

GROUND FISH ADVISORY SUBPANEL REPORT ON SABLEFISH GEAR  
SWITCHING – INITIAL PRELIMINARY PREFERRED ALTERNATIVE

The Groundfish Advisory Subpanel (GAP) received briefings on this agenda item from Pacific Fishery Management Council (Council) Staff Officers Dr. Jim Seger and Ms. Jessi Doerpinghaus and Ms. Maggie Sommer, National Marine Fisheries Service (NMFS), during our June 13, 2023 virtual meeting and during our in-person GAP meeting in Vancouver, Wash., and offers the following comments.

As the Council is aware, the GAP has worked diligently to try to determine the best way to inform the Council on gear switching options. We reached consensus in April to drop one of the alternatives but remain frustrated as the options and alternatives seem to keep changing.

For the past few years, the GAP has provided two perspectives, trawl and fixed gear, in our statements. Generally, the trawl sector supports Alt. 2 and the fixed gear sector supports the No Action alternative.

The GAP recognizes we may never reach consensus or agreement around one specific alternative or option. However, to better inform the Council the best way we can at this meeting, the GAP generally agrees that:

1. A resolution date of Jan. 1, 2026, is preferred. The gear switching issue is a remnant from the first groundfish trawl catch shares review – and is overlapping/delaying the second review, with no end in sight. It is incumbent on the Council to move forward at this time for timely resolution on this issue.
2. Of all four alternatives, Alt. 1 (quota share, QS) is the least favorable to the GAP. However, that is predicated on incorporating into Alternative 2 two provisions of Alt. 1 that address equity issues of concern to some members of the GAP, as follows):
  - a. Incorporate as suboptions into Alt. 2, the principles behind provisions from Alt. 1 that address qualification of ownership groups, co-operatives, and first receivers. Because of differences between the structure of alternatives, the language of the provisions will be different when incorporated into Alt. 2.
  - b. Include in Alt. 2 a suboption that would allow entities to qualify for a legacy status: Entities (e.g., partnerships, corporations) that own QS and receive the annual issuance of quota pounds (QP) and meet gear switching “legacy” criteria would be attributed legacy status at the entity level. In other words, the legacy status would stay with the entity. For example, if the entity is a corporation, the legacy status of the entity would remain valid (not expire) upon transfer/sale or inheritance of the corporation.

In the event one of the shareholders decides to leave the entity, then the entity would decide what happens to the legacy status and inform NMFS accordingly. In all cases, the maximum amount of QS/QP the legacy applies to would remain static.

The GAP discussed the issue around passing on historic opportunity to family members through QS, status, etc. The GAP recommends the Council consider tasking staff to bring back suboptions for consideration on how these concepts could be incorporated into the eventual iPPA.

PFMC  
06/22/23