

# Agenda Item C.5: Sablefish Gear Switching

## Council Action (discussion):

- Adopt a range of alternatives and provide other guidance, as appropriate

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## C.5 Motion – WDFW

I move that the following be added to the range of alternatives for analysis as the gear-based quota share alternative:

**Creation of trawl-only Quota Share (QS):** NMFS will create a new management unit from the existing Sablefish North IFQ management unit that will only be eligible to be fished by trawl gears. The existing IFQ management unit will continue to be eligible to be fished with any legal gear. For ease of reference, the resulting QS units are referred to as “trawl only” and “any gear”.

**Split of the Sablefish North trawl allocation:** After conversion both would be adjusted so that the total pool of QS for each is 90 percent (and 10 percent to the Adaptive Management Program). The QS conversion will achieve the Council’s specified split between the two QS types and then each will receive the specified percentage or amount of the trawl allocation of Sablefish North annually. The two options for analysis include:

- Option 1: 71% of the trawl allocation will go to trawl only QS and 29% any gear.
- Option 2: The any gear QS will receive the smaller of 29% of the trawl allocation or 1.8 million lbs with the trawl only QS receiving the remainder.

**Procedure for converting QS holdings:** NMFS will evaluate owners of Sablefish North QS against the fixed gear and IFQ participation criteria and then convert the QS using the following steps:

1. QS acquired by owners after the control date and in excess of what they held on the control date will be converted to trawl only QS.

2. QS owners that do not meet the fixed gear or IFQ participation criteria will have 100% of their QS converted to trawl only.
3. QS owners meeting the fixed gear participation criteria will have 0% of their QS converted to trawl only QS up to the QS they owned on the control date. QS acquired after the control date will be converted to trawl only QS.
4. QS owners meeting the IFQ participation criteria will have their QS converted at the rate that achieves the Council's recommended allocation between the two QS units.

**Participation Criteria:** the criteria focus on QS owners with ownership tracked by the QS Permit. The term "vessel" refers to a vessel owned in full or part by the QS owner. Vessel ownership and fishing activity are evaluated based on the Vessel Account. And the term "fished" refers to landings of Sablefish North QP and activity that qualifies under the control date unless otherwise stated.

*Fixed gear participation criteria* options for analysis:

- Option 1: The vessel fished with fixed gear.
- Option 2: The vessel fished at least 30,000 QP in each of three or more years with fixed gear.

*IFQ participation criteria* options for analysis:

- Option 1: All Sablefish North QS owners not meeting the fixed gear participation criteria and irrespective of vessel ownership and fishing activity.
- Option 2: The vessel fished QP with bottom trawl gear in any of the two years prior to the year of QS conversion.

Moved by Corey Niles

Seconded by Phil Anderson

Motion carries

Marci Yaremko voted no

## C.5 ODFW Motion - Gear Switching Range of Alternatives

I move the Council include the following alternatives in the range adopted for further analysis and review:

### No Action Alternative

#### 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 **and based on a permit or vessel meeting a history of gear switching that meet minimum qualification criteria that include gear switching history and, under some options, linkage between permit, quota share and, or vessel ownership.** 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.

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

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

~~Recent Participation Sub Option: and participated in at least one year from 2016 through 2018.~~

~~Endorsement Qualification Option 2 1: permit (option for vessel) has 30,000 lbs per year in at least 3 years~~

~~Recent Participation Suboption: 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.~~

**(NEW) Endorsement Qualification Option 2: permit (option for vessel) has 30,000 lbs per year in at least 3 years, AND**

quota share ownership (any amount) on the control date by the permit owner (option for vessel owner)

**(NEW) Endorsement Qualification Option 3:** permit (option for vessel) has 30,000 lbs per year in at least 3 years, AND quota share ownership (any amount) AND vessel ownership on the control date by the permit owner (for vessel owner option: “AND permit ownership on the control date by the vessel owner

IF VESSEL used as the qualifying entity, then at implementation, the vessel owner designates a LE trawl permit to carry the gear switching endorsement.

### 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 (option for vessel), the average percentage of the sablefish north trawl allocation caught with fixed gear for years fished between 2011 and the control date.

~~Endorsement Limit Option 2: the standard northern sablefish vessel QP limit (the current limit is 4.5 percent but this could change in the future).~~

**(NEW) Endorsement Limit Option 2:** Each qualifying permit owner (option for vessel) receives

a gear switching limit equivalent to the percentage of quota share owned as of and since the control date; in addition, the difference between the amount thereby allocated and 29 percent will be allocated among all qualifying permits (option for vessel) proportionally to each permit's (option for vessel) average annual gear switched landings (or the qualifying vessels landings) in years fished in the trawl IFQ program before the control date. This additional allocation will be operationalized as an addition to the permit specific limit (option for vessel).

**(NEW) Endorsement Limit Option 3:** the percent of sablefish north QS owned by the qualifying permit owner (option for vessel owner) as of and since the control date

**Trawl permits without gear-switching endorsement.** The annual sablefish north gear-switching allowance for a trawl vessel except when fishing under a permit not endorsed for gear switching is 10,000 lbs. ~~0.5 percent of the sablefish north trawl allocation.~~

**Gear-Switching Limits and Permit Transfers.** For both gear-switching endorsed and non-endorsed permits, 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.

~~**Sequential Permit Registration.** A vessel gear switching under non gear switch endorsed permits (non endorsed permit) may not~~

~~exceed the 0.5 percent/year gear-switching limit by sequentially registering different non-endorsed permits during the same year. A vessel gear switching under a gear-switching endorsed permit may not increase its gear-switching limit beyond that allowed under the endorsed permit by sequentially registering a non-endorsed permit during the same year.~~ FOR FURTHER DELIBERATION: Should a vessel be able to expand its gear-switching opportunity by sequentially fishing under multiple gear-switching endorsed permits?

**Combination of Trawl Permits.** Current management measures allow vessels to combine to permits to create a single permit with a larger vessel length endorsement. If trawl permits are combined and if there is a gear-switching endorsement on either permit, the permit resulting from the combination will have a gear-switching endorsement. If both of the combined permits have a gear-switching endorsement, then the larger of the two limits will be included on the resulting permit.

### **Gear-Switching Limit Overages.**

When a vessel reaches the gear-switching limit (as determined by the permit registered to the vessel), it may retain and sell any sablefish caught in excess of the limit but may not deploy non-trawl gear on any trawl IFQ sector trips taken during the remainder of the year. 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. All gear-switching overages must be covered by QP. Any QP a vessel uses for gear switching in excess of its gear-switching limit will reduce the following year gear-switching limit for its permit by



the amount of the excess QP used. This applies to the permit being used by the vessel at the time of the overage.

Suboption: Any QP a vessel uses for gear switching in excess of its gear-switching limit will not reduce the following year gear-switching limit (i.e. eliminate the last two sentences of the above paragraph).

**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 expire when the permit is transferred to a different owner or a new owner is added to the existing permit ownership (ownership-based phase-down of gear switching).

**Expiration Option 2:** Gear-switching endorsements do not expire when the permit is transferred.

Moved by Maggie Sommer

Seconded by Bob Dooley

Motion carries

Marci Yaremko voted no

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