

# IFQ Omnibus Analysis

April 2022

Final Action

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# Purpose and Need, p9

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2)

*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.*

3)

*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, p13

**Alternative 1:** No action

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

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

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

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

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

**Option: Remove the nine-inch maximum width of the tunnel opening for vessels targeting IFQ sablefish.**

**Element 5:** Pot Limits

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

**Suboption a) 160 pots per vessel**

Suboption ~~ab)~~ **200** pots per vessel

Suboption ~~bc)~~ 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

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

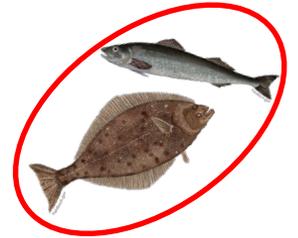
Note: Alternatives 2 and 3 are not mutually exclusive.



# History of Action (Alt 2), p9

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- April 2015- Council final action on GOA Am 101
  - Implemented in 2016, pot fishing legal for 2017 IFQ season
  - Allowed retention of incidentally-caught halibut, linked to sablefish IFQ.
- October 2018- Council final action on BSAI Am 118
  - Implemented in 2020
  - “Directed” halibut pot fishery in BSAI (not linked to sablefish IFQ)
- April 2021- GOA sablefish pot review, Council initiated current action
- October 2021- IFQ Omnibus initial review
- April 2022- IFQ Omnibus final action



# Alternative 1

## p14

Status quo, no action

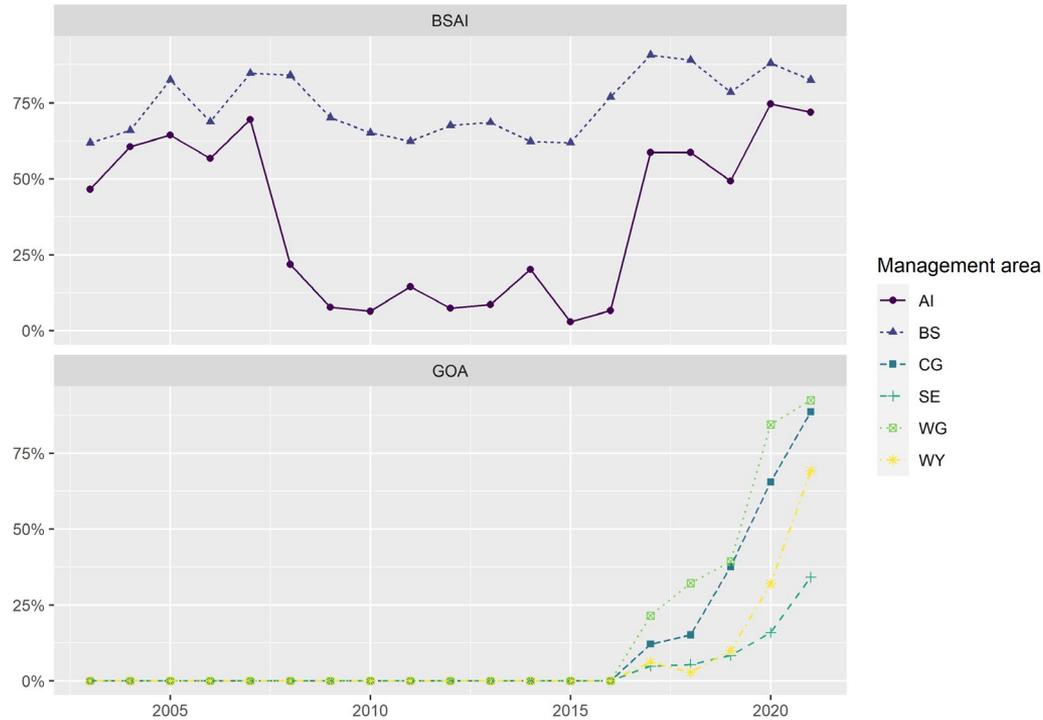


As it relates to Alt 2:

- The IFQ fisheries in the BSAI and GOA would be required to operate as described in regulation.
- Less flexibility for IFQ participants fishing with pot gear than Alt 2
- Table 2-1 on p17 describes status quo vs. Alternative 2



# Pots in the IFQ Fisheries, p36



**Figure 4-3 Percentage of IFQ/CDQ sablefish catch by pot gear by FMP and management area.**  
Source: AKRO/AKFIN (COUNCIL.COMPREHENSIVE\_BLEND\_CA accessed Jan 21, 2022)



# Pot gear in the IFQ fisheries, p36

Table 4-6 Percent of sablefish IFQ landed by pots versus HAL gear in each GOA subarea

Year	WG		CG		WY		SE	
	% Pot	% HAL						
<b>2017</b>	22%	78%	12%	88%	7%	93%	5%	95%
<b>2018</b>	33%	67%	16%	84%	2%	98%	5%	95%
<b>2019</b>	37%	63%	31%	69%	9%	91%	8%	92%
<b>2020</b>	86%	14%	67%	33%	33%	67%	17%	83%
<b>2021</b>	93%	7%	90%	10%	71%	33%	35%	65%



# Pot gear in the IFQ fisheries, p36

Table 4-7 # vessels that harvested sablefish IFQ by GOA subarea and gear type

Year	WG		CG		WY		SE	
	Pot	HAL	Pot	HAL	Pot	HAL	Pot	HAL
<b>2014</b>		59		168		103		183
<b>2015</b>		54		161		99		178
<b>2016</b>		61		156		103		177
<b>2017</b>	6	54	18	144	10	96	10	166
<b>2018</b>	11	50	17	136	9	89	12	169
<b>2019</b>	14	39	24	119	14	82	14	159
<b>2020</b>	27	24	72	86	39	68	44	143
<b>2021</b>	38	13	98	73	63	56	83	123



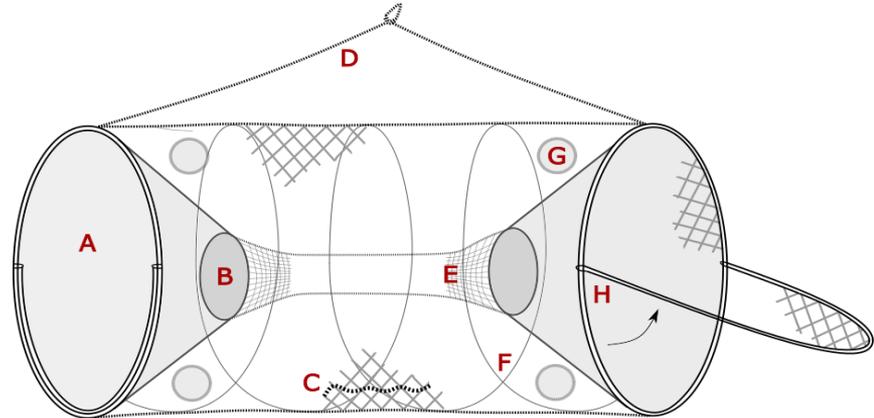
# Slinky pots

p39-41,55-57, 87-89

*“a biodegradable panel at least 18 inches in length that is parallel to, and within 6 inches of the bottom of the pot, and that is sewn up with untreated cotton thread no larger than size 30”*



Photo courtesy of Jane Sullivan, AFSC



**Figure 4-8 Diagram of a slinky pot and components.** Courtesy of Jane Sullivan, AFSC.

A = pot end (composed of closed helical spring)

B = tunnel opening / tunnel entrance (rigid/hard or flexible/soft)

C = bio twine/escape panel (aka “rotten cotton”)

D = bridle.

E = fine mesh tunnel entrance (aka “sock tunnel”).

F = slinky/spring coil, which serves as the frame of the pot and also allows it to collapse.

G = escape ring (note that there are four escape rings in this diagram).

H = door hinge (note that there are doors on both pot ends).

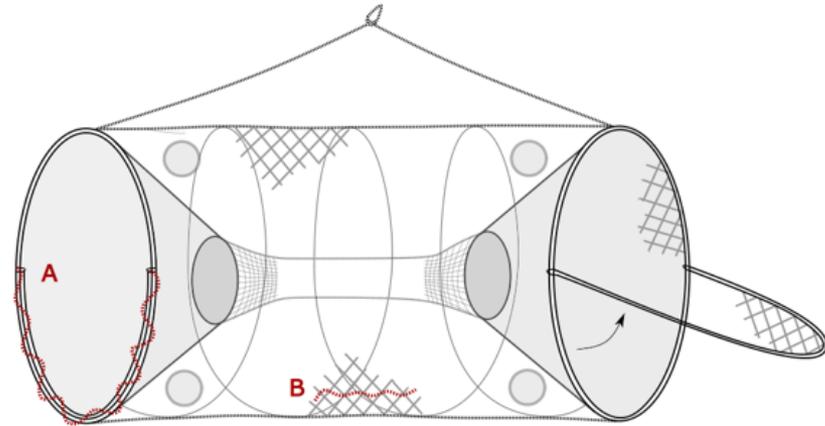


**Element 1:** Clarify that “slinky pots” are a legal gear for the IFQ fishery, and revise regulations to allow the use of biodegradable twine in the door latch or pot tunnel. p39-41,55-57, 87-89

WOULD APPLY TO BSAI AND GOA



Photo courtesy of Alexander Stubbs



**Figure 4-11 Slinky pot with biodegradable twine.** Courtesy of Jane Sullivan, AFSC.

A = Proposed element 1. Cotton biodegradable twine (aka bio twine, rotten cotton) laced around the hinged door opening on the end cap.

B = status quo: 18" bio twine "escape panel" cut into pot mesh.



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

WOULD APPLY TO BSAI AND GOA



Socioeconomic Impacts (p55):

- Increased flexibility to choose most efficient gear design
- No additional burden of adjusting gear
- Less potential for gear malfunction and loss of catch



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

WOULD APPLY TO BSAI AND GOA

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Environmental Considerations and Impacts, p87-89:

- Concern is ghost fishing
- Efficacy of this escapement mechanism and the status quo mechanism are not well understood
- New concerns identified post-analysis



# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

## Element 1: Slinky pots as a legal gear for IFQ/CDQ fisheries

- Slinky pots are an allowable gear type
  - Data collection and project updates for 2022
- 

### **Element 1: Revise regulations to allow the use of biodegradable twine in the door latch or pot tunnel.**

- Element 1 would add an exception at 679.2(15) to allow the use of biodegradable twine wrapped around the door or in the mesh. The exception would only apply to IFQ/CDQ fisheries.
- The exception would not apply to non-IFQ/CDQ groundfish fisheries (i.e. Pacific cod)
- Potential changes to state regulations for escape mechanisms in groundfish pots



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

WOULD APPLY TO GOA

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Socioeconomic impacts (p57):

- Fewer gear costs
- More space available on deck
- Gear could be potentially less visible



# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

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

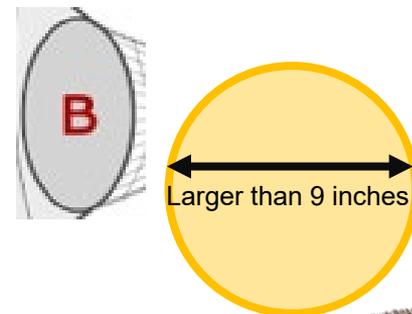
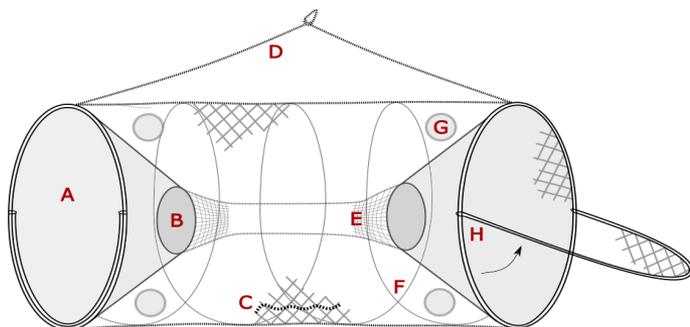
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- This element would remove the above requirements from 679.24(a)(3) but retain the requirement for marking with the capital letters “LP”
- This element would make changes to regulations that currently only apply to vessels fishing in the GOA



**Element 4:** Revise the pot gear configuration requirements to remove the nine-inch maximum width of tunnel opening so it does not apply when a vessel begins a trip with unfished halibut IFQ onboard. WOULD APPLY TO GOA

Option: Remove the nine-inch maximum width of the tunnel opening for vessels targeting IFQ sablefish. WOULD APPLY TO GOA AND BSAI



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- A = pot end
- B = tunnel opening / tunnel entrance
- C = bio twine/escape panel (aka "rotten cotton")
- D = bridle
- E = fine mesh tunnel entrance (aka "sock tunnel")
- F = slinky/spring coil
- G = escape ring
- H = door hinge



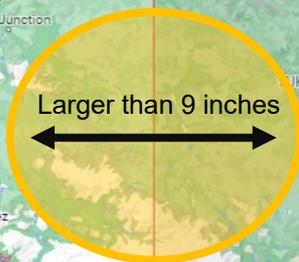
# Status quo (Alt 1)



Bering Sea



Larger than 9 inches



Gulf of Alaska



**Halibut IFQ**  
**Permit #**  
**48290**

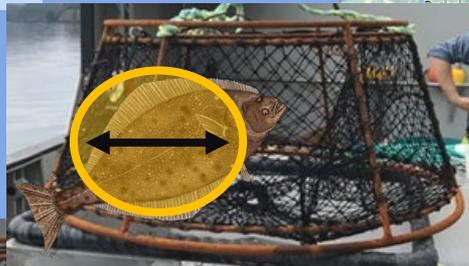


**Sablefish IFQ**  
**Permit #**  
**48290**



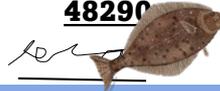
# Alternative 2, Element 4 without the option

Bering Sea



Gulf of Alaska

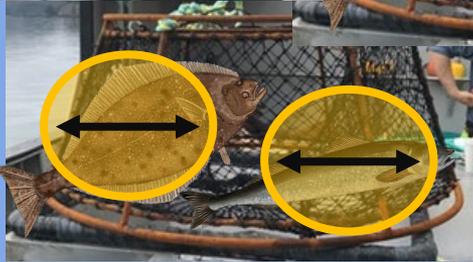
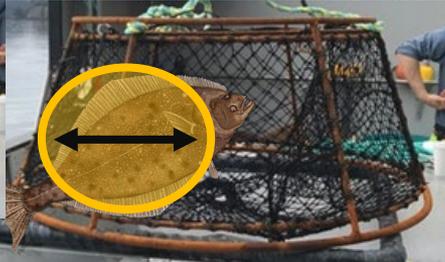
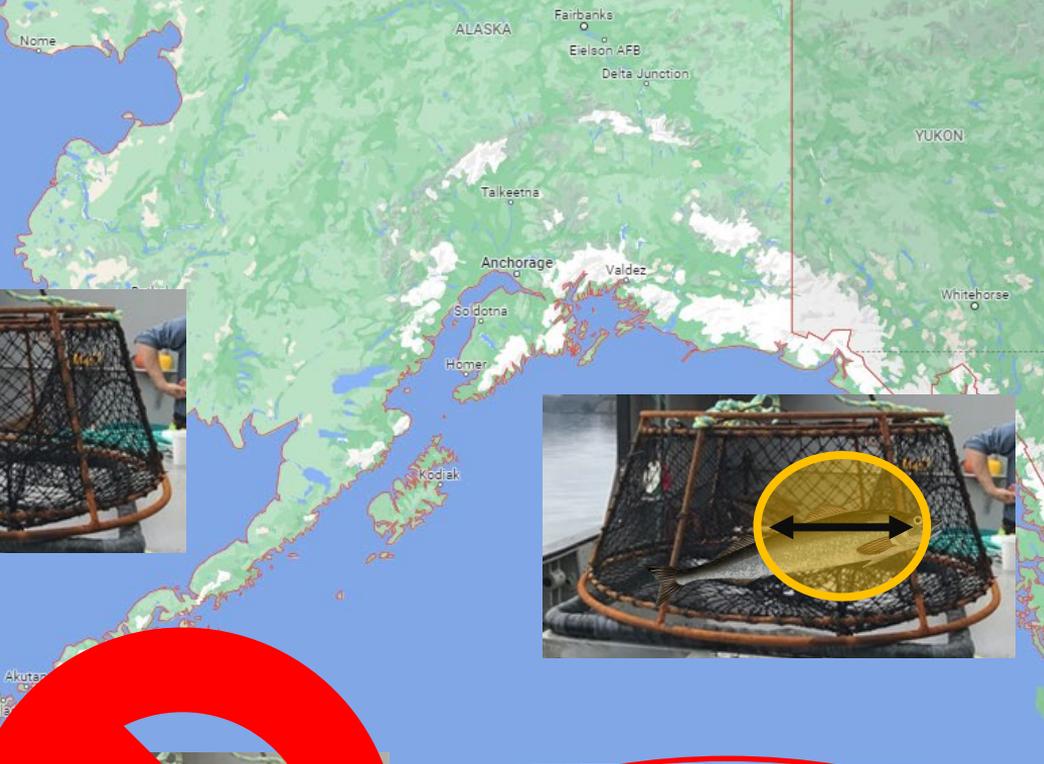
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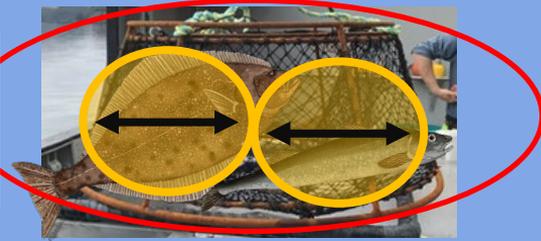
**Sablefish IFQ**  
**Permit #**  
**48290**



# Alternative 2, Element 4, with the option



<b>Halibut IFQ</b>	<b>Sablefish IFQ</b>
<b>Permit #</b>	<b>Permit #</b>
<b>48290</b>	<b>48290</b>
	



**Element 4:** Revise the pot gear configuration requirements to remove the nine-inch maximum width of tunnel opening so it does not apply when a vessel begins a trip with unfished halibut IFQ onboard. WOULD APPLY TO GOA

Option: Remove the nine-inch maximum width of the tunnel opening for vessels targeting IFQ sablefish. WOULD APPLY TO GOA AND BSAI

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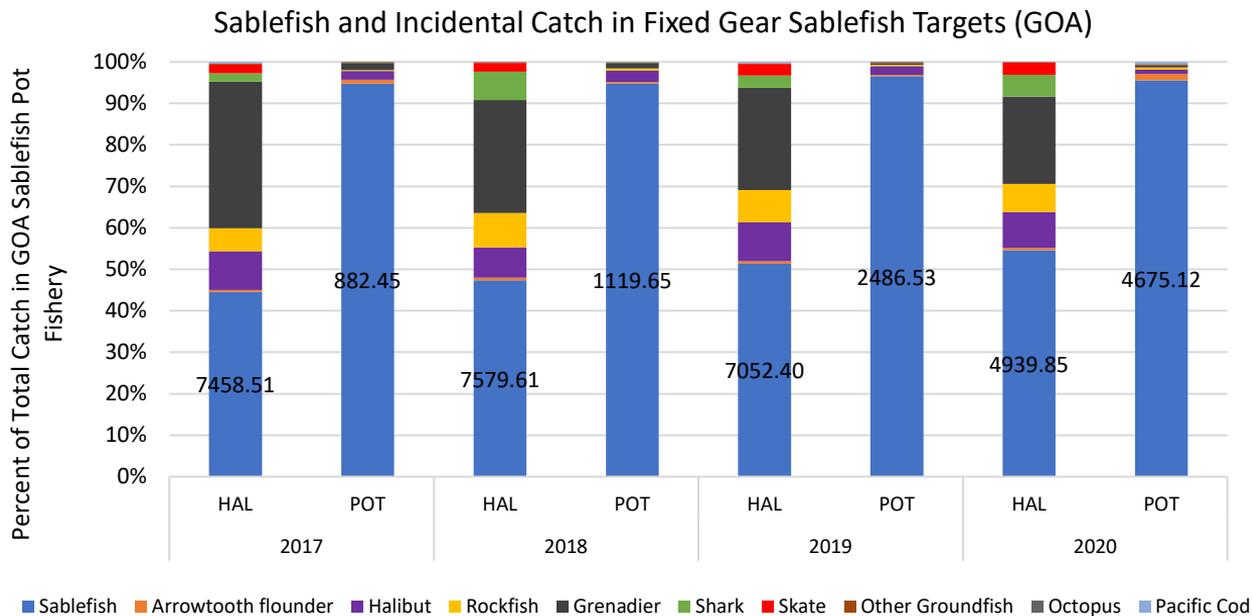
### Socioeconomic impacts (p62):

- Increased flexibility for harvesters to choose gear design they find efficient
- Increased ability to target halibut (and potentially larger sablefish)



**Element 4:** Revise the pot gear configuration requirements to remove the nine-inch maximum width of tunnel opening so it does not apply when a vessel begins a trip with unfished halibut IFQ onboard. WOULD APPLY TO GOA

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# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

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

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- Current definition of Pot gear does not differentiate between pots used to fish groundfish and pots used to harvest IFQ/CDQ sablefish and halibut
- Element 4 without the option: specific to GOA, a similar exception already exists for the BSAI
- Element 4 with the option: both GOA and BSAI, regardless of if the vessel has halibut IFQ/CDQ onboard. This would likely result in a more consistent exception for compliance and enforcement across both areas and IFQ species.



**Element 5 (GOA):** Change the pot limit for WY and/or SEO to:

Suboption a) 160 pots per vessel

Suboption b) 200 pots per vessel

Suboption c) 300 pots per vessel

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	<b>GOA status quo</b>	<b>BSAI status quo</b>	<b>Proposed Alt 2</b>
<b><u>Element 5: Pot limits</u></b>	Current pot limits: SE- 120 WY- 120 WG – 300 CG- 300	No pot limits	GOA pot limits: SE- 160/200/300 WY- 160/200/300 WG-300 CG-300 BSAI – no limits



## Element 6: Gear retrieval requirements (GOA)

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



### GOA status quo

### BSAI status quo

### Proposed Alt 2

	GOA status quo	BSAI status quo	Proposed Alt 2
<b>Element 6: Gear retrieval requirements</b>	SEO CPs 5 days SEO CVs must remove the gear from the fishing grounds when making a sablefish landing WY/CGOA CV/CPs 5 days WGOA CV/CPs 7 days BSAI no requirements	No gear retrieval requirements	Option 1 – No gear retrieval requirements GOA/BSAI wide. Option 2: GOA- 7 days. BSAI- no requirement <ul style="list-style-type: none"><li>• <u>Suboption</u>: 3 days in SEO</li></ul>



# Impacts of Elements 5 and 6

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- Increased operational efficiency
- Possible for increased gear conflicts, grounds preemption
- Impacts likely vary by area



# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

## Element 5: Pot Limits for Western Yakutat and/or Southeast Outside

160 or 200 or 300 pots per vessel

## Element 6: Gear retrieval requirements

**Remove, modify current requirement to 7 days for all areas, or 3 days for SEO only**

- 
- Element 5 and 6 would revise the current pot limits and gear retrieval requirements at 679.42(I)(5)
  - In general, enforcement prefers consistency across areas
  - Current pot limits are 300/vessel for WG and CG and 120/vessel for SE and WY
  - Current gear retrieval requirements vary by area



### Element 3: Authorize jig gear as a legal gear type for the harvest of sablefish IFQ and CDQ. WOULD APPLY TO GOA AND BSAI

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- Likely to benefit IFQ holders with small vessels or small amounts of IFQ
- Selective gear type, minimal incidental catch

	BSAI (tons)	GOA (tons)
GROUND FISH <sup>1</sup>	54	1,659
HALIBUT	0	3
LING COD	0	22
Grand Total	54	1,738

**Table 4-17 Jig landings (annual average 2014-2020)**

Source: ADFG/CFEC Fish Tickets, data compiled by AKFIN in Comprehensive\_FT.

<sup>1</sup>Groundfish is comprised of 95.6% of Pacific Cod and 3.8% rockfish



# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

## Element 3: Authorize Jig Gear as a legal gear type for the harvest of sablefish IFQ/CDQ

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- Analysts provided an expanded discussion on the applicability of the GOA and BSAI FMPs, allocations and how Element 3 would be implemented
- Under the status quo, jig gear is currently authorized for IFQ/CDQ halibut in GOA and BSAI
- Element 3 would authorize jig gear for IFQ/CDQ sablefish and require modifications to regulations at 679.2 for definitions, 679.20 for allocations, and remove restrictions at 679.21 and 679.24



# MANAGEMENT, MONITORING, AND ENFORCEMENT CONSIDERATIONS

## Daily Fishing Logbook requirements for vessels less than 60 ft LOA using more than one gear type

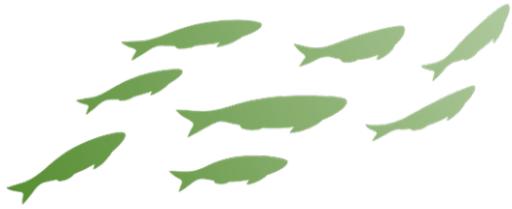
- NMFS would clarify these regulations so that vessels may record trip information for both pot and hook-and-line gear in the same DFL

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## Fishing effort information recorded in the Daily Fishing Logbook

- Fixed gear regulations are challenging to interpret for gear deployment and gear retrieval
- NMFS is conducting an in-depth review of regulations to address this issue and clarify how to record spatial data in the DFL for hook-and-line gear





# Questions on Alternative 2?



# Purpose and Need: p9

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- 3) *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.*



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Suboption: 3 days in SEO

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

Note: Alternatives 2 and 3 are not mutually exclusive.



# CQE Background, p41

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- Three performance standards:
  1. *Maximize benefit from use of community IFQ for crew members that are community residents.*
  2. *Ensure that benefits are equitably distributed throughout the community.*
  3. *Ensure that QS/IFQ allocated to an eligible community entity would not be held and unfished.*
- CQEs may purchase catcher vessel QS. IFQ may be transferred to **eligible community residents**



# “Eligible community resident” p15

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*(i) Is a citizen of the United States;*

*(ii) Has maintained a domicile in a rural community listed in Table 21 to this part for the 12 consecutive months immediately preceding the time when the assertion of residence is made, and who is not claiming residency in another community, state, territory, or country; and*



# Alternative 3: History of Action, p10

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- 2010- ACDC proposal for Adak CQE
- 2014- BSAI Amendment 102 implemented
  - Allowed CQE in Area 4B (Adak)
  - Included 5-year exemption from residency requirement



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

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### P42 (Background)

Adak experiencing:

- Population decline
- Few local vessels available
- Processing closures



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

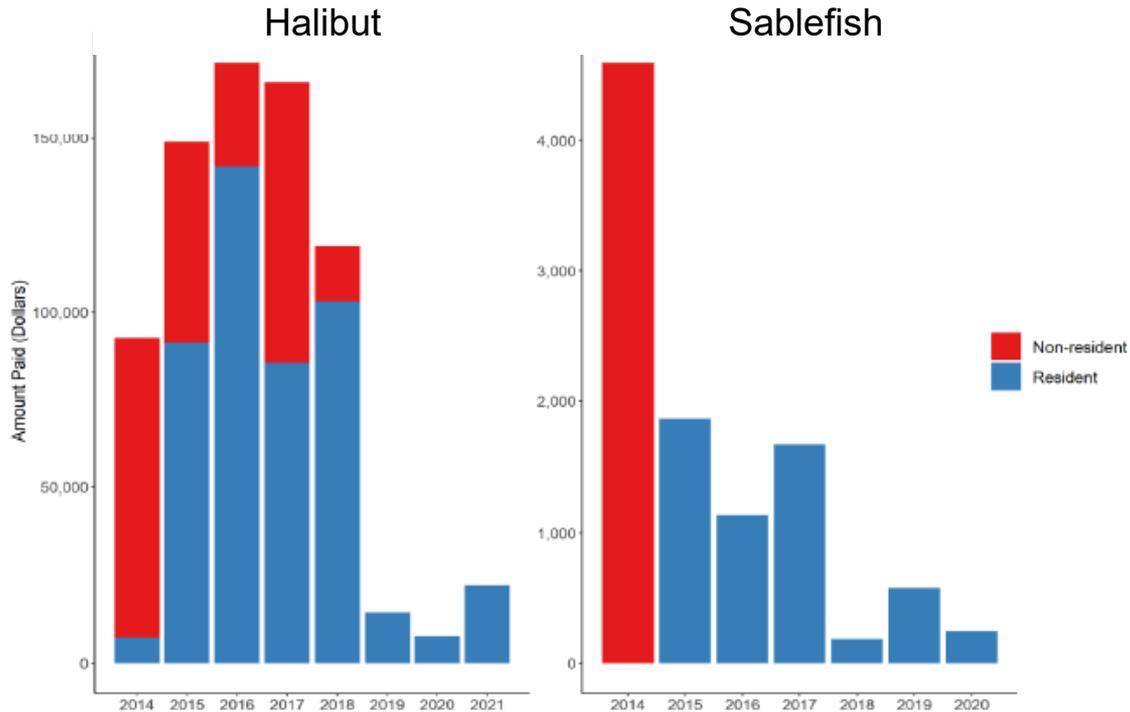


Figure 4-9 Payments made to ACDC

Source: ACDC CQE Annual Reports 2014-2021; ACDC\_IFQ\_Payments.xlsx

p51



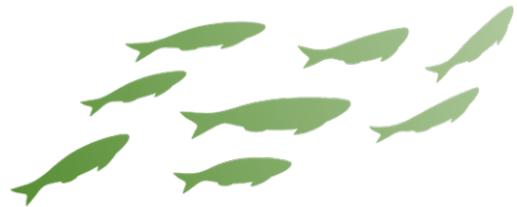
## **Alternative 3:** Remove Adak CQE residency requirement for a period of five years.

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### Impacts, Section 4.8 p69

- Larger pool of vessels to harvest IFQ
- Could encourage non-residents to participate in fisheries and eventually become residents
- Impacts influenced by status of processing plant
- Leasing of CQE to non-residents could increase revenue that ACDC would be able to collect and put back into building and stabilizing the fishing economy of Adak
- No significant effects on individual participants in the IFQ fisheries, or residents of non-CQE communities





# Questions?



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