branded permit. See Tables 6 & 7.	Slightly positive 2 permits could be rendered inactive (Option 2.b.2.A and 2.b.3.C) OR No effect if brand becomes inactive when permit is transferred to a non-AFA vessel (Option 2.b.2.B)

Under Option 1.b, up to 2 vessels would have their permits branded as nonqualifying permits. These permits would become invalid, temporarily (Options 2.b.2.B, 2.c.3.B, or 5.b) or permanently (Options 2.b.2.A, 2.b.2.C, 2.c.3.A, 2.c.3.C combined with Option 5.a). The vessels holding the permits that would be invalidated met the 500 mt landing requirement but did not hold a permit as of October 1, 1998 (acquired a permit after that date).

The effects of the primary decisions on which type of asset will be restricted (vessel, permit or both vessel and permit) are strongly impacted by other decisions having to do with exactly what licenses (permit and/or medallion) would be required for participation in the fishery and the degree of transferability of those assets.

Catcher-Processors (Issues 3)

Under Issue 3, the Council will determine whether or not there is a need to protect West Coast catcher-processors from AFA catcher processors. The West Coast groundfish fishery does not require catcher-processor permits. Appropriately sized trawl permits are required for trawl catcher-processor vessels. There are currently only 10 appropriately sized trawl permits but more can be created by the combination of permits for smaller trawl vessels.

Number of Permits by Size Class									
<100'	100'-125'	125'-150'	150'-175'	175'-200'	200'-225'	225'-250'	250'-275'	275'-300'	>300'
250	12	2	0	0	0	0	2	3	5

As of June 29, 2000, 9 of the catcher-processor sized permits were held by AFA permitted catcher-processor vessels that meet the qualifying requirements and one permit was not registered to a vessel. One of the nine permits appeared to be the subject of an internal lease (a firm leasing the permit to another incarnation of itself). All other permits were registered to vessels owned by the permit owner.

Number of Catcher-Processor Vessels Participating on the West Coast by Year						
1994	1995	1996	1997	1998	1999	
9	9	10	10	7	6	

Traditionally, catcher-processors have participated only in the Pacific Whiting portion of the groundfish fishery. Relatively small cumulative limits generally make participation in other segments of the groundfish fishery economically infeasible. Currently, the catcher-processor segment of the whiting harvest is taken under a producers cooperative. All catcher-processors holding West Coast licenses participate in the cooperative and all are AFA vessels. Under the arrangements of the cooperative, not all of the catcher-processors fish the West Coast fishery while all cooperative catcher-processors take part in the profits.

Under Option 3a new vessel entry would be restricted through a license system that parallels the groundfish permit system: a catcher-processor medallion system. Issuance of medallions to vessels meeting the qualification requirement would result in medallions issued for all 10 catcher processors active on the West Coast from 1997 through September 16, 1999. Even with the medallion system, catcher-processor vessels would still be required to hold groundfish limited entry licenses.

If instead of issuing medallions, groundfish limited entry permits held by qualifying vessels were given AFA catcher-processor brands then only 9 of the 10 permits would receive the needed brands. The 10th permit could only be used with a non-AFA vessel. A non-AFA catcher processor might still enter the fishery with the unbranded permits or combine a number of smaller permits into a larger permit. However, at present there are a very limited number of non-AFA catcher-processors that are domestically owned and could be made available for West Coast groundfish fishery.

As it is presently specified it is presumed that AFA catcher-processor medallions would be transferable between AFA catcher-processors, providing a market for the permit of any AFA catcher-processor that may wish to leave the fishery.

Motherships (Issue 4)

Mothership participation in the West Coast groundfish fishery is not restricted by a limited entry program. There are 21 AFA catcher processors and 3 AFA motherships. Because there is not a limited entry system for motherships, all of these vessels could potentially participate as motherships in the West Coast groundfish fishery. Of these 24 vessels, there are 6 catcher-processors/motherships that would meet the participation requirements specified for a mothership limited entry system (mothership medallions, Option 4.a). Of these vessels 3 are AFA licensed motherships and 3 are licensed as catcher-processors under the AFA.

	Number of Motherships Participating on the West Coast by Year					
	1994	1995	1996	1997	1998	1999
Catcher-Processors Acting as Motherships	8	5	5	3	3	3
AFA Motherships	3	3	3	3	3	3
Total Motherships	11	8	8	6	6	6

Duration of Restrictions (Issue 5)

The duration of the West Coast provisions to prevent harm for the AFA could be linked to the duration of management measures benefitting AFA vessels (Option 5a, an automatic sunset provision) or be established as permanent until revised or revoked (Option 5b). One rationale for linking the measure to the duration of the AFA is that any harm flowing from the AFA will likely be substantially diminished if the AFA related measure expire. On the other hand, the West Coast fleet is overcapitalized and once the measures are implemented there may be some progress made in reduction of latent permit capacity. Making permanent the measures to protect the West Coast fleet from the AFA (Option 5b) may help achieve needed reduction in capacity.

Appeals and Technical Amendment (Issue 6)

Issue 6 is primarily technical in nature.

- Option 6a. The Council will not advise NMFS on appeals.
- Option 6.b. The Council will advise NMFS on appeals.

Regardless of whether or not the Council takes a role in the qualification appeals process certain technical changes in the FMP may be made to make administration of the Council role in groundfish permit appeals more efficient.

The main item of substance under this issue is the recommendation that the Council would not have a formal role in any appeal over a NMFS decision on whether or not to issue or modify limited entry access privileges in conjunction with Council recommendations made for Issues 1, 3 or 4. The Council Limited Entry Review Board was established to hear appeals generated in conjunction with the implementation of the groundfish license limitation program. Since that time there have been two major modifications to the license limitation program, the first was the issuance of sablefish endorsements for fixed gear vessels and the second was the categorization of those endorsements into tiers. The Council did not include itself in the appeals process for either of these modifications. Similarly, no proposal has been made for a Council role in appeals related to the issuance of AFA medallions or the branding of permits held by AFA vessels.

Related to exclusion of the Council review board from hearing appeals related to this amendment are some adjustments to the language of the FMP in order to provide the Council with procedural flexibility that is more in line with the flexibility the Council has with respect to its other advisory committees. Specifically, it is proposed that a number of details related to the composition of the review board and other such issues be removed from the language of the FMP. These specifications for the review board are covered by a Council operating procedure. Maintaining the specification as part of the groundfish FMP is unnecessarily cumbersome, making it difficult for the Council to modify procedures related to the review board to take into account the changing needs of the groundfish limited entry system. For example, now that the program has been implemented for several years, this board's function as an appeals board has become obsolete. It might make sense to assign review board responsibilities to the groundfish advisory panel, however, a plan amendment would be required to do this. The proposed modification will give the Council the flexibility to change the composition and rules governing the review board to meet the changing needs of the groundfish license limitation program.

TABLE 1. Summary comparison of Options 1.a and 1.b.

1.a Restrictions by Sector 1.b Restrictions (general)		Comparisons are to status quo, no action	
Primary Impact		Obj 1 Prevent AFA Harm	Obj 2 Remove Latent Permit Capacity
1.a Restrictions (by Sector)	<ul style="list-style-type: none"> Prevention of AFA harm (Objective 1). For comparable qualifying requirements, 1.a would do a better job of reducing competition from AFA vessels than 1.b because vessels would only be allowed into the segments of the fishery for which the qualifying requirements were met. Unless vessels were allowed to enter through acquisition of any groundfish trawl permit (Option 2.b.1.A), Options under 1.a would constrain participation to 24-33 AFA vessels, depending on the qualifying requirements. These vessels would be further constrained in the sectors of the fishery in which they could participate. See Tables 4-7. Up to 112 AFA catcher vessels could participate the fishery if no action is taken. 	<p>+ or</p> <p>0 if Option 2.b.1.a is selected (AFA vessels can enter with any permit)</p>	<p>+ or</p> <p>0 if Option 2.a.1 is selected (medallions, AFA vessels may exit and transfer permits to non-AFA vessels)</p>
1.b Restrictions (general)	<ul style="list-style-type: none"> If qualifying requirements were comparable between 1.a and 1.b (i.e. similar numbers of vessels qualifying, in the short term), 1.b would do less to prevent AFA harm because the segments in which AFA vessels participate would not be restricted. 24-26 AFA vessels would qualify for access to all segments of the fishery. Up to 2 permits would be rendered invalid on a permanent or temporary basis, depending on options to be specified under Issue 2. 	<p>+</p>	<p>0 or small effect</p>

TABLE 4. Number of vessels meeting qualification requirements for the indicated segment of the fishery (at-whiting, shoreside whiting, and or shoreside groundfish other than whiting) for 1994-1997.

Qualifying Requirements for Shoreside Groundfish Deliveries	AFA Vessel Endorsement	Qualifying Requirements for Shoreside Whiting Deliveries													
		50 or 100 mt					500 mt					10 Deliveries			
		At-Sea Whiting	Shoreside			Tot	At-Sea Whiting	Shore Based			Tot	At-Sea Whiting	Shore Based		
50 mt	At-Sea Whiting	14	5	2	30	15	4	2	30	16	3	2	30		
	Shore Whiting		1	0	15		0	0	13		0	0	12		
	Shore Groundfis			1	12			1	12			1	12		
	All Three				9				9				9		
100 mt	At-Sea Whiting	14	10	2	30	15	9	2	30	16	8	2	30		
	Shore Whiting		1	0	15		0	0	13		0	0	12		
	Shore Groundfis			1	7			1	7			1	7		
	All Three				4				4				4		
500 mt	At-Sea Whiting	15	14	1	30	16	13	1	30	17	12	1	30		
	Shore Whiting		1	0	15		0	0	13		0	0	12		
	Shore Groundfis			0	1			0	1			0	1		
	All Three				0				0				0		
10 Deliveries	At-Sea Whiting	14	2	2	30	15	1	2	30	15	1	2	30		
	Shore Whiting		1	0	15		0	0	13		0	0	12		
	Shore Groundfis			1	14			1	14			1	14		
	All Three				11				11				11		

TABLE 5. Number of vessels meeting qualification requirements for the indicated segment of the fishery (at-whiting, shoreside whiting, and or shoreside groundfish other than whiting) for 1994-September 16, 1999.

Qualifying Requirements for Shoreside Groundfish Deliveries	AFA Vessel Endorsement	Qualifying Requirements for Shoreside Whiting Deliveries														
		50 or 100 mt					500 mt					10 Deliveries				
		At-Sea	Shoreside			Tot	At-Sea	Shoreside			Tot	At-Sea	Shoreside			Tot
Whiting	Whiting	Groundfish	All Three		Whiting	Whiting	Groundfish	All Three		Whiting	Whiting	Groundfish	All Three			
50 mt	At-Sea Whiting	12	6	1	31	13	5	1	31	15	3	1	31			
	Shore Whiting		1	1	20		0	1	18		0	1	16			
	Shore Groundfish			0	14			0	14			0	14			
	All Three				12				12				12	32		
100 mt	At-Sea Whiting	12	11	1	31	13	10	1	31	15	8	1	31			
	Shore Whiting		1	1	20		0	1	18		0	1	16			
	Shore Groundfish			0	9			0	9			0	9			
	All Three				7				7				7	32		
500 mt	At-Sea Whiting	12	18	1	31	13	17	1	31	15	15	1	31			
	Shore Whiting		2	0	20		1	0	18		1	0	16			
	Shore Groundfish			0	1			0	1			0	1			
	All Three				0				0				0	32		
10 Deliveries	At-Sea Whiting	12	2	1	31	13	1	1	31	14	0	1	31			
	Shore Whiting		1	1	20		0	1	18		0	1	16			
	Shore Groundfish			0	17			0	17			0	17			
	All Three				15				15				15	32		

TABLE 6. Number of vessels meeting qualification requirements for the indicated segment of the fishery (at-whiting, shoreside whiting, and or shoreside groundfish other than whiting) for 1994-1997 and holding permits as of June 29, 200.

Qualifying Requirements for Shoreside Groundfish Deliveries	AFA Vessel Endorsement	Qualifying Requirements for Shoreside Whiting Deliveries													
		50 or 100 mt				500 mt					10 Deliveries				
		At-Sea Whiting	Shoreside Whiting	Non-Whtg Groundfish	All Three	At-Sea Whiting	Shore side Whiting	Non-Whtg Groundfish	All Three	Tot	At-Sea Whiting	Shoreside Whiting	Non-Whtg Groundfish	All Three	Tot
50 mt	At-Sea Whiting	9	5	2	24	10	4	2	24	11	3	2	24		
	Shore Whiting		0	0	13		0	0	12		0	0	11		
	Non-whtg Groundfis			1	11			1	11			1	11		
	All Three				8				8				8	25	
100 mt	At-Sea Whiting	9	10	2	24	10	9	2	24	11	8	2	24		
	Shore Whiting		0	0	13		0	0	12		0	0	11		
	Non-whtg Groundfis			1	6			1	6			1	6		
	All Three				3				3				3	25	
500 mt	At-Sea Whiting	10	13	1	24	11	12	1	24	12	11	1	24		
	Shore Whiting		0	0	13		0	0	12		0	0	11		
	Non-whtg Groundfis			0	1			0	1			0	1		
	All Three				0				0				0	24	
10 Deliveries	At-Sea Whiting	9	2	2	24	10	1	2	24	10	1	3	24		
	Shore Whiting		0	0	13		0	0	12		0	0	11		
	Non-whtg Groundfis			1	14			1	14			1	14		
	All Three				11				11				10	25	

TABLE 7. Number of vessels meeting qualification requirements for the indicated segment of the fishery (at-whiting, shoreside whiting, and or shoreside groundfish other than whiting) for 1994-September 16, 1999 and holding permits as of June 29, 200.

Qualifying Requirements for Shoreside Groundfish Deliveries	AFA Vessel Endorsement	Qualifying Requirements for Shoreside Whiting Deliveries														
		50 or 100 mt					500 mt					10 Deliveries				
		At-Sea Whiting	Shoreside Whiting	Non-Whtg Groundfish	All Three	Tot	At-Sea Whiting	Shoreside Whiting	Non-Whtg Groundfish	All Three	Tot	At-Sea Whiting	Shoreside Whiting	Non-Whtg Groundfish	All Three	Tot
50 mt	At-Sea Whiting	8	5	1	25	9	4	1	25	10	3	1	25			
	Shore Whiting		0	1	17		0	1	16		0	1	15			
	Non-whtg Groundfis			0	13			0	13			0	13			
	All Three				11				11				11		26	
100 mt	At-Sea Whiting	8	10	1	25	9	9	1	25	10	8	1	25			
	Shore Whiting		0	1	17		0	1	16		0	1	15			
	Non-whtg Groundfis			0	8			0	8			0	8			
	All Three				6				6				6		26	
500 mt	At-Sea Whiting	8	16	1	25	9	15	1	25	10	14	1	25			
	Shore Whiting		1	0	17		1	0	16		1	0	15			
	Non-whtg Groundfis			0	1			0	1			0	1			
	All Three				0				0				0		26	
10 Deliveries	At-Sea Whiting	8	1	1	25	9	0	1	25	9	0	2	25			
	Shore Whiting		0	1	17		0	1	16		0	1	15			
	Non-whtg Groundfis			0	17			0	17			0	17			
	All Three				15				15				14		26	

TABLE 8. Number of AFA vessels by principle area if landing and vessel owner's home port for different Option 1.a qualifying periods and landing/delivery requirements applied uniformly across all three sectors (offshore landing area is specified only when there were **no** shoreside landings made).

Landing Area	Vessel Owner's City of Residence						Total
	Kodiak	Seattle	Neah Bay	Astoria	Newport	Half Moon Bay	
All Vessels							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		3	1			3	7
Newport		2		1	2		5
Coos Bay		1					1
Crescent					1		1
Offshore	1	13			3	2	19
Total	1	21	1	1	9	2	35
1994-1997 Qualifying Period							
50 mt or 100 mt Landing/Delivery Requirement							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		2	1		3		6
Newport		1		1	2		4
Coos Bay		1					1
Crescent					1		1
Offshore	1	12			3	2	18
Total	1	18	1	1	9	2	32
500 mt Landing/Delivery Requirement							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		2	1		3		6
Newport		0		1	2		3
Coos Bay		0					0
Crescent					1		1
Offshore	1	12			3	2	18
Total	1	16	1	1	9	2	30
10 Deliveries Requirement							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		2	1		3		6
Newport		0		1	2		3
Coos Bay		1					1
Crescent					1		1
Offshore	1	12			3	2	18
Total	1	17	1	1	9	2	31
1994-1999 Qualifying Period							
50 mt or 100 mt Landing/Delivery Requirement							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		2	1		3		6
Newport		1		1	2		4
Coos Bay		1					1
Crescent					1		1
Offshore	1	13			3	2	19
Total	1	19	1	1	9	2	33
500 mt or 10 deliveries Landing/Delivery Requirement							
Northern Puget Sound		1					1
Coastal Washington		1					1
Astoria		2	1		3		6
Newport		0		1	2		3
Coos Bay		1					1
Crescent					1		1
Offshore	1	13			3	2	19
Total	1	18	1	1	9	2	32

TABLE 9. Number of AFA vessels **with permits** by principle area if landing and vessel owner's home port for different Option 1.a qualifying periods and landing/delivery requirements applied uniformly across all three sectors (offshore landing area is specified only when there were **no** shoreside landings made).

Landing Area	Vessel Owner's City of Residence						Total	
	Kodiak	Seattle	Neah Bay	Astoria	Newport	Half Moon Bay		
All Vessels								
Northern Puget Sound		1					1	
Coastal Washington		1					1	
Astoria		1	1			3	5	
Newport		0			1	2	3	
Coos Bay		1					1	
Crescent						1	1	
Offshore	1	8				3	2	14
Total	1	12	1	1	9	2	26	
1994-1997 Qualifying Period								
10 mt or 50 mt, or 10 Landing/Delivery Requirement								
Northern Puget Sound		1					1	
Coastal Washington		1					1	
Astoria		1	1			3	5	
Newport		0			1	2	3	
Coos Bay		1					1	
Crescent						1	1	
Offshore	1	7				3	2	13
Total	1	11	1	1	9	2	25	
500 mt Landing/Delivery Requirement								
Northern Puget Sound		1					1	
Coastal Washington		1					1	
Astoria		1	1			3	5	
Newport		0			1	2	3	
Coos Bay		0					0	
Crescent						1	1	
Offshore	1	7				3	2	13
Total	1	10	1	1	9	2	24	
1994-1999 Qualifying Period								
50 mt, 100 mt, 500 mt, or 10 Landing/Delivery Requirement								
Northern Puget Sound		1					1	
Coastal Washington		1					1	
Astoria		1	1			3	5	
Newport		0			1	2	3	
Coos Bay		1					1	
Crescent						1	1	
Offshore	1	8				3	2	14
Total	1	12	1	1	9	2	26	

TABLE 10. Number of AFA vessels by principle area if landing and vessel owner's home port for different Option 1.b qualifying requirements ("offshore" landing area is specified only when there were **no** shoreside landings made).

Landing Area	Vessel Owner's City of Residence						Total	
	Kodiak	Seattle	Neah Bay	Astoria	Newport	Half Moon Bay		
All Vessels								
Northern Puget Sound		1					1	
Coastal Washington		1					1	
Astoria		3	1			3	7	
Newport		2		1		2	5	
Coos Bay		1					1	
Crescent						1	1	
Offshore	1	13				3	2	19
Total	1	21	1	1		9	2	35
Vessels Meeting Option 1.b Requirements								
50 mt or 100 mt Landing/Delivery Requirement								
Northern Puget Sound		1						1
Coastal Washington		0						0
Astoria		1	1			3		5
Newport		0		1		2		3
Coos Bay		1						1
Crescent						1		1
Offshore	1	9				3	2	15
Total	1	12	1	1		9	2	26

Appendix

Qualifying Requirements for the At-Sea Whiting Sector

The Council specified four landings level options for consideration as qualifying requirements: 50 mt, 100 mt, 500 mt, or 10 deliveries. The following are the number of vessels that would qualify under each combination of landing requirement and qualifying period.

Number of AFA Vessels Qualifying for At-Sea Whiting	Qualifying Period	
	1994-1997	1994-1999
50 mt	30	31
100 mt	30	31
500 mt	30	31
10 deliveries	30	31

For the 1994 through 1997 qualifying period, **all** of the 30 AFA catcher vessels that participated in the at-sea whiting fishery landed over 1,000 mt and had more than 20 deliveries (Table A-1). **Two** of the 32 AFA catcher vessels that participated on the West Coast did not participate in the at-sea fishery. There were **6** at-sea whiting AFA catcher vessels that had between 20 and 50 deliveries. The remainder had 50 deliveries or more.

For the 1994 through 1999 qualifying period, **all** of the 31 AFA catcher vessels that participated in the at-sea whiting fishery landed over 1,000 mt and had more than 20 deliveries (Table A-1). **Four** of the 35 AFA catcher vessels that participated on the West Coast did not participate in the at-sea whiting fishery (two of which participated in the shoreside groundfish fishery). There were **7** at-sea whiting AFA catcher vessels that had between 20 and 50 deliveries. The remainder had 50 deliveries or more.

Conclusion: On the basis of these results for the remainder of the analysis for each qualifying period (1994 through 1997, and 1994 through 1999), only two categories of at-sea whiting AFA vessels will be evaluated, those that would qualify for the at-sea whiting fishery and those that would not qualify.

Qualifying Requirements for the Shoreside Whiting Sector

The Council specified the same four landings level options for shoreside whiting as it did for the at-sea catcher vessels. The following are the number of vessels that would qualify under each combination of landing requirement and qualifying period.

Number of AFA Vessels Qualifying for Shoreside Whiting	Qualifying Period	
	1994-1997	1994-1999
50 mt	15	20
100 mt	15	20
500 mt	13	18
10 deliveries	12	16

For the 1994 through 1997 qualifying period, there were **15** AFA catcher vessels with no participation in the shoreside whiting fishery (Table A-2). There were **2** vessels that participated in the shoreside whiting

fishery but would not qualify under any of the four landing requirement options. **All** vessels that landed at least 50 mt landed at least 100 mt. **Three** vessels with more than 100 mt had fewer than 10 deliveries.

For the 1994 through 1997 qualifying period, there were **14** AFA catcher vessels with no participation in the shoreside whiting fishery (Table A-2). There was **1** vessel that participated in the shoreside whiting fishery but would not qualify under any of the four landing requirement options. **All** vessels that landed at least 50 mt landed at least 100 mt. **Four** vessels with more than 100 mt had fewer than 10 deliveries.

Conclusion: For each qualifying period (1994 through 1997, and 1994 through 1999) two of the landing requirement options yield the same results (50 mt and 100 mt), therefore of the four specified for analysis, only three landing requirement options need be evaluated in the remainder of the analysis:

- 100 mt
- 500 mt
- 10 deliveries

Qualifying Requirements for the Non-Whiting Groundfish Vessels

The Council specified the same four landings level options for shoreside groundfish as it did for the whiting catcher vessels. The following are the number of vessels that would qualify under each combination of landing requirement and qualifying period.

Number of AFA Vessels Qualifying for Shoreside Groundfish	Qualifying Period	
	1994-1997	1994-1999
50 mt	12	14
100 mt	7	9
500 mt	1	1
10 deliveries	15	18

For both qualifying periods, there were **10** AFA catcher vessels with no participation in the shoreside groundfish fishery (Table A-3). There were **7** vessels that participated in the shoreside groundfish fishery but would not qualify under any of the four landing requirement options.

For 1994 through 1997 there were **3** vessels that would qualify only on the basis of the number of deliveries.

For 1994 through 1999 there were **4** vessels that would qualify only on the basis of the number of deliveries.

For both periods, every vessel that would qualify on the basis of a poundage requirement made more than 10 deliveries (i.e., every vessel that landed at least 50 mt made at least 10 deliveries).

Conclusion: The four landing requirements would each qualify a different group of vessels and need to be evaluated in the remainder of the analysis.

TABLE A-1. AFA catcher vessel count for largest number of **at-sea whiting** landings (mt) and **at-sea whiting** deliveries in any one year for the indicated period.

Mt Delivered	Number of Landings/Deliveries ^{b/}							Total
	0 ^{c/}	1-4	5-9	10-14	15-19	20-49	≥50	
1994-1997								
0 ^{c, b/}	2							2
0-24								0
25-49								0
50-99								0
100-250								0
250-500								0
500-700								0
700-1,000								0
≥1,000						6	24	30
Total	2	0	0	0	0	6	24	32
1994-September 16, 1999								
0 ^{c, b/}	4							4
0-24								0
25-49								0
50-99								0
100-250								0
250-500								0
500-700								0
700-1,000								0
≥1,000						7	24	31
Total	4	0	0	0	0	7	24	35

b/ Deliveries are approximated by hauls for offshore landings and by the highest number of fish tickets issued for a single species for onshore landings.

c/ This column/row is for vessels which did not have offshore landings out of the total that had either offshore or onshore landings.

TABLE A-2. AFA catcher vessel count for largest number of **onshore whiting** landings (mt) and **onshore whiting** deliveries in any one year during the analysis period.

Mt Delivered	Number of Landings/Deliveries ^{a/}							Total
	0 ^{b/}	1-4	5-9	10-14	15-19	20-49	≥50	
	1994-1997							
0 ^{c, b/}	15							15
0-24								0
25-49		2						2
50-99								0
100-250		1						1
250-500			1					1
500-700			1					1
700-1,000								0
≥1,000				1		3	8	12
Total	15	3	2	1	0	3	8	32
	1994-September 16, 1999							
0 ^{c, b/}	14							14
0-24								0
25-49		1						1
50-99								0
100-250		1						1
250-500			1					1
500-700			1					1
700-1,000			1					1
≥1,000				1		6	9	16
Total	14	2	3	1	0	6	9	35

a/ Deliveries are approximated by hauls for offshore landings and by the highest number of fish tickets issued for a single species for onshore landings.

b/ This column/row is for vessels which did not have onshore landings out of the total that had either offshore or onshore landings.

TABLE A-3. AFA catcher vessel count for largest number of **onshore groundfish** (other than whiting) landings (mt) and **onshore groundfish** deliveries in any one year during the analysis period.

Mt Delivered	Number of Landings/Deliveries ^{a/}							Total
	0 ^{b/}	1-4	5-9	10-14	15-19	20-49	≥50	
	1994-1997							
0 ^{c, b/}	10							10
0-24		5	2					7
25-49				1		2		3
50-99						3	2	5
100-250				1	1	2	1	5
250-500							1	1
500-700					1			1
700-1,000								0
≥1,000								0
Total	10	5	2	2	2	7	4	32
	1994-September 16, 1999							
0 ^{c, b/}	10							10
0-24		5	2	1		1		9
25-49				1		1		2
50-99						2	3	5
100-250						4	3	7
250-500							1	1
500-700					1			1
700-1,000								0
≥1,000								0
Total	10	5	2	2	1	8	7	35

a/ Deliveries are approximated by hauls for offshore landings and by the highest number of fish tickets issued for a single species for onshore landings.

b/ This column/row is for vessels which did not have onshore groundfish (other than whiting) landings out of the total that had either offshore or onshore landings.