

ADVISORY PANEL
Motions and Rationale
February 7-10, 2023 - Seattle, WA

C3 Area 4 Vessel Use Cap Interim Measures

The AP recommends to the Council that they take final action to:

Waive the Vessel Use Cap regulations under 50 CFR Section 679.42(h)(1) for halibut in IPHC Regulatory Areas 4A, 4B, 4C, and 4D, to act as an interim measure through 2025, unless the Council takes action to implement a permanent regulatory action revising vessel use caps passed by the Council in June 2022.

The AP also recommends to the Council that they prioritize analysis and implementation of the permanent regulatory action to revise vessel use caps.

The analysis should consider the impact of vessel use cap revisions in each of Areas 4A, 4B, and 4CD as individual areas and consider permanent action in each area accordingly.

Motion Passed 18/0

Rationale in Favor of Motion:

- As staff have been unable to dedicate the time to find a clear long term solution, this agenda item is meant as an interim solution to an emergent problem.
- The AP feels that an interim solution with a 3-year sunset (rather than 5-year) will give council staff the time needed to develop a set of reasonable alternatives for a longer term solution to this agenda item. Concern was voiced by stakeholders (including the parties who originally proposed this action) that a 5-year “interim measure” is too long. The main concern is that eliminating vessel caps in all of IPHC Region 4 for a 5-year period may irreversibly reduce fleet size, crew opportunity/new entrance, and local support sector employment; in its place, business models could begin to be built based on quota consolidation by non-local boats fishing well above historic caps.
- The analysis states that during past rulings on this request as an emergency action “The Council was clear that it strongly supports vessel caps in the IFQ Program.” For this principle to be maintained, area specific differences should be considered in development of long-term solution.
- The AP noted that aside from concerns related to the Covid-19 pandemic, this action was presented specifically to address concerns in Area 4CD where access to the regional processor in St. Paul has been lost. Other areas have retained continued access to local processing (4A). Analyses of a long term solution term should consider breaking down impacts between IPHC areas 4A, 4B, 4C and 4D separately, as the current analysis shows differences in the impacts between each of these regions.

Most of the data in the current analysis is already presented in this format and further incorporation may benefit analyses without affecting the timeline or drafting of a document which addresses a long-term solution.

- Vessel caps are a critical component of maintaining one of the original intents of the halibut IFQ program. Other provisions such as, owner on board or leasing restrictions, and quota use caps will remain in place under this action.
- This motion is responsive to the 10 National Standards. Particularly #s 5, 7, and 8:
 - National Standard 5: Considers efficiency in utilization and allows for variations among and contingencies in fisheries by increasing flexibility for fishers.
 - National Standard 7: Minimizes cost; especially related to the after effects of COVID 19 and the current limited processing capacities within Area 4 coastal communities.
 - National Standard 8: Considers fishing communities and provides for their sustained participation and minimizes adverse economic impacts.