



Ms. Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Inclusion of "At-sea Trawl Buyback Movement" Management Measure in 2017-2018 SPEX

Dear Chair Lowman and Council Members

Please accept these comments on behalf of the Midwater Trawlers Cooperative (MTC). MTC represents 23 midwater trawl catcher vessels that participate primarily in the at-sea and shoreside whiting fisheries on the west coast and the pollock and cod fisheries in the Gulf of Alaska and Bering Sea. Fourteen of our members are endorsed for the mothership fishery and 15 participate in the shoreside fishery. Nine vessels participate in both fisheries. Four MTC vessels participate in non-whiting groundfish trawl.

Current Situation

Most everyone agrees that the amounts of bycatch species available to the MS whiting fishery are overly constraining and do not provide a reasonable expectation that the sector will achieve their whiting OY before attaining a bycatch cap that requires closure of the fishery. For 2015 the sector has just 6.5 mt of darkblotched, 5.7 mt of canary and 7.2 mt of pacific ocean perch with which to harvest over 71,200 mt of whiting. And while the mothership cooperative has implemented unprecedented bycatch avoidance measures including voluntary area closures and strict movement requirements, the low amounts of bycatch have forced the fishery into exigent circumstances and made the fishery operationally impractical.

Previous Action

The Council has also recognized that the bycatch amounts available to the mothership fishery are too low and you have taken action three times during the last 13 months to address this issue:

- In October 2014 an Emergency Council meeting was called to consider making more darkblotched rockfish available to the MS fishery after a sudden and unexpected closure of that fishery due to attainment of the darkblotched cap. Ultimately 3 mt of darkblotched rockfish was made available to the MS sector and the fishery was reopened.
- In September 2015 the Council took inseason action to make up to 5 mt of darkblotched available to the MS sector to prevent interruption to the fishery in the event the cap was reached. Ultimately NMFS transferred 3.5 mt to the mothership fishery through an inseason action.
- In September 2015 the GAP recommended and the Council adopted the "At-sea Trawl Buyback Movement" concept within the slate of new management measures in the 2017-2018 specifications that would go out for public review as noted in the Meeting Decision Document from September.

The first two actions were crisis management, the third was a proactive approach to address the issue and avoid additional crisis management. We are now encouraging the Council to continue the proactive approach and retain this measure in the 2017-2018 specifications process in order to provide stability to the mothership sector as well as the ability to reasonably expect to achieve OY. The GAP recommended including the transfer option under new management measures at the September meeting and a majority of the GAP reconfirmed their recommendation at this meeting as well as ranked this concept as a high priority.

Transfer Concept

The transfer concept is simple and straightforward and allows the MS catcher vessels to solve their bycatch problems with what is essentially their own fish currently allocated to them as ITQ and housed in their shoreside accounts. Even though the MS fishery is managed under a cooperative structure in the Trawl rationalization program, MS fishery participants were all initially allocated a minimum amount of shoreside quota. In order to resolve the severe shortage of bycatch species in the MS fishery, The Trawl Buyback Transfer concept would allow MS endorsed permits to voluntarily transfer limited amounts of four choke species between their shoreside ITQ accounts and the mothership cooperative without negatively impacting anyone in the shoreside sector.

Omnibus Ranking

The NMFS supplemental report indicates a concern that including this concept as a new management measure somehow jumps the queue over other items that had been prioritized through the Council process back in September of 2014 and that this raises fairness issues. MTC is on record as always prioritizing this transfer concept but even more important – if the prioritization had been done in November versus September this concept would have most certainly been prioritized following the premature closure of the MS fishery on October 14th and the subsequent emergency Council meeting that it took to reopen the fishery. Moreover, a previous listing of Council approved priorities includes the EFP for eliminating the prohibition on at-sea whiting south of the Oregon / California border as something that would be included in the 2017-2018 specifications process. The Council's action on EFPs eliminated this proposal from moving forward. The transfer concept is more than an innovative way of achieving higher OY – it is a desperately needed measure to avoid premature closure of the MS fishery.

Workload

It is unclear what the workload associated with this new management measure would be. The GMT characterized it as high and Council staff also has concerns about the workload threatening the completion of the 2017-2018 specifications on time. Reviewing previous groundfish specification EIS documents and new management measure analysis, it is not clear why this proposal causes such consternation over workload. There are no biological or conservation issues associated with the request. NMFS and Council staff analyzed a range of original allocations for Amendment 20 and 21 and so the “back-end work” is mostly complete. While the concept technically is transferring fish from the ITQ sector to the MS sector – the reality is that that fish is not currently be caught and is thus stranded in the shoreside sector. And moreover, it is already allocated to individual shoreside accounts – it isn't transferring from off the top of

the shoreside sector- its from individual accounts where the owners of the quota pounds should be able to determine how that fish is used.

WDFW proposal vs MS transfer concept

A few days ago the WDFW floated an option that would raise the amounts of fish allocated to the three whiting sectors for two species. While I appreciate the work that WDFW did in considering this alternative and the recognition from the state of Washington that bycatch amounts in the MS fishery are a problem, MTC does not support this proposal in lieu of the transfer concept previously vetted. First, the WDFW proposal is only for two species and the MS transfer proposal is for four. Next the WDFW proposal does not provide enough amounts of fish when compared with the transfer concept. Both concepts require a plan amendment and we are told conflicting projections that it is a similar amount of workload. And lastly, but certainly important – the WDFW alternative is much more reallocative – taking fish across the board from the shoreside sector (including from non-whiting trawlers) and reallocating it to the three whiting sectors.

Conclusion

The reality we face is that the MS fishery does not have enough bycatch to prosecute its fishery. The MS cooperative has the most restrictive vessel movement rules in place on the west coast that we are aware of. We have huge closed areas that we close voluntarily. We still have problems with bycatch avoidance and we do not have the horsepower to escape to deeper waters. We have been working on this concept for over a year and we have vetted it through the council process, with managers and with the fleet as a whole. This is our best chance at providing relief in the short-term. If it is more palatable to have the mechanism implemented in 2017 and potentially adjusted in the 5-year review then we are happy to agree to that. If this issue is not addressed then the Council will be forced to revert to crisis management and have to spend Council time on inseason requests and worse, emergency action if the fishery is closed prematurely.

This is not simply a Washington at-sea issue. Many of the catcher vessels that deliver to motherships are home-ported in Newport, Oregon. The crews are from coastal communities and the income from the fishery is spent in coastal communities up and down the states of Oregon and Washington. Services ranging from fuel, marine supply and even groceries all benefit from the MS fishery. A closure in the MS fishery results in harm to coastal communities – it is not an abstract at-sea issue.

I strongly urge the Council to maintain this concept in the suite of new management measures being analyzed for 2017-2018.

Sincerely,



Heather Mann
Executive Director