

F.5 Sablefish Gear Switching

Council Action:

1. Refine alternatives adopted for analysis at the September 2021 meeting, as needed.
2. Provide guidance on analysis, as needed.

DRAFT-NOT FOR ADMINISTRATIVE PURPOSES

I move to instruct staff to discontinue work on this action.

Moved by Corey Ridings

Second by Christa M. Svensson

Roll call vote. Voting no: Smith, Anderson, Moore, Pettinger, Watson, Hassemer, Oatman, Niles, Dooley.

Keeley Kent (NMFS) abstained.

Motion failed.

DRAFT-NOT FOR ADMINISTRATIVE PURPOSES

Gear Switching Motion

I move that the council advance the consideration of limiting gear switching in the Limited Entry Trawl Fishery and confirm the following guidance and intent relative to the questions raised in F.5 Attachment 3 specific to Alternative 1 (F.5. Attachment 2) and add a new alternative as described below.

Alternative 1: Gear Specific Quota Share Guidance

- 1. With respect to classifying QS owners as Gear Switching Participants, what degree of linkage between QS account owners and vessel owners should be required? Where linkages exist, how much of the QS in the account should be converted based on that linkage? **Focus on using the “individual” approach while maintaining the flexibility to use the “Collective” approach depending on the outcome of the analysis.***
- 2. On what date should the linkage between a QS account owner and vessel owner be evaluated? **Use the Control Date.***
- 3. If a collective approach is taken and linkages are valued based on some date in the past (e.g., the control date), what happens if a group splits up prior to implementation? **Only***

the partner that has had a history of owning a gear switching vessel would retain that status.

4. *How might the individual/collective approach and linkage date requirements be applied with respect to the Individual Fishing Quota (IFQ) Participant option that requires a bottom trawl landing within two years prior to implementation? If a collective approach is taken, how would the conversion caps be applied if an ownership group breaks up prior to implementation? Use the individual approach.*
5. *If a collective approach is taken, how would the conversion caps be applied if an ownership group breaks up prior to implementation? If a collective approach is taken and the group breaks up prior to implementation, have a cap proportional to their share of ownership of QS as of the control date.*
6. *Under the collective approach, how is QS owned outside the ownership group treated? Under the collective approach, the QS owned outside the group would not qualify for group classification status.*
7. *Application of criteria to trusts, non-governmental organizations (NGO)s, and governments. Apply same as they would be applied to all other QS owners.*

8. *Application of formulas relying on share of ownership when ownership shares on record do not add to 100 percent.*
Calculate based on reported percent of ownership.

9. *Modification of QS control and annual vessel quota pounds (QP) limits to take into account the division of the northern sablefish allocation into two pools.* **Apply existing accumulation limits only at the aggregate northern sablefish level, i.e. maintain the aggregate northern sablefish QS control limit (3 percent) and QP use limit (4.5 percent), as recommended by the GAP and GMT and do not apply adjustments to convert those into gear-specific limits.**

DRAFT-NOT FOR ADMINISTRATIVE PURPOSES

New Alternative

- Include as a new alternative a variation on Alternative 1 in which the resulting distribution of trawl-only and any gear quota is done at the annual quota pound issuance step, rather than permanently converting quota share. All other provisions of Alternative 1 would remain the same.

Staff Discretion

- In addition to this guidance, the intent is to provide Council staff with the leeway to modify the language of the alternatives to reflect the intent stated.

Moved by Phil Anderson Second by Bob Dooley

Motion carried.

Voting no: Ms. Christa M. Svensson and Ms. Corey Ridings

Abstain: Ms. Marci Yaremko

I move the Council confirm the following statements of intent regarding the requested provisions on which council guidance is needed (F.5. Attachment 3) for the gear switching range of alternatives and request that staff analyze alternative 2 according to this intent:

10 – Prevent potential circumvention of qualification criteria and add provisions stated in the SaMTAAC report (page A-8) for exceptions that should be applied for certain circumstances of quota share account expiration and vessel replacement.

11 – No double counting in complex ownership situations.

12 – In complex ownership situations allow the involved owners to decide how to distribute credit for Quota Share (QS) accounts.

13 – Gear switching limits based on QS should be adjusted to take into account Adaptive Management Program (AMP) Quota Pound (QP) distributions and add a safeguard statement that states, “Nothing in these provisions should be construed or implemented in a fashion that allows the gear switching endorsement limit to exceed the annual vessel QP limit”.

14 – Partial years should be included or excluded based on whichever gives the individual an improved gear switching limit.

15 – Non-endorsed trawl permits be specified as “the lesser of X percentage and 10,000 lbs”.

In addition, the Council requests that Council staff split alternative 2 based on the qualifying options of vessel or permit to reduce complexity and confusion for the analysis.

Moved by Jessica Watson

Second by Corey Niles

Motion passed. Ms. Christa M. Svensson and Ms. Corey Ridings voted no. Ms. Marci Yaremko abstained.