

COUNCIL MOTION FOR THE TRAWL RECENCY AMENDMENT: PURPOSE STATEMENT AND ALTERNATIVES, COMPONENTS AND OPTIONS

Introduction

The proposed amendment applies threshold landings criteria to trawl groundfish fisheries in the Bering Sea, Aleutian Islands, the western Gulf of Alaska and central Gulf of Alaska. The intent of the amendment is to prevent latent trawl groundfish fishing capacity, comprised of LLPs from the respective areas that have not been utilized in recent years, from future re-entry into the fishery.

In December 2005, in preparation for consideration of provisions under this proposed amendment, the Council set a control date of December 11, 2005 for participation in the BSAI Pacific trawl CV fishery. The control date was notice to the public that participation in trawl groundfish fisheries by recently unutilized LLPs after this date may not be considered for future allocation or eligibility. Since this initial action, the focus of the amendment has expanded to include all groundfish species, options were added to consider application to CP LLPs and the area of implementation was expanded to include groundfish trawl CV and CP fisheries in the GOA. The moratorium as initially established by the Council does not correspond to the current formulation of the amendment.

The groups likely to be affected by the proposed amendment include trawl CV and trawl CP groundfish LLP permit holders in the abovementioned areas, as well as those holders of LLP permits, that would have groundfish area endorsements extinguished under provisions of the amendment. Under options being considered in the amendment, the Council may choose to expand application of the threshold criteria to both CV and CP trawl groundfish LLPs in the BSAI and GOA. The alternatives in the action apply the harvest thresholds to trawl groundfish LLPs at the management district level (BSAI & GOA) or at the submanagement district level (AI, BS, WG and CG). Note that under LLP area designations, the CG submanagement area includes west Yakutat.

The rationale for this action is concern over the impacts possible future entry of latent effort would have on the LLP holders that have exhibited participation and dependence on the groundfish fisheries. Latent effort, as addressed by this amendment, is comprised of valid LLPs that have not been utilized in the trawl CV groundfish fishery and the trawl CP groundfish in the BSAI & GOA in recent years. Recency, as defined in the alternatives, has been determined by the Council to be either: (a) participation during the 11 year period from 1995-2005 or (b) participation during the 6 year period from 2000-2005. The Council also specified that the analysis include 2006 non-AFA trawl groundfish harvests for the Aleutians Islands submanagement area (see Component 5 in the descriptions of alternatives below). In their discussions on this issue, the Council noted that LLP holders currently fishing the BSAI and GOA groundfish trawl fisheries have made significant investments, had long catch histories and are dependent on the groundfish resources from these areas. The Council believes these current participants need protection from LLPs that could re-enter the fisheries in the future.

As noted above, the management areas included under this program are the Bering Sea/Aleutian Islands (BSAI) and Gulf of Alaska (GOA). The management subareas areas included are the Bering Sea (BS), the Aleutian Islands (AI), the western Gulf of Alaska (WG), and the Central Gulf of Alaska (CG). The species included in the amendment include all species of trawl groundfish harvested in the above areas. Invertebrates (squid and octopus) crab, prohibited species (salmon, herring, halibut and steelhead), other species (sculpins, skates and sharks) and forage fish are not included and should not be affected by this amendment.

The Council's adopted the following draft problem statement on June 11, 2006.

Trawl catcher vessel eligibility is a conflicting problem among the Bering Sea, Gulf of Alaska and Aleutian Islands. In the Bering Sea and Gulf of Alaska, there are too many latent licenses and in the Aleutian Islands there are not enough licenses available for trawl catcher vessels.

In the Bering Sea and GOA, the trawl catcher vessel groundfish fisheries in the BSAI and trawl vessel groundfish fisheries in the GOA are fully utilized. In addition, the existence of latent licenses may exacerbate the disadvantages to GOA dependant CVs resulting from a lack of comprehensive rationalization in the GOA. Competition for these resources is likely to increase as a result of a number of factors, including Council actions to rationalize other fisheries, favorable current market prices and a potential for TAC changes in future years. Trawl vessel owners who have made significant investments, have long catch histories, and are dependent upon BSAI and GOA groundfish resources need protection from others who have little or no recent history and with the ability to increase their participation in the fisheries. This requires prompt action to promote stability in the trawl catcher vessel sector in the BSAI and trawl vessel sector in the GOA until comprehensive rationalization is completed.

In the Aleutian Islands, previous Congressional and Council actions reflect a policy encouraging economic development of Adak. The opportunity for non-AFA CVs to build catch history in the AI was limited until markets developed in Adak. The analysis indicates that there are only six non-AFA CV trawl AI endorsed LLPs. The Congressional action to allocate AI pollock to the Aleut Corporation for the purpose of economic development of Adak requires that 50% of the AI pollock eventually be harvested by <60' vessels. The Council action under Am. 80 to allocate a portion of AI POP and Atka mackerel to the limited access fleet does not modify AFA CV sideboard restrictions, thus participation is effectively limited to non-AFA vessels with AI CV trawl LLP endorsements. A mechanism is needed to help facilitate the development of a resident fishing fleet that can fish in both state and federal waters. The Council will consider different criteria for the CV Eligibility in the AI.

It is important to note that the main focus of the amendment is to reduce the future potential for increases in trawl groundfish fishing effort from LLPs currently unused or underutilized in all areas. However the last paragraph on the problem statement addresses the need to increase the number of valid non-AFA trawl LLPs in the Aleutian Islands area, and is therefore different in its objective from other management areas included in the amendment.

In addition to the main portion of the amendment that addresses numbers of LLPs meeting the harvest threshold over different qualification periods (Component 1, Options 1 & 2 with suboptions), it address a number of other aspects of LLPs in the BSAI and GOA groundfish fisheries, including: an alternative to exempt LLPs assigned to vessels less than 60 feet in length (Component 1-Option 3); an alternative to apply the threshold criteria to the group of LLPs assigned to trawl CPs in the BSAI that are neither part of the AFA sector nor qualified under Amendment 80 (Component 1 – Option 4); a provision to deal with multiple (stacked) LLPs assigned to a single vessel (Component 2); an option to exclude AFA LLPs (Component 3); an option to exclude LLPs assigned to vessels qualified under Amendment 80 (Component 4); and an option for vessels with a catch history in the parallel waters or 2006 State waters Aleutian Island Pacific cod fishery that would be eligible, under the threshold criteria, to obtain an AI LLP on the basis of their past landings history for groundfish (Component 5).

Trawl Recency Amendment - Description of Alternatives, Components and Options

Alternative 1 – No Action: Under this alternative the existing situation will continue. All LLPs currently issued will continue to be valid for the BSAI and GOA trawl groundfish fisheries. There would also be no change in the number of non-AFA trawl CV LLPs for the Aleutian Islands area, which could occur under Component 5.

Alternatives 2 and 3 are differentiated by two the area-level designation: whether or not the program is implemented at the management area or subarea designation.

Alternative 2 would implement LLP threshold criteria based upon BSAI and GOA management areas. It would specify application of all trawl groundfish harvests within these areas for the respective qualification period. This threshold assessment only applies to trawl harvests and will not change non-trawl area endorsements on LLPs.

Alternative 3 would implement LLP threshold criteria based upon BS, AI, WG and CG subdistrict management areas. It would specify application of trawl groundfish harvests within these areas for the respective qualification period. This threshold assessment only applies to trawl harvests and will not change non-trawl area endorsements on LLPs.

Component/Option Choices Common to Alternatives 2 and 3

Alternatives 2 and 3 have a common set of five components that form the remainder of choices for this amendment. The Council can choose to include and apply any combination from these components to either Alternative 2 or Alternative 3. The respective components address the issues of qualification period; landing criterion applied to determine qualified LLPs; multiple LLPs registered to a single vessel; potential exclusion of AFA qualified vessels; potential exclusion of Amendment 80 vessels; and options for separately addressing LLPs in the Aleutian Islands groundfish fishery.

Component 1 includes a number of possible choices for landings criteria to be applied to the current LLP holders for existing trawl LLPs in the respective areas. The varying factors under Component 1 are the choice of qualification period (2000-2005 or 1995-2005); choice of threshold criteria to be applied (at least one landing for the qualification period or at least two landings for the qualification period); and a final choice to exempt vessels with an overall length less than 60 feet from application of the threshold criteria. The choices for Component 1 are as follows:

Component 1 – Option 1 requires at least one landing of groundfish during the qualification period of 2000-2005.

Component 1 – Option 1 - Suboption 1 requires at least one landing of groundfish during the qualification period of 1995-2005.

Component 1 – Option 2 requires at least two landings of groundfish during the qualification period of 2000-2005.

Component 1 – Option 2 – Suboption 1 requires at least two landings of groundfish during the qualification period of 1995-2005.

Component 1 – Option 3 provides a choice to exempt trawl LLPs in the BSAI or GOA assigned to vessels less than 60 feet in overall length from application of the threshold criteria. Selection of this option can be independent of other Component 1 options.

Component 1 – Option 4 provides a choice of whether to include non-AFA & non-Amendment 80 BSAI CPs in application of the groundfish threshold landings criteria.

Component 2 provides a choice where there are multiple LLPs registered to a single vessel, also known as ‘stacking’ of LLPs. The Council has specified a provision to deal with this situation as follows:

Component 2 – will fully credit groundfish harvest history to all stacked licenses, each carrying its own qualifying endorsements and designations.

Component 3 provides a choice of whether to exclude AFA vessels from LLP qualification under the amendment. The Council identified a single option as follows:

Component 3 – Option 1 will exclude LLPs originally issued to vessels qualified under the AFA and LLPs used for eligibility in the AFA.

Component 4 addresses consideration of excluding Amendment 80-qualified vessels from LLP qualification under the amendment. The Council identified a single option as follows:

Component 4 – Option 1 will exclude LLPs originally issued to vessels qualified under Amendment 80 and LLPs used for eligibility in Amendment 80.

Component 5 is different from other parts of the proposed amendment. It evaluates the effect of adding new LLPs to the Aleutian Islands non-AFA trawl groundfish CV fishery based on harvests during the respective qualification periods. Harvests for the parallel waters fishery in the Aleutian Islands and also the 2006 State waters fishery are included in the basis for qualification. In February 2007, the Council directed the following specifications for Component 5:

A – Component 5 to be retained within the trawl recency analysis

B – The options within Component 5 are as follows:

- 1) For non-AFA vessels < 60 feet in length to receive an AI trawl endorsement, consider landing thresholds in the AI parallel cod fishery between 2000-2005 of at least:
 - a. 50 metric tons*
 - b. 250 metric tons*
 - c. 500 metric tons**
- 2) For non-AFA vessels > 60 feet in length to receive an AI trawl endorsement, consider landing thresholds of at least one landing in the AI parallel (groundfish fishery) or State water cod fishery between 2000 and 2006 **plus** landings in the BASI cod fishery between 2000 and 2006 of at least: (a) 500 metric tons, or (b) 1,000 metric tons*

Note from Council staff:

At the March/April 2007 meeting, the Council deleted previous alternatives 3 and 5 that aggregated trawl and non-trawl groundfish harvests to meet the threshold criteria. In making this change, the Council stipulated that only trawl LLP area endorsements will be affected by the proposed amendment. Non-trawl area endorsements will not be affected. A change in LLP data recording by NOAA Fisheries will be required to implement this approach, as outlined in their discussion paper by NOAA Fisheries and presented to the Council at this meeting.