

## NMFS Report on Directed Open Access Fishery Permit

This report provides information relative to the directed open access fishery permit item on the tentative new management measure list for the 2025-2026 groundfish biennial harvest specifications and management measures. NMFS previously provided a brief description of this potential action in March 2023 ([Agenda Item F.8.a, NMFS Report 1](#)). This proposal, which we intend for consideration as part of the specifications and management measures package, is smaller in scope than the item added to the new management measure list.

We would seek to develop, as part of the 2025-2026 management measures package, a permit requirement only for vessels in the exclusive economic zone participating in the directed open access fishery (defined at 660.11 under “[Open Access Fishery](#)”):

- (1) For the purpose of the non-trawl logbook requirements at [§ 660.13](#) and the provision to fish inside the nontrawl RCA at [§ 660.330\(b\)\(3\)](#), directed open access fishery means that a fishing vessel is target fishing for groundfish under the requirements of [50 CFR 660 subpart F](#), is only declared into an open access groundfish gear type or sector as defined in [§ 660.13\(d\)\(4\)\(iv\)\(A\)](#), and has not declared into any other gear type or sector.*

We recommend the creation of a new groundfish permit type for this sector. The permit would not be limited, making it more similar to the relatively new Pacific halibut permits than the existing limited entry groundfish permits. We would seek to maintain, to the extent practicable, the accessibility of the directed open access fishery. We are exploring the possibilities of rolling permit applications and issuance versus standard application/renewal timeframes and expect to report back on that exploration at a future meeting.

We would likely need vessels to indicate their gear type, e.g., bins such as pot, longline, stationary vertical jig gear, groundfish troll gear, other hook and line, etc., aligning with declarations and the logbook. Based on declarations in 2023, this would capture approximately 115 vessels.

All permits issued by NMFS carry an administrative cost, per the requirements for user fees based on the provision of a service<sup>1</sup>. These costs vary based on the administrative costs of receiving applications, reviewing applications and any association required documentation, and issuing permits as a factor of the number of expected applications. Annual permit fees across

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<sup>1</sup> In accordance with Department of Commerce policy contained in the Handbook of Accounting Principles and Standards, Chapter 11 (<https://www.commerce.gov/ofm/publications/handbooks-and-manuals/financial-management-handbooks/accounting-principles-and>)

West Coast fisheries currently range from \$18 for the limited entry drift gillnet permit to \$170 for the groundfish limited entry permit.

We are recommending consideration of a directed open access permit at this time because the Council has recommended an effort shift to the “12E” midwater hook and line gear types (non-bottom contact stationary vertical jig and groundfish troll - specified at [50 CFR 660.330\(b\)\(3\)](#)) based on an early, but still somewhat uncertain, understanding that these gear types may have less quillback interactions. In order to better verify this lesser impact and continue to allow effort in that emerging portion of the fishery, we would like the ability to specifically consider targeted monitoring by the West Coast Groundfish Observer Program of that component of the directed open access fishery.

As we mentioned under our original proposal in March 2023, to more specifically tailor observer coverage in the open access sector, we need advance notice of potential participation. We expect this action would also benefit better inseason tracking of activity in this emerging opportunity. We would like the opportunity to scope this issue and will commit to taking on the workload for development. Because we are only proposing a narrow consideration of directed open access, we would like the broader item for open access registration or permit to remain on the workload list for future consideration.

We would expect this action would have a low analytical workload, and a medium rulemaking and implementation workload due to the need to develop a new information collection under the Paperwork Reduction Act and the need to develop a new permit type as well as the on-going burden of issuing permits. However, we think the administrative burden is outweighed by the benefits of having a federal permit.