

October 22, 2017

Mr. Phil Anderson, Chairman

PFMC

7700 NE Ambassador Place, Suite 101

Portland, OR 97220

Agenda Item F.2

Public Comment

Dear Chairman Anderson,

My husband, Bob Eder and I own the F/V Timmy Boy. We fish out of Newport, OR. Our son, Dylan Eder is now the primary captain, and along with 3 additional crewmen, catch sablefish with fixed gear in the trawl individual quota program.

In 2011, the first year of the trawl IQ program, we bought the Timmy Boy, its trawl permit and fishing history for over \$1,000,000, from a trawl fisherman who had decided to retire, and we began fishing our trawl quota with fixed gear—pots. The boat had a decades-long history of fishing for sablefish with both trawl gear **and** pots.

In 2012, the boat went into the yard for a significant rebuild. Hundreds of thousands of dollars were spent, in part to upgrade, but also in part to make it a more efficient pot vessel, suited to our operation. Because we were in the yard for almost all of 2012, we leased our trawl quota to other vessels.

In 2013, we resumed fishing our trawl quota with pots, as we have each year through 2017.

In 2015, we borrowed money and spent over half a million dollars to purchase additional sablefish quota **from a trawl fisherman who wanted to sell us his quota**. During the program, we have also leased quota from trawl-net fishermen **who wanted us to catch their sablefish quota**, and in several years, have leased enough to get us close to a vessel cap.

It's distasteful to talk in public about how much money we've spent doing x or y, making our business investments available for all to review. But we don't know any other way to drive home the point that, as encouraged and permitted by the trawl IQ program, we

have made a significant financial investment. We haven't built a new home or a vacation home. We haven't purchased additional vessels. We've reinvested in our business and bought a revocable privilege to access a public resource. And in doing so, like other trawl quota fishermen using fixed gear, we've followed both the rules and the intent of the program.

We're now confronted with demands from the trawl net fishermen and processors to limit the amount of sablefish that can be caught with fixed gear.

We would point out that over the last 7 years, sablefish has been freely available for lease, and subsequently, for purchase, in the market place. **Frankly, trawl net fishermen are now seeking to take, by regulation, that which they have chosen not to lease or buy.**

However, understanding that this is a trawl IQ program, we've made several suggestions to limit gear switching, as well as suggest a way to make more fish available to all. We've requested a control date be set, after which participation in the gear switching program may not be counted under any future regulation. The Council has acted on this request.

We've also suggested removing the line at 36 degrees, and making that sablefish quota available coast-wide. It bears repeating that last year, in 2016, less than 200,000 pounds of 1.3 million pounds of quota were caught in the south, and to date, only 222,000 pounds of 1.6 million pounds of quota have been caught this year. Making the quota available to all fishermen in the north and south should calm the complaints from trawl net fishermen that "There's not enough sablefish available for us to catch our Dover," and who say, (incorrectly) that it is because of gear switching.

Please note: We are strongly opposed to the suggestions that would set a limit on the percentage of the quota that can be caught only by trawl gear, or by fixed gear. Limiting the quota to a percentage that can only be caught with one gear type or another— that creates a race for fish, at the beginning of the year, when the weather is the worst. It's a safety risk that this program was intended to avoid.

We also strongly oppose dividing quota such that a percentage of what we own or lease must be caught with trawl gear. We suppose that could work for you if you only fished with trawl nets, or if you owned more than one vessel, and one vessel fished with trawl gear and the other with fixed gear. But that isn't the case in 95% of the vessel operations using fixed gear.

We think setting a control date and making more fish available will address any perceived problems. However, if the Council decides to further limit effort, we offer this idea: create a fixed gear endorsement for the trawl permit. How would this work? Here

are some basic outlines of a program that would significantly limit participation and curtail growth. It would incorporate the principle that apportionment of quota is based primarily on production history.

1. Establish a gear endorsement for FG on the trawl permit

There's precedent for this—for example, limited entry trawl permits are already endorsed for trawl gear, and adding fixed gear to the permit can be done relatively easily and inexpensively. NMFS has indicated that an endorsement on a permit is easier to do and is far less expensive and/or complicated than trying to assign a percentage of quota share that could be caught with fixed gear or limited to trawl.

2. Establish a threshold of participation for a permit to qualify for a gear endorsement i.e. 70,000 pounds in any one, two, or three years during 2011-2017 or a total of 250,000 pounds from 2011-2017. The intent is to include those fishermen with significant investment and participation in the fishery. (The poundage in this example is for illustration only; it would be based on a percent of the total quota).

3. A trawl permit that qualifies for a fixed gear (FG) endorsement would continue to be able to land up to the maximum of any one year's landings. In other words, if the maximum pounds of sablefish you've landed is 100,000 pounds in any one year during 2011-2017, that would be the poundage limitation on your FG endorsed permit. Stacking of permits would also be allowed, up to a vessel cap.

4. A trawl permit endorsed for FG can continue to lease sablefish from trawl fishermen, up to their maximum catch of any previous year. For example: If you own 20,000 pounds of sablefish quota but have leased 90,000 additional pounds, and that is the most you have ever landed in one year of the program, you can continue to lease up to the maximum of any one year's landings.

5. A trawl permit endorsed with FG can be leased to a trawler who wishes to newly start fishing with FG, but a limit on the total pounds allowed to be fished with FG would still be the maximum poundage in any one year that qualified the original permit for the FG endorsement.

But before the Council considers any future limitation on gear switching, it is most important to note that this year, as of the date of this letter, **there is over 1.3 million pounds of sablefish quota still available to be caught in the NORTH.** It is unlikely that this year's trawl sablefish quota is going to be caught.

By limiting gear switching, trawl net fishermen and processors are asking you to fix a problem that gear switching has not caused—the reality is that there aren't sufficient markets for the Dover sole that are caught with the sablefish. We would urge you not to go down the road of a plan amendment to attempt a fix for a marketing problem that is out of your control. Instead, use the first couple of tools in the tool box—a control date, and making fish available coastwide, before engaging in more radical management measures that irreparably damage the millions of dollars of good faith investment by FG fishermen.

Sincerely,

Bob Eder and Michele Longo Eder

F/V Timmy Boy

Argos, Inc

P.O. Box 721

Newport, OR 97365