Final Regulatory Flexibility Analysis
Trawl Rationalization Program: Reconsideration of Allocation of Whiting RAW-2
National Marine Fisheries Service, Northwest Region
March 7 2013

When an agency proposes regulations, the Regulatory Flexibility Act (RFA) requires the agency to prepare and make available for public comment an Initial Regulatory Flexibility Analysis (IRFA) that describes the impact on small businesses, non-profit enterprises, local governments, and other small entities. The IRFA is to aid the agency in considering all reasonable regulatory alternatives that would minimize the economic impact on affected small entities. After the public comment period, the agency prepares a Final Regulatory Flexibility Analysis (FRFA) that takes into consideration any new information or public comments.

There are three attachments:

Attachment 1: Regulatory Impact Review and Initial Regulatory Flexibility Analysis Trawl Rationalization Program: Reconsideration of Allocation of Whiting RAW-2 (December 17, 2012).

Attachment 2: RIR Updates

Attachment 3: Affected Entities

1) A succinct statement of the need for, and objectives of, the rule.

This action revises several portions of the Pacific Coast Groundfish Fishery Trawl Rationalization Program (program) regulations in response to the remand order in Pacific Dawn v. Bryson, No. C10-4829 TEH (N.D. Cal.) (Pacific Dawn). Additionally, NMFS concludes after review of public comments and the record as a whole, that the Pacific Fishery Management Council's (Council's) recommendation to maintain the existing initial allocations of Pacific whiting (whiting) is consistent with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Pacific Coast Groundfish Fishery Management Plan (Groundfish FMP), and other applicable law. This final rule will affect the transfer of quota share (QS) and individual bycatch quota (IBQ) between QS accounts in the shorebased individual fishing quota (IFQ) fishery, and severability of catch history assignments (CHAs) in the mothership fishery, both of which will be allowed on specified dates, with the exception of widow rockfish. Widow rockfish is no longer an overfished species and transfer of QS for this species will be reinstated pending reconsideration of the allocation of widow rockfish QS in a future action. The divestiture period for widow rockfish QS in the IFQ fishery will also be delayed indefinitely.

2) A summary of the significant issues raised by the public comments in response to the IRFA, a summary of the assessment of the agency of such issues, and a statement of any changes made in the proposed rule as a result of such comments.

No significant issues were raised by the public comments that were directed to the IRFA itself. However, economic issues were raised in the comments to the Proposed Rule. These mainly concerned the application of the MSA criteria for determining allocations. These issues are addressed in the Final Rule. Although not directed to the IRFA, there was one comment that touched on the effects on leasing for small companies. This was addressed in the Final Rule's response to Comment 10.

3) A description and an estimate of the number of small entities to which the rule will apply or an explanation why no such estimate is available. Under the RFA, the term "small entities" includes small businesses, small organizations, and small governmental jurisdictions.

NMFS NWR now collects small business information as part of its permit renewal processes. For quota share purposes there are 17 potential processing companies based on fish ticket information. After taking into ownership and affiliation relationships, there are 12 processing entities based on SBA definitions. Of these 12 processing entities, there are 9 small processing entities and three large entities that are affected by this rule. Sixteen of the limited entry trawl permits that participated in the whiting fishery are associated with large companies and 49 of these permits are associated with small companies. In the mothership fishery, 14 catcher vessel permits are associated with large companies and 23 with small companies. Sixteen of the limited entry trawl permits that participated in the shoreside whiting fishery are associated with large companies and 49 of these permits are associated with small companies. In the mothership fishery, 14 catcher vessel permits are associated with large companies and 23 with small companies. When permits associated with the shoreside fishery and the mothership fisheries are combined, there are 66 limited entry permits of which 21 are associated with large companies.

4) A description of the projected reporting, recordkeeping and other compliance requirements of the rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

There are no projected reporting or recordkeeping requirements associated with this action.

5) A description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and the reason that each one of the other significant alternatives to the rule considered by the agency was rejected.

As discussed in the Final Rule's Response to Comments, decisions were made on the basis of length, open, and transparent public process allowing small and large companies to participate. All allocation alternatives involve a mixture of large and small companies. NMFS has applied the MSA criteria for allocation. All allocation alternatives involve a mixture of large and small companies. Given the review of the various alternatives, the amount of ex-vessel revenues that may change hands, and how each alternative differs slightly in the mixture of large and small entities that qualify for whiting quota share, maintaining the No Action/ status quo allocations should not have a significant economic impact on a substantial number of small entities.

REGULATORY IMPACT REVIEW AND INITIAL REGULATORY FLEXIBILITY ANALYSIS

Trawl Rationalization Program: Reconsideration of Allocation of Whiting
RAW-2 (DECEMBER 17, 2012)

Rule making must comply with Executive Order (EO) 12866 and the Regulatory Flexibility Act (RFA). The RFA requires the agency to prepare and make available for public comment an Initial Regulatory Flexibility Analysis (IRFA) that describes the impact on small businesses, non-profit enterprises, local governments, and other small entities. The IRFA is to aid the agency in considering all reasonable regulatory alternatives that would minimize the economic impact on affected small entities. The EO covers various regulatory policy considerations and establishes procedural requirements for analysis of the benefits and costs of regulatory actions. These considerations and requirements are analyzed by undertaking a Regulatory Impact Review (RIR). The RIR provides a review of the problems and policy objectives prompting the regulatory proposals and an evaluation of the major alternatives that may solve the problems. The purpose of the analysis is to ensure the regulatory agency systematically and comprehensively considers all available alternatives, so public welfare can be enhanced in the most efficient and cost-effective way. The analysis below addresses both the RIR and IRFA as many of their required elements are the same.

The NMFS Economic Guidelines that describe the RFA and EO 12866 can be found at:

http://www.nmfs.noaa.gov/sfa/domes_fish/EconomicGuidelines.pdf.

The RFA can be found at 5 U.S.C. 601 et seq.:

http://www.archives.gov/federal-register/laws/regulatory-flexibility/

Executive Order 12866 can be found at:
http://www.plainlanguage.gov/populartopics/regulations/eo12866.pdf

When an agency proposes regulations, the Regulatory Flexibility Act (RFA) requires the agency to prepare and make available for public comment an Initial Regulatory Flexibility Analysis (IRFA) that describes the impact on small businesses, non-profit enterprises, local governments, and other small entities. The IRFA is to aid the agency in considering all reasonable regulatory alternatives that would minimize the economic impact on affected small entities. After the public comment period, the agency prepares a Final Regulatory Flexibility Analysis (FRFA) that takes into consideration any new information or public comments.

REGULATORY IMPACT REVIEW CONSIDERATIONS AND REQUIREMENTS

NMFS undertakes an RIR for all regulatory actions of public interest. The RIR provides a comprehensive review of the changes in net economic benefits to society associated with proposed regulatory actions. Typically an RIR describes the fishery, provides a statement of the problem and the associated management objectives, and describes the major alternatives under consideration. The RIR also provides an economic analysis of the expected effects of each selected alternative relative to the *no action* alternative.

The RIR provides information on whether an action would be a significant regulatory action. Under EO 12866, an action may be considered significant if it is expected to: 1) Have a annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities; 2) Create a serious inconsistency or otherwise interfere with action taken or planned by another agency; 3) Materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or 4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the EO.

INITIAL REGULATORY FLEXIBILITY ANALYSIS CONSIDERATIONS AND REQUIREMENTS

The RFA, 5 U.S.C. 603 et seq., requires government agencies to assess the effects that regulatory alternatives would have on small entities, including small businesses, and to determine ways to minimize those effects. When an agency proposes regulations, the RFA requires the agency to prepare and make available for public comment an IRFA that describes the impact on small businesses, non-profit enterprises, local governments, and other small entities. The IRFA is to aid the agency in considering all reasonable regulatory alternatives that would minimize the economic impact on affected small entities. Under the RFA, an agency does not need to conduct an IRFA and/or Final Regulatory Flexibility Analysis (FRFA), if a agency can certify that the proposed rule will not have a significant economic impact on a substantial number of small entities. To certify, the agency needs to state the basis and purpose of the rule, describe and estimate the number of small entities to which the rule applies, estimate economic impacts on small entities, by entity size and industry, and explain the criteria used to evaluate whether the rule would impose "significant economic impacts."

Under the RFA, the term "small entities" includes small businesses, small organizations, and small governmental jurisdictions.

> Small businesses. The SBA has established size criteria for all major industry sectors in the US, including fish harvesting and fish processing businesses. A business involved in fish harvesting is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts not in excess of $4.0 million for all its affiliated operations worldwide. A seafood processor is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 500 or fewer persons on a full-time,

part-time, temporary, or other basis, at all its affiliated operations worldwide. A business involved in both the harvesting and processing of seafood products is a small business if it meets the $4.0 million criterion for fish harvesting operations. A wholesale business servicing the fishing industry is a small business if it employs 100 or fewer persons on a full-time, part-time, temporary, or other basis, at all its affiliated operations worldwide. For marinas and charter/party boats, a small business is one with annual receipts not in excess of $7.0 million.

Small organizations. The RFA defines "small organizations" as any nonprofit enterprise that is independently owned and operated and is not dominant in its field.

Small governmental jurisdictions. The RFA defines small governmental jurisdictions as governments of cities, counties, towns, townships, villages, school districts, or special districts with populations of less than 50,000.

Description of the Management Objectives & Legal Authority

This proposed action requests comments on NMFS' preliminary conclusion that the Pacific Fishery Management Council's (Council's) selection of the no action alternative regarding the reconsideration of initial allocation of Pacific whiting (whiting) is consistent with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Pacific Coast Groundfish Fishery Management Plan (FMP), and other applicable law. This action also proposes revisions to several portions of the Pacific Coast Groundfish Fishery Trawl Rationalization Program regulations. This action is necessary to comply with a court order requiring NMFS to reconsider the initial allocation of whiting to the shorebased individual fishing quota (IFQ) fishery and the at-sea mothership fishery. These proposed regulatory changes would affect the transfer of quota share (QS) and individual bycatch quota (IBQ) between QS accounts in the shorebased IFQ fishery, and severability of catch history assignments in the mothership fishery, both of which would be allowed on specified dates with the exception of widow rockfish. Widow rockfish is no longer an overfished species and transfer of QS for this species will be reinstated pending reconsideration of the allocation of widow rockfish QS in a future action. The divestiture period for widow rockfish QS in the IFQ fishery is also proposed to be delayed indefinitely.

Description of each alternative considered in the analysis

NMFS is postponing the ability to trade quota shares as well as ability of mothership catcher vessels to trade their endorsements and catch history assignments separately from their limited entry permits. NMFS is proposing a delay in all trading of QS species/species groups because for many affected parties, their QS allocations (especially for bycatch species) are a composite of whiting-trip calculations and non-whiting trip calculations. Currently, QS and IBQ trading has been prohibited for all species/species categories until January 1, 2013. (The Order requires that NMFS implement revised regulations before the 2013 Pacific whiting fishing season begins on April 1, 2013.) By postponing these activities while NMFS and the Council reconsider the whiting allocation and to allow NMFS time to implement any changes that result, NMFS seeks to minimize confusion and disruption in the fishery from trading quota shares that have not yet been firmly established by regulation.

Description of the Fishery

(Note: This description is excerpted from an early March 2012 draft of the "Proposed Harvest Specifications and Management Measures for the 2013-2014 Pacific Coast Groundfish Fishery Draft Environmental Impact Statement" being developed for the June Pacific Fishery Management Council Meeting. Section and chapter references refer to this EIS.)

The trawl rationalization program applies to vessels holding trawl-endorsed groundfish LE permits (and mothership processors registered to mothership permits). The program is intended to reduce fishery capacity, minimize bycatch, and meet other goals of the FMP. The program replaces most cumulative landing limits (in both whiting and nonwhiting shoreside LE trawl sectors) with individual fishing quotas. Under the Magnuson-Stevens Act, "an 'individual fishing quota' means a Federal permit under a limited access system to harvest a quantity of fish, expressed by a unit or units representing a percentage of the total allowable catch of a fishery that may be received or held for exclusive use by a person." The Pacific whiting mothership sector is managed through a system of cooperatives (co-ops) under which catcher vessels choosing to fish in a co-op would be obligated to deliver their catch to an associated mothership processor. Each year motherships and catcher vessels must identify which co-op they plan to participate in. If they do not plan to join a co-op for that year they participate in a non-co-op fishery. The Pacific whiting catcher-processor sector operates as a single, voluntary co-op. If the voluntary catcher processor co-op dissolves, any allocation to the sector will be divided equally among the catcher processor endorsed permits.

Groundfish fishery sectors are briefly described below.
Table 2 shows inflation adjusted ex-vessel revenue during the 2005-2010 baseline period by fishery sector and the year-to-year percent change in revenues.

Estimated average accounting net revenues ("profits") of vessels engaged in shoreside commercial groundfish fisheries in 2008 are shown in Table 3. These estimates were modeled using average ex-vessel revenues and vessel cost estimates collected by the NWFSC vessel cost-earnings survey. The model estimates average fixed costs associated with each vessel type and the average variable costs associated with harvesting the suite of groundfish species taken by each vessel category, and then subtracts these total costs from total ex-vessel revenues (taken from PacFIN for historical analysis, or from the GMT's sector models for analyzing the management alternatives) to derive average accounting net revenues for each shoreside groundfish vessel category. Accounting net revenues in this context are a rough measure of accounting profits accruing to owners of the vessels and operating capital used to harvest fish.

These baseline data are used in Section 4.3 to evaluate the socioeconomic effects of the integrated alternatives.

At-sea Whiting

At-sea whiting comprises two sectors, one encompassing catcher vessels delivering to mothership processors and the other catcher-processors that directly harvest Pacific whiting. In both sectors a single cooperative manages fishing activity and is allocated a portion of the Pacific whiting ACL along with selected bycatch species (see Section 2.x for more details). The mothership sector's co-op was formed in 2011 under the auspices of the Council's trawl rationalization program (Amendment 20); the catcher-processor sector continued operating as a voluntary co-op as it had been in previous years. In addition to the commercial at-sea sectors, the Makah tribe in Washington State operates a mothership Pacific whiting fishery by treaty agreement with the U.S. government. The relationship between groundfish treaty tribe fisheries and commercial fisheries is described in more detail below.

The at-sea sectors accounted for 21.9 percent of coastwide revenue during the baseline period, averaging $18.8 million per year (Table 2). The catcher-processor component garnered almost two-thirds of this revenue. Whiting fisheries had the highest year-to-year variability, with the catcher-processor and mothership catcher vessel components ranking third and fourth respectively behind only the tribal whiting sectors. Preliminary estimates for 2011 show 9 vessels participated in the whiting catcher-processor fishery, and 18 catcher vessels (and 5 motherships) participated in the mothership whiting sector.

Because of the schooling, semi-pelagic nature of Pacific whiting these fisheries have proportionately little incidental catch. Table 1 shows species composition of the whiting sectors' catch from 2007 in percentage terms. Nonwhiting species accounted for 1 percent of the catch during this period. However, due to the large volume of total catch the absolute amount of this incidental catch averaged 438 mt annually in the catcher-processor sector and 197 mt in the mothership sector. Because these fisheries do encounter overfished species that have relatively low ACLs, the fisheries both have an allocation (set aside) for selected species and engage in a variety of bycatch avoidance strategies. Bycatch of ESA-listed Chinook salmon is also an issue. Past ESA section 7 consultations have set a bycatch threshold of 8,000 Chinook salmon, which if exceeded trigger a re-initiation of consultations. The co-ops in each sector enforce bycatch avoidance measures for both overfished rockfish and Chinook salmon through their contract agreements.

Table 1. Species composition of whiting sectors' catch (percent), 2007-2010. (Source: NMFS NWR)

	Tribal		Commercial			Total
	Mothership	**Shoreside**	**Mothership**	**Catcher/ Processors**	**Shoreside**	
Whiting	97.7%	98.4%	99.5%	99.4%	98.8%	99.0%
Nonwhiting roundfish	0.01%	0.01%	0.01%	0.00%	0.04%	0.02%
Flatfish	0.02%	0.02%	0.01%	0.01%	0.01%	0.01%
Rockfish	0.30%	0.27%	0.34%	0.17%	0.45%	0.31%
Remaining Groundfish	0.94%	0.65%	0.06%	0.26%	0.12%	0.25%
Nongroundfish	1.01%	0.68%	0.05%	0.20%	0.59%	0.38%
Total	100%	100%	100%	100%	100%	100%
Nonwhiting ann. av. (mt)	290.3	220.5	196.6	438.3	696.7	1,854.2

Source data available at: http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/Whiting-Management/

IFQ (Shoreside Trawl) Fishery

Before 2011 the shoreside trawl fishery was composed of two separately managed sectors; a seasonal fishery targeting Pacific whiting with midwater trawl gear and a year round bottom trawl sector targeting other groundfish species. With implementation of trawl rationalization (Amendment 20) these two fisheries were merged beginning in 2011 in terms of management through the IFQ program. IFQs (percents of the trawl sector allocation) are converted annually to quota pounds that may be traded among licensed groundfish trawl vessels. In the first 2 years of the IFQ program (2011 and 2012) IFQs could not be transferred (although quota pounds could be). That restriction will be relaxed beginning in the 2013-14 biennial period. The cumulative effects resulting from this change (and other aspects of the trawl rationalization program) are evaluated in Section 4.4.

Although the whiting and nonwhiting fisheries are considered a single sector from a management perspective, the two fisheries continue to be operationally distinct. They use different fishing gear (midwater versus bottom trawl gear) and the whiting fishery targets a single species, which comprises almost all of their landings, while the bottom trawl fishery has a variety of targets and strategies. The two fisheries also have different seasonal harvest strategies. By regulation the whiting fishery typically begins on April 1st and continues to the end of the calendar year; this restriction is imposed to reduce the incidental take of ESA-listed salmon species although the season opening corresponds somewhat with the availability of Pacific whiting off the west coast. The bottom trawl fishery, on the other hand, operates year round, although there are particular seasonal strategies depending on the species being targeted.

Another important change as part of the IFQ program is that vessels participating in the program (based on registration to an appropriately endorsed Federal groundfish limited entry permit) may use any legal groundfish gear. This offers these vessels the opportunity to switch to fixed gear for part or all of the year. These vessels do not compete directly with traditional groundfish fixed gear fisheries (described below) because their catch is debited to the IFQ sector's allocation through the quota pounds held in a vessel's account. This presents somewhat of a terminological challenge, because fishery managers commonly refer to the "shoreside trawl fishery" when referring to participants in the IFQ program even though some of these vessels are using other gear types to land their quota pounds.

Vessels operating under the IFQ program must carry observers and NMFS has set up a data system to combine landings and discard information (gathered by observers) for debit against quota pound holdings. For managers this provides the benefit of more up to date total catch reporting. Landings and revenue reported in online tables go through 2010 and therefore do not reflect the way the fishery is currently operating. For that reason, the historical data are supplemented with available reports from 2011.

During the baseline period the shoreside groundfish trawl sector accounted for the biggest share of coastwide groundfish revenue at 44.3 percent for both whiting and nonwhiting (bottom trawl) components (Table 2 Table 2). At $27.1 million per year (on average) the nonwhiting fishery earned almost two thirds of the combined revenue of the whiting and nonwhiting components. In terms of year-to-year variability the nonwhiting component showed less variability than whiting fisheries. The largest increase, from 2007 to 2008, was 22 percent while the largest decrease, from 2009 to 2010, was -18 percent. This contrasts with the shoreside whiting fishery, where year on variation ranged from 81 to -53 percent during the baseline period.

The whiting component of the shoreside trawl fishery, like the at-sea whiting sectors, catches proportionately few incidental species; according to Table 1 the shoreside whiting fishery's incidental catch rate of nonwhiting species was just over 1 percent during 2007-2010, averaging 697 mt annually. The bottom trawl component, as mentioned above, engages in a variety of strategies with different targets. However, five species accounted for just over 90 percent of ex-vessel revenue during 2006-2010 (see Online Table 8): sablefish, 36 percent; Dover sole, 27 percent; petrale sole, 15 percent; thornyheads 9 percent; and rockfish 3 percent. Note that petrale sole was declared overfished in 2010 with a rebuilding plan implemented that requires reduced ACLs beginning in 2011 to rebuild the stock (see Section 3.1.x).

Table 3 shows that 127 vessels participating in the shoreside trawl sector in 2008 could average $19,474 in accounting net revenues from the shoreside whiting fishery. Similarly, participation in nonwhiting trawl fisheries produced average accounting net revenues of $32,360. However note that these estimates spread total revenues and total costs across all 127 vessels engaged in the shoreside trawl fishery that year and so are intended for comparison purposes only. Table 3 shows that in 2008 about 37 vessels actually participated in the shoreside whiting fishery while about 120 vessels made landings in the nonwhiting trawl fishery. (Note: 13 shoreside whiting vessels also participated in the at-sea mothership whiting sector and 28 participated in shoreside nonwhiting trawl fisheries.) Therefore the actual distribution of revenues, costs and accounting net revenues for vessels participating in the shoreside whiting sector is probably considerably more skewed than the averages shown in Table 3. Preliminary estimates for 2011 show 26 vessels participated in the shoreside whiting fishery, and 129 vessels were counted in the nonwhiting trawl sector.

Table 2. Groundfish ex-vessel revenue (inflation adjusted), 2005-2010, by fishery sector (top panel) and year-to-year percent change in revenue (bottom panel); no change =0%. Landings from PFMC area only. (Source: PacFIN vdrfd table, 10/31/11.)

Sector	2005	2006	2007	2008	2009	2010	Ann. Avg.	Pct Total
At-sea catcher processors	$9,428,186	$10,134,108	$11,080,172	$24,517,340	$4,011,936	$9,546,576	$11,453,053	13.3%
At-sea mothership catcher vessels	$5,728,696	$6,930,776	$7,123,228	$15,400,000	$2,844,808	$6,169,777	$7,366,214	8.6%
Shoreside whiting trawl	$12,157,911	$13,606,554	$12,039,922	$11,891,171	$5,531,348	$10,033,034	$10,876,657	12.7%
Shoreside nonwhiting bottom trawl	$23,943,395	$24,390,064	$26,308,400	$32,115,396	$30,866,692	$25,344,495	$27,161,407	31.6%
Limited entry fixed gear	$11,418,091	$12,439,155	$10,785,736	$12,578,395	$15,844,988	$17,740,842	$13,467,868	15.7%
Open access nearshore	$3,096,647	$3,034,965	$3,290,257	$3,356,919	$3,158,253	$2,720,686	$3,109,621	3.6%
Open access non nearshore	$3,399,327	$3,337,553	$2,047,886	$2,984,962	$4,828,147	$5,405,164	$3,667,173	4.3%
Tribal mothership catcher vessels	$2,964,756	$795,621	$846,248	$3,467,174	$1,257,675	$2,222,099	$1,925,596	2.2%
Tribal shoreside whiting	$1,347,541	$3,646,851	$2,868,530	$3,779,512	$1,066,915	$201,363	$2,151,785	2.5%
Tribal shoreside nonwhiting	$3,900,363	$3,554,376	$3,347,305	$3,778,853	$4,958,073	$4,898,182	$4,072,859	4.7%
All other groundfish revenue	$842,465	$620,477	$515,764	$477,750	$520,590	$1,184,642	$693,615	0.8%
Coastwide Total	**$78,227,378**	**$82,490,500**	**$80,253,447**	**$114,347,473**	**$74,889,425**	**$85,466,860**	**$85,945,847**	100.0%
Sector	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**Max**	**Min**
At-sea catcher processors		7%	9%	121%	-84%	138%	138%	-84%
At-sea mothership catcher vessels		21%	3%	116%	-82%	117%	117%	-82%
Shoreside whiting trawl		12%	-12%	-1%	-53%	81%	81%	-53%
Shoreside nonwhiting bottom trawl		2%	8%	22%	-4%	-18%	22%	-18%
Limited entry fixed gear		9%	-13%	17%	26%	12%	26%	-13%
Open access nearshore		-2%	8%	2%	-6%	-14%	8%	-14%
Open access non nearshore		-2%	-39%	46%	62%	12%	62%	-39%
Tribal mothership catcher vessels		-73%	6%	310%	-64%	77%	310%	-73%
Tribal shoreside whiting		171%	-21%	32%	-72%	-81%	171%	-81%
Tribal shoreside nonwhiting		-9%	-6%	13%	31%	-1%	31%	-9%
All other groundfish revenue		-26%	-17%	-7%	9%	128%	128%	-26%
Coastwide Total		**5%**	**-3%**	**42%**	**-35%**	**14%**	**42%**	**-35%**

Table 3. Estimated average accounting net revenue per vessel for vessel types participating in West Coast shoreside groundfish fisheries in 2008.*

Vessel Type	Vessel Count	Average Revenue from Groundfish	Average Reported Costs	Average Accounting Net Revenue
Shoreside Whiting	127	78,896	59,422	19,474
Shoreside Nonwhiting Trawl	127	264,885	232,525	32,360
Shoreside LE Fixed Gear	128	87,050	77,423	9,627
Shoreside Open Access	231	35,370	30,920	4,450

Table 3. Counts of vessels participating in groundfish fishery sectors: 2005-2011.*

Groundfish Sector	2005	2006	2007	2008	2009	2010	2011
Catcher-Processors	6	9	9	8	6	7	9
Mothership whiting CVs	17	20	20	19	19	22	18
Shoreside whiting trawl CVs	29	37	39	37	34	36	26
Nonwhiting trawl CVs	123	122	121	120	117	105	129
Limited Entry fixed gear	126	132	136	135	139	140	166
Open Access fixed gear	670	764	696	650	660	578	682
Incidental Open Access	537	462	449	274	280	294	284
Total Groundfish Vessels	**1,232**	**1,219**	**1,178**	**1,011**	**1,025**	**965**	**1,041**
Vessels participating in both shoreside whiting and nonwhiting fisheries	20	27	27	28	26	24	14
Vessels participating in both shoreside and at-sea whiting fisheries	7	12	15	13	13	15	13

Description of affected entities including the number of small entities to which the rule applies.

The Small Business Administration has established size criteria for all major industry sectors in the US, including fish harvesting and fish processing businesses. A business involved in fish harvesting is a small business if it is independently owned and operated and not dominant in its field of operation (including its affiliates) and if it has combined annual receipts not in excess of $4.0 million for all its affiliated operations worldwide. A seafood processor is a small business if it is independently owned and operated, not dominant in its field of operation, and employs 500 or fewer persons on a full-time, part-time, temporary, or other basis, at all its affiliated operations worldwide. A business involved in both the harvesting and processing of seafood products is a small business if it meets the $4.0 million criterion for fish harvesting operations. A wholesale business servicing the fishing industry is a small business if it employs 100 or fewer persons on a full-time, part-time, temporary, or other basis, at all its affiliated operations worldwide. For marinas and charter/party boats, a small business is one with annual receipts not in excess of $7.0 million.

Over the years 1994-2010, there have been 65 limited entry trawl fishing permit holders that participated in the shoreside whiting fishery and 37 limited entry trawl fishing permit holders that participated in the mothership fishery. Over the years 1998 to 2010, 16 processing have participated in the fishery. NMFS NWR now collects small business information as part of its permit renewal processes. Based on that information and on other information, there are three large companies associated with the 16 processors and 13 small companies. Sixteen of the limited entry trawl permits that participated in the whiting fishery are associated with large companies and 49 of these permits are associated with small companies. In the mothership fishery, 14 catcher vessel permits are associated with large companies and 23 with small companies.

An economic analysis of the expected effects of each selected alternative relative to the No Action Alternative including estimates of economic impacts on small entities, by entity size and industry

Reconsideration of Initial Allocation of Whiting

The Council considered four alternatives for allocating whiting. The following analysis compares the “status quo” alternative to Alternative 4 as they show greatest differences between the pre-control date fishery and post-control date fishery. The “status quo” alternative allocates whiting using the years 1994 to 2003 for harvesters (shoreside and mothership) and 1998-2004 for processors. Alternative 4 allocates whiting using the years 2000-2010 for both harvesters (shoreside and mothership) and processors. Over the years 1994-2010, there have been 65 fishing permit holders that participated in the shoreside fishery and 37 permit holders that participated in the mothership fishery. Over the years 1998 to 2010, there are 16 processors that participated in the fishery and that meet the recent participation criteria of the various alternatives.

Comparing the status quo alternative to Alternative 4 in terms of 2011 ex-vessel revenues, information on the gainers and losers in each of these affected groups can be developed from information in the Draft EA. The allocation of 98,000 mt to the 2011 shorebased whiting fishery was worth approximately $21 million (exvessel value). Based on the status quo allocations, eighty percent of these quota pounds were allocated to fishing permits ($17 million) and 20 percent to the shorebased processors ($4 million). The allocation of 57,000 mt whiting to the whiting mothership catcher vessels was worth $12 million in exvessel value. Note that 2011 was a peak year for the shorebased fishery and a near-peak year for the mothership fishery (See Figure 3-5 of the Draft EA) (Note: although exprocessor or "first wholesale" revenues are higher than exvessel values and would be a better indicator of processing activity levels, data on exprocessor sales were not readily available for use by the Council. A better indicator of the gains and losses by groups would be estimates of net income or operating profits (revenues costs)).

The NWFSC has assessed 2008 cost-earning data on vessels participating in the shoreside groundfish fisheries including whiting. Vessels which participate in the shoreside whiting fishery are typically classified as either "Whiting" vessels or "Alaska" vessels depending on whether or not they operated in Alaska. Whiting vessels are defined as those with at least $100,000 revenue, of which at least 33% comes from whiting. Alaska vessels are defined at those vessels that earned at least $100,000 in revenue of which at least 50% comes from Alaska fisheries. The average economic net revenue of a whiting vessel in 2008 was $167,457, which represents 19.2% of revenue from all fisheries. Limited entry trawl vessels classified as Alaska vessels had a average economic net revenue of $493,915, 28.3% of the $1,744,793 revenue earned from all sources by these vessels

Compared with the status quo alternative, under Alternative 4 approximately 17% ($3.7 million) of the allocation to shorebased catcher vessels would be transferred away from the status quo holders; twenty eight permit holders would gain quota share including six permits that did not qualify under the status quo alternative (Table 4-4 of the Draft EA). The largest gain by a single permit holder is 3.3% ($700,000). Alternative 4 would lead to 37 permits losing quota share including 12 permits that would not receive any quota share. The largest loss by a single permit holder is 2.0% of quota share ($340,000). A total of 41 out of 65 permits will see a change of less than $100,000 (increase or decrease) in revenues in comparing Alternative 4 to the status quo alternative.

In comparing Alternative 4 to the Status Quo alternative for shorebased processors, approximately 3.1% ($660,000) of the allocation to shorebased processors would be transferred away from the status quo holders; nine processors would gain including seven processors that did not qualify under the status quo alternative (Table 4-29 of the Draft EA). The largest gain by a single processor is 1.3% of quota share ($275,000). Alternative 4 would lead to seven processors losing quota share including three processors that would not receive any quota share. The largest loss by a single processor is 0.8% of quota share ($170,000). Nine out of 16 processors would see a change of less than $100,000.

In comparing Alternative 4 to the Status Quo alternative for whiting mothership catcher vessels, approximately 18% ($2 million) of the total catch history assignment would be transferred away from the status quo holders; 16 mothership catcher vessel endorsed permits would gain (Table 4-16 of the Draft EA). No new permits would qualify. The largest gain by a single permit holder is 4.5% of catch history assignment ($545,000). Alternative 4 would lead to 21 permits with reduced catch history assignments, including 10 permits that would not receive any catch history assignment. The largest loss by a single catch history assignment holder is 2.7%333,000). Eighteen out of 36 permits would see a change of less than $100,000.

However, in terms of net economic benefit to the nation, the effects of the alternatives are similar. According the PSMFC's SSC: " The way the fisheries are actually prosecuted (geographic location of fishing and landings, timing of fishing, and participants) will in the long-term tend not to be affected by who receives the initial allocation of catch shares. Over time, the use of the catch shares will likely migrate through leases or sales to the participants who can put them to their most profitable use. This means that the eventual biological, ecological, and economic performance of the fisheries will be relatively independent of the initial allocation of catch shares. It has been the experience of many catch share programs that such transitions occur rather quickly, often within the first few years. As a consequence, the initial allocation of quota shares is not an effective tool to direct fishing or processing effort to particular geographic locations."

The initial allocation of whiting is a one-time distribution of wealth in the form of quota shares and catch history assignments to members of fishing industry. The initial allocation is essentially the granting of a capital asset that will affect harvester and processor competitiveness and assist existing participants in the transition to the new management system. To the degree that initial allocation match up with the harvesters that will use the quota, transition costs and disruption will be lessened as the fishery moves to its long-run efficient state. Similarly, those processors who receive an initial allocation may experience a boost in their competitive advantage due to the infusion of new wealth (the value of the QS received).

The initial allocation does not affect the long-run efficiency and operation of the fishery, liquidity constraints, and perhaps other unknown constraints, may mean that there are some short run efficiency effects. For example, this one time distribution of wealth may affect expenditures in the communities depending on location and spending patterns of recipients of these quota shares and catch history assignments. The EA provides the following on communities: "The effects of the initial allocations on the distribution of fishing among communities are difficult to predict. Quota is tradable and highly divisible, giving it a fluidity such that it will likely move toward those ports in which profit margins tend to be the highest, regardless of the initial allocations. Where profit margins are similar, allocations given to entities that are already invested whiting fishery-dependent capital assets are likely to stay with those entities at least in the near term. Similarly, where profit margins are similar, there will likely be some tendency in the near term for quota that is traded to move toward locations where whiting fishery-dependent capital assets already exist. Regardless of how the quota is distributed, vessels may move operations between ports during the year based on the geographic distribution of fishing opportunities. Processors are likely to use their shares in the port in which their facilities are located, however, some processors have facilities in more than one port and so may shift harvest between ports in response to the location of fishing opportunities. At the same time, the recent shift of harvest toward more northern ports appears to be a response to investments in those ports, indicating that the location of fish is not the only factor driving the location of landings. Over the long term, it is expected that operations will move, or quota will be traded, to the ports in which the highest profits can be earned, taking into account all forms of costs such as average distance to fishing grounds and catch and bycatch rates.

RAW 1

This action is also undoing several regulations that were put in place on an emergency basis as result of the Court order. RAW 1 delayed the ability to transfer QS and IBQ between QS accounts in the shorebased IFQ fishery, and to the ability to sever mothership/catcher vessel endorsement and its associated catch history assignment (CHA) from limited entry trawl permits in the mothership fishery, pending the outcome of the reconsideration.

NMFS postponed the ability to trade quota shares as well as ability of mothership catcher vessels to trade their endorsements and catch history assignments separately from their limited entry permits. NMFS also postponed a delay in all trading of QS species/species groups because for many affected parties, their QS allocations (especially for bycatch species) are a composite of whiting-trip calculations and non-whiting trip calculations. Postponing these activities, while NMFS and the Council reconsidered the whiting allocation, minimize confusion and disruption in the fishery from trading quota shares that have not yet been firmly established by regulation. For example, if QS trading was not delayed, QS permit owners would be transferring QS amounts that potentially could change (increase or decrease) after the reconsideration. For similar reasons, NMFS also delayed the ability to transfer a mothership catcher vessel (MS/CV) endorsement and associated catch history assignment from one limited entry trawl permit to another. The ability to sell or trade a limited entry permit with the endorsement and catch history remains. The use of the catch history assignment to be assigned to a co-op to be fished continues. NMFS intends to announce any changes to the amount of catch history assignments associated with MS/CV-endorsed limited entry trawl permits by April 1, 2013 which is before the May 15 start date for the whiting mothership fishery. These delays were expected to be temporary in nature and to benefit both small and large entities as they help smooth the transition to any changes in how Pacific whiting is allocated, and reduce the uncertainty to existing and potential new holders of these allocations.

With these proposed regulations, those who find themselves with excess QS (except for widow QS) and IBQ, have until November 30, 2015 to divest. MS/CV-endorsed limited entry trawl permit owners will have to divest themselves of ownership in permits in excess of the accumulation limits by August 31, 2016. This rule allows limited entry trawl permit holders in the mothership sector to request a change (or transfer) of MS/CV endorsement and its associated CHA beginning September 1, 2014. Finally this rule, allows transfer of QS or IBQ, except widow QS, between QS permit holders beginning January 1, 2014. NMFS proposes to revise the portions of the regulations that were temporarily delayed or revised by RAW 1. Additionally, to be consistent with Council action at its November 2012 meeting on a QS transfer provision affecting widow rockfish, NMFS proposes to extend the moratorium on transfer of widow rockfish QS in the IFQ fishery indefinitely pending the Council's reconsideration of the allocation of QS for widow rockfish. Widow Rockfish quota shares are now being allocated based on formulas associated with widow being an overfished species. As widow rockfish is no longer overfished, the Council may wish to base the allocation of widow rockfish based on some other formula. While waiting for the Council to make its decision, the total catch of rockfish will remain unchanged and so the economic impact of the moratorium on trading of quota share is likely to very small.

Reporting and recordkeeping requirements.

There are no reporting or recordkeeping requirements with this rule, but there is a process for fishermen and processors to review, and if necessary, correct the data that is to used for future allocations of Pacific whiting. The following is taken from the Proposed rule

Relevant Federal rules that may duplicate, overlap or conflict with the proposed action.

There are no relevant Federal rules that may duplicate, overlap, or conflict with this action.

A description of any significant alternatives to the proposed rule that accomplish the stated objectives of applicable statutes and that minimize any significant economic impact of the proposed rule on small entities.

There are no significant alternatives to the proposed rule that accomplish the stated objectives of applicable statutes and that minimize any of the significant economic impact of the proposed rule on small entities.

RIR-Determination of Significant Impact

As mentioned above, the RIR is designed to determine whether the proposed action could be considered a significant regulatory action according to EO 12866. These regulations will not trigger any of the EO 12866 test requirements for significant regulatory actions. In other words, it will not have a annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities; 2) create a serious inconsistency or otherwise interfere with action taken or planned by another agency; 3) materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or 4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the EO.

RFA-Determination of a Significant Impact.

There are no proposed regulations for the portion of this proposed action that constitutes the reconsideration of the initial allocation of whiting, and consequently, no IRFA is required for that portion of this proposed action. The Regulatory Flexibility Act requires Federal agencies to conduct a full RFAA unless the agency can certify that the proposed and/or final rule would not have a significant economic impact on a substantial number of small entities. This determination can be made at either the proposed or final rule stage. If the agency can certify, it need not prepare an IRFA, a FRFA, or a Small Entity Compliance Guide or undertake a subsequent periodic review of such rules. The NMFS Guidelines for Economic Analysis of Fishery Management Actions suggest two criteria to consider in determining the significance of regulatory impacts, namely, disproportionality and profitability. These criteria relate to the basic purpose of the RFA, i.e., to consider the effect of regulations on small businesses and other small entities, recognizing that regulations are frequently unable to provide short-term cash reserves to finance operations through several months or years until their positive effects start paying off. If either criterion is met for a substantial number of small entities, then the rule should not be certified for not having an effect on small entities. . These criterion raise two questions: Do the regulations place a substantial number of small entities at a significant competitive disadvantage to large entities? Do the regulations significantly reduce profit for a substantial number of small entities?

We do not believe that this rule will have a significant impact when comparing small versus large businesses in terms of disproportionality and profitability given available information. Nonetheless, NMFS has prepared this IRFA. Through the rulemaking process associated with this action, we are requesting comments on this conclusion.
(Prepared by Steve Freese, NMFS NWR)

Table A.1

A.1 Landings and Revenue by Whiting Sectors

Landings of Pacific whiting (mt) by whiting sectors, 1998-2010

Year	Catcher-Processor Sector	Mothership Sector	Shoreside Whiting Sector	Tribal Sector	Total Whiting	Treaty Mothership Sector	Treaty Shoreside Whiting Sector
1998	70373	49667	87709	24508	232256	24508	
1999	67672	47405	83445	25837	224359	25837	
2000	67804	46658	85819	6252	206532	6252	
2001	58628	35622	73387	6080	173717	6080	
2002	36342	26594	45504	21816	130255	21816	
2003	41215	26022	51183	23455	141874	19376	4079
2004	69412	24102	89641	30308	213463	23459	6848
2005	78890	48597	97559	35004	260050	23582	11422
2006	78865	55355	97267	35464	266951	5568	29896
2007	73266	47811	73277	23325	217678	5167	18158
2008	108240	57498	50760	31917	248415	14944	16972
2009	34801	24091	40294	22389	121575	13461	8929
2010*	54230	35712	62686	18081	170709	16200	1881

Ex-vessel revenue, current (2009) dollars, $1,000s, from Pacific whiting by whiting sectors, 1998-2010.

Year	Catcher-Processor Sector	Mothership Sector	Shoreside Whiting Sector	Tribal Sector	Total Whiting	Treaty Mothership Sector	Treaty Shoreside Whiting Sector
1998	5,082	4,242	6,072	1,868	10,314	1,868	
1999	6,773	4,426	8,613	3,283	23,095	3,283	
2000	8,036	7,413	9,791	688	25,928	688	
2001	6,080	3,176	6,920	647	16,823	647	
2002	5,749	3,739	5,367	2,569	17,424	2,569	
2003	6,264	5,731	5,887	2,718	20,600	2,228	490
2004	10,914	2,972	7,894	2,496	24,276	1,990	506
2005	9,343	5,641	11,805	4,255	31,044	2,924	1,331
2006	9,985	6,793	13,227	4,279	34,284	735	3,544
2007	10,856	6,984	11,630	3,571	33,041	822	2,749
2008	24,056	15,174	11,659	6,983	57,872	3,383	3,600
2009	3,947	2,673	5,306	2,237	14,163	1,230	1,007
2010*	8,677	5,714	10,030	2,893	27,313	2,592	301
	1998-2009, Appendix F to FEIS						
*	$160 per mt ton based on multiplying PacFIN estimates by $160 per ton; not adjusted to 2009 dollars						
	Pacfin 2010 estimates	Total whiting catch	170,114.80				
		Total whiting reven	27180500				
		$/ton	159.7773974				

Attachment 2—RIR Update

Updated Information associated with the RIR:

There was some minor data changes to the economic analysis within the Draft EA. The processor counts in chapter 3 and in all chapters of the Draft EA, included one processor that operated four processing plants. For the Final EA, especially in regards of community impacts, it was decided to treat each processing plant separately. This increases the processor count from 16 processors to 19. (See for example Final EA Figure 4-13. In some instances to account for two processing plants that are no longer in existence the processor count is further reduced to 17 (See for example Final EA Table 4-30.)

These changes led to revision of Table 4-29. Table 4-29 was used in the RIR analysis. The following paragraph updates the discussion in the RIR.

In comparing Alternative 4 to the Status Quo alternative for shorebased processors, approximately 2.7% ($567,000) of the shoreside allocation of $21 million would be transferred away from the status quo holders; Ten processors would gain including seven processors that did not qualify under the status quo alternative (Table 4-29 of the EA). The largest gain by a single processor is 1.02% of quota share ($214,000). Alternative 4 would lead to seven processors losing quota share including three processors that would not receive any quota share. The largest loss by a single processor is 0.9% of quota share ($189,000). Twelve out of 17 processors would see a change of less than $100,000.

The NWFSC also provided some additional detail on the respondents to their cost-earnings surveys.

During 2008 4 of the 6 limited entry trawl survey respondents classified as Alaska vessels participated in the at sea fishery. All 6 survey respondents classified as Alaska vessels participated in the West Coast shoreside whiting fishery. These 6 Alaska vessels earned 37% of their revenue from West Coast Whiting. Among the 8 survey respondents classified as Whiting vessels, 1 participated in the at sea whiting fishery. The other 7 survey respondents classified as Whiting vessels participated in the West Coast shoreside whiting fishery but not the at sea fishery. These 8 whiting vessels earned 46% of their revenue from West Coast whiting (many were also active in the West Coast sablefish, dover, and crab fisheries) (Note that the survey was based on vessels that made West Coast landings during 2008. So catcher vessels that only participated in the at sea fishery and did not make any shoreside landings was not included in the survey population.)

Attachment 3

Affected Entities

Under the alternatives (status quo to Alternative 4), 65 different permits are under consideration for quota shares. If the mothership fishery is included then we have 66 different permits that are under consideration for either shoreside, mothership, or both fisheries.

Under the alternatives, we have 19 different shorebased entities of which 17 still exist that could potentially qualify for QS depending on the alternative.

Affected Entities--Permits

	TGFNUMS	Status2	BUSID_03-:	Owner_Name_03-2012	
1	GF0010	0	B0003	LISA MELINDA FISHERIES INC	
2	GF0011	0	B0160	IRON LADY INC	
3	GF0017	0	B0210	MISS SUE FISHERIES INC	
4	GF0018	0	B0210	F/V PACIFIC INC	
5	GF0031	0	B0556	ISABELLA FISHERIES, LLC	
6	GF0043	0	B0017	MARK I INC	
7	GF0051	0	B0019	FURY GROUP INC	
8	GF0052	0	B0020	NICOLE FISHERIES LLC	
9	GF0053	0	B0021	PETTINGER, DAVID WALTER AND PETTINGER, BRADLEY GRANT	
10	GF0078	0	B0150	PACIFIC FUTURE LLC	
11	GF0090	0	B0035	PACIFIC DRAGGERS INC AND H B LEE INC	
12	GF0105	0	B0039	MARATHON FISHERIES INC	
13	GF0109	0	B0210	F/V SEEKER INC	
14	GF0111	0	B0040	TRAVELER FISHERIES LLC	
15	GF0124	0	B0042	YAQUINA TRAWLERS INC AND RAVEN ENTERPRISES INC AND DASL INC	
16	GF0132	0	B0044	NORTH SEA INC	
17	GF0136	0	B0013	LARKIN, MARION JEAN	
18	GF0137	0	B0045	CHELLISSA FISHERIES LLC	
19	GF0141	0	B0046	HEARNE, BRETT AND HEARNE, EILEEN	
20	**GF0144**	**0**	**B0048**	**F/V LESLIE LEE INC**	mothership only
21	GF0146	0	B0250	GUNNARI, GERALD OR GUNNARI, JEAN L	
22	GF0154	0	B0050	WEST COAST FISHERY INVESTMENTS LLC	
23	GF0205	0	B0001	TRIDENT SEAFOODS CORPORATION	
24	GF0210	0	B0058	SEA STORM FISHERIES INC	
25	GF0216	0	B0059	SCHONES, JAMES A AND SCHONES, SANDRA L	
26	GF0220	0	B0240	WHALEY, LLOYD D AND WHALEY, TODD	
27	GF0251	0	B0200	GEORGE ALLEN INC	
28	GF0254	0	B0220	COOPER, MARK	
29	GF0256	0	B0220	PATIENCE FISHERIES INC	
30	GF0261	0	B0190	HUNTERS OFFSHORE ENTERPRISES INC	
31	GF0265	0	B0190	HUNTERS OFFSHORE ENTERPRISES INC	
32	GF0272	0	B0070	Calimari LLC, Charleston OR	
33	GF0273	0	B0071	PACIFIC DAWN LLC	
34	GF0320	0	B0230	BAY ISLANDER INC	
35	GF0321	0	B0230	NEW LIFE Fisheries, Inc, Siletz OR	
36	GF0342	0	B0078	JAMIE MARIE INC	
37	GF0352	0	B0080	F/V JEANETTE MARRIE INC	
38	GF0353	0	B0260	Stormie C LLC	
39	GF0357	0	B0260	PACIFIC TRAWLERS INC	
40	GF0362	0	B0552	PHOENIX PROCESSOR LIMITED PARTNERSHIP	
41	GF0370	0	B0084	L-CAR VENTURES INC	
42	GF0374	0	B0058	F/V NEAHKAHNIE LLC	
43	GF0393	0	B0089	LOVDAHL, WADE A	

44	GF0405	0	B0091	F/V PATTY A J INC
45	GF0409	0	B0092	LETHIN, DAVID
46	GF0433	0	B0531	SEA CLIPPER LLC
47	GF0438	0	B0096	MAR-GUN FISHERIES INC
48	GF0439	0	B0097	SJOSTROM, GARY J
49	GF0515	0	B0555	RETHERFORD, MICHAEL OR RETHERFORD, KELLEY
50	GF0517	0	B0103	MISS BERDIE INC AND T S FISHERIES INC
51	GF0543	0	B0104	HUNTER, ROSEMARY OR WRATCHFORD, ANGELA
52	GF0572	0	B0043	F Y FISHERIES INC AND BLUE DAWN FISHERIES INC AND HARVEST MOON FISHERIES INC AND YAQUINA SEA DAWN INC AND JINCKS INC
53	GF0580	0	B0553	F/V BUCK AND ANN LLC
54	GF0593	0	B0106	SPENCER, STEPHEN S
55	GF0594	0	B0541	Rainier Star, LLC, Centralia WA
56	GF0612	0	B0108	LADY CECELIA INC
57	GF0622	0	B0094	CALIFORNIA SHELLFISH COMPANY INC
58	GF0675	0	B0019	FURY GROUP INC
59	GF0702	0	B0113	BORNSTEIN, MYER JAY
60	GF0706	0	B0170	PENNISI, GIUSEPPE AND PENNISI II, GIUSEPPE
61	GF0708	0	B0557	OCEAN BALLAD INC
62	GF0725	0	B0542	Pacific Grumpy, LLC, Charleston OR
63	GF0795	0	B0118	MUIR MILACH INC AND WILLMORE, DAVID
64	GF0810	0	B0120	EX-1 CORPORATION
65	GF0904	0	B0050	WEST COAST FISHERY INVESTMENTS LLC
66	GF0971	0	B0050	WEST COAST FISHERY INVESTMENTS LLC

Source—Whiting_permits_QS calculations
Whiting_permits_QS_calculations_09-18-2012_incl_harvester_entity_QS_and_corrected_CHA_calc.xlsx
Combined MS_SW_Permits_QS_graphs

	Proc_BUSII	SortOrder8	GFGroup8
Trident	B0001	1	Whiting
Del Mar Seafood	B0011	1	Whiting
Point Adams	B0095	1	Whiting
Hallmark	B0096	1	Whiting
Bornsteins	B0113	1	Whiting
Pacific Seafoods	B0151	1	Whiting
Pacific Seafoods Eureka	B0152	1	Whiting
Pacific Shrimp	B0153	1	Whiting
Pacific Bandon	B0154	1	Whiting
Caito Fisheries	B0324	1	Whiting
Da Yang	B0345	1	Whiting
Diamond Meats	B0349	1	Whiting
Jessie's Ilwaco	B0389	1	Whiting
Next Seafoods	B0420	1	Whiting
Ocean Beauty	B0426	1	Whiting
Ocean Gold	B0428	1	Whiting
WF Alber	B0489	1	Whiting

Source: Processor_BUSID_dependence_1994-2011_02-16-2013_Updated.xlsx