

Subject:
Open Access Fishery Limited (B Permit Program)
From:
joe and jackie nungaray <fishpeople@charter.net>
Date:
Mon, 13 Oct 2008 21:26:56 -0700
To:
pfmc.comments@noaa.gov

Council Members:

As a fisherman who has invested considerable monies, time and effort to participate in the Open Access Fishery for Sablefish since September 2006 I ask that you not limit myself or other fishermen from the "B" Permit Program. The cut of date of September did not allow most of the salmon fishermen, myself included, to qualify since we were just ending a salmon season in Northern California. Since then I have spent money on the installation and continued monthly service charges for the Vessel Monitoring System (VMS), traps and miscellaneous gear that is required for Open Access Sablefish Fishery. At no time, when this VMS was force upon fishermen, was there any notice that if we would be excluded from this fishery. The Sablefish fishery is controlled by the Federal Government authorities therefore I respectfully ask that this council consider allowing those fishermen who have done as I have, that is complied with limit restriction and VMS be considered for a "B" Permit, especially in light on No Salmon Season this year and mostly likely next.

Respectfully Submitted,
Joe Nungaray
F/V Michael Too
426 Shasta Ave.,
Morro Bay, California 93442

December 17, 2008
LB Boydston
Pacific Fishery Management Council

Subject: Open Access Permitting

Council Members:

I have been fishing in the open access ground fishery in Bodega Bay CA since 1995. I am a California North-Central Nearshore fishery permittee. I am writing in opposition to the preliminary preferred alternative A-6 chosen at the last council meeting. I believe the 2004-06 single landing requirement is unfair to those who have had the longest participation in the fishery or in my case most recent and past participation. I have several thousand pounds of direct B species landings 1995-02 and more than six thousand pounds of cumulative direct B species and nearshore species landings in 2007-08. I was unable to fish for groundfish in permit years 2004-06 due to a serious injury I had in late 2003 when I was forced to sell my vessel. I employ two other local fisherman on the F/V Hai Son. This is a small 22' vessel. I have worked closely with DFG port sampler Aarn Aresberg and always have notified him when landing fish. I have also complied with NOAA observers. If I'm not eligible for a B permit this will severely impact my business.

The open access ground fishery has always been more of an alternative fishery for most. If a fisherman has had a good Salmon season like some had in 2004-06 they may not have participated in the groundfish fishery. Also, if a fisherman didn't qualify for a Nearshore permit in 2003 then they most likely wouldn't have fished for open access groundfish in 2004-06. I believe this single landing requirement in 2004-06 was crafted by a handful of folks who may have qualified for Nearshore and Deeper nearshore permits and now want to lock out those who were already excluded in 2003 when the nearshore permits were implemented.

In all fairness to those with the longest vested time and most recent need for the B permit please exclude this 2004-06 single landing requirement.

Sincerely,
Dan Helminiak
F/V Hai Son
Bodega Bay

David Bitts
President
Larry Collins
Vice-President
Marlyse Battistella
Treasurer
In Memoriam:
Nathaniel S. Bingham
Harold C. Christensen

**PACIFIC COAST FEDERATION
of FISHERMEN'S ASSOCIATIONS**



<http://www.pcffa.org>

W.F. "Zeke"
Grader, Jr.
Executive Director
Glen H. Spain
*Northwest Regional
Director*
Mitch Farro
*Fishery Enhancement
Director*
Vivian Helliwell
*Watershed
Conservation
Director*

Please Respond to:

California Office

P.O. Box 29370
San Francisco, CA 4129-0370
Tel: (415) 561-5080
Fax: (415) 561-5464

Northwest Office

P.O. Box 11170
Eugene, OR 97440-3370
Tel: (541) 689-2000
Fax: (541) 689-2500

Agenda Item G.5
March 2009

18 February 2009

Dr. Don McIsaac, Executive Director
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RE: Briefing Book Agenda Item G.5 Fishery Management Plan Amendment 22: Open Access License Limitation

Dear Dr. McIsaac and members of the Pacific Fishery Management Council,

The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents working men and women in the West Coast commercial fishing fleet. The fishermen in PCFFA member organizations are engaged in a number of different fisheries including the open access groundfish fishery.

The Council's proposal (Amendment 22) to convert the open access fishery to a limited entry fishery will affect many of our members who have historically relied on this fishery or who had anticipated participating in the fishery again after stocks had rebuilt. While PCFFA is not opposed to a limited entry permit system for the open access groundfish fishery, we want to ensure that any permit system accurately captures both historic and current participants and provides opportunities for newcomers. For this reason, PCFFA is opposed to the Council's preferred alternative (A-6).

Over the past few months many of our member fishermen reported to us that they do not qualify for a “B” permit despite past participation in the fishery. In order to get a better idea of how many of our members would be excluded from receiving a “B” permit PCFFA conducted a survey of open access fishermen in coordination with our member associations. The survey (a sample survey is attached) was distributed to eleven port and marketing associations. PCFFA and the member associations were not able to reach all of our members but were able to get good representation of fishermen in our ports.

A few patterns from the surveys became immediately apparent. First, the preferred alternative window period that begins in 1998 excludes more than half of the fishermen who historically participated in this fishery. Many fishermen reported that they stopped fishing open access groundfish before 1998 following management changes that reduced access (e.g. the implementation of the RCA, confusing regulations, and smaller allocations to the open access sector). For instance, in San Francisco only 5 out of 26 open access fishermen surveyed are eligible for a “B” permit. Most of these fishermen had historically fished the Cordell Banks and Farallon Islands until the Rockfish Conservation Area closed most of their grounds. In Eureka two-thirds of the open access fishermen surveyed do not qualify. Even though many fishermen had stopped fishing open access groundfish, they planned to participate in the fishery again once stocks rebuilt. The business model of a small boat fisherman in California has always depended on access to multiple fisheries. The decent salmon and crab seasons from 1998 to 2006 compensated for the loss of the groundfish fishery and masked its importance to the small boat fleet.

The surveys also revealed that eligibility for “B” permits vary substantially by region. For instance, in Fort Bragg 16 out of 20 fishermen who completed the survey will be eligible for a “B” permit primarily because fishermen in Fort Bragg could still profitably fish open access groundfish by targeting black cod in nearby grounds. In other ports where access to black cod and other profitable groundfish had been restricted the number is much lower.

According to the results of our survey many of the youngest fishermen in our fleet do not qualify for a permit and not because they began fishing after the control date of September 13, 2006. Most of these fishermen have between three and five years experience and never had an opportunity to build fishing history in a fishery with such limited access. However, these small boat fishermen are no different than small boat fishermen from previous generations in that they will need to rely on a “portfolio” of fisheries.

Based on the results of our survey PCFFA does not believe that the Council’s preferred alternative of Amendment 22 accurately reflects historic participation or adequately allows access to newer fishermen. We urge the Council to consider an expanded qualifying window in order to capture historic participation and consider other management approaches such as community fishing associations to provide access to fishermen. Additionally, we ask that if the Council goes forward with the preferred alternative that it create a review and appeals process for fishermen who fall between the cracks or who feel that they have been unfairly excluded from receiving a “B” permit. The Council’s current preferred alternative will exclude fishermen with decades of fishing history in the open access groundfish fishery. There needs to be a process that can deal fairly with these fishermen.

Sincerely,

W.F. “Zeke” Grader
Executive Director

Councilmembers,

I support preferred alternate #6. I feel however, that the VMS requirement may have drastically reduced the fleet size already, making this whole process unnecessary.

Thank you, John Grocott Ilwaco, Wa.

I received information from you about further restrictions on open access black cod and ling cod fisheries. I don't see any reason why the ling cod fishery should be linked to black cod. With the 400 pound per month quota (when the season is open) and a \$.60 price from Pacific Choice Sea Foods, I can't possibly understand the rationale behind linking the two fisheries together. I currently hold a "CA Deeper Near Shore Rockfish Permit." If you want to restrict access to valid long-time commercial fishers, than I suppose the criteria used to obtain such a permit would suffice. But to link the sable fish fishery, a fishery that really doesn't target ling cod seems wrong. The fact is that the depth that most long liners fish for black cod is usually much deeper than ling cod even range. With todays uncertain economy in the US, I would think that noaa, the pmcc, and the Department of Commerce would think twice before allocating more fish to just a handful of people and try to use data and skills to proliferate more jobs for the fishing community.

Sincerely,

Andrew Novak

(BS fisheries Humboldt State University and 33 year California commercial fishing veteran)

Comment on PFMC Proposal to Eliminate Open Access

I'm at a loss to understand why the PFMC would even consider taking away open access black cod. We're witnessing one of the worst economic meltdowns since the Great Depression. The taxpayers in this country are about to unload 900 billion on an economic stimulus package in the hope that they can create 3 million jobs. Meanwhile PFMC is about to cut jobs by excluding anyone who didn't fish for black cod prior to November 2006. When this is implemented in 2011 it is unlikely that the economy will have recovered, not to mention the Sacramento River.

Why the cut-off date of November 2006? Why exclude people who are currently taking part in this fishery? Anyone who has entered this fishery recently has done so because of real need. PFMC cites lack of profitability if they had to cut quotas to preserve stocks. Open access is currently at 2,400 pounds every 2 months. At current market value that averages \$5000. This isn't a huge amount, but it still something. Even at 60 or 70 percent of the current quota, this would still be profitable to me. Boats currently with a "B" permit receive twice the open access quota every two months (4,800 pounds) plus the block quota on their permits (some 12,000 pounds which varies year to year). This permits them to make in the region of \$100,000 per year. If stocks are such an issue, why give them so much? Since when was a \$100,000 not profitable? Even \$50,000 or \$75,000 is profitable.

We all know more people are black cod fishing because the Sacramento River has failed, but the answer isn't to put people like myself and others out of business by taking away open access. You could rearrange or reduce the quotas. People will still go fishing. You'd just be, as we've heard so often recently, "spreading the wealth". What you are proposing is privatization of a public resource. By reducing the number of boats and giving "B" permits to those who have "B" permits you are stacking permits creating yet another "elite" fishery! Furthermore 100 or 500 pounds caught before November 2006 gives permits to people who are not even currently participating in the fishery. If you make these transferable in 2012 where do you think they are going to end up?

On a personal level, I've been a fisherman for 23 years. I finally bought a boat 4 years ago. Of the 5 possible salmon seasons, including 2009, 3 of them will have been declared a disaster. Last year I invested in black cod gear and a VMS in an effort to survive financially. If you take this away from me there is no doubt in my mind that I am going to lose my boat. Last year at various times I employed 4 people. I respectfully request that PFMC do not do this to me. I urge them to consider reducing or rearranging quota as a first step. If PFMC absolutely has to eliminate open access black cod at least allow those of us who are currently fishing to continue to do so.

Respectfully,

Alan Baird
F/V Lora Lee
Eureka California



From: [Jason J. Roberson](mailto:Jason.J.Roberson)

To: lbboystun@comcast.net

Sent: Tuesday, November 25, 2008 2:30 PM

Subject: Open Access Permitting Process Request

Dear Mr. Boydston:

I write regarding the implementation of the limited entry system for the open access groundfish fishery and the final decision that will reportedly be made in March of 2009.

I began fishing groundfish (shelf rockfish) in June of 2008 with hook and line gear out of my 14 foot aluminum skiff powered by a 8 hp motor. Not exactly a large scale operation, but I have landed approximately 2,000 lbs of groundfish so far with very little bycatch. Currently 100% of my fishing income is derived from groundfish. It has come to my attention that a limited entry permit system is scheduled to go into place on January 1, 2011 and that the permits will be issued based upon groundfish landings from the period of 1996 to 2006. Under such a scenario I would not qualify for any permit and would potentially be precluded forever from participating in the fishery.

I fully support the implementation of regulations that will allow for a more sustainable groundfish fishery, including the limited entry program. However, I feel that those who depend most upon the groundfish fishery as well as those who would currently like to participate in the groundfish fishery should be given an opportunity to do so. I do not want to be forever precluded from participating in this fishery merely because I was not old enough, was going to school and/or lacked sufficient money to purchase a boat before 2006. By implementing a control date of 2006 the current proposal would potentially preclude myself, as well as other similarly situated new entrants from participating in this fishery.

As stated above I support further regulation in the groundfish fishery. Although, I was only a child when the groundfish fishery was collapsing in the 80s and 90s I certainly do not want to see that happen again. Ample regulation needs to be in place to ensure the groundfish fishery becomes, and then remains sustainable so my children and myself can have the opportunity to participate in it as well. Thus, in considering a final regulatory alternative for the open access fishery I plead that provision be made for new groundfish participants such as myself - that measures be taken to give those who could not participate in the fishery from 1996 to 2006 an opportunity to participate in the future.

I propose that non-transferable permits be issued to any fisherman, such as myself, who did not participate in the directed groundfish fishery before 2006, but who currently rely upon groundfish for a large portion of their fishing income. A similar non-transferable permitting process was implemented in the California spot prawn trap fishery by way of a tier 3 permit granting certain qualifying fisherman the ability to participate in the fishery on a limited scale. A similar permit program should be set up for the groundfish fishery for those who qualify. Also, much like there were very few individuals who qualified for tier 3 permits in the California spot prawn trap fishery, I anticipate there would be very few individuals out there like me who failed to qualify for a regular permit, but who would qualify for a non-transferable groundfish permit.

Also, I would request that all other open access groundfish permits issued to those who qualified based upon the control period of 1996 to 2006 be made transferable immediately upon

implementation. This would allow new participants and those eager to participate in the groundfish fishery to buy their way into the fishery, rather than being forever precluded from participating.

A non-transferable permit process for fisherman similarly situated to myself as well as transferability of the regular groundfish permits will allow those who depend upon and are most interested in participating in a sustainable groundfish fishery, to do so. Otherwise, people such as myself who in no way contributed, or participated in the fishery during the time of its implosion will not be unfairly penalized for it.

Thank you.

Jason Roberson

Kenyon Hensel
871 Elk valley rd
Crescent City Ca.
95531

Permitting open access,

I continue to support permitting open access, but it is important to follow a procedure that allows every one to understand the available alternatives. Too many fishermen (myself included) who will be affected by this process are confused. Mass mailings aside, there have been too many changes and last minute upgrades for the public to make sound comment. Please make the final decision at a Sacramento meeting to give small boat fishermen a central location to make comment.

Black cod fishing in our port of Crescent city has waned over the years, yet there are healthy stocks available in our adjacent waters. While I do not have problems with black cod endorsements for current fishermen, please set up a pool of extra permits for release later. These extra black cod endorsements could be controlled by committee and be awarded to existing fishermen. Allowing some movement by those who may need to supplement lost income in the future, and cover the possibility that some ports may not have qualifying boats currently fishing black cod.

Most fishermen want the shelf permit to be attached to the person, not the boat, making transferability easier. This has worked well for our state permits. It would be nice to have the federal permits follow this precedent.

Having qualification requirements attached to shelf dominate landings will benefit the people who have fished recently for ling cod without near shore landings. These are the fishermen who have started fishing after the rock cod disaster, not long-term fishermen who have vested interest in our fisheries. It is the exact opposite of long standing council goals.

John Gillespie
P.O. Box 830
Santa Margarita, CA 93453

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

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pfmc.comments@noaa.gov
FAX: (503)820-2299

FEB 20 2009

PFMC

RE: In response to open access limited entry proposals by Council in the upcoming period 2009:

I am the owner/operator of the Windwalker, a nineteen meter sail assisted, diversified-fishing-dependent vessel, manned by myself and either one or two others. The Windwalker fishes with hook and line or potentially traps out of Morro Bay, but over the last twenty five years, changes in the fishing regulations have closed me and the other fishers of the Morro Bay and other Pacific Coast fishing communities out of one fishery after another. As a result Morro Bay has lost both its processing plant and much of its traditional fleet which continues to shrink at an alarming rate.

The NMFS management approach for the last twenty five years or more has resulted in the destabilization of the fishing community, particularly those dislocated and methodically preempted from their fishing heritage by various whimsical and capriciously promulgated policies. The council has published documents in which they state that various regulations they have promulgated (formally proclaimed or declared as new statutory or administrative law), which are causing boat abandonments as well as forcing us out of our businesses and out of our professions, are intended to reduce capitalization. They even discuss the potential effect of these actions in reducing the number of boats. This verifies that the Council's actions are not merely adjustments of catch in targeted fisheries, but that they constitute intentional takings without compensation. These arbitrary and capricious actions also constitute a lack of equity and a lack of consideration of environmental sociology (ie, respect for humanity affected, including impact on fishing for a living) and a flouting of our US Constitutional right to equitable compensation. Also detrimental reliance of the fishers on management rationalization proceeding equably and in regards to environmental and sociological effects.

There has seemingly been a disregard for humanity affected (i.e. the nature of fishing for a living) as well as the above disregard for basic law and due process. Fishers are not well versed in administrative procedure nor are they well represented, particularly in light of the necessity of being at sea while meetings are held.

I see the current proposal as being in disregard of commercial fishing and those well versed in its complexity through generations of acquired knowledge and functional experience. Proposals disregarding the cyclical nature of fisheries and the fisherman's need for varied access to different stocks for efficient productive harvest show a large gap between theory and function. One could rationalize a specialty approach and fleet pigeonholing or compartmentalization. However, in actual practice this does not account for veteran fishers varied specialties covering many different fisheries with a current capacity developed from years of experience. In fact, being too specialized leaves one vulnerable to irrelevance if a down cycle ensues which inevitably happens. The specialty approach encourages overfishing when stocks needs less pressure. Many examples of NMFS results are available:

Practiced fishermen and women need a portfolio of fishing access and abilities acquired from experience; this is now seriously threatened. Open access has served as a useful lateral move for seasonal and cyclical opportunity.

Further dislocation and fleet capability manipulation is likely to undermine efficiency too extremely and cause more harm to the fishing community and the market it serves. Examples can be seen with albacore, a long standing and sustainable fishery largely of combination vessels which have moved to the albacore fishery from their primary fishery after being displaced from other fisheries and options. This is raising mortality and affecting the albacore stock which is now showing signs of pressure by a high mortality of small fish.

I would propose to the Pacific Council to use such examples to suggest that NMFS protect both fish and fishing community by reinstating fishers to fisheries available to them when substantial investment was made in their history.

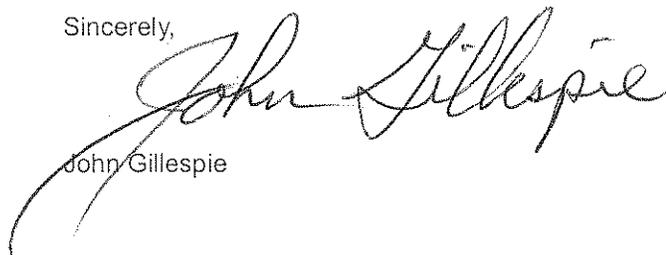
Improved stock assessments can lead to the development of managed quotas, fishery periods and gear control to alleviate all of the problems fisheries have experienced, maintaining equitable, autonomous fleet management and the fishing community. It would alleviate detrimental commoditization and undue enrichment of small groups of quota holders at the expense of the whole of current displaced experienced fishers and their community.

Refutable aspects of the present management approach include IFQs which have not proven necessary and have caused severe sociological harm (ie. whole stocks of commons in private hands, dislocation, fishers resorting to drastic measures due to dislocation and displacement). Management goals could be reached without detriment to many to enrich a few. Conservation ethic standards can be implemented and educated.

Buyout has proven marginally useful, but caused further disenfranchisement due to inadequate compensation. Permits are unavailable and unreasonably costly thus unavailable to experienced fishers, causing inefficient displacement and inequable results. For example, dispirited fishers, abandoned boats, etc. to sociological detriment of community.

These are examples of sociological irresponsibility. The untenable bureaucracy and disruption to my own operation is so distressing, that I seek relief, if not from this council, then by legal and political means. As anyone subject to wrongful acts such as detrimental reliance, taking without compensation, bearing cost of undue enrichment, victim of capricious, arbitrary, preemptive bureaucracy, pain and suffering, would and should pursue to secure the right and dignity to protect themselves and others from unconscionable reckless authority.

Sincerely,

A handwritten signature in cursive script that reads "John Gillespie". The signature is written in dark ink and is positioned above the printed name.

John Gillespie

02/16/09

Agenda Item G.5
March 2009

Mr. Don Hansen, Chairman of the PFMC, and Council Members
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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FEB 20 2009

PFMC

RE: Amendment 22

Dear Mr. Hansen and members of the Pacific Fishery Management Council,

Dear Council Members please note, according to the way the preferred alternative is written, the owner of the vessel during the qualifying years is not necessarily eligible for the "B" permit. The owner of the vessel at some undetermined, future arbitrary date is, even if that owner never made a qualifying landing or owned that vessel during the qualifying period. How fair is that?

The new "B" permit should be given to the owner of a qualifying vessel that had control of that vessel at the end of the qualifying window period.

The difference of who owned the vessel and when has very significant consequences for fisherman like me who bought and sold boats after the control date.

Imagine the expense, time and labor, if you will, involved in establishing fishing history bases on a future expectation of limited entry without any definite guidelines as far as eligibility. Imagine the risk taken just to land enough fish necessary to qualify for a "B" permit. Imagine learning years later you got it right (years fished, pounds landed, etc.), only to find out because you couldn't afford to maintain two vessels at the same time while trying to improve your fishing business situation you lost your eligibility for a fishery that you had established a catch history in. It would've cost me at least \$10,000 to maintain the first boat, including licenses, if I hadn't sold it on 1/15/2007 and up until the year 2011. I hope the Council didn't expect guys like me to incur that kind of expense to protect our right to fish. And what if the Council pushed the 2011 date further back? Obviously the cost would've been greater.

The way the preferred alternative to limiting the open access fleet is written, I'd receive nothing and suffer a financial negative while the new owner of my old boat would benefit by receiving an undeserved windfall eventhough he's never even recorded a rockcod or blackcod landing since he's owned the boat. That's why I recommend the new "B" permits be given to the owner of the vessel at the end of the qualifying window period.

If the council moves ahead with this ominous alternative, the least it should do is create a review board with a sympathetic ear for situations like mine that aren't as black and white as some would hope. It is my hope that the Council will help maintain healthy and sustainable fisheries in a fair and equitable manner.

Sincerely,



Jason Salvato

419 E D St.

Petaluma, CA 94952

February 17, 2009

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

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FEB 23 2009

PFMC

Dear Chairman;

I am writing on behalf of the Shelter Cove fishermen (Mosquito Fleet) who wish to express their concerns over the potential adoption of Amendment 22 in the Groundfish Management Plan. Our traditional hook and line/trap fishery has historically been discriminated against because of limited entry groundfish qualifying criteria being linked to black cod landings which only the large bottom trawlers can easily catch. We were grouped into the open access fishery under protest. We had many years of landing large mixed quantities of other species of groundfish such as ling cod, yellow eye, yellow tail, vermilion and many others that were ignored and now we find we have been phased out of fishing some of these species altogether or given microscopic quotas, the smallest of all California open access fishermen, that mean we have to fish mixed species to survive at all. This eliminates us from again qualifying our ling cod landings as directed landings to obtain limited entry status.

I have fished groundfish for over 40 years and our fishery is environmentally friendly, helps our struggling local economy as our fish are landed in Humboldt County, bycatch and discard are kept to a minimum as we use gear that allows for catch and release, nets don't and our product are superior to fish caught by other methods as we land our fish daily.

Small fishing communities are having their resources stolen by not only by fishermen who land out of our area but newcomers to the industry who have recently entered the open access fishery and their only requirement to obtain a limited entry B permit is to have targeted and landed black cod or ling cod in large quantities without taking into account their destructive practices of discard or bycatch. What a travesty. What are we trying to achieve with this regulation? We eco-minded fishermen are being replaced by these boats. We need CHANGE to save our fishery not more of the same. Jobs will also be lost as the large boat employs less people per pound of landed fish.

We plea for a hardship consideration for our unique fishery and request a non-black cod endorsement fixed gear limited entry permit to fix this injustice.

Thank you in advance for your consideration,

Don Sack
Commercial Fisherman
On behalf of the Fishermen of Shelter Cove, Humboldt County.

(707) 986-1639

Subject:March 3 Comments for March meeting
Date:Tue, 03 Mar 2009 22:23:40 -0800
From:Bill James <Halibutbill@msn.com>
To:pfmccomments@noaa.org
CC:Carolyn Porter <Carolyn.Porter@noaa.gov>

March 3, 2009
Mr. Donald K. Hansen
Chairman
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite101
Portland, Oregon 97220-1384

Dear Chairman Mr. Hansen,

I am writing on behalf of Port San Luis Commercial Fishermen's Association, a non profit organization of 40 commercial Fishermen and their families to offer a alternative to the preferred alternative of Amendment 22 "Open Access Limitation". Our request is as follows : 1). B permits to be issued to California Nearshore Species Fishery Permit holders with active participation in the 1998-2006 Qualifying years with at least one landing between the years of January 1, 2004 and September 13, 2006 or landing of 100 pounds of B species in the qualifying years of 1998-2006 and at least one landing in the period of January 1, 2004 – September 13, 2006. 2). A Sablefish endorsement would be required in addition to a B species permit to catch and retain Sablefish. Qualifying years would correspond to the above dates listed for B species permits. 3). Permits and endorsements issued for California should be put on the person NOT the vessel. This will help conform to other California state managed fisheries that the permit is issued to the person. The permit should be issued to the fishermen who originally caught the qualifying fish. Many of the smaller vessels have been already sold so the landings history needs to go with the commercial fisherman. Qualifying poundage requirement : Total cumulative landings of 500 pounds or greater of Sablefish in qualifying period to be eligible for a Sablefish endorsement. No lingcod endorsement, all B species permit holders to be eligible to land Lingcod. IN ADDITION CONCERNING SABLEFISH... For California in addition to the qualifying Sablefish endorsements (approximately 170 in California) an additional 75 endorsements be created for California Commercial Fishermen who have not qualified for a Sablefish endorsement. A "Regional Equity and Heritage Committee" be formed to evaluate (vote?) which of the Sablefish endorsement requests (Fisherman) be granted be one of the 75 additional created endorsements. Regions in California with "Regional Inequity" of qualifying Sablefish endorsement could (should) be given priority in granting process of additional endorsements. Possible membership makeup could be: one commercial fisherman from each major groundfish dependent port in California, one member California Fish and Game, one member NMFS, and one member PFMC staff. Each member is a voting member. Justification for the additional endorsements: 1). Over 60 percent of the qualifying Sablefish endorsements in California will be issued to only 3 ports in California. They are Fort Bragg, Eureka, and Moss Landing. This leaves large portions of the California coastline with very few open access small vessels to fish Sablefish. Sablefish are abundant throughout the offshore waters along the entire coast of California. 2). Local vessels fill local niche markets and lower our carbon footprint by fishing local waters. 3). Local Smaller vessels can receive higher value for their fish. Each Commercial fisherman that owns a vessel is another small business owner. California commercial fishermen need a portfolio of permits, endorsements, etc. in order to spread their effort into different fisheries in order to not overfish one species or guild of fish. New MPA's have made it necessary to diversify our portfolio of fisheries that we fish in order to meet overarching conservation goals. Even small vessels need additional fisheries in order to stay in business. Please consider and adopt the recommendations in this letter.

Sincerely, Bill James for PSLCFA