

GROUND FISH FISHERY MANAGEMENT PLAN (FMP) AMENDATORY LANGUAGE
PROPOSED FOR THE COUNCIL PRELIMINARY PREFERRED ALTERNATIVE ON
GEAR-SWITCHING.

The following proposed modifications to the groundfish FMP would be consistent with the Council's preliminary preferred alternative on gear-switching and within the scope of the action the Council has been considering to date. Two different options are provided for Council consideration. The options vary in the level of policy detail that would be included in the FMP. The balance between the framework and detail provided will affect the need for future FMP amendments and hence the time and effort required for changes to any specifics of the gear-switching policy (depending on workload differences between regulatory and FMP amendments).

Proposed changes **highlighted in yellow** are housekeeping changes—primarily updating terminology and improving the precision of the text. The first two sentences of the fourth paragraph provide the necessary context for the language on a gear-switching limitation and the remainder is the language directly related to the gear switching action. Section 6.9.3.2 is included here because it relates to one of the housekeeping changes (removal of a sentence that contains the same information as 6.9.3.2).

The groundfish FMP would be amended as follows.

6.9.3 Fishery Rationalization

6.9.3.1 The Trawl **Catch Share Rationalization** Programs

The **trawl rationalization catch share** program **(also referenced as the trawl rationalization program)** applies to vessels holding trawl-endorsed groundfish LE permits (and mothership processors registered to mothership permits). The program is intended to reduce fishery capacity, minimize bycatch, and meet other goals of the FMP.

There are separate catch share systems for each trawl sector covered under the trawl rationalization program: the shoreside sector, the at-sea mothership sector and the at-sea catcher processor sector.

The shoreside sector is managed with an individual fishing quota (IFQ) The program system that replaceds most cumulative landing limits (in for both whiting and non-whiting shoreside LE trawl sectors-trips) and the shorebased side whiting season with individual fishing quotas. Under the Magnuson-Stevens Act, "an 'individual fishing quota' means a Federal permit under a limited access system to harvest a quantity of fish, expressed by a unit or units representing a percentage of the total allowable catch of a fishery that may be received or held for exclusive use by a person." The Council may establish IFQ programs for any commercial fishery sector.

An IFQ grants an entity the privilege to catch a specified portion of the shoreside trawl sector's allocation. Within the shoreside IFQ program, vessels are allowed to use a variety of directed groundfish commercial gear (including nontrawl gear) to take the shoreside trawl sector allocation. The use of nontrawl gear while participating in the shoreside IFQ program is termed "gear switching." Gear switching may be restricted for individual species or species groups on an ongoing basis or when specific fishery circumstances arise warranting such a restriction. . . .

[The following options vary in the amount of detail they would include in the FMP. Bold text indicates differences between the options]

FMP Amendment Option 1 (reference triggers generically): . . . In particular, there will be a limitation on the amount of gear switching allowed for northern sablefish, except in years **that meet trigger criteria specified in regulation.** When the limitation is in effect, it will be accomplished by the issuance of northern sablefish quota pounds (QP) as trawl-only QP and any-gear QP.

FMP Amendment Option 2 (include the specific triggers and trigger values): . . . In particular, there will be a limitation on the amount of gear switching allowed for northern sablefish, except in years **when the northern sablefish ACL is greater than or equal to X mt [value TBD by Council FPA] or gear switching has used an average of 29 percent or less of the annual trawl allocation of northern sablefish over the three most recent full years for which data is available [inclusion of 29 percent criteria to be determined by Council FPA].** When the limitation is in effect, it will be accomplished by the issuance of northern sablefish quota pounds (QP) as trawl-only QP and any-gear QP.

The Pacific whiting mothership sector is managed through a system of cooperatives (co-ops) under which catcher vessels choosing to fish in a co-op would be obligated to deliver their catch to an associated mothership processor. Each year motherships and catcher vessels must identify which co-op they plan to participate in. If they do not plan to join a co-op for that year they participate in a non-co-op fishery. The Pacific whiting catcher-processor sector operates as a single, voluntary co-op. If the voluntary catcher-processor co-op dissolves, any allocation to the sector will be divided equally among the catcher-processor endorsed permits.

Appendix E describes the details of the trawl rationalization program that was implemented in Federal regulations.

The trawl rationalization program described in Appendix E may be modified through regulatory amendments proposed by the Council per §303(c) of the MSA and reviewed by the Secretary per §304(b). Appendix E may be revised from time to time to reflect changes to the program, but changes can be made without submitting such changes for review by the Secretary as described in §304(a) of the MSA. The Council will establish a process for considering recommended changes to the regulations.

6.9.3.2 Rationalization of Other Fishery Sectors

IFQ programs could be established in other fishery sectors for the purposes of reducing fishery capacity, minimizing bycatch, and to meet other goals of the FMP. Participants in an IFQ fishery may be subject to individual total catch limit management (Section 6.7).