

DEVELOPMENT OF SABLEFISH AREA MANAGEMENT AND GEAR SWITCHING ALTERNATIVES

This document describes the decision points entailed in developing sablefish area management and gear switching alternatives and presents some alternative processes the Council may want to consider.

The alternatives for modifying trawl sablefish management areas, by themselves, appear relatively straightforward. The proposals for dealing with the 36° N. lat. line can generally be described as status quo and elimination of the line (to create a single coastwide trawl sablefish quota shares, QS). Most of the details of the mechanisms for making the changes are already specified in regulation (except for determination of the coast-wide accumulation limits). A variation that begins to limit gear switching would allow southern sablefish quota to be used in the north but with restrictions that do not apply to other QS (e.g. southern sablefish quota can be fished north of 36° but not with non-trawl gears).

In contrast, many of the proposals to limit gear switching by modifying the limited access system involve more decision points and mechanisms for implementation need to be worked out to determine whether they constrain the alternatives. The following are some of the central elements of gear switching limitations that have been proposed thus far (they have been proposed in various combinations and with other elaborations; and none of the following represents a complete alternative).

1. Permit Endorsement/Vessel Designation Approaches
 - a. Require a gear switching endorsement (necessary for vessels to continue gear switching at a higher level than allowed for vessels without endorsements)
 - b. Designate “active trawlers” on an annual basis (active trawlers would have an opportunity to gear switch not provided to other vessels, and exemption would be provided for vessels with gear-switching history)
2. Quota Designation Approaches
 - a. Each year allocate sablefish quota pounds (QP) to QS accounts as either “any gear” or “trawl only”
 - b. Designate some QS as “any gear” and other as “trawl only”
3. Cap on Gear Use Approach

Limit the amount of gear switching that can be done by any one vessel/permit in a year (e.g. an annual vessel QP cap for gear switching that would be less than the annual vessel QP cap for sablefish).

Any of these approaches implemented in a fashion that does not treat every vessel or quota account the same (and without regard to the history or ownership) will raise at least some issues of qualification and modification of harvest privileges. Depending on the alternative, some of the decisions required of the Council could be similar to those entailed in development of a new limited access policy (the original Amendment 6 license limitation program; the fixed gear endorsement and stacking program; the Amendment 15 limitations on participation in the Pacific whiting

fishery; or the Individual Fishing Quota program itself). For a limitation that adds an additional access privilege designation to the existing program, factors to be considered include:

1. the means of limiting access;
2. the scope of activity allowed under the designation (and the scope allowed to those that do not receive the designation);
3. the geographical extent of the designation,
4. the entity that qualifies for the designation (e.g. permit, vessel, vessel owner);
5. the qualifying criteria
6. the transferability of the designation (e.g. without or without the permit);
7. opportunities to aggregate; and
8. the duration of the designation.

Decision Processes

Past decision processes on limited entry programs or substantial modifications¹ required an iterative process that wove together Council and committee meetings in a stepwise process. Such a process was used for at least two reasons. First, because of the dependency of one design element on another, it may be most efficient to develop a limited entry program in steps. For example, a considerable amount of material would have to be produced to provide a committee with information useful for developing qualifying criteria before a preliminary decision is made about the entity to which the qualifying criteria is going to apply. Absent preliminary decisions such as this, each element of the analysis requires multiple permutations to cover the possible combinations of the elements. Each of these steps in developing the analysis may also require conferring with the Council for guidance, particularly where an industry panel is not able to reach a consensus decision on a particular element. Second, in addition to the dependency of one design element on another, some elements are most effectively developed through an iterative process in which analysis and data summaries are requested; analysts bring back one set of results, they are reviewed and the requests refined, and analysts return with results based on the refined requests. Again, during this process the Council will often be advised of progress and given the opportunity to provide guidance.

Occasionally, the Groundfish Allocation Committee (GAC) has been used when a particular issue is inherently difficult for participant groups to reach consensus because of diametrically opposing interests or to deal with complex issues requiring high level policy decisions that are difficult to handle within the time constraints of the Council meeting. For example, the GAC has dealt with intersector allocation issues and was assigned the development of recommendations regarding the trawl catch share accumulation limits. The GAC recommendations, once adopted by the Council, can shorten the Council process by providing more detailed and extensive guidance than might otherwise be developed on the Council floor.

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¹ For example, moving from a sablefish endorsement to a sablefish tiered endorsement or Amendment 15's modification of the license limitation program to require whiting vessels to meet an additional participation criteria.