

**Sablefish Management and Trawl Allocation Attainment Committee (SaMTAAC)
Alternatives
(Ver: March 26, 2020)**

This document contains the alternatives developed by the SaMTAAC, incorporating all decisions made by the committee at its January 2020 and previous meetings. The committee will next address these alternatives at a May 2020 meeting (site to be determined).

In text notes and footnotes identify some issues the SaMTAAC may want to take up at that time.

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No-Action Alternative

No Action is an alternative to each of the following action alternatives. Under No Action, the regulatory regime would not change in connection with this deliberation but the fishery will continue to change in response to changing environmental, economic, and social conditions, as well as other regulatory actions. Attainment of the trawl allocations would continue to vary with changes in factors such as the level of trawl allocations, market conditions, the mix of co-occurring species, and prices for quota pounds (QP). These factors may influence and be influenced by the degree of gear switching (trawl permitted vessel use of non-trawl gear to catch trawl QP). Vessels with limited entry trawl permits would be able to continue to use any gear to catch their sablefish QP.

Action Alternatives

Gear Specific QP Alternative (Action Alternative 1)

Overview. Each year, some northern sablefish QP would be issued as trawl-only QP and the remainder would continue to be unrestricted (valid with any legal groundfish gear, as under status quo). Every northern sablefish QS owner would receive these two types of QP in the same proportions (e.g., 80 percent trawl-only and 20 percent unrestricted), except that under an

option there would be an opportunity for certain entities to receive all their sablefish QP as unrestricted (an “opt-out” opportunity). There is also an option that would convert all trawl-only QP to unrestricted QP on a specified date in the latter half of the year.

Full Description

Allocation of Gear Specific QP. All northern sablefish QP issued to QS accounts (including AMP QP) will be designated as trawl-only or unrestricted with respect to gear used (i.e., status quo “sablefish QP”) in the following proportions: ^{1, 2}

Gear Specific QP Option 1: *(If the Council does not select the opt-out option, described below, then only Option 1 is available)*
70 percent trawl-only/30 percent unrestricted (any gear)

Gear Specific QP Option 2: *(If the Council selects the opt-out option, described below, then both Option 1 and Option 2 are available.)*
90 percent trawl-only/10 percent unrestricted (any gear)

Northern sablefish caught with any gear other than trawl would have to be covered with unrestricted QP. Northern sablefish caught with trawl gear could be covered with trawl-only or unrestricted QP. A vessel using trawl gear that had both trawl-only and unrestricted QP in its account would designate which type of QP would be used to cover the landing.^{3, 4}

Option for a Conversion Date. On a “conversion date,” any remaining unused trawl-only sablefish QP in individual accounts will convert to unrestricted sablefish QP. *If this*

¹ As part of implementation, PacFIN species codes might be used to track this distinction. For example, “TWSF” could be used for trawl-only sablefish and the current species code (“SABL”) for unrestricted sablefish.

² **FOR COMMITTEE ATTENTION:** The following text has been added as this footnote. “These proportions will be set in the FMP in order to provide more assurance of their stability over the long-term.” This language is based on text that was in the discussion section of the October version of the alternative and was further discussed at the October SaMTAAC meeting. It seems appropriate for inclusion in the alternative itself. If there is a concern about this addition it should be brought up at the *April Webinar under Agenda Item E.2.*

³ **FOR COMMITTEE ATTENTION:** This paragraph was previously in the discussion section of the October version of the alternative but seems appropriate for inclusion in the alternative itself. If there is a concern about this addition it should be brought up at the *April Webinar under Agenda Item E.2.*

⁴ **FOR COMMITTEE ATTENTION:** Another approach would be to have a default rule by which for a vessel using trawl gear the trawl-only QP would be used before the unrestricted QP gear, as identified in a previous NMFS report and discussed briefly by the committee. If committee members feel this should be discussed further it should be brought up under *April Webinar under Agenda Item E.2.*

*option is not chosen, the trawl-only QP designation will remain in place year-round.*⁵
The trawl only conversion date will be

Date Option a: August 1

Date Option b: September 1

Option for an Opt-out Provision. The Council may decide to include this opt-out provision for QS accounts with northern sablefish QS.

1. At the time of implementation, a one-time opt-out option will be provided for qualified trawl permit owners that have a history of using their permit to land sablefish with fixed gear in the trawl IFQ fishery (gear switch). Qualifying permit owners that opt-out must designate the QS account to which the opt-out status will apply.
2. All QP (including AMP QP) deposited to a QS account that is opted out will be unrestricted with respect to gear.⁶
3. Opt-out status will expire when the QS Account⁷ expires^{8,9} or when a new owner is added to the underlying ownership of the account¹⁰. Therefore, over time, the opt-out

⁵ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item E.2:** The Committee discussed the possibility that surplus trawl-only sablefish QP carried over from one year to the next might be redesignated as unrestricted. NMFS has been asked to report on any concerns that would arise if this provision were include in the alternative.

⁶ **FOR COMMITTEE ATTENTION:** The following text has been added as this footnote. “If a QS account opts out, they would also be able to acquire additional QS and receive all of their QP as unrestricted (up to the 3 percent own/control limit).” This language is based on text that was in the discussion section of the October version of the alternative. It seems appropriate for inclusion in the alternative itself. If there is a concern about this addition it should be brought up at the **April Webinar under Agenda Item E.2.**

⁷ In this document the term QS Account is used synonymously with QS Permit. QS Permits convey the privilege of owning QS; and QS “may be listed on a QS permit and in the associated QS account” (660.111). A single QS account is opened for each QS permit and each QS permit is associated with only a single QS account. When a QS Permit expires the associated QS Account expires and no QS Account can expire independently of its QS Permit.

⁸ A QS account may expire due to a change in the name of the owning company or its structure without a change in the underlying ownership. For example, if an individual decided to form an LLC, the QS Account might not be renewed and instead a new QS account created for the following year.

⁹ In this alternative, expiration of a QS account refers to the process by which an account is not renewed for a following year, either by choice of the QS account owner or through failure to meet the terms for renewal.

¹⁰ The rule causing expiration of a privilege with the addition of a new owner to the permit ownership interest, but not subtraction of an owner, would be similar to that which applies to expiration of the owner-on-board exemption for the fixed gear permit system. The intent is to allow, for example, a partner to leave the ownership or die without depriving the remaining owners of the privilege provided. Addition of a new owner would be volitional on the part of the existing owners and could be used to effectively circumvent the intent of expiration-on-transfer provisions. Therefore, it is only addition of a new owner that would be considered the equivalent of a transfer that terminates the privilege.

status for all QS accounts will expire and all QS accounts will receive gear-specific QP in the standard proportions of QP specified in the first paragraph of this alternative.

4. Any future trawl permit owners or new QS account owners will not have the opportunity to opt-out and all new QS accounts will receive gear-specific QP in the standard proportions of QP specified in the first section of this alternative.
5. To qualify its owner for an opt-out choice, a trawl permit must have had:
 - i. **Opt-out Qualification Suboption A:** between January 1, 2011 and December 31, 2018, one fixed gear sablefish landing.
 - ii. **Opt-out Qualification Suboption B:** between January 1, 2011 and September 15, 2017 or between January 1, 2014 and December 31, 2018, a minimum of 10,000 lbs of fixed gear sablefish landings
 - iii. **Opt-out Qualification Suboption C:** between January 1, 2011 and September 15, 2017 or between January 1, 2014 and December 31, 2018, a minimum of 30,000 lbs of fixed gear sablefish landings.^{11,12}

Gear-Switching Endorsement Alternative (Action Alternative 2)

Overview. In the area north of 36° N. lat., a vessel's gear-switching activity will be restricted based on limits applied to its trawl limited entry permit and the size of the limit will depend on whether or not the permit has a gear-switching endorsement. The amount of sablefish gear switching allowed will be larger for gear-switching endorsed permits than for non-endorsed trawl permits. Gear-switching endorsements will be attached to permits that have a history of gear switching that meet minimum qualification criteria. The endorsement might or might not expire when the permit to which it is attached is transferred. If endorsements expire with permit transfer, the higher gear-switching limits would eventually phase out and all vessels would be restricted to the lower level gear-switching limit provided for permits without gear-switching endorsements.

Full Description

Gear-Switching Endorsement and Qualification. Gear-switching endorsements will be attached to trawl limited entry permits and will not be severable from the permit. The gear-switching endorsement on a permit (or the absence of such an endorsement) will determine the northern sablefish gear-switching limit associated with the permit.

¹¹ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item C.5:** None of these options are entirely within the control date, potentially providing some precedence for future consideration of post-control date entry (or increased fishing by existing participants). This might or might not be something the Committee wants to change.

¹² **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item C.3 and C.4:** The qualification requirements vary between the alternatives but rationales may need to be articulated on why a particular set of requirements goes with one alternative and not another, unless there is some thought that the qualification requirements for one alternative might be equally applicable to another.

To qualify for a gear-switching endorsement, between January 1, 2011 and September 15, 2017 (the control date) the limited entry trawl permit must have caught northern sablefish IFQ with fixed gear totaling at least

Endorsement Qualification Option 1: 10,000 lbs per year in at least 3 years

and participated in at least one year from 2016 through 2018.

Endorsement Qualification Option 2: 30,000 lbs per year in at least 3 years

and participated in at least one year from 2016 through 2018.

Endorsement Qualification Option 3: 30,000 lbs per year in at least 3 years

and participated in at least one year from 2016 through 2018;

or caught 90,000 lbs of northern sablefish cumulatively across three years from 2014 to 2018, with at least one gear-switched landing in each of the three years.^{11, 12}

Combination of Trawl Permits. If trawl permits are combined for the purpose of creating a single permit with a larger size endorsement, if there is a gear-switching endorsement on either permit, at least one will be included on the resulting permit (see further discussion of gear-switching limits and permit combination in footnote 13).

Sablefish Gear-Switching Limits.

Trawl permits with gear-switching endorsements. The annual sablefish north gear-switching limit for a gear-switching endorsed permits is:

Endorsement Limit Option 1: for each qualifying permit, the average percentage of the sablefish north trawl allocation caught with fixed gear for years fished between 2011 and the control date.¹³

Endorsement Limit Option 2: the standard northern sablefish vessel QP limit (the current limit is 4.5 percent but this could

¹³ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item F.2.a:** With respect to Endorsement Limit Option 1, if two gear-switching endorsed permits are combined to increase the endorsed length of the permit, should the individual permit gear-switching limit be combined on the resulting permit, only the larger limit apply (applicable for endorsement limit option 1), or should some other option be considered. If a combination approach is used and the combination results in an amount greater than the annual vessel limit, should the maximum gear-switching limit also be capped at 4.5 percent? If the permit limit is allowed to be greater than 4.5 percent, in order to access the full limit, the permit would have to be moved between vessels. An assumption here is that for Endorsement Limit Option 2, the 4.5 percent limit applies to the permit and since each permit has an identical limit, the combination of permits would still result in a 4.5 percent limit.

change in the future).

Trawl permits without gear-switching endorsement. The annual sablefish north gear-switching allowance for a trawl permit not endorsed for gear switching is 0.5 percent of the sablefish north trawl allocation.

Gear-Switching Limits and Permit Transfers. The gear-switching limits are associated with the permit. If a permit is transferred midyear, fish caught prior to the transfer still count against the permit's limit for the year.^{14,15}

Permit Stacking. This alternative is not intended to allow the landing of multiple gear-switching limits by a vessel.¹⁶

¹⁴ **FOR COMMITTEE ATTENTION:** This provision is also applied to non-endorsed permits.

¹⁵ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item F.2.c:** The committee is continuing to deliberate on whether a single vessel should be allowed to fish the limit associated with more than one permit. This issue originally came up in the context of the limits for trawl permits not endorsed for gear switching. Some deliberation on this issue might also be appropriate for trawl permits with gear-switching endorsements.

¹⁶ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item F.2.b:** *Treatment of dual endorsed vessels.* Because the situation of dual endorsed permits was not explored during the meeting, this information is presented for committee consideration. A change to the current alternative is not necessarily needed.

At present, the regulations prevent multiple trawl-endorsed permits from being stacked on a vessel at the same time. They specify that a "a single trawl-endorsed limited entry permit" may be jointly registered to "one, two or three sablefish-endorsed fixed gear (longline and/or fishpot endorsed) limited entry permits" or "one longline-endorsed limited entry permit." There are some permits that are dual trawl/fixed gear endorsed (one endorsed for both trawl and pot and four endorsed for trawl and longline). The committee may want to discuss the implication of the prohibition on stacking trawl permits with respect to the dual trawl/fixed gear endorsement situation, since this has not previously been considered. A limited entry fixed gear vessel that is registered to a trawl/fixed endorsed permit (without a gear-switching endorsement) would not be able to jointly register a second gear-switched endorsed trawl permit while all other fixed gear permits (i.e. endorsed for pot or longline, but not trawl) would be allowed to do so. Most but not all of the five trawl/fixed gear endorsed permits have engaged in gear switching and some of those might qualify for a gear-switching endorsement while others might not. In order for a non-gear-switched endorsed dual trawl/fixed gear endorsed permitted vessel to acquire a trawl permit with a gear-switching endorsement while maintaining its fixed gear opportunities, it would need to sell its dual endorsed permit and acquire two permits: a trawl permit with a gear-switching endorsement and a fixed gear permit. The trawl/fixed endorsed permits that likely to qualify for a gear-switching endorsement also have fixed gear tier endorsements. None of the dual trawl/fixed endorsed permits that have no gear-switching history or might not qualify for a gear-switching endorsements have a sablefish tier endorsement. Those with these permits might be most likely to want to acquire a gear-switched endorsed permit; and the fixed gear permit they would need to acquire as part of the replacement for their dual endorsed permit would be of lower value than fixed gear sablefish tier endorsed permits.

Handling Gear-Switching Limit Overages.¹⁷

The gear-switching limits are specified as limits on the maximum amount of sablefish QP that can be used to cover fish caught under the IFQ Program with non-trawl gear.¹⁸ However, vessels seeking to take full advantage of the gear-switching limit are likely to have overages and it may be appropriate to include provisions governing such situations. When a vessel reaches the gear-switching limit (as determined by the permit registered to the vessel), it ...

Overage Option 1: ... must discard any sablefish caught in excess of the limit (survival credit is provided) ...

Overage Option 2: ... may retain any sablefish caught in excess of the limit but such sablefish may not reach the commercial market (may only be donated or rendered as fish meal) ...

Overage Option 3: ... may retain and sell any sablefish caught in excess of the limit ...

...and [for all options] it may not deploy non-trawl gear on any trawl IFQ sector trips taken during the remainder of the year. All sablefish overages must be covered by sablefish QP.¹⁹

Other Species Gear-Switching Limit. For all trawl permitted vessels, there will not be any gear-switching limits for other IFQ species.

Annual Vessel QP Limit. Regardless of these gear-switching limits, trawl permitted vessels are not allowed to catch amounts in excess of the northern sablefish vessel QP limit (taking into account both the vessel's trawl and non-trawl QP landings).

Endorsement Expiration.

Expiration Option 1: Gear-switching endorsements will expire²⁰ when the permit is transferred to a different owner or a new owner is added to the existing permit

¹⁷ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item D.** The committee is continuing to deliberate on the handling of gear switching limit overages.

¹⁸ Sablefish gear-switching limits are evaluated after applying credits for discard survival. Therefore, they are actually limits on total QP used (sablefish discard mortality and landings) rather than of catch.

¹⁹ A vessel that reaches the sablefish gear-switching limit would not be able to gear switch on subsequent trips even if it was targeting non-sablefish species and the chance of sablefish bycatch is extremely low. It would be able to continue to fish with trawl gear and retain sablefish caught, up to the annual vessel limit.

²⁰ Expire means the endorsement will be removed from the permit.

ownership^{10, 21} (ownership-based phase-down of gear switching).²²
Expiration Option 2: Gear-switching endorsements do not expire when the permit is transferred.

Active Trawler Alternative (Action Alternative 3)

Overview. To be eligible for gear switching in a particular year, a vessel would be required to have a certain level of trawl landings earlier in that year or the previous year. Exemptions to this requirement would be provided for vessels that have some minimum amount of gear-switching history. These exemptions would be attached to the limited entry permit, not separable from the permit, and expire over time with changes in permit ownership. The level of gear switching allowed by those with exemptions would be tied to the amount of QS owned by the vessel owner but would not be less than some base amount, likely 0.6 percent. Provisions are included for adjustments to the level of gear switching allowed for active trawlers and exempt vessels, in order to keep the fleet within a particular cap (“back-stop”).

Full Description

Active-Trawler Designation. A vessel must have a current year “active-trawler” designation to use fixed gear to land²³ northern sablefish (unless it has an exemption).

Active Trawler Gear-Switching Limit. Each active-trawler vessel will be limited to catching²⁴ 1.0 percent of the northern sablefish allocation with fixed gear.

Active Trawler Qualification. A vessel is designated as an “active trawler” if in the current or prior year it uses trawl gear to makes at least six IFQ landings that each meet at least one of the following two criteria (based on area of catch):

- a. in the area north of 40° 10’ N. lat, 18,000 pounds of any IFQ species
- b. in the area between 36° N. lat. and 40° 10’ N. lat., 9,000 lbs of any IFQ species

²¹ A change in the name or organizational structure (e.g. from partnership to LLC) of the permit will not be considered a change in ownership for the purposes of these provision unless the change also involves the addition of a new entity or individual to the underlying permit ownership.

²² For purpose of this provision, a change in ownership will be considered to occur when a new entity is added to the permit ownership but not when an entity leaves the permit ownership, e.g. partners may leave but new partners may not be added (using rules similar to those which apply to expiration of the owner-on-board exemption for the fixed gear permit system).

²³ **FOR COMMITTEE ATTENTION:** This word may be revised after a determination is made on the rules for handling sablefish by non-active trawl/non-exempt vessel targeting on non-sablefish with fixed gear (see section on “Handling Gear-Switching Limit Overages” toward end of this alternative). If there is a concern about this it should be brought up at the *April Webinar under Agenda Item D*.

²⁴ Sablefish gear-switching limits are evaluated after applying credits for discard survival. Therefore, they are actually limits on total QP used (sablefish discard mortality and landings) rather than of catch.

Exempted Permits. Vessels may qualify for an exemption to the “active trawler” requirement. The exempted vessel status will be assigned to a trawl permit designated by the vessel owner at time of implementation.

Exemption Qualification. To qualify a permit for an exemption, a vessel must have used fixed gear in the trawl catch share program to land a minimum of

Exempted Vessel Qualification Option 1: 30,000 lbs of northern sablefish trawl QPs per year in at least three years between January 1, 2011 and September 15, 2017.

Exempted Vessel Qualification Option 2: 30,000 lbs of northern sablefish trawl QPs per year in at least three years between January 1, 2011 and September 15, 2017 or 90,000 lbs cumulatively across three years from 2014 to 2018, with at least one gear-switched landing in each of the three years.¹²

Exempted Permit Gear-Switching Limit. Vessels with exempted permits²⁵ will be allowed to use fixed gear to catch²⁴ the greater of
0.6 percent²⁶ of the northern sablefish allocation²⁷ OR
an amount proportional to the percent of northern sablefish QS in a QS account²⁸ for which there is a 50 percent common ownership between the vessel and the QS account.²⁹

In order to qualify for the larger limit, the ownership that meets the common ownership³⁰ requirement must have owned the northern sablefish QS as of continuously since the control date and must have owned the vessel as of and continuously since the control date, with the following exception. Further, after the program is implemented, divestment of sablefish QS will reduce the amount

²⁵ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item G.2.c:** Can a single exempted permit be fished on multiple vessels so long as ownership of the permit does not change? Would each vessel be able to receive an entire exempt limit or is the limit specific to the permit (as in Alternative 2)?

²⁶ This amount may be reduced prior to final adoption of the alternative, as necessary to ensure that exempted vessels would not be expected to exceed the 10 percent backstop percentage described below.

²⁷ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item G.2.b:** Could an exempted permit be transferred to an active trawler thereby allowing the trawler to gear-switch an additional 0.6 percent of the sablefish quota? Or, could a vessel with an exempted permit become an active trawler and fish both limits.

²⁸ The amount would be the northern sablefish QS in the account plus a percentage to adjust for the 10 percent of QS allocated for AMP. To derive that amount, multiply the QS amount by $(1 + 0.1/0.9)$ and the trawl allocation.

²⁹ A vessel owner will be considered to own a QS account if there is 50 percent or more common ownership between the vessel and the QS account.

³⁰ The phrase “common ownership” is used here to refer to the common owners between a QS account and a vessel. Through any ownership changes, at least 50 percent common ownership between the two must be maintained in order to qualify for the higher level gear-switching limit.

allowed for the larger limit.³¹

QS Account Expiration Exception. If before or after program implementation a QS Account⁷ expires^{8,9} and the common ownership that meets the 50 percent requirement acquires another QS Account, transfers the sablefish QS to the new account, and maintains ownership in the vessel, then the common ownership linkage between the new QS Account and the previous vessel will qualify the vessel for the larger limit (provided the exempted permit continues to be registered to the vessel).

Vessel Replacement Exception. If after implementation, the common ownership that meets the 50 percent requirement acquires another vessel, divests itself of the previous vessel, and maintains ownership in the QS Account, then the common ownership linkage between the new QS Account and the previous vessel will qualify the new vessel for the larger limit (provided the exempted permit continues to be registered to the vessel).

Exemption Expiration. Exemptions will expire³² upon transfer of the limited entry permit to a new owner...^{21,22}

Exemption Expiration Suboption: ... or 12 years after any fishing under the regulations start, whichever comes earlier.

Handling Gear-Switching Limit Overages.³³ *The committee is continuing to deliberate on how to handle overages. See options in relation to Alternative 2 and consider how to apply for the active trawler and exempted vessels (vessels with exempted permits). The active trawler and exemption provisions only apply to sablefish, therefore, this discussion should also include rules for handling incidental sablefish catch for trips targeted on non-sablefish species by vessels not operating under either of these provisions.*

Other Species Gear-Switching Limit. For all trawl permitted vessels there will not be any gear-switching limits for other IFQ species.

Back Stop Percentages. Set back-stop percentages of the active trawler group and exempt group to 10 percent and 10 percent, respectively, of northern sablefish trawl allocation. Vessel gear-switching limits for active trawlers would be adjusted from year-to-year to

³¹ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item G.2.a:** Is the addition of the last sentence of this paragraph in line with the Committee intent?

³² Expire means the exemption will be removed from the permit.

³³ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item D.** See Alternative 2 options and discussion on page 7.

keep the active trawler group below the 10 percent back stop amount. Prior to final adoption, the 0.6 percent limit for vessels with exemptions may be reduced if it appears necessary to ensure that **exempted vessels do** not take more than 10 percent of the northern sablefish with fixed gear.³⁴

The following have been moved to the description of rationale in the analytical document.

Discussion of Intent

~~The intent of the active trawler backstop percentage is to ensure that the active trawler group does not collectively take more than approximately 10 percent of the northern sablefish quota with fixed gear in a year. If the collective fixed gear use of northern sablefish quota by the active trawler group does exceed 10 percent in any year, then in the following year, the active trawler vessel limit will be reduced from 1.0 percent to 0.8 percent of the northern sable trawl allocation.~~

~~The intent of the exempt group backstop percentage is to aid development and analysis of the alternative. It is expected that the sum of exempt vessel fixed gear limits will sum to approximately 10 percent. If the sum is significantly greater than 10 percent, consider lowering the 0.6 percent value prior to finalizing this alternative.~~

~~If management changes allow any or all of the 2017 control date southern portion of sable (approximately 24.42 percent) to be harvested north of 36° N. lat., this will trigger a reduction in the fixed gear vessel limit and backstop limit percentages such that the poundage limits are unchanged compared to what the poundage limits would have been without any management changes. This is intended to apply only in the case of management changes intended specifically to address the underattainment and gear switching issues, or conversion to a coastwide Annual Catch Limit (ACL) for sablefish. It will not apply in the case of other changes to the N/S apportionment, such as could occur if the Scientific and Statistical Committee (SSC) recommends revising the basis for apportionment (currently under review by the SSC with a recommendation to the Council expected in November 2019).~~

³⁴ **FOR COMMITTEE DISCUSSION, April Webinar Agenda Item G.2.d:** This issue was included on the committee agenda because of the possibility that the amount of QS owned by vessel owners with QS could exceed the 10 percent backstop, driving the base level exempted permit limit to zero to maintain compliance with this provision. However, analysis indicates that this circumstance is very unlikely to occur. Therefore, unless something changes in the analysis there may be no need to discuss this issue further.