

**FISHING VESSEL OWNERS' ASSOCIATION
INCORPORATED**

4005 20TH AVE. W., ROOM 232
SEATTLE, WASHINGTON 98199-1290
PHONE (206) 284-4720 • FAX (206) 283-3341

SINCE 1914

March 7, 2018

Mr. Phil Anderson, Chairman
Pacific Fishery Management Council
7700 N.E. Ambassador Place, Suite 101
Portland, OR 97220-1384

RE: **Five-Year Trawl ITQ Program Review – H-2 Gear Switching – March 2018 PFMC Meeting**

Dear Chairman Anderson:

The following comments are being made on behalf of the 95 family vessel owners that are members of the Fishing Vessel Owners' Association (FVOA) from Seattle, Washington. We are a trade association that represents hook and line and pot vessel operations. Several of our members have been participating in the trawl ITQ program adopted and implemented in 2011. Our members have purchased trawl QS, leased trawl QS, and reconfigured their vessels for the purpose of targeting sablefish and also other rockfish species in the trawl ITQ program. Our vessel owners deliver an iced product to shore based processors in all three coastal states.

When the Council passed Amendment 20, which established the trawl ITQ program and allowed for gear switching, your supporting documents stated the following:

"Recipients are free to use QS with any groundfish gear including trawl, longline and fishpots, switching permanently from trawl to some other gear" (Section 2.2.1, page 37)

And

"Council action regarding gear switching takes into account the opportunity to reduce bycatch and other possible adverse environmental impacts" (Section 2.6.1, page 50).

Additionally, when the program was adjudicated, the judge made the following comments relative to gear switching:

"In addition the proposed action under Amendment 20 trawl rationalization allows limited entry trawl permit holders to switch from trawl to fixed gears to fish their quota, which, in turn, would reduce trawl impacts. It also allows non-trawl vessels to harvest the allocation to the trawl sector if they acquire a trawl permit and IFQ."

And

"Amendment 20 is a mitigative measure (or, at worst, is neutral) with respect to the natural environment because trawl fleet consolidation, gear switching, and observer monitoring are likely to mitigate environmental impacts relative to the status quo."

Our members, who have purchased trawl QS and have purchased gear and reinvested in their vessels, and leased trawl permits in order to participate in the trawl ITQ program for the last seven years and took the Council at its word when they made investments to participate in the trawl ITQ gear switching program.

We understand that some trawl and shore based processors would now like to restrict the use of gear switching as they claim it is impeding the ability to harvest other species because sablefish is allegedly necessary to catch species such as Dover sole. We do not believe the trawl interest have made their case for the following reasons:

1. During the 2016 season there was 388,000 pounds of trawl sablefish not used or harvested. If sablefish is so necessary for accommodating the harvest of Dover sole, the question needs to be addressed, why this poundage was not being utilized.
2. During the current 2017 season, as of October 17th, there is currently over 1,530,041 pounds still available of trawl sablefish. If other trawl species need sablefish in order to land them, why is this not occurring during the current fishing year? Why hasn't the sablefish been used to help land other species during the spring and summer months? Are the trawlers choosing to use fixed gear to catch their remaining fish? If so, why?

We do not believe there is the problem that has been suggested by the trawl interest. The Council and the GAP have discussed changing the trawl sablefish QS south of 36 degrees, such that, this fish could be harvested coast wide. In 2016, this was 788 Mt of sablefish. If the council were to take this action and considering that sablefish during 2016 was not totally utilized by trawl interest, such action should mitigate the trawler's fears of not having enough sablefish without limiting gear switching. We would suggest first allowing the trawl sablefish south of 36 degrees to be taken coast wide before considering further restrictions to gear switching. Additionally, the trawl sablefish south of 36 has not been harvested in its entirety. Table 2 of Agenda Item #-7, Page 7 from the September 2017 meeting, shows that only about 25% of this sablefish is being fished. If this fish is allowed to be harvested coast wide, it provides a huge opportunity for the trawl interest to land more miscellaneous species associated with sablefish.

From Table 2, Page 7 – Assessment of unused trawl Sable south of 36 (September 2017 Council meeting)

	Southern Quota	Harvest	Unused	Percent used
2014	653 Mt	197 Mt	456 Mt	23
2015	720 Mt	145 Mt	574 Mt	26
2016	788 Mt	182 Mt	605 Mt	25

Should the Council make a decision to limit gear switching, we advise against a percentage restriction of the trawl TAC. This action would result in those fixed-gear vessels with trawl permits making a choice to fish earlier and earlier in the year to maximize the probability of them catching their sablefish. We see this type of action resulting in a race for fish pushing vessels to fish earlier in the year during bad weather and creating unnecessary safety concerns.

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The Council has now notified the public of a control date that may or may not be used to determine gear switching privileges. If the Council chooses this option, we recommend that the right to gear switch needs to be assigned to the federal trawl permit. After some discussion, our membership believes if the right went to the vessel instead of the permit, the vessel operator would then be in control of a permit they may not have purchased leaving the person or entity that bought the permit hostage to a leasee. This result does not seem to be a logical or fair outcome. Additionally, if the permit went to a vessel, replacement procedures would need to be considered.

In summary, our members do not believe there is a problem with the current gear switching provisions provided for in Amendment 20 and the Trawl ITQ program. In fact, the ability to gear switch was an integral part of the government's defense when a lawsuit was brought against the ITQ program. Should the Council limit gear switching, we ask that those who purchased trawl sablefish in good faith of your program, be made whole by designating those permits that landed fixed-gear sablefish be allowed to continue gear switching. We support the gear switching privilege being applied to the permit and not to a particular vessel.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Alverson", with a long horizontal flourish extending to the right.

Robert D. Alverson
Manager

RDA:cb