

November 13, 2017

Mr. Phil Anderson, Chairman
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RE: Five Year Review Agenda Item F2- Public Comment, November 16, 2017

Dear Mr. Anderson-

My name is Geoff Bettencourt, I am sorry that I am sending a letter, rather than being before you in person, but the Dungeness Crab season opened yesterday, so I am at sea working. However, I did want to provide my thoughts on the Gear Switching discussion that has been taking place during the 5-year review process.

I am a fourth-generation fisherman out of Half Moon Bay, California. My father and I fished for groundfish using bottom trawl gear for decades, and for that reason qualified as participants in the West Coast IFQ fishery when it began. In 2010, we made the business decision, and subsequent investments to fish for Sablefish using traps, which we did from 2010-2017. In 2016, I purchased and rebuilt a new vessel and invested heavily in outfitting that vessel so that my business could continue to harvest Sablefish using trap gear in 2017, as well as return to bottom trawling in 2018.

My family, my crew and their families, my buyers, and my small California port community all depend on my ability to continue to operate my business in the way that it has operated for seven years and been built to operate well into the future. Any action by this council that will change my ability to access the fish that I have been harvesting, and that so many depend on, would be devastating and unacceptable on every level.

I am not sure that current data or analysis has proven that gear switching is the cause of the trawl fleet's low attainment rates, or if markets, high costs of participation in the fishery and other factors are to blame, but I'm not sure that truly matters at this point. What I believe matters for the long-term success of this fishery is that those that have invested and participated in this fishery for the past seven years, fixed gear and trawlers alike, have access to harvest what is needed for their businesses to survive, and grow. I am asking that the council be mindful that whatever happens next in this process is working towards that end result, and that you take the time to get this right.

My goal is not to deny the concerns of trawl fishermen that have taken the position that Sablefish North is constraining their access to other deep-water trawl species. I personally believe that it is possible to acknowledge and address concerns about gear switching from the trawl fleet while still maintaining the opportunity for businesses like mine that have significantly invested and participated in gear switching since 2011, access to a critical groundfish resource that we depend on.

Right now, many of us, regardless of our gear type, feel our businesses, livelihoods and families being threatened. We are fearful that the decisions that will be made here will have devastating

implications for generations to come. I also feel this threat, which is why I'm writing this letter to remind you that real people and real families are depending on the decisions that you will eventually make on this issue.

Oddly enough, I also feel somewhat hopeful. I recently attended the CAB meeting in Portland and participated in a lot of discussions that were not easy, but that left me believing that many of us are truly looking for solutions that everyone can live with. I have been a proponent of an outcome like Proposal E in the CAB report. I think this is a balanced, fair and well thought out option that takes into account concerns from many different stakeholders and is consistent with the three principles that the CAB agreed on. I think it is important to keep working in this direction rather than creating more unintended consequences by looking for a simple solution to a complex problem such as removing the 36° degree management line for all gear types.

I urge the Council to let the CAB and industry continue working together to flesh out these alternatives and come back to you so that the needed analysis can be completed and ultimately a decision that doesn't damage individuals, businesses or the fishery can be implemented.

Thank you
Geoff Bettencourt
Fishing Vessel Miss Moriah, Half Moon Bay, California



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RE: Agenda Item F2- Public Comment, November 16, 2017

Dear Mr. Anderson-

My name is Lisa Damrosch and I represent the Half Moon Bay Groundfish Marketing Association. The commercial fishing businesses I represent are trawlers and fixed gear fishermen operating in California. I am writing regarding Agenda Item F2, particularly the follow on action regarding Trawl Sablefish and Gear Switching. I would like the Council to understand and consider a proposal that we brought forth during the most recent CAB meeting, and to underscore that the CAB needs additional time to more fully develop recommendations, including this proposal, for a range of alternatives for this particular issue.

First though, I would like to take a moment to address the notion that the California fishery is an “artifact” as reported by a large processor in another letter to you on this agenda item. While compared to ports to our North, there may be a small number of trawl vessels participating in the West Coast IFQ fishery in California, particularly South of the 40-10 management line, there is still a fishery and we are still participating. As a matter of fact, not only are families and operations that have been trawling for decades continuing to do so, but a new bottom trawl operation began fishing in 2017, and another will begin in 2018. I personally believe that the fishery in California is not an artifact, but rather that these businesses are some of the most elite and resilient in the industry. These independent fishing operations amazingly continue to work with less and less infrastructure, and under a management regime that often paints them with the same brush as larger Northern ports and fleets. The truth is, the California fishery was abandoned by the very processors and buyers that will tell you now that the fishery is dead and gone. The fishermen continue to work hard for their businesses, families and port communities, despite the challenges. I respectfully submit that contrary to what some would have you believe, California fishermen are not an artifact, they are survivors, and they deserve consideration in the decisions made by this body.

Regarding the Five-Year Trawl IFQ Review, specifically Gear Switch provisions and the 36^o management line. We are absolutely not supportive of a simple complete removal of the 36^o management line. We believe that this could cause unintended consequences, and have negative impacts to fishing businesses and communities, particularly for California.

I have been providing input to the CAB and recently participated in the last CAB meeting as an alternate. At that meeting, I presented a concept for an alternative that was discussed and developed with input from a wide variety of fishermen from many different ports, that fish using all gear types. My proposal is referenced in the supplemental CAB report as Proposal E . The intention for this proposal was to present a concept in the spirit of compromise that attempted to address ALL of the concerns we had heard from this wide variety of stakeholders, not only the concerns we hold in Half Moon Bay. This concept is consistent with the principles that ultimately came out of the CAB meeting, and while it needs more discussion, and some hard work and negotiations around some of the specifics, my hope would be that with more time the CAB could present you with an alternative in the spirit of this concept that would have relatively broad support.

The following is an outline of the concerns raised from various stakeholder groups, and the corresponding ideas address those concerns in Proposal E in the CAB report:

(1): Trawlers targeting deepwater species cannot access enough Sable to fully propagate their fishery.

Proposal E: Sablefish South QP to be allowed to be harvested North of the 36^o management line with trawl gear only, potentially adding 1 to 1.5 million pounds of Sablefish to the trawl fleet only.

(2): Existing gear switch businesses North of 36^o management line have legally invested in and participated in gear switch operations since 2011 and should not be harmed by any future restrictions on gear switching.

Proposal E: Create a qualification criteria that maintains status quo for fixed gear operations that have significantly invested in, participated in and depended on harvesting Sablefish North with fixed gear since 2011.

(3): The current IFQ program was built on an historical trawl fishery, and included a gear switching provision. Continued unlimited gear switching (status quo) may undermine the ultimate success of the program.

Proposal E: Create new vessel caps for non-trawl harvest of Sablefish North QP that is tied to QS ownership of Sablefish North. Moving forward, this will limit the amount of Sablefish North QP that can be leased and harvested with non-trawl gear. (This does not apply to operations qualified under (2) above).

(4): Existing trawl operations that have not gear switched and have been in the fishery since 2011, do not want to completely lose the option to gear switch in the future. This is particularly an issue for historical trawlers in California South of 40-10 where multi species groundfish markets are less available.

Proposal E: Owners of QS currently operating in the fishery would be able to harvest Sablefish North QP with non-trawl gear up the same new vessel cap that is tied to QS ownership of Sablefish North referenced in (3) above. There would be no restriction on accessing Sablefish North QP with trawl gear. In addition, per (1)

above these vessels would have access to Sablefish South QP North of 36° management line for harvest with trawl gear.

(5): New entrants into the fishery may contribute to the longevity and durability of the program. This is particularly important in some small California ports such as Monterey and Morro Bay that are trying to encourage new entrants using fixed gear.

Proposal E: Create a new low vessel cap that allows an entry level amount of Sablefish North QP to be harvested with fixed gear by non-owners that do not qualify to participate in the fishery under any other provisions.

(6): Existing gear switch businesses South of 36° management line and the ports that support them depend on existing Sablefish South QP landings and on new entrants entering the fishery to harvest Sablefish South QP using fixed gear.

Proposal E: Maintaining the 36° management line for non-trawl gear harvest maintains status quo for fixed gear operations, trawl operations, and port based organizations operating South of the 36° management line.

(7): Non-IFQ fixed gear businesses South of 36° management line are concerned about large fixed gear operations from the North travelling South of the 36° management line to harvest Sablefish South QP that could potentially otherwise be harvested by the non-trawl sector.

Proposal E: The ability for Sablefish South QP to be harvested by trawl operations North of the 36° management line may create different business and market opportunities for owners of Sablefish South QS where the associated Sablefish South QP is harvested using trawl gear rather than vessels travelling South to harvest it with fixed gear.

(8): “Golden tickets” or “Golden permits” in the form of new endorsements could create unfair advantage and/or permit leasing markets that may result in the highest bidder having access to the fishery rather than historical participants.

Proposal E: Suggests looking at fishing operations (ie: vessels and fishermen) when creating criteria to qualify participants to harvest Sablefish North QP with non-trawl gear rather than simply LE permits with landings. LE Permits can move from vessel to vessel, and LE permit owners (regardless of that owner’s participation in the fishery) can lease or sell access to the highest bidder. It is important to note that some vessels that qualify under proposed criteria in Proposal E have done so using more than one LE permit and/or do not own an LE Permit or QS. These operators have consistently harvested Sablefish North QP using non-trawl gear since 2011 and these operations are protected under the concept of Proposal E.

(9): Non-harvesting participants such as processors, quota funds and “armchair captains” may be disproportionately affecting lease prices and availability of Sablefish North QP (and possibly other species) and may be profiting from a fishery for which they do not share non-operational costs such as buy back or cost recovery.

Proposal E: Linking QS Accounts to Vessel Accounts with the same ownership will provide some insight into how much QP is being harvested by QS owners and how much is not. This may allow analysis that would be helpful in determining cost sharing across the industry in the future. Using this mechanism to limit the harvest Sablefish North QP with non-trawl gear to a vessel cap that is linked to QS ownership ensures that only those trawl operations that qualified to own Sablefish North QS or that have invested substantially to acquire Sablefish North QS have access harvest to Sablefish North QP with non-trawl gear in the future. This concept also incentivizes investment in the fishery as the proposed new vessel cap could increase with increased QS ownership.

Again, I do not assert that Proposal E is a complete solution, or even the right solution as currently constructed. This concept was created as a starting point for discussions, and I believe those discussions were instrumental in the CAB coming together around common principles regarding this follow on action. There are many difficult discussions yet to be had and details and criteria to be suggested, but I believe we can get there. I urge the Council to allow the CAB the necessary time to continue working through this process, and return to you with alternatives that you can be confident are ready to move forward for analysis and further discussion.

Sincerely

Lisa Damrosch
Half Moon Bay Groundfish Marketing Association