

NMFS REPORT FOR AMENDMENT 15
REQUEST FOR COUNCIL CONSIDERATION OF A REVISION TO FMP LANGUAGE

When the Council adopted Amendment 6 to the FMP in 1991, it determined in Section 4.10, “Permit Renewal Provisions,” that 60 days should be allowed for the annual limited entry permit renewal period, “in order to provide permit holders with a sufficient window in which to make their renewal application.” Section 11.2.12, paragraph 1 of the FMP, sets this as October 1 through November 30.

The FMP at 11.2.12, paragraph 2., states “*Notice of upcoming renewal periods will be sent by September 1 each year to the most recent address as provided to the permit issuing authority by the permit holder. It shall be the permit holder's responsibility to provide the permit issuing authority with address changes in a timely manner.*” This paragraph is implemented in Federal regulations at 50 CFR 660.335(a)(2), “*Notification to renew limited entry permits will be issued by SFD prior to September 1 each year to the most recent address of the permit owner. The permit owner shall provide SFD with notice of any address change within 15 days of the change.*” This provision has been in place since 1992, although neither Amendment 6 nor the implementing regulations provide any rationale for the choice of the September 1st renewal date.

NMFS requests that the Council consider a revision to the FMP so that 11.2.12, paragraph 2 states that “*Notice of upcoming renewal periods will be sent by **September 15** each year...*”

NMFS’s Fisheries Permits Office (FPO) would prefer to send permit renewal notices by **September 15** for two reasons:

- The Federal fiscal year begins October 1st. When FPO sends permit renewal notices by September 1st, many permit owners diligently renew their permits as quickly as possible, often sending renewals and fees by mid-September. FPO deposits funds received immediately, in keeping with good accounting practices. As a result of this one-month lag between renewal notices and fiscal year start date, each renewal period inevitably includes funds received in two separate fiscal years. Moving the renewal date to September 15th would aid FPO by ensuring that funds received to renew periods for a particular fishing year are credited to the applicable fiscal year.
- September 1st is the start of a two-month cumulative limit period, which means that the week just prior to September 1st is filled with permit transfers by permit owners wishing to move their permits to new boats for the start of the September-October cumulative limit period. This particular cumulative limit period is often active for permit transfers, since it is the last cumulative limit period that also falls within the April – October primary tier sablefish fishing season. Moving the renewal date to September 15th would allow FPO to process last-minute permit transfer requests before sending renewal notification packets to permit owners. This will ensure that all renewal forms reflect the most recent changes to these permits.

Amendment 15 is considering revisions to Chapter 11 of the FMP. Although this issue is not connected to Amendment 15, that amendment does deal with permitting issues and it would be convenient to make this change along with the Amendment 15 revisions to Chapter 11.