

Motion Package # 1 - Addresses At-Sea Whiting and Shoreside Whiting and Non-Whiting

Motion # 1: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
General Provisions - Whiting Co-ops			
		The mothership and catcher-processor sectors will be managed under a co-op system rather than an IFQ system	
Bycatch Rollover	B-1.3.2	Option 1 - Unused bycatch may be rolled over from one sector to another if the sector's full allocation of whiting has been harvested or participants do not intend to harvest the remaining sector allocation	Same as June
Bycatch Management	B-1.3	Subdivide bycatch among whiting sectors and within sectors, subdivide between co-op and non-co-op fishery and among co-ops within sectors	Same as June
At-Sea Observers/ Monitoring	B-1.4	Include as specified	Same as June
Mandatory Data Collection	B-1.5	Include as specified	Same as June

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Motion # 2: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
Mothership (MS) Sector			
Groundfish LE Permit Length Endorsement	B-1	Retain the length endorsement for permits, with two modifications: 1) If a permit is transferred to a smaller vessel, then the permit would retain the larger length endorsement (e.g., if a permit endorsed for a 75 ft vessel is transferred on to a 50 ft vessel, the permit would retain the endorsement for a 75 ft vessel); and 2) to add length to a permit, additional permits required (as needed), but only one endorsement would be required for all combined permits (i.e., do not need to acquire multiple endorsed permits).	In June, had recommended removal of the length endorsement
Processor Participation	B-2.1a & c & B-2.2c	As specified for CVs and processors. Vessels excluded: Motherships operating as a catcher-processor may not operate as a mothership during a year in which it also participates as a catcher-processor	Same as June
Catcher Vessel Allocations	B-2.2a	Qualifying for a CV whiting endorsement in the MS fishery: minimum 500 mt in 1994-2003	Same as June
		Catch history assignment: 1994-2003, drop 2 years	Same as June
		<u>Bycatch history assignment: Pro-rata in proportion to whiting catch assignment</u>	Not addressed in June
Whiting Endorsement Transferability	B-2.2b	Transfer Option 1 - The CV whiting endorsement may <u>not</u> be severed from the permit	In June, Option 2 - change underlined
		CV permits may be transferred two times during the fishing year, provided that the second transfer is back to the original CV (i.e., only one transfer per year to a different CV).	In June, allowed two transfers per year
MS Processor Permit Qualification	B-2.2a	Qualifying Entities: The owner or bareboat charterer of qualifying motherships will be issued MS permits	Same as June
		Qualification Requirements: Minimum requirement of 1000 mt of whiting in any two years, 1997-03	Same as June
MS Processor Permit Transferability	B-2.2c	Transferability: MS permits will be transferable and MS permits may be transferred to a vessel of any size	Same as June
		Option 1 - MS permits may not be transferred to a vessel engaged in harvest of whiting in the year of the transfer	Same as June
		Modified Option - MS permits may be transferred two times during the fishing year, provided that the second transfer is back to the original mothership (i.e., only one transfer per year to a different mothership).	In June, had allowed two transfers per year
		Usage Limit: No individual or entity owning an MS permit may process more than <u>45%</u> of the total MS sector whiting allocation	In June, had limited usage to 40%

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Co-op Formation	B-2.3.1	Co-ops are not required, but may be voluntarily formed. A minimum of 20% CV permit holders is required to form a co-op. This minimum threshold balances the potential advantages for multiple co-ops while limiting implementation and management costs and administrative requirements for managing this sector.	In June, had required minimum of one co-op
		Subdivide whiting between co-op and non-co-op fishery and among co-ops within sectors.	Same as June
		In the event there is more than one co-op, whiting and bycatch QP will be transferable between co-ops through an inter-co-op agreement.	Same as June
		The non-co-op fishery will close based on projected attainment of their allocation of either whiting or one or more bycatch species	Same as June
Co-op Agreement Provisions	B-2.3.3e	Include as specified. The intent is to have MS participants work with NMFS to develop and describe a process and co-op agreement requirements to include in the implementing regulations for this action.	Same as June
Initial Ties to the Motherships	B-2.4.1	<u>No processor tie. By September 1 of the year prior to implementation and every year thereafter, CV permit is required to contact NMFS and indicate whether CV permit will be participating in the co-op or non-co-op fishery in the following year. If participating in the co-op fishery, then CV permit must also provide the name of the MS permit that CV permit QP will be linked to in the following year (i.e., annual CV-MS linkage that may be changed each year without requirement to go into "open access" fishery). Once established, the CV-MS linkage shall remain in place until changed by CV permit.</u>	In June, required 90% processor tie and allowed "stacking" of 10%
		<u>By July 1 of the year prior to implementation and every year thereafter, if CV permit would be participating in the co-op fishery in the following year, then CV permit must notify the MS permit that the CV permit QP will be linked to in the following year.</u>	
		In the event there is agreement between the CV permit holder and the MS permit holder to which it is linked, the QP may be transferred to another MS permit.	Same as June
MS Processor Withdrawal	B-2.4.2	<u>If the MS permit withdraws subsequent to QP assignment, then the CV permits that it is linked with is free to participate in the co-op or non-co-op fishery. The MS permit shall notify NMFS and linked CV permits of its withdrawal, and CV permits shall notify NMFS of their intent to participate in the co-op or non-co-op fishery thereafter. If continuing in co-op fishery, then CV permit shall provide NMFS with the name of the MS permit for new linkage.</u>	

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Motion # 3: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
Catcher Processor Sector			
General Provisions	B-4	Adopt a co-op for the catcher-processor sector; include provisions as specified	Same as June
		Specify harvest amounts in regulation for co-op members	Same as June
		Do not require unanimous consent for a member to leave the co-op	Same as June
		If the voluntary co-op fails, then QS will be divided equally among ten CP permits in sector	Same as June
		Catcher processor cannot operate as a mothership during the same year it participates in the CP fishery	Same as June
		Mandatory data collection included	Same as June
		Annual co-op report required	Same as June
		Bycatch: The CP sector fishery will close based on projected attainment of its bycatch allocation	Same as June
CP Endorsement		Create a catcher-processor endorsement to be placed on qualified limited entry permits. Qualified permits are those that harvested and processed in the catcher-processor sector of the whiting fishery sometime from 1997-2003. Limited entry permits with catcher-processor endorsements will continue to be transferable; however, the endorsement is not severable from the permit.	Same as June
Permit Transfer		<u>CP permits may be transferred two times during the fishing year, provided that the second transfer was back to the original CP (i.e., only one transfer per year to a different CP).</u>	In June, had allowed one transfer per year (status quo).
Length Endorsement		<u>Retain the length endorsement for permits, with two modifications: 1) If a permit is transferred to a smaller vessel, then the permit would retain the larger length endorsement; and 2) to add length to a permit, additional permits required (as needed), but only one endorsement would be required for all combined permits (i.e., do not need to acquire multiple endorsed permits).</u>	In June, had retained length endorsement

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Motion # 4: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
IFQ Program			
General Provisions	A-1	Applies to shoreside whiting and non-whiting fisheries	Same as June
Scope: Gears and Fisheries Covered	A-1.1	Modified Option 2 - If a vessel has an LE trawl permit and groundfish is caught by any gear, IFQ must be used, with the following exceptions: exempted trawl, California halibut trawl, coastal pelagic species gear, highly migratory species gear, salmon troll, and crab pot.	Not addressed in June
Gear Switching and Conversion	A-1.1 & 1.7	Gear switching allowed. <u>Do not include any provisions for permanent gear conversion.</u>	Change underlined
IFQ Management Units: Species	A-1.2	<u>For non-whiting sector, IFQ is required for all species, except: longspine S. of 34.27'; minor nearshore rockfish (N & S); black rockfish (WOC); CA scorpionfish; cabezon; kelp greenling; shortbelly rockfish; other rockfish; spiny dogfish. The catches of these species would be accounted for and tracked against the overall OY. If a trawl allocation for any of these species is adopted in the future, then QS/QP for those species could be added at that time. For whiting fisheries, IFQ required for whiting and species with bycatch caps. Bycatch caps would be established for: widow, canary, and darkblotched rockfish, and Pacific ocean perch. The catches of all groundfish species would be accounted for and tracked against the overall OY.</u>	Change underlined
Area Management	A-1.2	<u>For species managed under coastwide OY with precautionary harvest policy (i.e., 40:10 or some other policy) applying to a specific area, subdivide the OY and apply the precautionary policy as recommended by the Council's SSC.</u>	Only applies to species currently managed in this manner, rather than all species
Number of Trawl Sectors	A-1.3	Three trawl sectors	Same as June
Limited Entry Permit Length Endorsement	A-1.6	<u>Retain the length endorsement for permits, with a modification: If a permit is transferred to a smaller vessel, then the permit would retain the larger length endorsement (e.g., if a permit endorsed for a 75 ft vessel is transferred on to a 50 ft vessel, the permit would retain the endorsement for a 75 ft vessel).</u>	In June, had recommended removal of the length endorsement
Initial Allocation - Whiting	A-2.1	<u>80% to harvesters; 20% to processors (no adaptive management)</u>	In June: 80 harvesters/20 processors (with 10 adaptive)
Initial Allocation - Non-whiting	A-2.1	<u>90% to harvesters; 10% to adaptive management</u>	In June: 80 harvesters/20 processors (with 10 adaptive)
Attributing and Accruing Processor History	A-2.1.1	Option 3 (whiting) - Attribute history to the receiver reported on the fish ticket, except history may be reassigned to an entity not on the landings receipt, if parties agree or through an agency appeals process	Two options adopted in June (1 and 3)

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Motion # 5: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
Recent Participation Requirements (Permits)	A-2.1.2	Recent participation not required	Same as June
Recent Participation Requirements (Processors - SS)	A-2.1.2	Option 2 (whiting) - 1 mt or more of deliveries from whiting trips in each of any two years from <u>1998-04</u>	Change underlined
Allocation Formula for Catcher Vessel Permits	A-2.1.3	Option 2 – An equal division of the buyback permits' pool of QS for all groundfish, except overfished species, among all qualifying permits plus allocation of the remaining QS based on each permit's history	Same as June
		Non-whiting non-overfished species: Use permit catch history (1994-03, drop 3 worst years)	Same as June
		Non-whiting overfished species: Modified option 2 - use <u>finer scale</u> bycatch rates	Change underlined
		Shoreside Whiting: Use 1994-03, drop 2 worst years	Same as June
		Shoreside Whiting overfished species: Option 2 - pro-rata based on whiting allocation	Same as June
Allocation Formula for Processors	A-2.1.3	Shoreside Whiting: No bycatch allocation; whiting allocation only	Same as June
Permit Holding Requirement	A-2.2.1	If a vessel has an overage: Element 4 - Allow exceptions for vessel to participate in the fisheries for which IFQ would not be required to cover groundfish catch: exempted trawl; California halibut trawl; CPS purse seine; HMS fisheries; salmon troll; and crab pot. Element 6 - Alternative compliance options would <u>not</u> apply.	In June, had included Elements 4 and 6; change underlined
Carryover	A-2.2.2	Will not apply to QP that are not transferred to a vessel's account	Same as June
Eligibility to Own or Hold	A-2.2.3a	Include as specified (p. A-212)	Same as June
Temporary Transfer Rules	A-2.2.3c	Suboption 2 - QS will not be transferred in the first two years of the program (QP will be transferable)	Same as June
Accumulation Limits	A-2.2.3e	It is the intent of the Council to have accumulation limits. However, the details of the accumulation limits would be further developed and analyzed through a trailing action. Items to be addressed through the trailing amendment would include: 1) identification of the species that would be subject to accumulation limits; 2) description of how to treat overfished species; 3) determination of whether to apply accumulation limits at the vessel (usage) or entity (ownership/control) level or both; and 4) how accumulation limits would be tracked. The intent would be to have the trailing amendment process completed in time for the accumulation limits to begin upon implementation of the trawl rationalization program.	Needs specificity
Grandfather Clause	A-2.2.3	No grandfather clause	Same as June

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Motion # 6: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
Tracking and Monitoring	A-2.3.1	Program: Alt 1 - discards allowed; discards of IBQ required	Same as June
		At-sea Catch Monitoring - Non-whiting: Alt 2 - At-sea observers required	Same as June
		Shoreside Whiting: Observers would be required in addition to or as a replacement for video monitoring	Same as June
		At-sea Whiting: Observers would be required in addition to or as a replacement for video monitoring	Same as June
		MS and CP: Remove reference to "supplemental video monitoring on processors may also be used"	Same as June
		Shoreside Catch Monitoring - Include as specified	Same as June
		Catch Tracking Mechanisms - Include as specified	Same as June
		Landing Hour Restrictions: Alt 1 - Landing hours not restricted	In June, had Alt 2 - landing hours limited
		Vessel Certification - Include as specified	Same as June
		Program Performance Measures - Include as specified	Same as June
Data Collection	A-2.3.2	Include as specified	Same as June
Program Costs	A-2.3.3	Cost Recovery: Option 1 - Fees up to 3%	Same as June
Program Duration and Modification	A-2.3.4	Include as specified: 4-year review process	Same as June
Pacific Halibut IBQ	A-4	Establish limit for legal-sized Pacific halibut bycatch mortality through the use of an IBQ in the trawl fishery up to 10% of the Area 2A Constant Exploitation Yield (CEY) as set by the International Pacific Halibut Commission. This amount will be set initially at 10% and may be adjusted through the biennial specifications process.	Needed specificity
Other Provisions		Require that all QP be deposited into a vessel account each year	
		Require that all retained IFQ non-whiting groundfish be landed to a shoreside processor (i.e., no at-sea landings allowed for non-whiting groundfish). Ensuring that non-whiting groundfish continues to be delivered shoreside helps protect shoreside processors and communities that have historically relied on groundfish deliveries.	
		Initiate a trailing amendment process to require eligibility criteria to own or hold QS (e.g., ownership interest in a vessel or permit) to help ensure that QS holders have direct ties or investments in the fishery. Requirements should not be so onerous so as to preclude or discourage crew members, for example, from acquiring QS and entering the fishery.	

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Motion # 7: Move to adopt as the Council's preferred alternative:

Topic	Section	Council Preferred Alternative	Change from June?
Adaptive Management	A-3	It is the intent of the Council to have an adaptive management program for the shoreside non-whiting sector only, setting aside 10% of the annual QP allocated to the trawl fishery. QP will be divided equally among the three states (i.e., 33.3% for each state). QP will be provided through separate, but parallel, processes in each of the three states (e.g., through the use of regional fishery associations or community stability plans or other means). Further details will be developed through a trailing action with the intent of having the adaptive management provisions apply during the first year of implementation of the trawl rationalization program.	Needs specificity