

# Discussion Document 8

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## Limited Access and Authorization to Fish

The purpose of this document is to discuss how a limited access program, common throughout many of our existing FMPs (see table below), can be applied to a place-based (rather than species-based) FEP. Although catch limits would be specified and possibly allocated to vessels or groups of vessels, a limited access program is needed to prevent undue entry into the fishery (pl.), which could cause overfishing or depletion and dispersion of potential fishery benefits. This limited access program would obviously apply to commercial vessels, but might also be applied to all or segments of recreational fisheries.

Since many of the vessels in existing limited access programs are enrolled in more than one limited access program (see table below), often across different jurisdictions (NEFMC, MAFMC, ASMFC, HMS, etc.), the type of limited access program discussed here cuts across multiple jurisdictions and may, in the end analysis, allow a vessel to fish for a species in its MU that it is not currently authorized to fish. Conversely, a vessel that is permitted to fish for a species throughout its range, may be able to fish for that species only in the MUs that it is authorized to fish. Vessels that had fished in multiple MUs could also be authorized to fish in more than one MU, but vessels with no history of fishing in an MU would not be authorized to fish there in the future.

By the same token, a place-based limited access system would enhance profitability and have social benefits to coastal communities that rely on local (or in some cases distant) fishing activity. It also has the potential to reduce (or possibly eliminate) discards of valuable fish that would otherwise be caused by species-based limited access permitting. Fishing vessels with an MU limited access permit would be able to fish for any species (subject to potential special situations below) that is available within the MU, subject to catch limits defined by a trophic category, or guild<sup>1</sup>. Thus, as species distributions, availability, and abundances change, vessels within defined MUs would be able to target those resources with their place-based limited access permit, subject to ecosystem catch limit specifications.

There may however be some special cases where the landings are highly valued, that require special permitting regardless of its energetic linkages to other stocks found in the EPU. Alternatively, a stock that has a low degree of energetic association with other EPU stocks may also be designated as requiring a separate limited access permit. In the first case of a highly-valued (price) species, a separate limited access permit based on previous permitting and participation in that fishery may be needed to prevent excess effort from targeting that one species due to its high value compared to other species in the EPU. Some examples where a

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<sup>1</sup> Within this document and other FEP documents, a “guild” is used in its classical definition as “a group of species that exploit the same class of environmental resources in a similar way” (Simberloff and Dayan 1991). Thus, fishery catches from a suite of species comprising a guild would have similar ecosystem effects.

special limited access program that differs from MU-based limited access could be sea scallops (value), American lobster (value), red crab (weak energetic association), bay scallops (weak energetic association), and surf clams/ocean quohogs (weak energetic association). Catch of all species by vessels having a special limited access permit would be monitored and count against the MU guild catch specifications.

A place-based limited access permit system could have the following characteristics:

### **1. Qualification**

- a. Active: A vessel must have an existing limited access permit and have reported landings of species reported to have been caught within the MU within the last 5 (qualifying period ???) years. A vessel may also qualify if it had landings of species reported to have been caught within the MU of a regulated species not requiring an existing limited access permit.
- b. Inactive or history: A vessel must have an existing limited access permit for a species that occurs within an MU, but not have landings that were derived from elsewhere during the qualifying period.
- c. Special exceptions: Vessels may have a limited access permit for a special exception fishery (such as sea scallops, red crab, surf clams/ocean quahog, or lobster), but may receive a place-based limited access permit only if it had a history during the qualification period of landing other species caught in the MU.

### **2. Permits**

- a. A standard limited access permit would be required to fish within the MU and the vessel could target any species not covered by a special exemption using any gear (subject to technical limits set by the MU Management Board and approved by the applicable jurisdictional authority, e.g. NEFMC, MAFMC, ASFMC, NMFS, states (for state water vessels).
- b. Vessels may fish for and land species that are covered by a special exemption (described above) using gears that are regulated by that permit.
- c. A vessel may need only ONE standard limited access permit for an MU to fish for and land any species not covered by a special exemption. Vessels that are authorized to fish in more than one MU will need to qualify for and hold a standard limited access permit for EACH MU, but may land fish at any port.

### **3. Permit stipulations**

- a. A permit holder may not accrue permits and/or catch allocations that exceed a specified percent of the total for an MU.
- b. No limits on length, HP, or GRT will apply (since catch limits will make such increases unprofitable unless the vessel or permit holder obtains more allocations through permit transfers or other means).

### **4. Catch limits and allocations:**

Vessels or groups of vessels (e.g. 'sectors') or all limited access MU permit holders may catch up to the guild catch limits. Guild catch limits within an MU would be based on a) the EPU catch specifications and b) the proportion of EPU catches

previously (qualification period?) made by vessels with a limited access authorization to fish in the MU. When allocated to vessels or groups of vessels, guild catch limits will be based on a vessel's prior landings of all regulated species (during qualification period?) reported to have been caught within the MU. Overages will be subject to future adjustment through accountability measures.

Table 1. List of existing limited access permits and their characteristics that currently apply to fishing within a Georges Bank EPU.

<b>Limited access permit and jurisdiction</b>	<b>Species which may be landed using permit</b>	<b>Permitted vessels (2015), Issued permits with Georges Bank EPU landings, Issued permits with no landings, and History permits</b>	<b>Qualification criteria and period</b>	<b>Top three overlapping<sup>2</sup> limited access permits</b>
<b>NE Multispecies (NEFMC)</b>	Cod, haddock, yellowtail flounder, etc.	(e.g.) 400/300/100/50		
<b>Monkfish (NEFMC/MAFMC)</b>	Monkfish			
<b>Small-mesh multispecies (NEFMC)</b>	Silver hake, offshore hake, red hake		Under development	
<b>Skates (NEFMC)</b>	Little, winter, rosette, clearnose <sup>3</sup>		Pending	
<b>Squid, mackerel, butterfish (MAFMC)</b>	Illex and loligo squid, Atlantic mackerel, butterfish			
<b>Summer flounder (MAFMC)</b>	Summer flounder			
<b>Sea Scallops (NEFMC)</b>	Sea scallops			
<b>Sea Scallops, General Category (NEFMC)</b>	Sea scallops			

<sup>2</sup> Permits held in common by a single vessel.

<sup>3</sup> Barndoor, smooth, and thorny skate landings are subject to limited access permitting, but may not be currently landed due to being overfished or being in a rebuilding plan.

<b>Surf clams/ocean quohogs (MAFMC)</b>	Surf clams, ocean quohogs			
<b>American lobster (NMFS/ASMFC)</b>	American lobster			
<b>Red crab (NEFMC)</b>	Red crab			
<b>Bluefin tuna (NMFS)</b>	Bluefin tuna			
<b>Atlantic sharks</b>	Various sharks			
<b>Etc.</b>				
<b>Total number of vessels with any limited access permit</b>				

#### References

D Simberloff, and T Dayan. 1991. The Guild Concept and the Structure of Ecological Communities. Annual Review of Ecology and Systematics. Vol. 22: 115-143. DOI: 10.1146/annurev.es.22.110191.000555. <http://www.annualreviews.org/doi/abs/10.1146/annurev.es.22.110191.000555>.