

D-1 (c) AFA Vessel Replacement GOA Sideboards

February 5, 2012

Problem Statement:

Groundfish sideboard protections are included in the AFA to prevent participating AFA vessels from increasing fishing effort beyond historical catch in the GOA. Ambiguities exist pertaining to groundfish sideboards in the AFA vessel replacement provisions of the Coast Guard Authorization Act of 2010 (Act). For vessels with multiple licenses, it is unclear whether the MLOA on the Bering Sea LLP or the GOA LLP applies to a replacement vessel when fishing in the GOA. Additionally, if an AFA vessel exempt from the GOA sideboards is removed from the fishery and assigns its pollock quota to another vessel, the Act is unclear whether the GOA exemption is transferable in addition to the pollock quota. Action is needed to clarify vessel replacement provisions of the Act and prevent increased capacity in the GOA groundfish fisheries by AFA vessels.

The Council requests staff to prepare an analysis for initial review including the following action alternatives and options:

Issue 1: Replacement/rebuilding provisions

For AFA non-exempt vessels to fish in the GOA, a replaced/rebuilt vessel:

- Alt 1. May not exceed the most restrictive MLOA specified on any GOA LLP assigned to the vessel at the time the vessel owner applies to NMFS for replacement or rebuilding. (The MLOA of any BSAI LLP assigned to the vessel to be replaced does not apply.)
- Alt 2. May not exceed the most restrictive MLOA specified on any GOA LLP assigned to the vessel at the time the Act was approved (Oct 15, 2010). (The MLOA of any BSAI LLP assigned to the vessel to be replaced does not apply.)
- Alt 3. Abide by current 10% limit on increasing the existing length, horsepower and tonnage, at the time the Act was approved (Oct 15, 2010).

For AFA exempt vessels to fish in the GOA, a replaced/rebuilt vessel:

- Alt. 4. May not exceed the LOA specified on the FFP for the vessel to be replaced or rebuilt at the time the Act was approved (Oct 15, 2010).

Issue 2: Vessel removal provisions

Upon removal of an exempted vessel, the sideboard exemption is extinguished and cannot be transferred to another vessel.