

## KEY QUESTIONS TO ADDRESS

The following appear to be the issues that need to be resolved to complete the range of alternatives that the SaMTAAC will recommend the Council forward for full analysis. There may be other issues the Committee will want to address but from an analytical perspective resolution of these will provide a set of alternatives sufficiently complete for analysis.

### **Alternative 1 (Gear Specific QP)**

#### **Gear Specific Options A and B**

If the intent is that the choice between the percentage of northern sablefish QP to be provided as unrestricted as opposed to trawl-only will be driven by the choice of whether to provide an opt-out opportunity, consider eliminating these as options and specify:

If an opt-out option is selected, 90 percent of the QP would be issued as trawl-only and 10 percent as unrestricted. If an opt-out option is not selected, 70 percent of the QP would be issued as trawl-only and 30 percent as unrestricted.  
(See “Gear Specific QP” footnote in the alternatives document.)

Will the unrestricted QP percentage issued to each QS account also apply to Adaptive Management Plan (AMP) QP? What about AMP QP issued to opt-out accounts?

#### **Qualification Criteria Suboptions for Opt-out Option b**

Consider narrowing the number of years criteria (currently listed as TBD).

### **Alternative 2 (Gear Switching Endorsement)**

#### **Endorsement Qualifying Options**

Consider narrowing the number of years criteria for the minimum landings thresholds of 5,000 and 10,000 lbs (currently listed as TBD).

Consider whether the gear switching limits for Endorsement Limit Options 1 and 2 should be determined based on catch history rather than landing history (see “Limits” footnote in the alternatives document).

#### **Permit Transfers and Annual Gear Switching Limits**

Consider how annual gear switching limits would be applied when permits are transferred (see “Transfers” footnote in the alternatives document).

## **Alternative 3 (Active Trawler Designation)**

### **Active Trawler and Exempted Vessel Qualifying Options**

Consider the analysis and make adjustments to the alternatives, as appropriate.

#### **Interpretation of “Catch”**

Consider including language similar to that in Alternative 2, indicating that gear switching limits apply to QP usage (landings plus discards, taking into account a discard survival credit). That is, that on the trip on which the gear-switching limit is encountered, there is an allowance for the usage of QP to cover catch in excess of the limit but that catch must be discarded. After reaching the gear switching limit for sablefish, the vessel is not allowed to use non-trawl gear in the IFQ fishery, even if targeting non-sablefish species (see footnote “Catch” in the alternatives document).<sup>1</sup>

#### **Vessel Acquisition**

While the vessel owner must have owned, as of and continuously since the control date, the QS that determines the vessel gear switching limit, the period of the vessel owner’s ownership over the vessel may need to be addressed. Must the vessel owner also have owned the vessel since the control date? If so, would there be provisions for replacement vessels? If there is not a limit on when a qualifying vessel might be acquired, a QS account owner could acquire a qualifying vessel at some post-control date or future date (prior to implementation) and apply the amount of northern sablefish QS in its account for determining the gear switching limit for that more recently acquired vessel (see “Vessel Acquisition” footnote in the alternatives document).

#### **Application to Multiple Vessels or Multiple QS Accounts**

Decide how the gear switching limits will be determined if multiple vessels that receive exemptions are associated with a single QS account. Currently, it is not believed that such relationships exist. However, if the alternative’s gear switching limit provisions for exempt vessels apply to vessels that are acquired by QS owners after 2019 then there could be changes that establish such a relationship (see previous section).<sup>2</sup> As an example, a QS account owner that already has an exemption-qualified vessel could acquire 50 percent ownership in another qualified vessel. With respect to multiple vessels associated with a single QS account, should each vessel associated with a QS account be eligible to gear switch an amount equal to the northern sablefish QS in the account, should all vessels combined be held to that limit, should one vessel be designated as the gear switching vessel associated with that QS account (the other vessel could still qualify for the 0.6 percent gear switching limit), or is there some other approach that might be

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<sup>1</sup> In contrast with the annual vessel QP limits, for the gear switching limits there is no opportunity to carry over surpluses or deficits from one year to the next. Therefore, if vessels are to be able to approach the limit without risking a violation, they need to be allowed to discard any fish in excess of the limit.

<sup>2</sup> It is also a possibility that these ownership situations exist but have not been detected at this point.

taken (see “Multiple Vessels or Multiple QS Accounts” footnote in the alternatives document).

How will gear switching limits be determined if multiple QS accounts are associated with a single vessel through 50 percent common ownership between the vessel and account. Such situations are not believed to exist at this time but if transfers of vessel ownership that occur after 2019 are counted in determining qualifications it is possible that existing QS account owners could acquire 50 percent interest in a qualified vessel that is already associated with a QS account. Would the northern sablefish QS in each account be included in determining the vessel QP limit, the account with the greatest amount, or some other rule?

### **AMP Adjustment**

Should the amount of QP that an exempted vessel may gear switch (based on the QS account owned by the vessel owners) be adjusted for the AMP QP? For example, a QS account with 3 percent of the QS will receive 3.3 percent of the QP after AMP is issued (See “AMP Adjustment” footnote in the alternatives document).

### **QS Transfers**

Would a vessel owner that had sablefish QS in one account as of the control date and then transferred that QS to a new account under the same or similar ownership (50 percent ownership in common with the vessel) be considered to have owned the QS as of and since the control date? (See “QS Transfers” footnote in the alternatives document).

### **Replacement Vessels**

Permit exemptions expire when transferred to a new owner. Should they also expire when transferred to a new vessel or should replacement vessels be allowed. (see “Replacement Vessels” footnote in the alternatives document).

### **Definition of Ownership Changes**

What constitutes an ownership change for the purpose of determining when a permit’s exempted vessel status expires? Should the same rules be used that are applied for those grandfathered under the owner-on-board requirement of the limited entry fixed gear permit stacking program: if an individual leaves the ownership that does not count as an ownership change but if a new individual is added to the ownership the exemption expires? (See “Ownership Changes” footnote in the alternatives document.)