

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT SUMMARIZING PUBLIC
COMMENT RECEIVED REGARDING PROPOSED AMENDMENT 22: OPEN ACCESS LICENSE
LIMITATION

The Oregon Department of Fish and Wildlife (ODFW) held six public meetings in the ports of Astoria, Tillamook, Newport, Coos Bay, Port Orford, and Brookings between August 20, 2008 and August 26, 2008. The goal of the meetings was to solicit public comment on the proposed alternatives for limiting the open access groundfish fishery currently under consideration for approval and selection of a preferred alternative by the Pacific Fishery Management Council (Council). A total of 70 individuals participated and included industry members from a variety of fisheries (lingcod, sablefish, nearshore groundfish, and salmon troll) Many also participated in multiple directed and incidental open access fisheries. Members of the Council's Groundfish Advisory Subpanel, Council members, and state and local government also attended.

As expected, input varied widely and was dependent on what open access fisheries, both directed and incidental that individuals participated in. This resulted in lack of consensus on most issues and alternatives discussed with the exception of two: require separation of sablefish and lingcod fisheries when considering "B permit" qualifications and transferability of permits. Overall, most meeting participants were not comfortable making a specific recommendation, as they lacked information on what doing so means to them and where they "fell out" of the alternatives.

Limit the directed open access groundfish fishery?

The first question asked of meeting participants was should the directed open access groundfish fishery be limited through a permit program. The majority of meeting participants felt that the open access should not be limited and, at most, a registry program should be implemented. This was especially true for those that participate in lingcod or nearshore fisheries, and those participating in incidental fisheries that have variable annual opportunity such as salmon. Many but not all attendees that participated in sablefish fisheries did feel that the current fishery should be limited, and possibly reduced through attrition measures.

If limited, then...

Even though the majority of meeting participants felt that the open access fishery should not be limited, they were encouraged to identify a preferred limited entry alternative for discussion purposes. The following section identifies majority opinions relative to issues associated with a permit system.

What alternative (initial and longterm fleet size goals)?

Most meeting participants were not able to indicate preference of one alternative over another, however, a consistent theme heard throughout the meetings was that initially, the most people possible should be allowed a permit. Those that felt the current level of participation should be reduced were not able to identify an appropriate initial fleet size goal. It was felt that there was not enough information on which to base a decision. Additionally, those that indicated they preferred a large initial fleet size goal with reduction over time through attrition were not able to identify a preferred longterm fleet size goal.

What qualifying framework?

Again, most meeting participants were not able to indicate a preference for one qualifying framework over another. Interest in recent participation, historical participation, and a combination of both was heard. When asked “do you value recent participation or historical participation”, most participants indicated they valued both.

Should permits be transferable?

All meeting participants agreed that permits should be transferable. Comments indicated that fishery participants “earned” the permit with their fishing history and should be able to sell, lease, or otherwise transfer the permit as they saw fit. Additionally, some expressed the fact that permit transferability is a mechanism to allow new entrants into the fishery.

Should a “use it or lose it” provision be implemented?

Meeting participants generally agreed that a “use it or lose it” provision should be included in the program, especially if an alternative that had a high initial fleet size was selected. This was thought to be appropriate for ensuring the permits would be used, and also as a means of reducing the initial fleet size through attrition. Interest was expressed in having a significantly high landing requirement, though specific amounts were not offered. This was thought to discourage individuals from making “token” landings with the sole purpose of renewing their permit.

Should both a current limited entry permit or “A permit” and a “B permit” be allowed to be assigned and used on the same vessel?

Most meeting participants indicated support for allowing use of both “A” and “B” permits on the same vessel in the same year. As with the permit transferability issue, comments indicated that fishery participants “earned” the permit and should be allowed to use it regardless of their other permit holdings.

Should permits have a state endorsement restricting use and transfer of that permit to that state?

Input on this issue was evenly divided, with support both for and against state endorsements. Some participants felt it was needed to prohibit shifting of effort into Oregon (not as much concern of shifting out of Oregon). Others felt that this was a coastwide issue and coastwide program, so participants should be able to fish coastwide.

Additional Comments:

Concern was expressed regarding notification of renewals. Participants recommended two renewal notices be sent prior to expiration of the permit. Additionally they expressed the importance of including a hardship provision to account for loss of vessels, illnesses, etc.

Some meeting participants did not agree with the definition of a “directed” trip. Some participants expressed a desire that all landings of groundfish be counted towards qualification, as those landings were attributed to open access trip limits. More specifically, sablefish landed in conjunction with Pacific halibut during the direct Pacific halibut fishery should be counted, as those landings were considered part of the sablefish trip limit achieved during the two month period. One participant who retains incidentally caught octopus expressed that he would have chosen to not retain octopus had he known it would impact his qualifications for a “B permit”.

Many comments were received regarding the control dates adopted previously by the Council, as they encompass years of relatively good salmon fishing. Additionally, the recent time period of 2004-2006 was not thought to represent “lean” years when participants depend most on the availability of the open access fishery. They expressed the belief that the open access fishery lends itself to a longer term window period as participants “go in and out” of the fishery as needed.

The perceived intent and purpose of the directed open access fishery was varied amongst participants. Some felt the fishery was a stopgap to be used in years when access in other fisheries was restricted. Others felt it was developed to provide some opportunity for individuals that did not qualify for a limited entry “A permit”. Some said that the open access trip limits are too low to live on, while others said the limits were never intended to be primary income.