

ADVISORY PANEL
Motions and Rationale
October 4-8, 2021 - Anchorage, AK

C2 IFQ Omnibus

The AP recommends releasing the analysis for final action with the following changes to elements and options. Additions are shown in **bold underline** and deletions are shown in ~~striketrough~~.

Purpose and Need:

IFQ stakeholders, the IFQ Committee, and NMFS have identified regulatory revisions that could increase operational efficiency, reduce administrative burden, and clarify how harvesters can meet existing regulatory requirements. In addition, the Council is considering revisions to pot limits and gear tending restrictions also identified through the recent 3-year GOA sablefish pot review to determine whether they are serving their intended purpose.

The Community Quota Entity (CQE) program was modified in 2014 to include the Aleutian Islands. This allowed the community of Adak to form a CQE and purchase halibut and sablefish quota. Since the implementation of the Aleutian Islands CQE in 2014, Adak has faced challenges being able to harvest its IFQ. The Council is considering temporarily broadening who is eligible to harvest IFQ held by the Adak CQE to provide more opportunities for more fully harvesting its allocation.

Alternatives

Alternative 1: No action

Alternative 2: Revise IFQ/**CDQ** program regulations to address the following regulatory clarifications

Element 1: Clarify that “slinky pots” are a legal gear for the IFQ/**CDQ** fishery, and revise regulations to allow the use of biodegradable twine in the door latch or pot tunnel.

Element 2: Remove buoy configuration, flagpole, and **radar reflector** requirements in regulation but retain “LP” marking requirement.

Element 3: Authorize jig gear as a legal gear type for the harvest of sablefish IFQ/**CDQ**.

Element 4: Revise the pot gear configuration requirements to remove the 9-inch maximum width of tunnel opening so it does not apply when the vessel begins a trip with ~~has~~ unfished halibut IFQ onboard.

Option: Remove the 9-inch maximum width of the tunnel opening for sablefish pots.

Element 5: Pot Limits

Option 1: Change the Pot Limit for Western Yakutat (WY) and/or Southeast Outside (SEO) to

Suboption 1) 160 pots per vessel

Suboption 2) ~~180-200~~ 200 pots per vessel

Suboption 3) 300 pots per vessel

Element 6: Gear Retrieval requirements

Option 1: Remove the gear retrieval requirement

Option 2: Modify the gear retrieval requirement to 7 days for all GOA areas

Suboption: 3 days in SEO

(2) Option 3. Maintain the current gear retrieval requirement of 5 days for the CGOA

(1)Element 7 clarify regulations so that vessels may record trip information for both pot and hook-and-line gear in the same logbook.

Alternative 3: Remove Adak CQE residency requirement for a period of five years.

Note: Alternatives 2 and 3 are not mutually exclusive.

Amendment 1 passed 20-0

Amendment 2 passed 20-0

Main Motion as amended 20-0

Rationale in Favor of Amendment 1:

- *This amendment responds to NMFS' recommended regulation changes to allow the DFL to be used for both pot and hook-and-line gear. The language is intended to include both the DFL and other logbooks legal for hook-and-line gear that also contain pot gear specifics.*
- *As the analysis points out (page 66), a vessel using both pot and hook-and-line gear must currently use two logbooks in order to be legal. The analysis further notes that "A common practice is for vessels to record both gear types in the IPHC logbook, not in the Federal DFL because it is likely more user-friendly."*
- *Written public comments mirror the statements in the analyses that some members prefer logbooks other than the DFL.*

Rationale in Favor of Amendment 2:

- *Given the benefits of pot gear regarding efficiencies and whale depredation, there will likely be an increase in the use of this gear type beyond the 67% current usage. The number of vessels*

covering the edge in the CGAO is a concern such that pre-emption of grounds will likely get worse (noting no analysis of impacts to trawl gear); therefore, the additional two days contained Element 6 will make a significant difference and will also allow vessels opportunity to deliver anywhere regardless of distance.

- *The primary purpose of this amendment is to ensure that the status quo of 5 days (no action) is available if Alternative 2 (and other elements) were to be selected. It is unclear whether the choice of “no action” can translate to each of the elements independently under the action alternative.*

Rationale in Favor of Amended Main Motion:

- *Changes included to the Elements incorporate those discussed by the IFQ Committee. Given the mixed responses (lack of consensus on pot limits, gear tending and retention of halibut in pots) by Committee members to some of the Options, a PPA was not selected at this time. Further analysis and accompanying public comment will allow for better selection of Alternatives/Elements/Options at the time of final action.*
- *Original motion did not include CDQ nor did it address radar reflector requirements, which are outdated as stated by the IFQ Committee.*
- *There is a lack of consensus within the IFQ fleet regarding a directed halibut pot fishery in the GOA under Element 4. Because staff are analyzing the retention of halibut in pots for this action, it would seem appropriate to examine aligning the GOA regulations with the BSAI to be forward thinking and stay on top of the whale depredation issue. As such, the original motion language was clarified and another option was provided that would loosen the regulations to allow a directed halibut pot fishery.*
- *The pot limit suboptions under Element 5 have been adjusted to reflect the latest public and written comment, and to reflect the composition of the gear. For example, a common amount of pots per string for the fleet is 40. SEO fishers are comfortable with each boat having an additional string, which is where the 160 pot suboption is derived from. The 200 pot suboption was included to also coincide with the 40 pot/string gear composition and would potentially add two additional strings per vessel.*