

Limited Entry Fixed Gear (LEFG) Follow On Actions and Fixed Gear Marking

Agenda Item H.4
Supplemental Staff Presentation 1
June 2023

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June 2023 Council Meeting

Background

- Council prioritized items in March 2023 from GF Workload List
 - LEFG items from LEFG Primary Tier Program review (completed in June 2022)
 - Fixed gear marking- based on gear marking workshop in response to the 2020 Humpback BiOp and recommendations from NMFS Report in March 2023

Briefing Book Materials

- Attachment 1: Scoping document
- NMFS Report 1 on LEFG follow on actions and fixed gear marking
- NMFS Report 2 on Cost Recovery
- Supplemental GAP/GMT/EC Report
- Public comment

Council Action

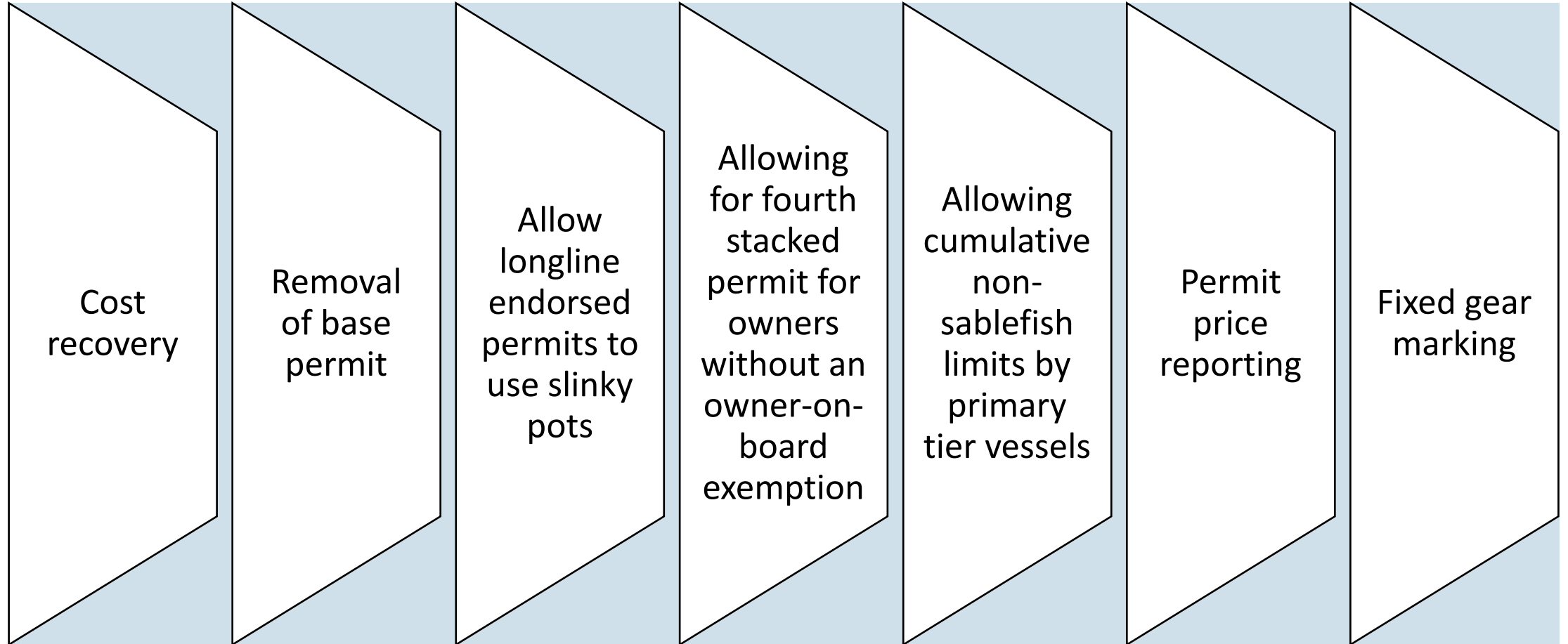
- 1. Identify issues to be addressed*
- 2. Provide guidance of packaging of items to be addressed*
- 3. If possible, provide guidance on potential alternatives*

LEFG Sector Overview

- Vessels must be registered to a fixed gear endorsed permit- longline or pot
- Two sectors within LEFG: trip limit and sablefish tier
- Only allowed to fish with gear on registered permit (or would need to declare into OA)

Gear Endorsement	Number of LEFG Permits	Registered in 2022	Number with Sablefish Endorsement (Primary Tier Fishery)	Registered in 2022
Longline	191	160	132	129
Pot	28	27	28	28
Longline and Pot	4	4	4	4

Potential Management Measures



Cost Recovery

- MSA requires NMFS to collect fees to recover costs related to mgmt., data collection, and enforcement directly related to and in support of limited access privilege programs (LAPPs)
- After conclusion of 2022 review, NMFS identified that certain tasks associated with tier program were cost recoverable
- This action would develop a cost recovery program for the LEFG tier program
 - NMFS Report 2 outlines draft cost recovery program for Council and ABs to consider

Removal of Base Permit

- Originally intended to assist in administration of gear and length restrictions under Amendment 14
- Base permit: registered to vessel for longest period of time that is sufficient to vessel
- 2022 LEFG primary tier review noted information is incomplete and requirement already covered
 - NMFS: Unnecessary administrative burden
- Limited workload, no cost to industry, positive admin impacts

Allow longline endorsed permits to use slinky pots

- A-6 goals and objectives: reducing capacity with least disruption to current fishing practices, accommodating historical participation and investment, and reducing conflicts b/t user groups
- Gear endorsements: prevented vessels from switching from a less powerful to more powerful gear
- Considered single fixed gear endorsement
 - Would have provided more flexibility and matched sablefish allocations
 - Council recommended LGL and POT endorsements to minimize opportunity for expansion of effort (constrain capacity)

Allow longline endorsed permits to use slinky pots

- Mgmt measure would allow longline endorsed permits to utilize slinky pots
 - Pot endorsed permits could use slinky pots now
- Most vessels with both endorsement types use only a single gear type (Table 2 of Attachment 1)
- Conservation Impacts
 - Depend on if vessels registered to longline permits replace most or all of longlines with slinky pots
 - Pots could reduce non-target species mortality or some protected species interactions
 - Slinky pots are lightweight- may see increased in ghost fishing

Allow longline endorsed permits to use slinky pots

- Economic Impacts

- Permit prices- Depend on relative profitability for each gear type
- Slinky pots are relatively inexpensive and can run on same groundlines as LGL gears
- Operational cost savings with fewer crew needed
- Smaller pot → more pots on vessel → efficient harvest and greater catch

- Workload

- Need to examine existing policies for gear endorsements and allowance for slinky pots
- Need to further understand tradeoffs with conservation and economic impacts
- Enforcement- need to discuss regulations

Questions for Council Consideration

- 1. What is the need for allowance of slinky pots by vessels using longline endorsed permits? Conservation, flexibility, efficiency, etc.?*
- 2. Should the Council consider removing the specific gear endorsements (i.e., longline or pot) and allow vessels to use the most efficient type of fixed gear for the target species? Or should the gear allowance be extended to all legal non-trawl gear (like IFQ gear switchers)?*

Allowing for fourth stacked permit for owners without an owner-on-board exemption

- No individual, partnership, or corporation may own or hold more than three permits
- Owner-on-board provision requires that owner be on board vessel to which its registered to in order to harvest tier
 - Exemptions were granted to partnerships, corporations, etc under A-14 (not required to be onboard to harvest)
 - Exemptions are specific to permit owner, not the permit
- Measure would allow those without an owner-on-board exemption to stack up to four permits on a vessel
 - Owner of fourth permit would need to be on board while harvesting
 - Intended to provide opportunity to new entrants, like crew members

- Based on the 2022 program review,
 - ~1/4 to 1/3 of vessels have the max of three permits stacked
- Need OLE report on clarification of owner-on-board exemption
- Workload
 - NS4, NS8
 - Changes to tracking systems
 - Regulatory amendment

Fourth stacked permit

Are there other management measures that may provide opportunities for new entrants into the primary tier fishery?

Would the 3 permit own/control limit also be changed?

Allowing Cumulative Non-Sablefish Limits by Primary Tier Vessels

- Currently each tier vessel is subject to cumulative landing limits for non-sablefish species
- Mgmt. measure would allow for a cumulative limit to be taken for each permit stacked (up to 3)
- Preliminary analysis for shortspine and lingcod shows few vessels take a cumulative limit
- Unlike sablefish, most other species are just managed within the broader non-trawl allocation
 - Any additional harvest by primary tier vessels may impact other commercial and recreational fisheries
- Workload: Potentially high, with considerations for enforcement, catch accounting, equity

Cumulative Non-Sablefish Limits: Questions for Council Consideration

1. *What is the purpose and need of this management measure? Is it to provide additional opportunity, reduce regulatory discards, or other reasons?*
2. *Are there other pathways to provide additional landing opportunities for those reaching the limit (e.g., increasing trip limits for all LEFG)?*
3. *Would the ability to take multiple cumulative landing limits only apply during the tier season (April-December) or would it be year-round?*

Permit Price Reporting

- Initially recommended by SSC during 2014 LEFG primary tier program review
- Data would help indicate market value of fishery, evaluate performance during program reviews, and contrast performance with trawl IFQ
- Limited analytical workload, but workload by EDC and permit owners

Gear Marking

- Humpback BiOp required Council consider findings of feasibility report on pot gear marking regulations by March 2024
- March 2023- received report on gear marking workshop
 - NMFS Report 3- summary and recommendations on improving gear identification in and reducing risk of entanglements
 - Expanded scope to bottom longline gear (SRKW concurrence letter)
- Pot/Longline used in Directed OA, LEFG, and IFQ (Table 9)
- Workload
 - Consider how to utilize past efforts (e.g., D crab)
 - May need additional workshops to develop ROA

Gear Marking: Questions for Council Consideration

1. *What is the most efficient method to develop gear marking requirements for the LEFG fleet?*
 - a. *Option 1: Only LEFG.*
 - b. *Option 2: LEFG + all other sectors that use pot and longline fisheries under the groundfish FMP (IFQ gear switchers and open access).*
 - c. *Option 3: LEFG with one or two additional sectors.*
2. *Should the Council combine this effort with other efforts (e.g., slinky pot authorization) so that conservation benefits and impacts are considered collectively in light of the current BiOp?*

Possible Pathways

Option 1: Move entire package forward for consideration in September for ROA

- Include some or all of proposed measures (plus any new measures)
- Council and ABs need to confirm description and application of mgmt. measures
- If ideas for potential ROA, include guidance at this mtg
- Confirm or define problem and need now to help with P&N development

Option 2: Split into 2 packages

- Fixed Gear Package
 - Gear marking
 - Slinky pot
- Primary Tier Follow On Package
 - Other items
- Prioritize FG package for September and Primary Tier package to follow at later date
- Same considerations as Option 1 in terms of guidance for Sept

Council Action

*Identify Issues to be Addressed, Including
Potential Consideration of Alternatives, and
Provide Guidance on Process and Timeline*