

Amendment 22: Open Access License Limitation



LB Boydston
March 13, 2008

Description of the Proposed Action

The proposed action is intended to compliment the existing A permit limited entry program. It has two parts:

1. Conversion of the **directed** (target) fishery component of the open access fishery to limited entry management (B permit program).
2. Conversion of the **incidental** (non-target) fishery component of the open access fishery to a registration program (C permit program).

The **Purpose and Need Statement** was reviewed at the June 2007 Council Meeting and appears in Subsection 1.3 of the Environmental Assessment.



Include the range of alternatives in the CDFG report and:

1. Add a B permit alternative **without** a previous year landing requirement;
2. add the GAP alternative to analyze a **range** of minimum landing requirements;
3. use landings from April 1998-September 2006 to analyze B permit criteria ("**window period**");
4. **exclude nearshore species'** landings in qualifying for a B permit;
5. add an alternative to **register**, but not limit, all open access vessels;
6. add an alternative that reflects **average** recent-year vessel participation; and
7. add an alternative that allows full **transferability** of B permits.

Table 2-1. Conditions and Assumptions Regarding B & C Permit Programs (Page 1.)

1. The B permit program is intended to better match **fleet capacity** with resource availability.
2. B permits would be issued to **current owners** of qualifying vessels and permits would be registered to single vessels.
3. B permits would apply to the directed taking and landing of all federal groundfish not including, **nearshore** rockfish, cabezon, kelp greenling and California scorpionfish (nearshore groundfish), which are protected under state regulations.
4. A directed open access fishery landing is one in which >50% of the total **revenue** was of B species groundfish, and directed fishery gear was used. Only landings of B species of groundfish during April 1998 - September 2006 would be considered.
5. State nearshore permits may not be used **in lieu** of obtaining a B permit.

Table 2-1. Conditions and Assumptions Regarding B & C Permit Programs (Page 2)

6. A C permit must be registered to a vessel to land **incidental** amounts of federal groundfish excluding nearshore species. A state-issued nearshore permit registered to the vessel or in possession of a fisherman on board the vessel may be used in lieu of obtaining a federal C permit.
7. Valid B and C permits or state-issued nearshore permits would be **required** when fishing for, possessing and landing permitted species in U.S. waters off the coasts of Washington, Oregon and California (0-200 miles).
8. B permit limits would be set based upon open access fishery **allocations** previously established by the Council. C permit landing limits would take into account **target species** landings (i.e., nearshore or non-groundfish landings).
9. **State regulations** would continue to be in compliance with federal regulations.
10. B permits would be **renewed** annually; expired permits would not be renewed. Timing of annual B permit application would align with current A permit renewals (fall of year prior).

Issues Addressed in Council Alternatives

- Initial fleet size
- Final fleet size goal
- Permit consolidation requirement
- Permit transferability
- Previous year landing requirement
- Length & gear endorsement
- A & B permit usage on same vessel
- B & C permit coverage on same vessel

Alternatives

Table 2-3. Summary of Council's federal license or permit management alternatives

Issue to be addressed	Alt 1 No Action	Alt 2 License Registration	Alt 3 Recent Average	Alt 4 Minimum Landing Requirement	Alt 5 Fleet Reduction	Alt 6 Fleet Reduction
Initial fleet size						
Fleet size goal						
Permit consolidation requirement						
Permit transferability						
Previous year landing requirement						
Length and gear endorsement						
A & B permit usage on same vessel						
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Initial fleet size	n/a	n/a	recent average (680 vessels)	based on permit qualification criteria impact	2000 fleet size (850 vessels)	1994-99 fleet size (390 vessels)
Fleet size goal						
Permit consolidation requirement						
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Fleet size goal	n/a	n/a	Same as initial fleet size	Same as initial fleet size	a. 50% reduction (to 430) b. 80% reduction (to 170)	80% reduction from 2000 fleet size (to 170)
Permit consolidation requirement						
Permit transferability						
Previous year landing requirement						
Length and gear endorsement						
A & B permit usage on same vessel						
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Permit consolidation requirement	n/a	n/a	none	none	yes	none
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Permit transferability	n/a	n/a	yes, once per year	yes, once per year	yes, once per year	not specified
Previous year landing requirement						
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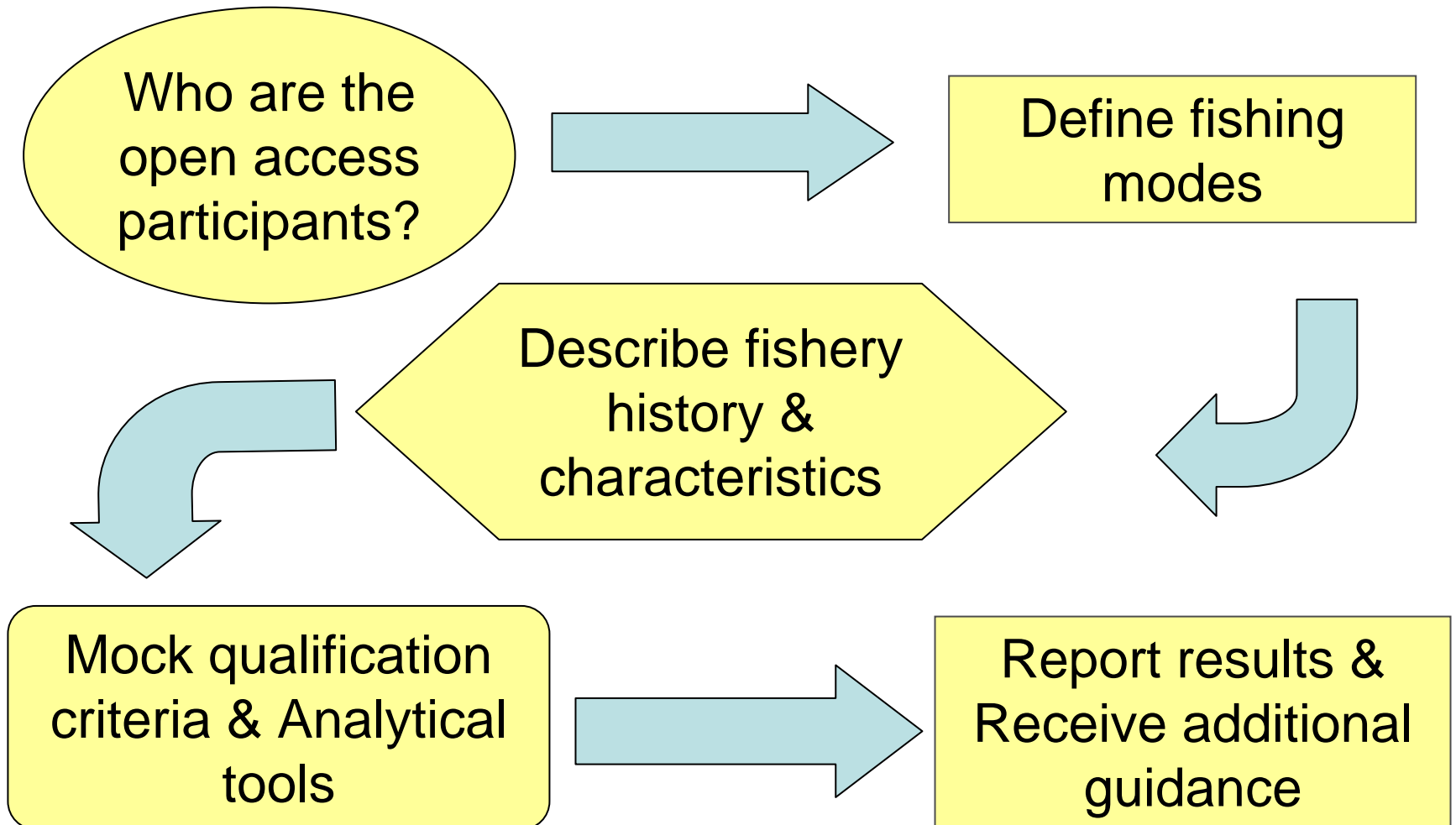
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B and C permit coverage on same vessel						

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B and C permit coverage on same vessel	n/a	n/a	See Table 2-1	See Table 2-1	See Table 2-1	See Table 2-1

The Open Access Permitting Process Initial Steps



Who Are the Participants?

- **Non-A permit** registered commercial fishing vessels; i.e., vessels with federal groundfish landings that counted against open access allocations or general commercial harvest guidelines, and
- **Used open access gear**; i.e., longline, trap, pot, hook-and-line, setnet (S. of 38° N. lat) and non-groundfish trawl (pink shrimp, California halibut, and sea cucumber).

Fishing Modes

There are two recognized modes of open access fishing: (1) targeted or **directed** groundfish fishing and (2) **incidental** groundfish fishing. Vessels may have participated in one or both modes within the same landing period. Individual fishing trip modes are differentiated as follows:

- Directed fishing trips are defined as those in which 1) non-salmon hook-and-line, fishpot or set net **gear** was used and 2) **50% or greater of the revenues** were of specified federal groundfish.
- All **other** open access fishing trips are defined as incidental fishing trips. These include salmon troll, non-groundfish trawl, non-open access gear landings, and open access gear landings with <50% revenues of specified groundfish.

How a Directed Fishery Landing is Computed

Directed landing = 50% or greater of revenues were of B species groundfish, excluding nearshore species.

Example 1

<u>Landing Receipt Scenario</u>	
Sablefish	\$50
Black RF	\$120
White croaker	\$30
TOTAL	\$200

\$50 (Sablefish)	= 62%
<hr/>	
\$80 (Sablefish + White croaker)	

Included as a Directed Landing

How a Directed Fishery Landing is Computed

Directed landing = 50% or greater of revenues were of B species groundfish, excluding nearshore species.

Example 2

<u>Landing Receipt Scenario</u>	
Lingcod	\$10
Gabezon	\$180
Halibut	\$160
TOTAL	\$350

$$\frac{\$10 \text{ (Lingcod)}}{\$170 \text{ (Lingcod + Halibut)}} = 5\%$$

NOT Included as a Directed Landing

Fishery History

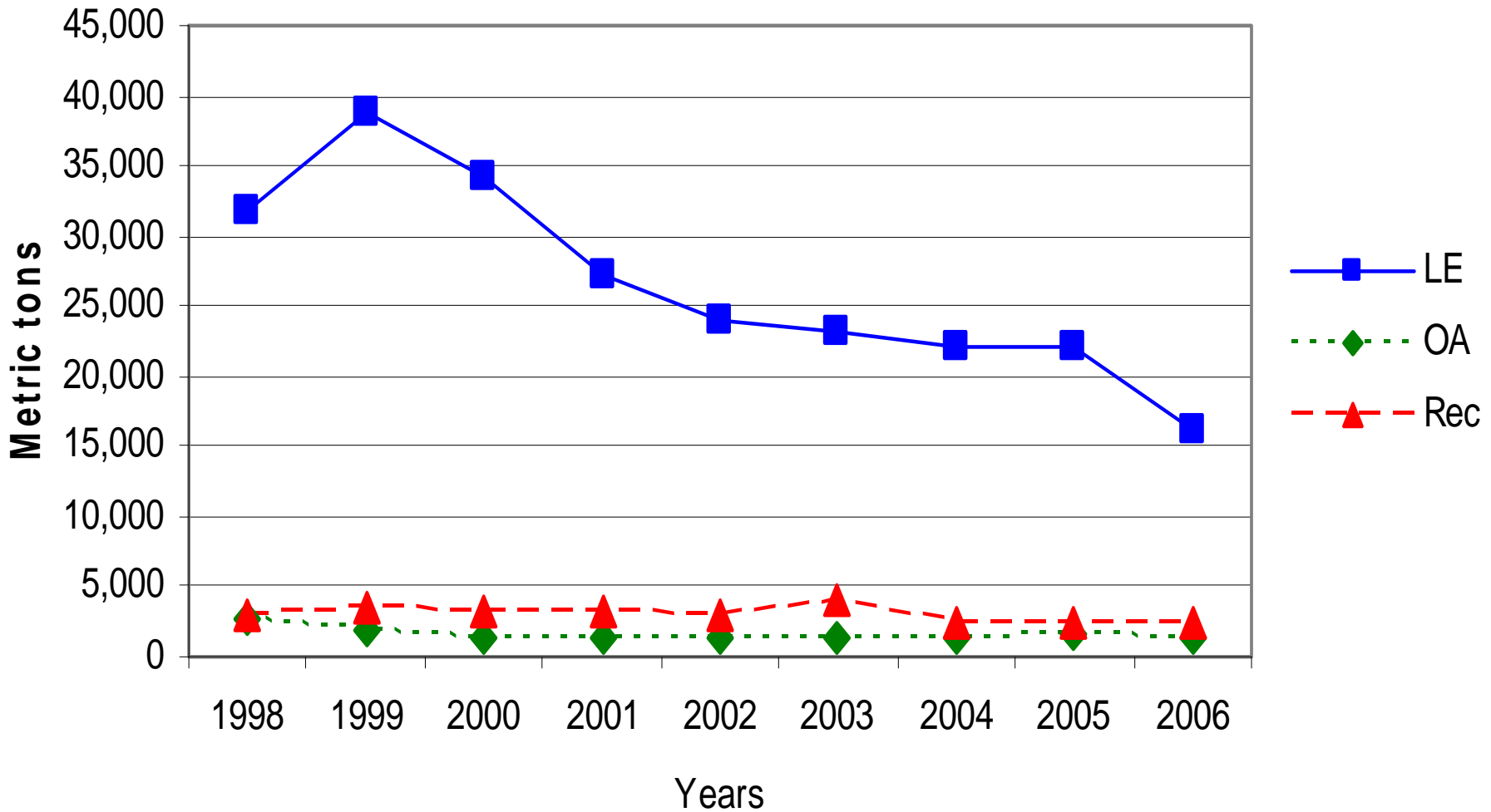


Figure 3-1. Groundfish landing trends in WOC groundfish fisheries by sector and year

Fishery History

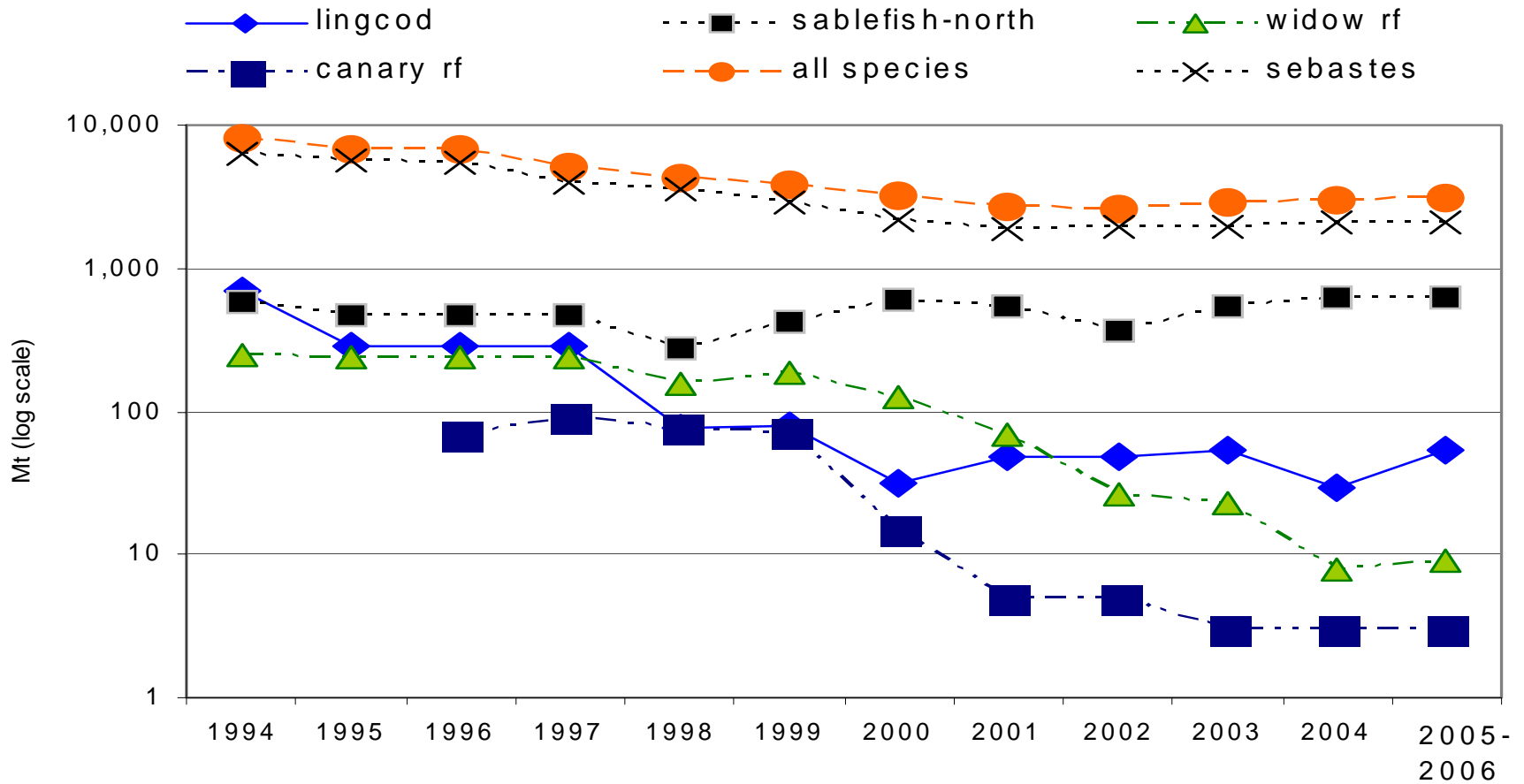


Figure 1-1. Open access fishery harvest guidelines for key groundfish stocks and in total, 1994-2006

Fishery History

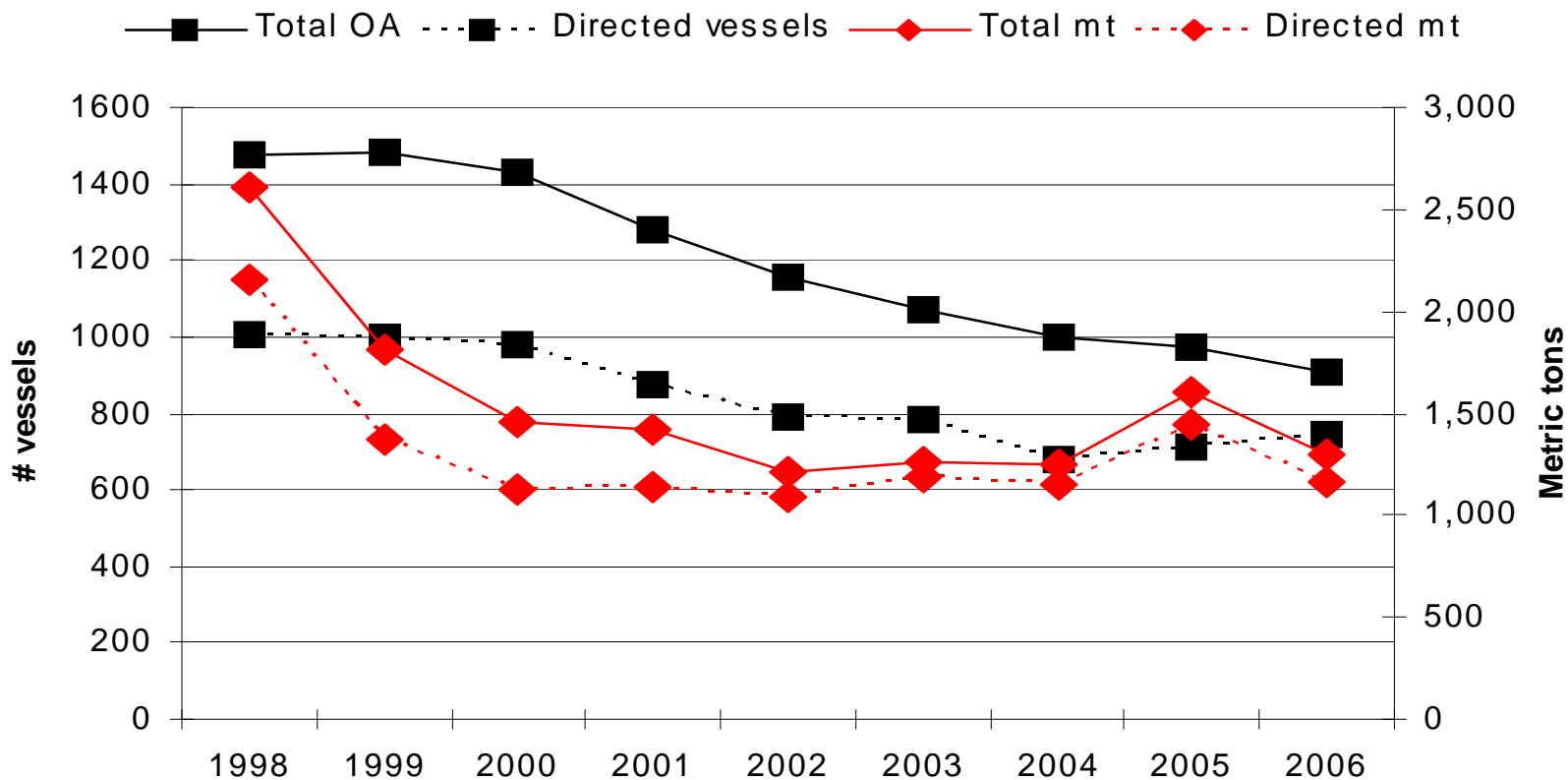


Figure 3-2. Number of vessels and directed landings of total and directed open access fisheries (1998-2006)

Fishery History

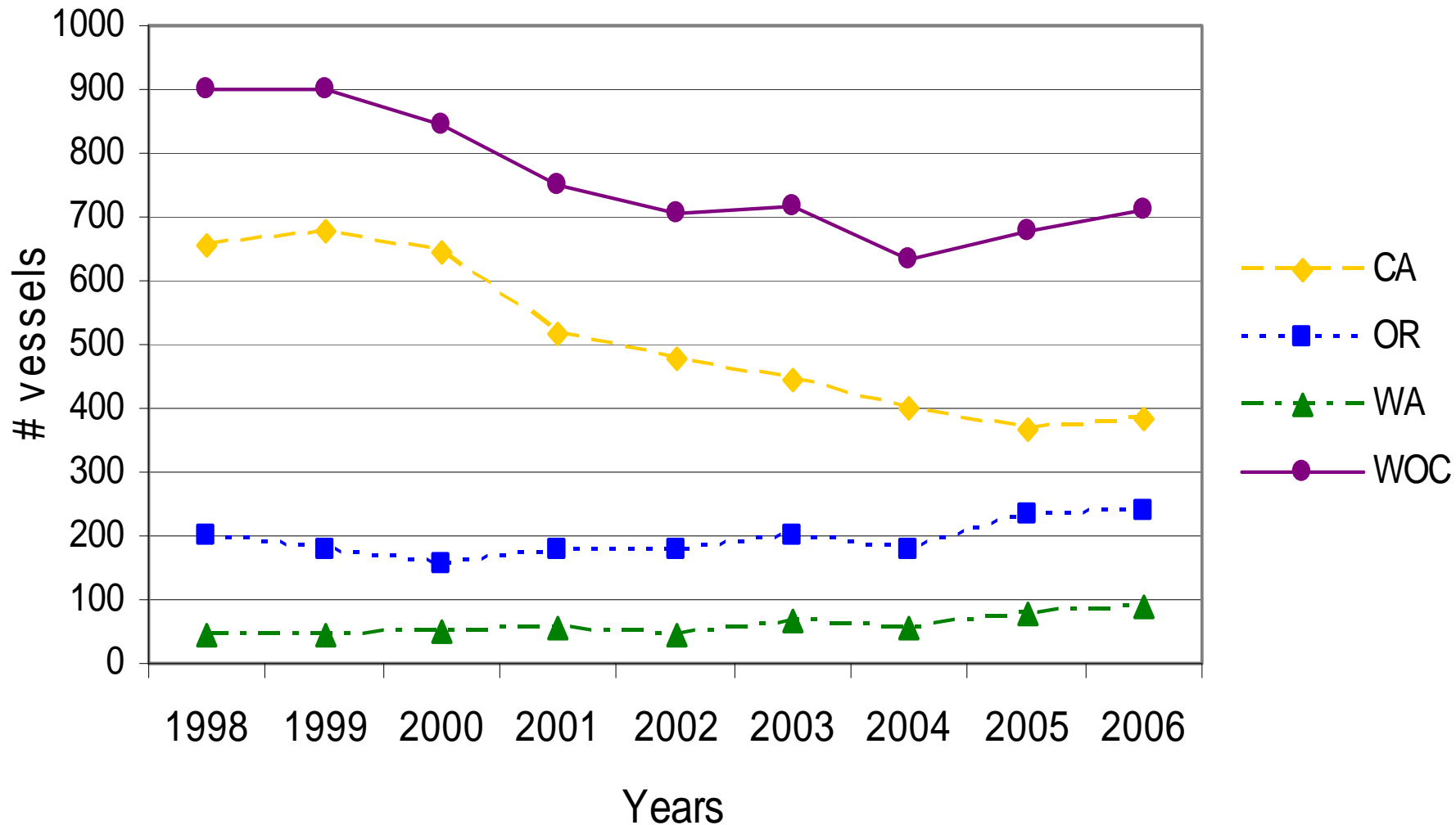


Fig 2-1. Number of vessels directly targeting open access groundfish species by state and coastwide, 1998-2006.

Fishery Characteristics

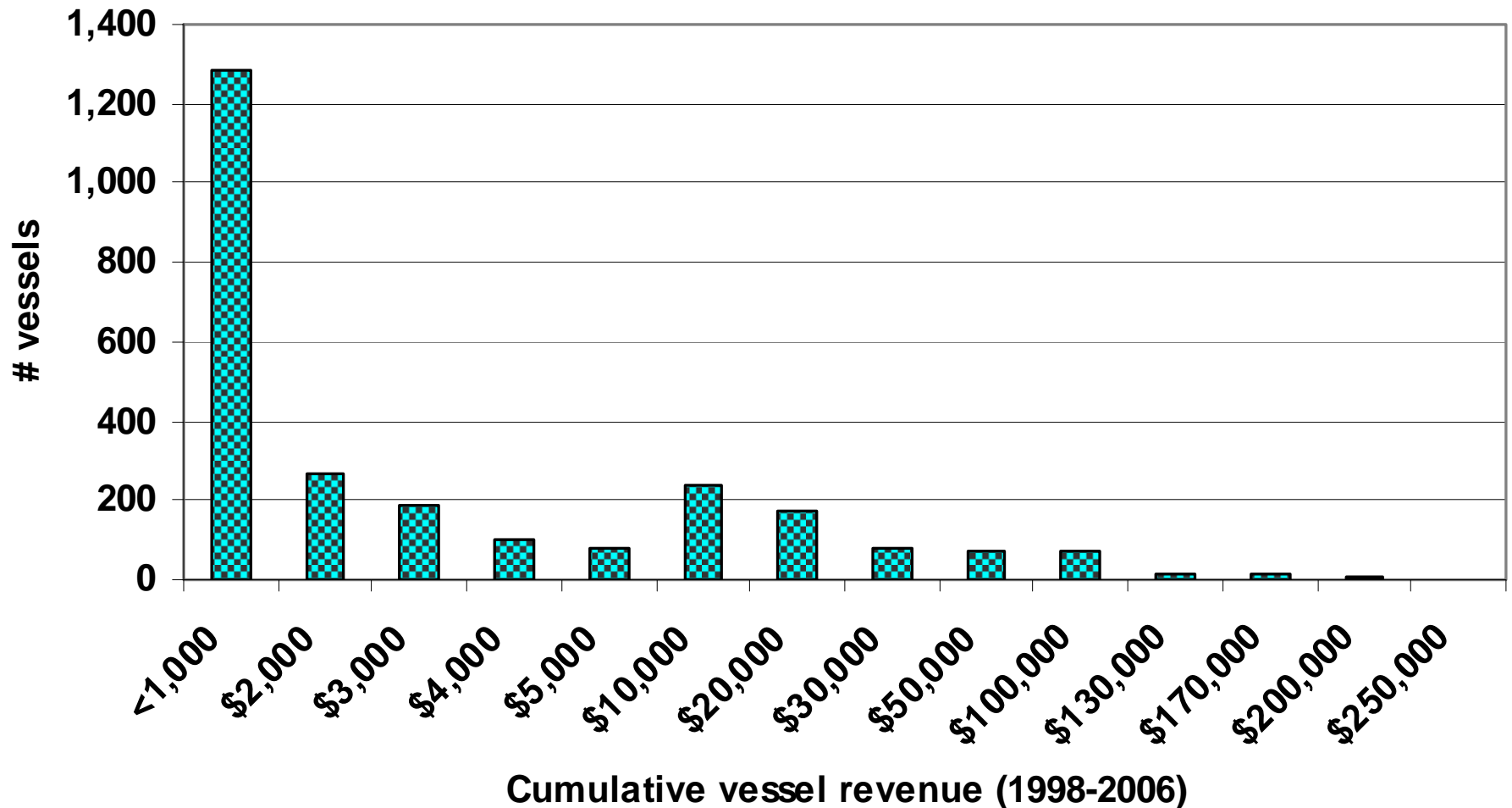


Figure ES-2. Total revenue frequencies for WOC vessels (n = 2,857) that made B species landings during 1998-2006.

Fishery Characteristics

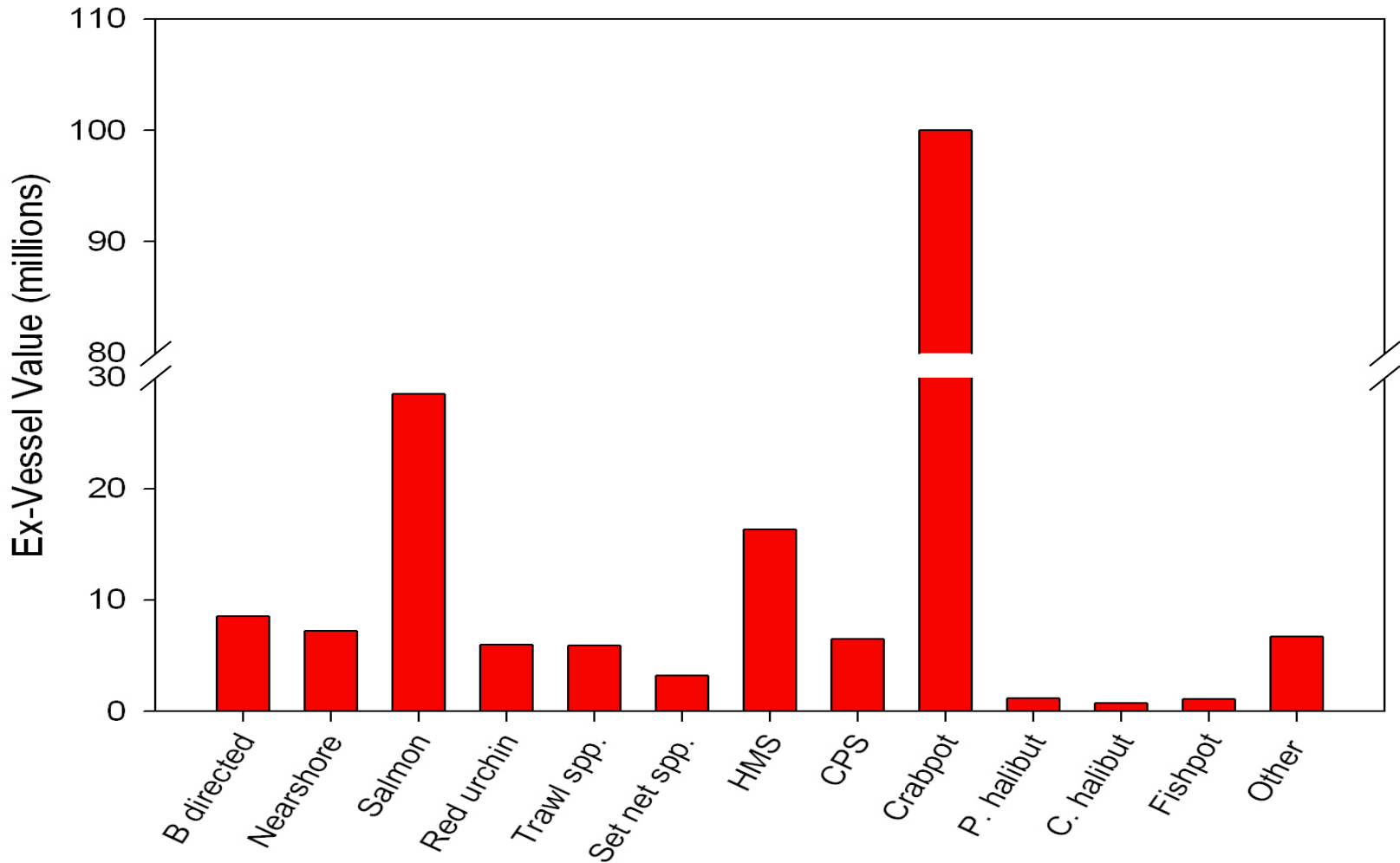


Figure ES-3 Commercial fishery revenues for B directed vessels, 1998-2006.

Fishery Characteristics

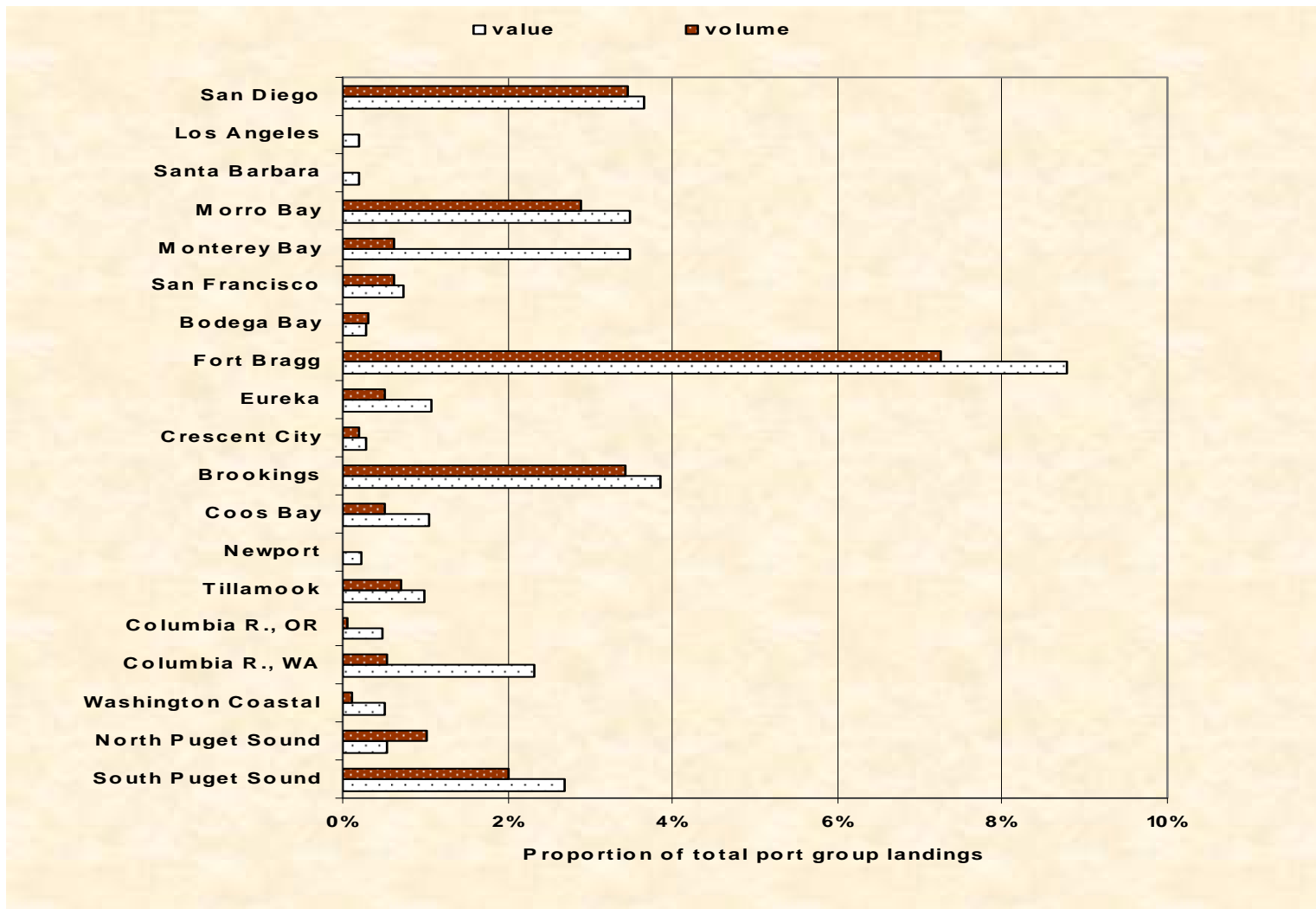


Fig 3-7. B species groundfish landings expressed as a proportion of WOC port group commercial fishery landings, 2004-2006 combined

Fishery Characteristics

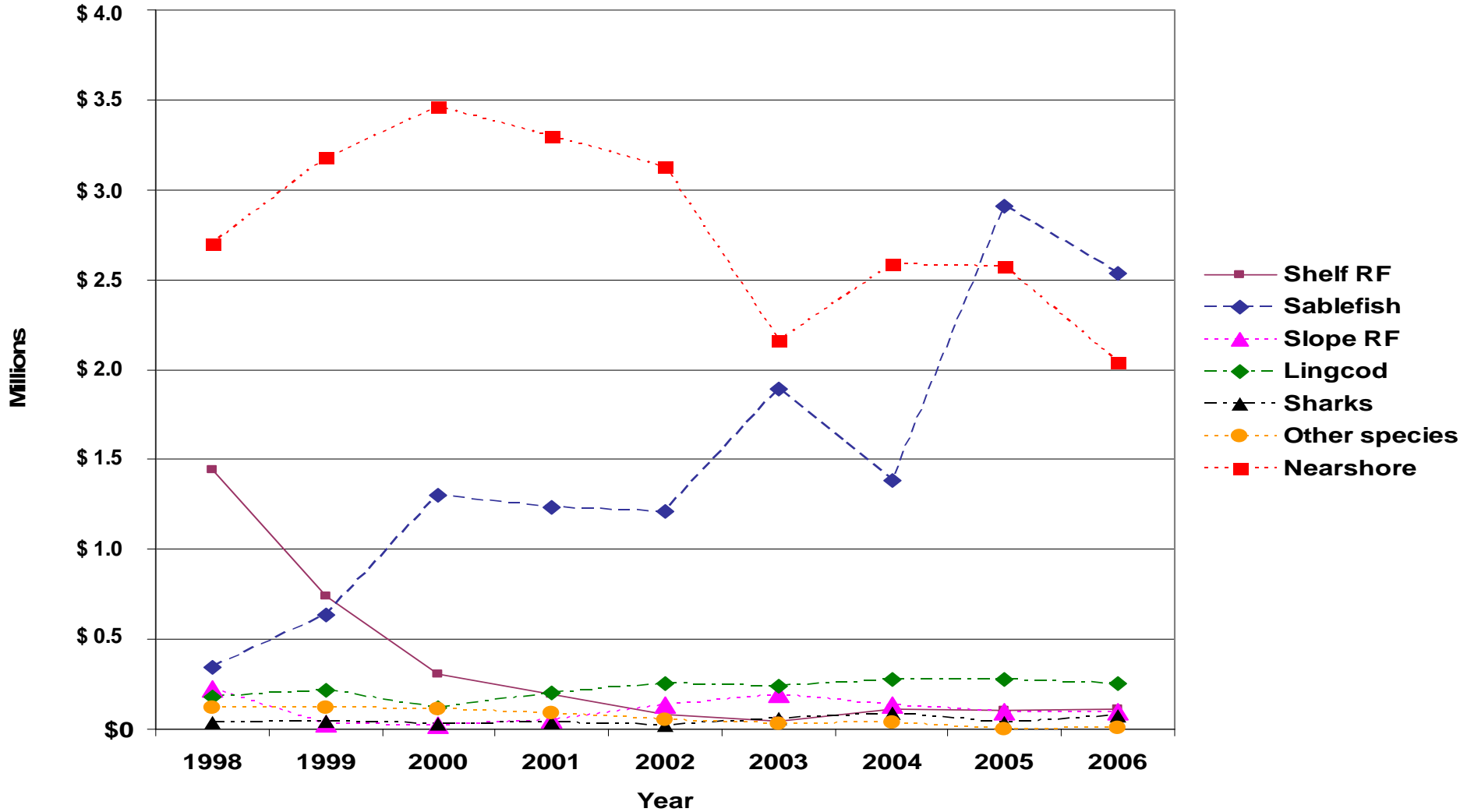


Figure 3-4. Trends in directed fishery revenues by species and year, 1998-2006

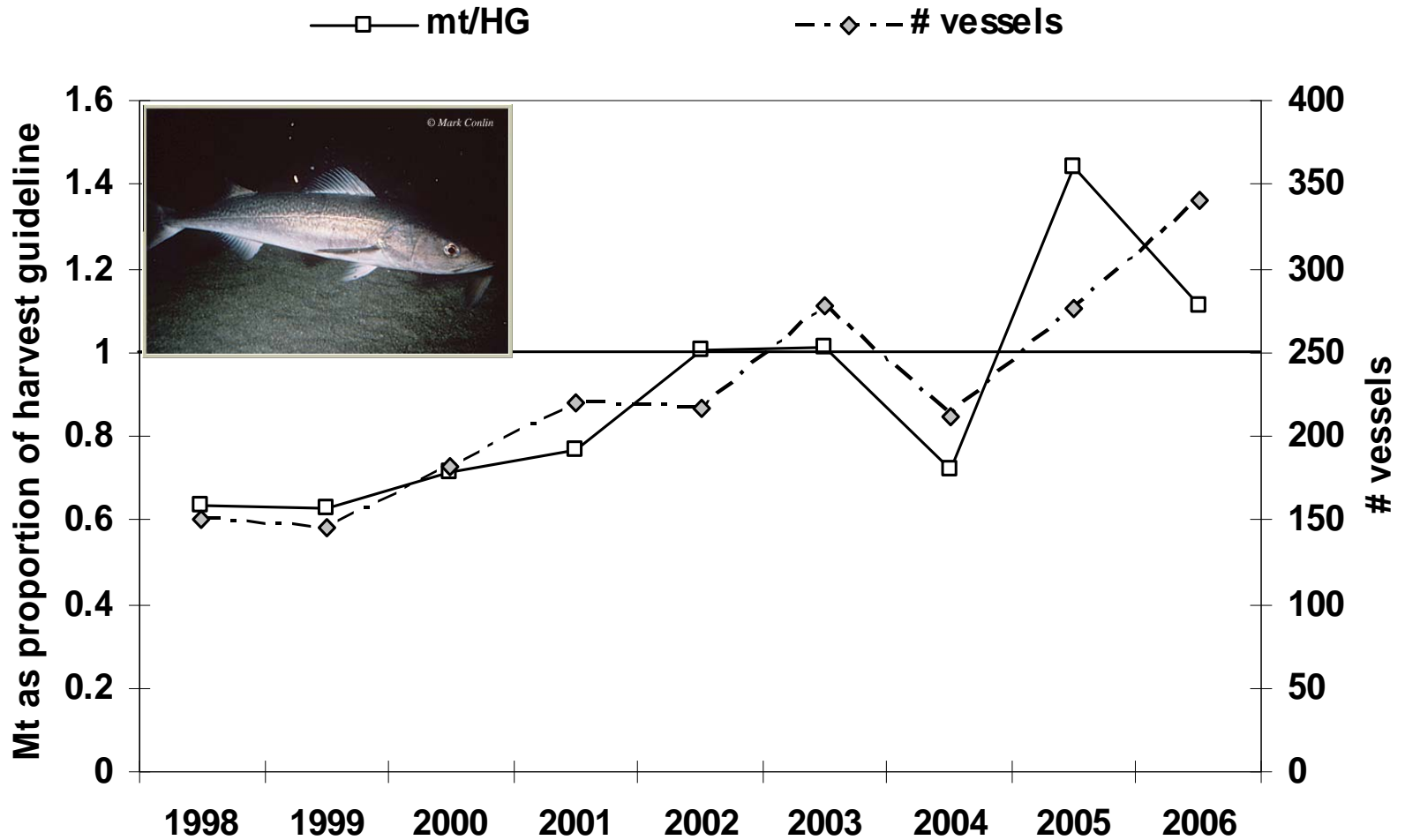


Figure 3- 5. Number of vessels directly targeting sablefish and landings shown as a proportion of annual sablefish allocation, Monterey-Vancouver area, 1998-2006.

Fishery Characteristics

# years	1998-2006	2004-2006	
1	1117	508	403 new vessels entered that had not fished previously during 1998-2003
2	517	287	
3	309	308	
4	201		1,484 vessels had landings during 1998-2003, but had no landings during 2004-2006
5	157		
6	93		
7	62		
8	60		
9	71		
	2,587	1,103	

Many vessels (63%) participated in one or two years, while few vessels (17%) participated in most years (>4) of the window period.

Qualification Criteria: “Toggles” and “Dials”

- **Minimum poundage or revenue** requirement in any year or combination of years (yes/no toggle).
- **Cumulative poundage or revenues** in any series or combination of years (adjustable dial).
- Directed fishery **landing (trip) requirement** in any year or combination of years (yes/no toggle).
- Others?

Mock Qualification Criteria used for Analysis of Alternatives

1. **Model Run #1:** Cumulative vessel landings in pounds of B species groundfish during *2004-2006*
2. **Model Run #2:** Cumulative vessel landings in pounds of B species groundfish during the *1998-2006*
3. **Model Run #3:** Cumulative vessel landings in pounds of B species groundfish during the *1998-2006 in combination with a 2004-2006* B permit species landing requirement

***Qualifying criteria can be added to any model run*

Table ES-3. Summary of registration requirements, fleet size goals, fleet size expectations, and environmental consequences associated with the Council's alternatives

Issue	Stage	Reference	Alternative					
			A-1	A-2	A-3	A-4	A-5	A-6
Environmental impact								
Physical environment		§ 3.1, and § 4.0	N/C	N/C	N/C	N/C	N/C	N/C
Biological environment								
Groundfish		§ 3.2.1	7/	7/	N/C	N/C	N/C	N/C
Non-groundfish		§ 3.2.2	N/C	N/C	N/C	N/C	N/C	N/C
Prohibited species		§ 3.2.3	N/C	N/C	N/C	N/C	N/C	N/C
Protected species		§ 3.2.4	N/C	N/C	N/C	N/C	N/C	N/C
Socioeconomic environment								
Fishery mgmt 3/ Catch comp.		§ 2.0	N/C	+	+	N/C to >	+ or >	>
Groundfish 4/		Tabs E-7, E-8, E-9	N/C	N/C	2% to 9%	0% to 64%	0%-5%	9%-20%
	2)				N/A	N/A	a) 7%-17% b) 29%-43%	29%-43%
Non-groundfish 5/	1)	Tabs E-7, E-8, E-9	N/C	N/C	1% to 2%	0%-5%	0% to 2%	1%-2%
	2)				N/A	N/A	a) 1%-2% b) 3%-4%	3%-4%
Vessels char. 6/		Tabs E-3, E-4, E-5	N/C	N/C	+6 to -8	+13 to -8	+5 to -2	+11 to -12
Processors 6/		Tabs E-3, E-4, E-5	N/C	N/C	+6 to -8	+13 to -8	+5 to -2	+11 to -12
Licensing, etc.		§ 3.3.5, § 3.3.6	N/C	N/C	N/C	N/C	N/C	N/C
Costs		§ 2.0	N/C	minor	minor	minor	minor	minor
Communities 6/		Tabs E-3, E-4, E-5	N/C	N/C	+6 to -8	+13 to -8	+5 to -2	+11 to -12
Environmental Justice		§ 1.5 and § 3.3.8	N/C	N/C	N/C	N/C	N/C	N/C

Very important information; slides discussed in next

B Permit Benefits: Less Restrictive Landing Limits?

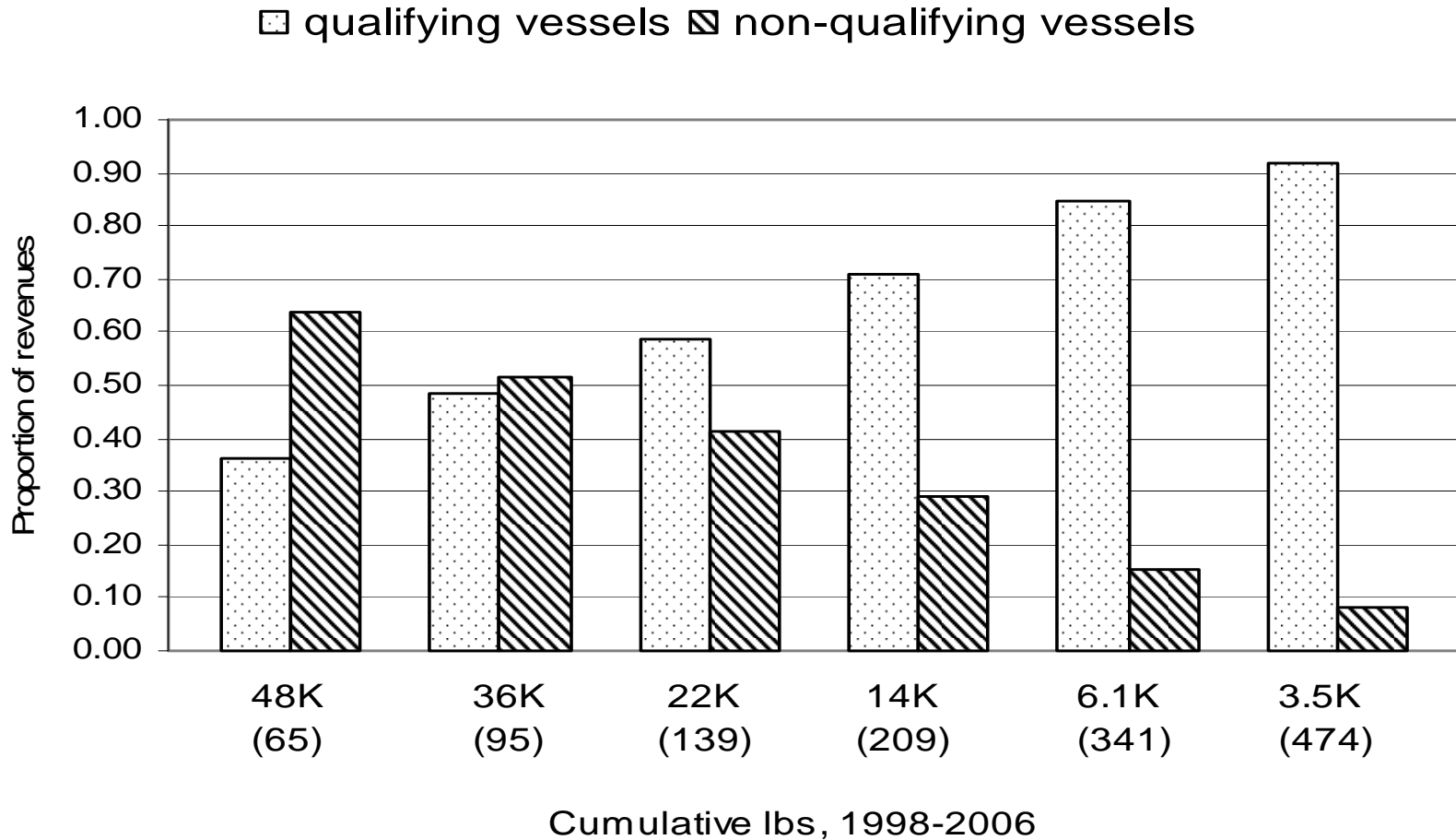


Figure E-8. Proportion of B species revenues (2004-2006) by vessels that met specified minimum landing requirements using Model Run # 3 qualification criteria.

Lost Revenues by Non-Qualifying Vessels

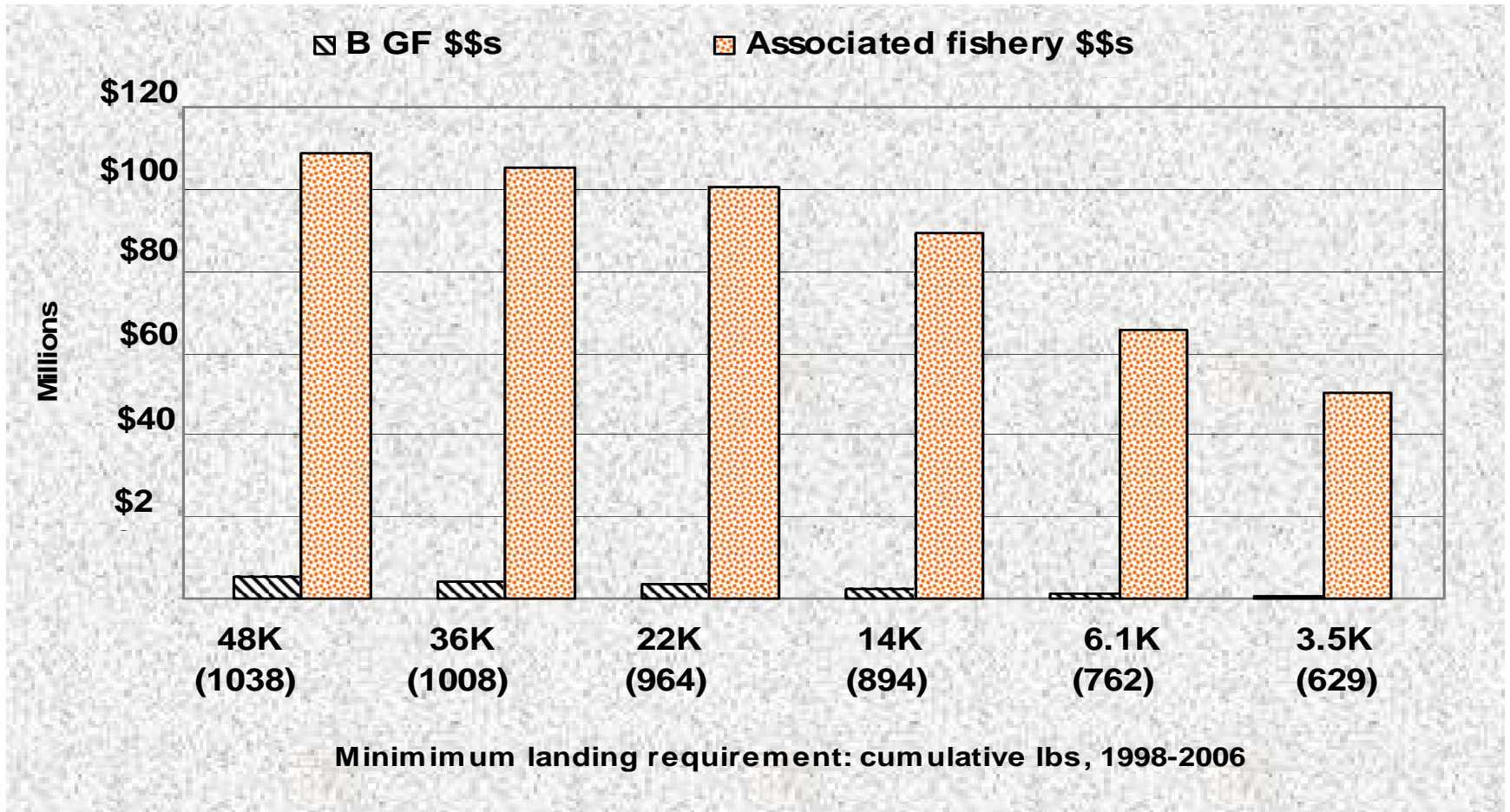
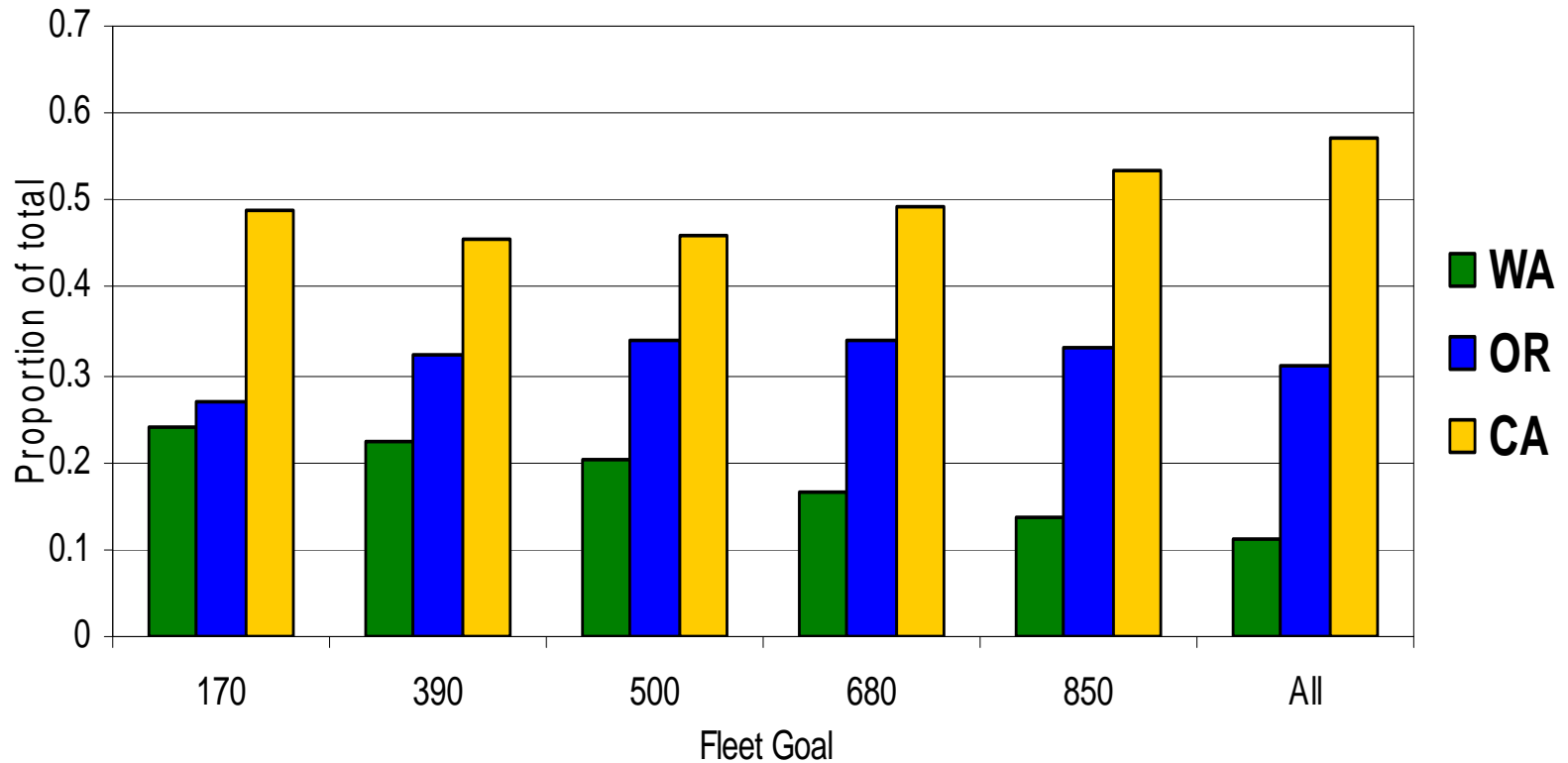


Figure E-8b. B species and associated commercial species revenues during 2004-2006 by vessels not meeting specified minimum landing requirements (# vessels)

Results of Model Runs: Allocative Implications

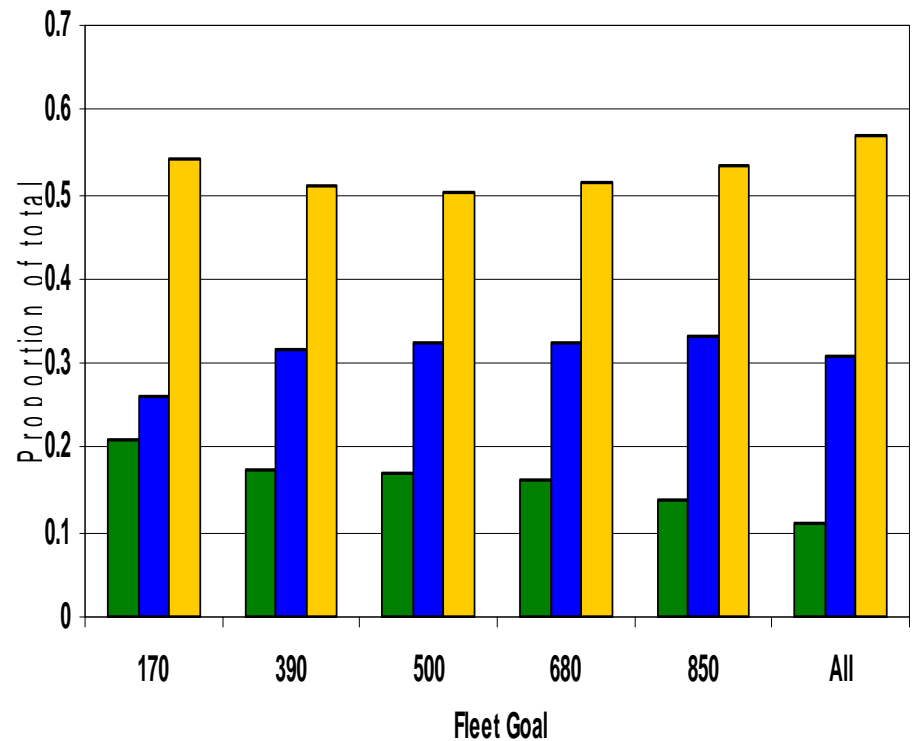
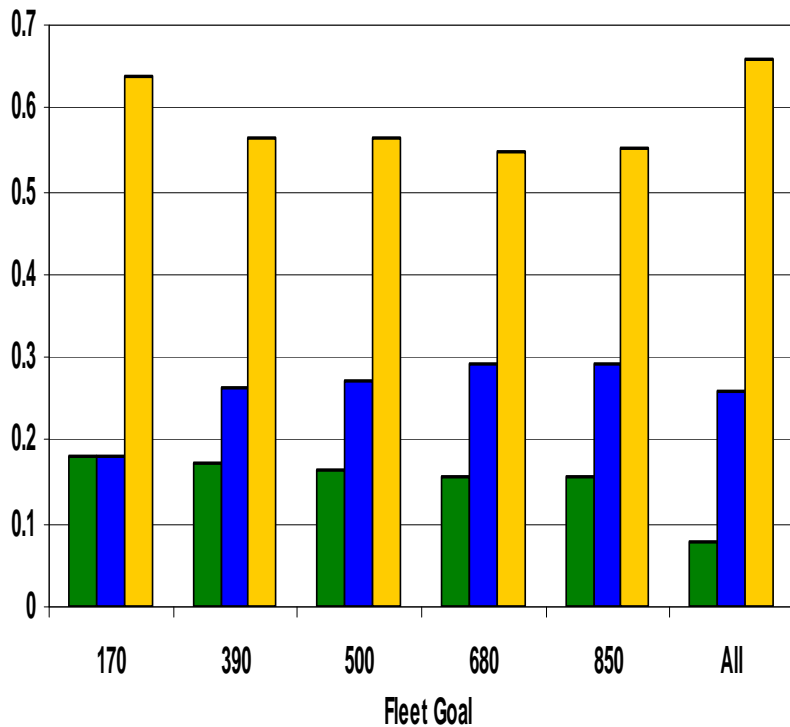
Model # 1 (04-06)
1,103 vessels



Results of Model Runs: Allocative Implications

Model # 2 (98-06)
2,587 vessels

Model # 3 (98-06 & 04-06)
1,103 vessels



Issues to be Resolved: Direction Requested

Council **direction** on what type of opportunity the future open access fishery should provide

- Qualification **criteria**? Specify toggles and dials.
- Additional or replacement **alternatives**, issues within alternatives, or analytical techniques to use?
- Gear **endorsement** provision: single or multiple gear types? Threshold level to use for multiple gear types?
- **Timeline** for EA completion?

Questions ?

