

## **Gulf of Alaska Trawl Bycatch Management Council/NMFS Staff Work Plan**

In October 2015, the North Pacific Fishery Management Council (Council) directed its staff and NMFS personnel to develop a work plan that outlines the timing and order of the analytical tasks that are necessary to produce a Draft Environmental Impact Statement (DEIS) and Regulatory Impact Review (RIR) for the proposed Gulf of Alaska Trawl Bycatch Management Program (GOA TBM). Understanding that the development of a DEIS/RIR is a large undertaking that will require a substantial amount of staff time, the Council requested a work plan in order to gauge opportunities for stakeholder input, refinement of alternatives (if necessary), and the tracking of progress. The Council recognizes that the proposed alternatives include elements for which preliminary analysis might inform the ultimate range of alternatives to be considered at final action. In light of that fact, the Council indicated that a “build-up” approach is preferable to receiving a complete analysis after an extended period of time without conducting further public scoping.

This cover letter provides a short narrative of Council and NMFS staff members’ rationale for the proposed order of work and interim Council review. In addition to that, this packet includes the following items:

1. A general schedule for DEIS/RIR development, rule making, Fishery Management Plan amendment approval, Endangered Species Act documentation, and implementation;
2. A draft outline of the DEIS/RIR document;
3. A revised draft of the Council’s alternatives, as of October 2015; and
4. A table comparing the four alternatives that have been proposed for consideration, as well as elements that might be in need of further definition by the Council.

*Note that staff has suggested re-numbering the alternatives to improve the ease of comparing the two major cooperative program frameworks (cooperative allocations of groundfish and prohibited species, or cooperative allocations of only prohibited species). In effect, Alternatives 3 and 4 are reversed relative to how they were numbered in the Council’s October 2015 motion.*

This work plan is a staff proposal. The Council may modify this work plan at its December 2015 meeting, specifically in regards to the timing of initial review. The order and timing of analytical tasks is laid out, at a high level, in the top row of the “General Schedule of EIS Steps”. For the purpose of discussion, staff assumed that a complete DEIS would be presented for initial review in either October or December of 2016 and worked backwards from those dates to draft a schedule. That assumption is based on staff’s assessment of the work required to complete an initial review document, and is not based on any explicit Council direction. Selecting a goal for the timing of initial review will be helpful in setting public expectations and tasking internal deadlines for staff. In drafting a schedule, staff also considered that the Council has several major priorities to address in 2016 and it might be unrealistic to assume that GOA TBM can be a major agenda item at *every* Council meeting. In addition to clearing Council time for other actions, keeping GOA TBM off the agenda for at least one 2016 meeting provides longer stretches of time for analysis while devoting marginally less time to document preparation and presentation writing.

As a starting point, the work plan proposes a first review of preliminary issues at the February 2016 meeting, and identifies April 2016 as the Council meeting at which GOA TBM would *not* be a major

agenda item (though the Council typically receives a GOA Chinook salmon bycatch genetics report at that meeting). Given that it is likely undesirable to wait until June 2016 to present the Council with substantive analytical work, choosing to keep GOA TBM off of the April agenda increases the scope of work that would be completed for the February 2016 meeting in Portland, Oregon. One reason that staff felt it important to address GOA TBM in February is that stakeholders have not yet had an opportunity to provide public comment on the record concerning the new alternative to allocate only PSC species to cooperatives, now listed as Alternative 3. (Further detail on the tasks slated for February is provided below.) A second reason to pursue a February/June timeline is that reviewing major components of the analysis in April would leave relatively little time to make revisions for the June meeting. An advantage to having GOA TBM on the agenda for the June meeting in Kodiak, Alaska is the ability to receive input from both fishing and non-fishing stakeholders in a community with major involvement in the GOA trawl fishery.

The following is a brief overview of what staff proposes to prepare for each of the 2016 Council meetings. The Council may, of course, recommend changes to the plan or flag certain topics as priorities. While staff has gone through this exercise with meeting dates in mind, one could also interpret this list as an ordering of tasks in time. Some pieces of the analysis could be moved up or down on the timeline, as long as their position relative to other pieces remains the same. Items that are assigned to a certain meeting for a specific logical reason are identified.

## **February 2016**

### Minor analytical tasks

- *Description of active and latent LLP licenses and their endorsements throughout Alaska.* The Council requested this information in October 2015. Completing this task early in the analytical process might help the Council determine whether there is a need to consider recency options, and could also be useful in identifying potential spillover effects of this program on other fisheries and/or gear sectors.
- *Identify catcher/processor endorsed licenses that would be converted to catcher vessel licenses under the proposed alternatives.* Stakeholders would benefit from early notification of any potential change to their license endorsements, and would be able to testify on that effect throughout the process of analysis and review. Staff would also identify any CP licenses that are not linked to Amendment 80 vessels, as those licenses would not meet the sector eligibility requirements in the current set of alternatives and, thus, could not be used to trawl in the GOA under the proposed program.

### Refinement of major alternatives

- *Preliminary analysis contrasting Alternative 3 to both Alternative 2 and the Council's Purpose and Need/Goals and Objectives.* This would allow stakeholders to comment on the PSC-only cooperative structure that was added to the range of alternatives after the public comment period at the October 2015 Council meeting. Staff would also assess the availability of relevant information that is specific to Alternative 3, such as methods for determining "vessel capacity" for allocations.
- *Discussion paper on cooperative formation.* As requested by the Council in October 2015, this would address structure (e.g., how cooperatives would function if they included multiple processors, if there was only one cooperative for each GOA area, etc.), formation (e.g., "fixed-

linkages” versus free association), and the strength of harvesters’ incentive to join a cooperative under Alternative 3. Cooperative structure, formation, and participation are major components of the overall impact analysis. While all issues may not be resolved at this stage, addressing them early in the process could inform the ongoing consideration of how to frame other program elements that are intended to provide stability and protections to the involved sectors and communities.

- *Simulate allocation.* Examining how allocations would work under either Alternative 2 or Alternative 3 is another key task that could inform other program elements. This analysis could focus only on how PSC would be allocated, since that is the best comparison to make between the alternatives and because the list of groundfish species to be allocated under Alternative 2 remains undefined. This analysis is closely linked to the discussion of cooperative formation and structure, so it is intuitive to address these issues in combination.
- *Discuss active participation requirements.* Staff would begin to analyze the extent to which the active participation requirements in the current alternatives address the Council’s Goals and Objectives. This discussion relates to the comparison between Alternatives 2 and 3, as Alternative 3 situates the definition and implementation of active participation criteria with the cooperative. Also, NMFS staff would begin to analyze whether and how they would be responsible for monitoring and enforcing that such requirements have been met before making annual allocations; NMFS will be working towards identifying most potential management and enforcement issues for the June 2016 meeting.
- *Discuss issues related to catch accounting and tendering.* This relatively minor issue makes sense to address at this time because the Council will be considering a separate tender-related action in February. Staff is mainly interested in discussing how the use of tender vessels might affect catch accounting and the enforcement of quota-related limits. Staff would also address catch and PSC accounting challenges that are unique to limited access trawlers that deliver to tenders, and would seek Council comment on whether additional limitations on limited access vessels should be analyzed.
- *Address options that are not fully defined or in need of clarification.* These options are identified in the right-hand column of the attached Program Elements Table. Staff will provide preliminary recommendations on how some of these options could be defined or clarified.

#### **April 2016**

GOA salmon bycatch genetics report

#### **June 2016**

Analytical tasks

- *PSC limit reductions.* Staff would begin to analyze the potential impacts of proposed PSC limit reductions under the various program designs, and would also assess the performance of the GOA trawl fleet under recent Chinook and halibut limits. A focus would be placed on changes in fleet behavior (timing, stand downs, increased flatfish effort in the spring). Taking this on later in the year would provide an additional half-year to observe the non-pollock trawl fleet’s operation under the existing Amendment 97 Chinook limits. Staff would also attempt to look at changes in processor operation and employment patterns when PSC limits stop or slow down fisheries; this task might require the collection of processor data or anecdotal information that

are not part of staff's normal data stream. If possible, staff will discuss the potential long-term effects of alternative halibut PSC management measures. Several papers on those topics – for example, biomass-based limits – are being developed throughout the spring. Finally, staff proposes taking a first-cut at this part of the analysis prior to the completion of a full Initial Review draft so that we will have the benefit of the SSC's comments on methodology.

- *Community stability measures.* Staff proposes that it is appropriate to discuss elements of the alternatives that address community impacts when the Council is meeting in a GOA trawl community. Furthermore, revisiting the Community Fisheries Association & Adaptive Management alternative (now Alternative 4) in June should provide additional time for the stakeholder groups that are drafting a framework for “community stability plans” to make progress on that front.
- *Observer Program issues.* Addressing observer issues in June would give staff the benefit of incorporating information from the Observer Program's Annual Report on 2015 operations, which would be presented at this meeting. Moreover, staff could also receive comments on specific items or analyses from the Observer Advisory Committee, which typically meets in May. Among other tasks, staff will be working on refined estimates of daily full coverage costs that are specific to GOA trawl catcher vessels; that exercise will require time to coordinate with Observer Program staff and full coverage service providers.
- *State-waters issues.* Issues related to management in State of Alaska waters will continue to be considered; a placeholder is provided in case issues need to be discussed with the Council at this stage.
- *Other.* The “General Schedule of EIS Steps” document (attached) lists several other topics that could be addressed at this stage. The following items were identified both as part of a “build-up” approach wherein the Council is not receiving all new analytical work when the DEIS/RIR is completed in October or December 2016, and because interim feedback on some of these issues might affect the way in which the final impact analysis is conducted: (1) changing pollock and Pacific cod season dates, (2) identifying management and enforcement challenges and defining accountability measures for exceeding vessel PSC use caps, (3) identifying catch accounting issues and programming that would need to occur prior to implementation, and (4) continued consideration of existing regulations that could be modified or eliminated under an implemented program. Staff could also consider potential changes to MRA levels for unallocated species that would be necessary to meet the program's objectives.

### **October 2016**

Depending on progress, October 2016 would be the earliest target date for the completion of an Initial Review DEIS/RIR. Staff time over the summer would be focused on pulling together the results of all the discussions listed above – and elements not yet covered – and crafting an impact analysis that considers environmental, economic, and social components of the fishery. Staff's ability to reach this stage may depend on the Council having further defined some elements of the program that would have been identified in February 2016 (for example, proposed eligibility criteria for CFAs or a distribution framework for adaptive management quota).

### **December 2016**

Secondary target date for the completion of Initial Review DEIS/RIR.

**General Schedule of EIS Steps for Council Action on GOA Trawl Bycatch Management**

Project Components	Completed Actions	February 2016 Council Meeting	April 2016 Council Meeting	June 2016 Council Meeting	October 2016 Council Meeting	December 2016 Council Meeting	Tasks that occur between Initial Review and Final Action		Final Action (Future Council Meeting)	Tasks that occur after Final Action <small>(Chronological order from left to right)</small>							
Council Meetings	Council develops preliminary range of alternatives, Council reviews scoping report, Council refines alternatives	(1) Data updates on active and latent licenses, (2) CP licenses that would be converted to CV, (3) address options that are not complete to the extent possible, (4) initial discussion of Alternative 3 including available data on vessel capacity for allocations, (5) cooperative formation, (6) allocation issues, (7) active participation, (8) tendering issues, and (9) additional clarifications as needed	Updated GOA salmon genetics report. No other issues related to the overall Trawl Bycatch Management program will be addressed	(1) PSC limit reductions; (2) changing pollock and cod season dates, (3) community stability issues, (4) flatfish fishery changes, (5) State waters issues, (6) existing regulations that could be modified and other regulatory, catch accounting, and enforcement issues identified, (7) address any AMP and CFA eligibility and structure issues, and (8) outstanding observer program issues	(1) Council reviews complete DEIS/RIR or if not complete a preliminary review of completed sections, (2) if complete the Council may recommend release for public review, and (3) if complete the Council may identify a preliminary preferred alternative	This meeting is not necessary if the Council is able to release the document in October and the tasks that occur between initial and final review would take place during this time. else, (1) Council reviews complete DEIS/RIR, (2) Council may recommend release for public review, and (3) Council may identify a preliminary preferred alternative	Review supplemental drafts of DEIS/RIR (if necessary)		Council takes Final Action based on CAR and DEIS/RIR, identifies preferred alternative			Review proposed rule (unless task is deemed to the Council Chairman and Executive Director)					
NEPA and EO 12866 Documentation	Publish NOI for EIS, 45-day scoping period, write scoping report, send scoping report to Council	Write Initial Review Draft EIS (DEIS) and Regulatory Impact Review (RIR)					Publish DEIS/RIR, 45-day comment period	Develop Comment Analysis Report (CAR). Send CAR to Council prior to Final Action		Revise EIS/RIR to incorporate final action and CAR	Publish Final EIS/RIR		Sign Record of Decision (ROD) at time of FMP approval				
ESA Documentation									ESA Consultation starts when preferred alternative is identified. ESA consultation based on EIS analysis		ESA consultation should be complete for GCA/PR package						
Rule making and Regulatory Flexibility Act documentation										Develop proposed rule and IRFA	Publish proposed rule, 45-day public comment period	Respond to comments and develop final rule and FRFA		Publish final rule	Final rule effective 30 days after rule is published	Implementation	
FMP approval										Develop NOA and amendment text	Publish NOA, 60-day public comment period		FMP amendment approval (30 days after end of comment period)				

## **Draft EIS/RIR Outline**

### **Executive Summary**

- Introduction**
- Purpose and Need**
- Alternatives**
- Summary of the environmental effects of the alternatives**
- Summary of the economic and social effects of the alternatives**
- List of Tables**
- List of Figures**
- List of Commonly Used Acronyms**

## **1 Purpose and need**

### **1.1 Introduction**

### **1.2 Action area**

### **1.3 Purpose and need**

#### **1.3.1 Primary elements of proposed action**

#### **1.3.2 Related actions taken to date**

### **1.4 Public participation**

#### **1.4.1 Notice of Intent and Scoping**

#### **1.4.2 Public participation in development of Amendment X**

#### **1.4.3 Coordination with other agencies**

### **1.5 Issues to be addressed in the EIS**

### **1.6 Related NEPA analyses**

#### **1.6.1 Alaska Groundfish Fisheries Programmatic SEIS**

#### **1.6.2 Chinook Salmon EIS**

#### **1.6.3 Steller Sea Lion Protection Measures EIS**

#### **1.6.4 Essential Fish Habitat EIS**

**1.6.5 Harvest Specifications EIS**

**1.6.6 Other related NEPA analyses**

## **2 Alternatives**

### **2.1 Development of the alternatives**

**2.1.1 How the alternatives are constructed**

**2.1.2 NMFS and Council key policy issues and decision points**

### **2.2 Alternative 1: No Action**

**2.2.1 License Limitation Program**

**2.2.2 Allocations of Groundfish to Sectors**

**2.2.2.1 GOA Amendment 23: Inshore/Offshore for Pollock and Pacific cod**

**2.2.2.2 GOA Amendment 80: Non-AFA Trawl CPs**

**2.2.2.3 GOA Amendment 83: WG and CG Pacific Cod Apportionments**

**2.2.2.4 GOA Amendment 88: Central GOA Rockfish Program**

**2.2.3 Apportionments of PSC to Sectors**

**2.2.3.1 GOA Amendment 93: Chinook Salmon PSC Limits for Pollock Targets**

**2.2.3.2 GOA Amendment 97: Chinook Salmon PSC Limits for Non-Pollock/Non-Rockfish Program Fisheries**

**2.2.3.3 GOA Amendment 95: Halibut PSC Limits**

**2.2.4 Observer Program Requirements**

**2.2.5 Salmon Retention Requirements**

**2.2.6 Pollock Trip Limits**

**2.2.7 Standdowns**

**2.2.8 Exclusive Fishing Seasons**

**2.2.9 State Waters Fisheries**

## **2.3 Alternative 2: Cooperative allocations of target, secondary, and PSC species**

### **2.3.1 Sector Eligibility**

### **2.3.2 Cooperative Allocations**

#### **2.3.2.1 Target Species**

#### **2.3.2.2 Secondary Species**

#### **2.3.2.3 PSC Species**

### **2.3.3 Issues specific to inshore cooperatives**

#### **2.3.3.1 Cooperative formation**

#### **2.3.3.2 Delivery requirements**

### **2.3.4 Issues specific to offshore cooperatives**

### **2.3.5 Limited Access**

### **2.3.6 State waters fisheries**

### **2.3.7 Sideboards**

### **2.3.8 Observer coverage and monitoring requirements**

### **2.3.9 Cost Recovery**

## **2.4 Alternative 3: Cooperatives with PSC Apportionments**

### **2.4.1 Sector Eligibility and Apportionments**

### **2.4.2 Cooperative Allocations of PSC**

#### **2.4.2.1 Halibut**

#### **2.4.2.2 Chinook Salmon**

### **2.4.3 Issues specific to inshore cooperatives**

#### **2.4.3.1 Cooperative formation**

#### **2.4.3.2 Delivery requirements**

### **2.4.4 Issues specific to the offshore sector**

### **2.4.5 Limited Access**



**2.4.6 State waters fisheries**

**2.4.7 Observer coverage and monitoring requirements**

**2.5 Alternative 4: Community Fishing Associations and Adaptive Management**

**2.5.1 Community Fishing Associations**

**2.5.2 Adaptive Management**

**2.6 Comparison of the four alternatives**

**2.7 Alternatives considered and eliminated from detailed study**

**3 General approach to analysis**

**3.1 Methodology**

**3.2 Management framework & Applicable Federal Statutes**

**3.2.1 Endangered Species Act (ESA)**

**3.2.2 Marine Mammal Protection Act (MMPA)**

**3.2.3 Magnuson-Stevens Act (MSA)**

**3.2.4 Administrative Procedure Act (APA)**

**3.2.5 Regulatory Flexibility Act (RFA)**

**3.2.6 Paperwork Reduction Act of 1995 (PRA)**

**3.2.7 Executive Order 12866: Regulatory Planning and Review**

**3.2.8 Executive Order 13084: Consultation and Coordination with Indian Tribal Governments**

**3.2.9 Executive Order 12898: Environmental Justice**

**3.3 Data sources and best available data**

**3.4 Cumulative Impacts Methodology**

## **4 Groundfish fishing patterns**

- 4.1.1 Structural and organizational changes to the GOA trawl fisheries**
- 4.1.2 Effects on trawl fishing patterns**
- 4.1.3 Effects on fixed gear fishing patterns**
- 4.1.4 Summary of expected changes to fishing patterns under the alternatives**
- 4.1.5 Projected changes to processing industry**
- 4.1.6 Projected changes to communities**
- 4.1.7 Projected changes to crew members**
- 4.1.8 Summary of expected changes**

## **5 Target Species**

- 5.1 Target Species (general overview description)**
- 5.2 Pollock**
  - 5.2.1 Status, distribution, management, catch**
  - 5.2.2 Effects of the alternatives on pollock**
- 5.3 [repeat for each target species]**
  - 5.3.1 Status, distribution, management, catch**
  - 5.3.2 Effects of the alternatives on XX**
- 5.4 Cumulative effects on target species**

## **6 Non-Target Species (bycatch)**

- 6.1 Non- Target Species (general overview description for categories of non-targets)**

## **6.2 Halibut**

**6.2.1 Status, distribution, management, prohibited species catch**

**6.2.2 Effects of the alternatives on halibut**

## **6.3 Salmon**

**6.3.1 Status, distribution, management, prohibited species catch**

**6.3.2 Effects of the alternatives on salmon (not listed)**

**6.3.3 Effects of the alternatives on ESA- listed salmon**

## **6.4 Forage Fish and grenadiers**

**6.4.1 Status, distribution, management, bycatch**

**6.4.2 Effects of the alternatives on forage fish**

**6.4.3 Effects of the alternatives on grenadiers**

## **6.5 Other groundfish**

**6.5.1 Status, distribution, management, catch**

**6.5.2 Effects of the alternatives on other groundfish species**

## **6.6 Cumulative effects on non-target species**

# **7 Marine Mammals**

## **7.1 Marine Mammal (general overview description)**

**7.1.1 Steller sea lions status and distribution**

**7.1.2 [repeat for each marine mammal potentially impacted by the GOA trawl fisheries]**

## **7.2 Effects on marine mammals**

## **7.3 Cumulative effects on marine mammals**

# **8 Seabirds**

## **8.1 Seabirds (general overview description)**

### **8.1.1 ESA-listed seabirds**

### **8.1.2 Other seabirds**

## **8.2 Effects on seabirds**

## **8.3 Cumulative effects on seabirds**

# **9 Habitat and Ecosystem**

## **9.1 Habitat (general overview description)**

### **9.1.1 Effects on habitat**

### **9.1.2 Cumulative effects on habitat**

## **9.2 Ecosystem (general overview description)**

### **9.2.1 Effects on the ecosystem**

### **9.2.2 Cumulative effects on the ecosystem**

# **10 Economic Impacts (Regulatory Impact Review)**

## **10.1 Statutory Authority**

## **10.2 Methodology for analysis of impacts**

## **10.3 Description of Fisheries**

### **10.3.1 Existing Management**

#### **10.3.1.1 License Limitation Program**

#### **10.3.1.2 Seasons and Areas**

#### **10.3.1.3 Species Open to Directed Fishing**

#### **10.3.1.4 Maximum Retainable Amounts**

#### **10.3.1.5 Prohibited Species Catch Limits**

- 10.3.1.5.1 Chinook Salmon**
- 10.3.1.5.2 Halibut Mortality**
- 10.3.1.6 Restructured Observer Program**
- 10.3.1.7 Central GOA Rockfish Program**
  - 10.3.1.7.1 Cooperatives and Quota Allocations**
  - 10.3.1.7.2 PSC Rollovers**
- 10.3.1.8 Existing Management Measures**
  - 10.3.1.8.1 Measures Proposed to be Retained**
  - 10.3.1.8.2 Measures Proposed to be Removed**
- 10.3.2 Harvests**
  - 10.3.2.1 Fisheries and Seasons**
  - 10.3.2.2 Catch in Target Fisheries**
  - 10.3.2.3 Non-target Groundfish Catch**
  - 10.3.2.4 Prohibited Species Catch**
- 10.3.3 Harvesting Vessels**
  - 10.3.3.1 Catcher Vessels**
    - 10.3.3.1.1 Vessel Dependency**
    - 10.3.3.1.2 Rockfish Program**
    - 10.3.3.1.3 GOA Fixed Gear Fisheries**
    - 10.3.3.1.4 BSAI Fisheries**
    - 10.3.3.1.5 Processor Affiliation**
  - 10.3.3.2 Catcher/Processors**
    - 10.3.3.2.1 Vessel and Company Dependency**
    - 10.3.3.2.2 Rockfish Program**
    - 10.3.3.2.3 BSAI Fisheries**
- 10.3.4 Shorebased Processors**
  - 10.3.4.1 Dependency on GOA Trawl Groundfish**
  - 10.3.4.2 Consolidation**
  - 10.3.4.3 Employment**
- 10.3.5 Captain and Crew**

**10.3.5.1 Employment**

**10.3.5.2 Compensation**

**10.3.5.3 Transition to Vessel Ownership**

**10.3.6 Products and Markets (See Econ SAFE)**

**10.3.6.1 Shorebased**

**10.3.6.2 Catcher/Processors**

**10.4 Analysis of Impacts on Harvesters**

**10.4.1 Analysis of Impacts - Alternative 1: No Action**

**10.4.2 Analysis of Impacts- Alternative 2: Cooperative Program with allocation of PSC and Target Species**

**10.4.2.1 Observer Coverage and Monitoring**

**10.4.2.2 Sector eligibility**

**10.4.2.2.1 Inshore sector**

**10.4.2.2.2 Offshore sector**

**10.4.2.3 Allocated Species**

**10.4.2.3.1 Target Species**

**10.4.2.3.2 Secondary Species**

**10.4.2.3.3 PSC species**

**10.4.2.4 Sector allocations of target and secondary species**

**10.4.2.5 Pollock**

**10.4.2.6 Pacific cod**

**10.4.2.7 Sablefish**

**10.4.2.8 Big and longnose skates**

**10.4.2.9 Rockfish**

**10.4.2.10 Sector allocations of PSC**

**10.4.2.10.1 Chinook salmon**

**10.4.2.10.2 Halibut**

**10.4.2.11 Species not allocated**

**10.4.2.12 Voluntary inshore cooperative structure**

**10.4.2.13 Voluntary offshore (C/P) cooperative structure**

**10.4.2.14 Fishery dependent community stability**

**10.4.2.15 Transferability**

**10.4.2.16 Gear Conversion**

**10.4.2.17 Limited access trawl fisheries**

**10.4.2.18 Cooperative member's limitations in other fisheries**

**10.4.2.19 Program review**

**10.4.2.20 Cost recovery and loan program**

**10.4.3 Analysis of Impacts - Alternative 3: Cooperative Program with only PSC Apportionments**

**10.4.3.1 Observer Coverage and Monitoring**

**10.4.3.2 Sector eligibility**

**10.4.3.2.1 Inshore sector**

**10.4.3.2.2 Offshore sector**

**10.4.3.3 Sector apportionments of PSC**

**10.4.3.3.1 Chinook salmon**

**10.4.3.3.2 Halibut**

**10.4.3.4 PSC species apportioned to cooperatives**

**10.4.3.5 Species not allocated**

**10.4.3.6 Voluntary inshore cooperative structure**

**10.4.3.7 Voluntary offshore (C/P) cooperative structure**

**10.4.3.8 Fishery dependent community stability**

**10.4.3.9 Transferability**

**10.4.3.10 Gear Conversion**

**10.4.3.11 Limited access trawl fisheries**

**10.4.3.12 Cooperative member's limitations in other fisheries**

**10.4.3.13 Program review**

**10.4.3.14 Cost recovery and loan program**

**10.4.4 Analysis of Impacts- Alternative 4: Alternative 2 Cooperative Program with either CFA or AMP**

## **10.5 Analysis of Impacts on Processors**

### **10.5.1 Alternative 1: No Action**

### **10.5.2 Alternative 2: Cooperative Program with Allocations of Groundfish and PSC Species**

#### **10.5.2.1 Observer Coverage and Monitoring**

#### **10.5.2.2 Sector eligibility**

#### **10.5.2.3 Processor allocations of PSC**

##### **10.5.2.3.1 Chinook salmon**

##### **10.5.2.3.2 Halibut**

#### **10.5.2.4 Flatfish, secondary, tanner crab, EG Pacific cod, any rockfish not allocated.**

#### **10.5.2.5 Voluntary inshore cooperative structure**

#### **10.5.2.6 Transferability**

#### **10.5.2.7 Limited access trawl fisheries**

#### **10.5.2.8 Program review**

#### **10.5.2.9 Cost recovery and loan program**

### **10.5.3 Alternative 3: Cooperative Program with only PSC Apportionments**

### **10.5.4 Alternative 4: Cooperative Program with either CFA or AMP**

## **10.6 Analysis of Impacts on Tenders**

### **10.6.1 Alternative 1: No Action**

### **10.6.2 Alternative 2: Cooperative Program with Allocations of Groundfish and PSC Species**

### **10.6.3 Alternative 3: Cooperative Program with only PSC Apportionments**

### **10.6.4 Alternative 4: Cooperative Program with either CFA or AMP**

## **10.7 Analysis of Impacts on Captains and Crew**

### **10.7.1 Alternative 1: No Action**

### **10.7.2 Alternative 2: Cooperative Program with Allocations of Groundfish and PSC Species**



**10.7.2.1 Observer Coverage and Monitoring**

**10.7.2.2 Allocated Species**

**10.7.2.3 Voluntary inshore cooperative structure**

**10.7.2.4 Voluntary offshore (C/P) cooperative structure**

**10.7.2.5 Fishery dependent community stability**

**10.7.2.6 Transferability**

**10.7.2.7 Gear Conversion**

**10.7.2.8 Gear Modification**

**10.7.2.9 Limited access trawl fisheries**

**10.7.2.10 Cooperative member's limitations in other fisheries**

**10.7.2.11 Program review**

**10.7.2.12 Cost recovery and loan program**

**10.7.3 Alternative 3: Cooperative Program with Allocations of PSC Species**

**10.7.4 Alternative 4: Cooperative Program with either CFA or AMP**

**10.8 Impacts on New Entrants**

**10.8.1 Alternative 1: No Action**

**10.8.2 Alternative 2: Cooperative Program**

**10.8.3 Alternative 3: Cooperative Program with Allocations of PSC Species**

**10.8.4 Alternative 4: Cooperative Program with either CFA or AMP**

**10.9 Impacts on Groundfish and PSC Species**

**10.9.1 Alternative 1: No Action**

**10.9.2 Alternative 2: Cooperative Program**

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**Purpose and Need Statement:**

Management of Gulf of Alaska (GOA) groundfish trawl fisheries has grown increasingly complicated in recent years due to the implementation of measures to protect Steller sea lions and reduced Pacific halibut and Chinook salmon Prohibited Species Catch (PSC) limits under variable annual total allowable catch (TACs) limits for target groundfish species. These changes complicate effective management of target and non-target resources, and can have significant adverse social and economic impacts on harvesters, processors, and fishery-dependent GOA coastal communities.

The current management tools in the GOA Groundfish Fishery Management Plan (FMP) do not provide the GOA trawl fleet with the ability to effectively address these challenges, especially with regard to the fleet's ability to best reduce and utilize PSC. As such, the Council has determined that consideration of a new management regime for the GOA trawl fisheries is warranted.

The purpose of the proposed action is to create a new management structure which allocates prohibited species catch limits and/or allowable harvest to individuals, cooperatives, or other entities, which will mitigate the impacts of a derby-style race for fish. It is expected to improve stock conservation by creating vessel-level and/or cooperative-level incentives to eliminate wasteful fishing practices, provide mechanisms to control and reduce bycatch, and create accountability measures when utilizing PSC and/or target and secondary species. It will also increase at-sea monitoring in the GOA trawl fisheries, have the added benefit of reducing the incentive to fish during unsafe conditions, and improve operational efficiencies.

The Council recognizes that GOA harvesters, processors, and communities all have a stake in the groundfish trawl fisheries. The new program shall be designed to provide tools for the effective management and reduction of PSC and bycatch, and promote increased utilization of both target and secondary species harvested in the GOA. The program is also expected to increase the flexibility and economic efficiency of the GOA groundfish trawl fisheries and support the continued direct and indirect participation of the coastal communities that are dependent upon those fisheries. These management measures could apply to those species, or groups of species, harvested by trawl gear in the GOA, and/or to PSC. This program will not modify the overall management of other sectors in the GOA, or the Central GOA rockfish program, which already operates under a catch share system.

**Goals and Objectives:**

1. Balance the requirements of the National Standards in the Magnuson Stevens Act
2. Increase the ability of the groundfish trawl sector to avoid PSC species and utilize available amounts of PSC more efficiently by allowing groundfish trawl vessels to fish more slowly, strategically, and cooperatively, both amongst the vessels themselves and with shore-based processors
3. Reduce bycatch and regulatory discards by groundfish trawl vessels
4. Authorize fair and equitable access privileges that take into consideration the value of assets and investments in the fishery and dependency on the fishery for harvesters, processors, and communities

5. Balance interests of all sectors and provide equitable distribution of benefits and similar opportunities for increased value
6. Promote community stability and minimize adverse economic impacts by limiting consolidation, providing employment and entry opportunities, and increasing the economic viability of the groundfish harvesters, processors, and support industries
7. Improve the ability of the groundfish trawl sector to achieve Optimum Yield, including increased product retention, utilization, landings, and value by allowing vessels to choose the time and location of fishing to optimize returns and generate higher yields
8. Increase stability relative to the volume and timing of groundfish trawl landings, allowing processors to better plan operational needs as well as identify and exploit new products and markets
9. Increase safety by allowing trawl vessels to prosecute groundfish fisheries at slower speeds and in better conditions
10. Include measures for improved monitoring and reporting
11. Increase the trawl sector's ability to adapt to applicable Federal law (i.e., Endangered Species Act)
12. Include methods to measure the success and impacts of all program elements
13. Minimize adverse impacts on sectors and areas not included in the program
14. Promote active participation by owners of harvest vessels and fishing privileges

**ALTERNATIVE 1.** No action. Existing management of the Central and Western Gulf of Alaska trawl fisheries under the License Limitation Program.

**ALTERNATIVE 2.** Gulf of Alaska Trawl Bycatch Management Program for the Western Gulf, Central Gulf and West Yakutat areas. The following elements apply to the program:

**1. Observer Coverage and Monitoring**

All trawl vessels in the GOA will be in the 100% observer coverage category, whether they participate in the voluntary cooperative structure or the limited access fishery with trawl gear. NMFS will develop monitoring and enforcement provisions necessary to track quota, harvests, and use caps for catcher vessels and catcher processors, including those necessary for gear conversion. The Council authorizes NMFS to report weekly vessel-level bycatch information as authorized under MSA Sec 402(b)(2)(A). Full retention of allocated target species is required.

The Council request staff to evaluate the ability/challenges for the fleet to meet the full retention requirement for allocated species if the prohibition for directed fishing for Pollock and cod remains in effect for the time period of Nov 1 to Dec 31.

**2. Sector eligibility**

Inshore sector: Shoreside processors with an eligible FPP and harvesters with an eligible FPP and LLP endorsed for GOA trawl. Allocations are based on trawl landings during the qualifying years with a CV trawl LLP or a CP trawl LLP that did not process catch onboard. Any CP LLP not used to process catch offshore during the qualifying years will be converted to a CV LLP at the time of implementation.

Offshore sector: Am 80 vessels defined in Table 31 CFR Part 679 and their replacement vessels, and their current GOA trawl LLP. Allocations are based on trawl landings during the qualifying years with a CP trawl LLP that processed catch onboard.

**3. Allocated species (more than one option can be selected)**

a. Target species:

- Option 1. Pollock (610/620/630/640) and Pacific cod (WG/CG)
- Option 2. WGOA rockfish (northern, dusky, and Pacific ocean perch) and WY rockfish (dusky and Pacific ocean perch)

b. Secondary species:

- Option 1. Sablefish (WG, CG, WY). Allocations of CG sablefish under the CG Rockfish Program are maintained.
- Option 2. Thornyhead rockfish, shortraker rockfish, rougheye/blackspotted rockfish, other rockfish (WG, CG). Allocations of CG rockfish under the CG Rockfish Program are maintained.

Suboption: Big skates and longnose skates

- Option 3. (*Mutually exclusive with Options 1 and 2*) Cooperative measures are required to manage secondary species under maximum retainable amounts (MRAs), as opposed to cooperative allocations.

c. PSC species: Halibut and Chinook salmon

**4. Sector allocations of target and secondary species**

Allocations to the trawl CV sector for WG and CG Pacific cod (Am 83), CGOA rockfish program (Am 88), and GOA pollock (Am 23) are maintained. Allocations to the trawl CP sector for the CGOA rockfish program are maintained. GOA flatfish eligibility for the trawl CP sector under Am 80 is maintained.

a. Pollock and Pacific cod:

Pollock and Pacific cod TACs would be allocated to the inshore sector; the offshore sector would receive an incidental catch allowance (ICA) for Pacific cod and pollock and be managed under maximum retainable amounts.

- Option 1. Revise the GOA-wide pollock apportionments to 30% (A); 30% (B); 20% (C); 20% (D)
- Option 2. Modify the pollock fishery to two seasons: Jan 20 to June 10 and June 10 to Nov 1. (If selected with Option 1, the seasonal split would be 60%/40%).
- Option 3. Modify the Pollock trip limit from 136 mt (300,000 lbs.) to 159 mt (350,000 lbs.).

None of the options change the distribution of GOA pollock among Areas 610, 620, or 630 as established through the specifications process.

Option 4: Modify the trawl Pacific cod fishery to two seasons: Jan 20 to June 10 and June 10 to Nov 1. (The seasonal split for trawl gear would be maintained per Am 83).

b. Other target species and secondary species: Sector allocations would be based on each sector's retained catch (Option: total catch for secondary species) from:

- Option 1. 2008 – 2012
- Option 2. 2007 – 2012
- Option 3. 2003 – 2012

c. In addition to the options based on catch history above, options for establishing WG and WY rockfish sector allocations include:

- Option 1. Allocate based on Am 80 sideboards
- Option 2. Allocate to the CP sector only. The CV sector is prohibited from directed fishing and managed under MRAs.
- Option 3. Establish a CV sector allocation of WG rockfish of 2% - 5%. Any unharvested rockfish (by a specified date) is reallocated to the CP cooperatives.

**5. Sector allocations of PSC**

a. Chinook salmon:

The Chinook salmon PSC limit allocated pro rata based on pollock trawl landings is a CV allocation only of:

- Option 1. 25,000 (status quo based on Am 93)
- Option 2. 18,750 (25% reduction)

Chinook salmon PSC allocated pro rata based on trawl CV and CP non-pollock landings (excluding CG rockfish program for the CV sector) are based on GOA Amendment 97. Any Chinook salmon PSC caught in WY comes off the cooperative's Chinook salmon PSC limit.

b. Halibut:

i. The halibut PSC limit allocated pro rata based on CV and CP trawl landings (excluding the CG rockfish program) is:

- Option 1. 1,515 mt (status quo under Am 95 by 2016, with full 15% reduction in place)
- Option 2. 1,364 mt (additional 10% reduction relative to 2016, phased in over a two-year period)
- Option 3. 1,288 mt (additional 15% reduction relative to 2016, phased in over a three-year period)
- Option 4. 1,212 mt (additional 20% reduction relative to 2016, phased in over a three-year period)



Option 5. 1,136 mt (additional 25% reduction relative to 2016, phased in over a three-year period)

ii. Halibut PSC apportionment between the CP and CV sectors will be based on halibut PSC use during:

Option 1. 2008 - 2012

Option 2. 2007 - 2012

Option 3. 2003 - 2012

c. Rockfish Program PSC:

Any Rockfish Program PSC that would roll over for use in other fisheries under the current rules (after the set aside for halibut savings) can be transferred to the Gulf program cooperatives through inter-cooperative transfer.

d. Gear modification. Option: gear modifications for crab protection.

**6. Voluntary inshore cooperative structure**

a. Annually allocate species to the cooperative, based on aggregate retained catch histories associated with member vessels' LLPs during the qualifying years:

Option 1. 2008 – 2012

Option 2. 2007 – 2012

Option 3. 2003 - 2012

b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of vessels in the cooperative [such as, pollock Chinook salmon PSC cap divided by area and then based on pollock landings; non-pollock Chinook salmon cap divided by area and then based on non-pollock landings (excluding CG rockfish); halibut PSC apportioned by area and then in proportion to target landings associated with cooperative members' LLPs.] Once in the cooperative, PSC can be used to support any target fisheries within the cooperative at any time (no seasonal PSC apportionments).

Option: Each processor controls a portion of the annual PSC within a cooperative [options: 10% - 40%]. Each processor would assign the incremental PSC to vessels in the cooperative under the terms of the cooperative agreement. PSC made available by these agreements cannot be used by vessels owned by the processor (a vessel with more than 10% ownership by a processor using individual and collective rules for determining ownership).

Suboption: No prohibition on processor-owned vessels using processor-controlled PSC. Processor-owned vessels cannot access an amount of the cooperative's PSC greater than the amount they brought into the cooperative.

Suboption: Alternatives for distribution of PSC quota to processors:

1) NMFS holds the PSC and distributes the PSC quota upon the processor's request.

2) Distribute to processors using the same method as harvester's portion of the PSC quota is distributed.

c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector- level, non-transferable target allocations and PSC]. Harvesters would need to be in a cooperative with a processor by November 1 of the previous season to access a transferable allocation.

- d. Initial (2 years) cooperative formation (suboption: in the first two years of each harvester's participation in a cooperative) would be based on the majority of each license's historical landings (aggregate trawl groundfish deliveries, excluding Central GOA rockfish harvested under a rockfish cooperative quota allocation) to a processor during:

Option 1. The qualifying years for determining target species allocations.

Option 2. 2011 – 2012, or the two most recent qualifying years they fished.

If a license has qualifying landings in both regions (WG and CG/WY), initial cooperative formation would be based on the majority of the license's historical landings to a processor in each region (the license holder would join a cooperative in each region). After the initial cooperative formation period, a license holder can choose to be in one cooperative per region on an annual basis.

- e. Each cooperative would be required to have an annual cooperative contract filed with NMFS. Formation of the cooperative would require a cooperative contract signed by (options: 33%, 51%, or 80%) of the license holders eligible for the cooperative and the processor (option: and community in which the processor is located). If a license does not have any qualifying landings, it could still join a cooperative but the license holder does not count toward the cooperative formation threshold. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.
- f. The annual cooperative contract must include:
- Bylaws and rules for the operation of the cooperative
  - Annual fishing plan
  - Operational plan for monitoring and minimizing PSC, with vessel-level accountability, as part of the annual fishing plan
  - Clear provisions for how a harvester and processor may dissolve their contract after the cooling off period of two years. If a harvester wants to leave that cooperative and join another cooperative or the limited access sector, they could do so if they meet the requirements of the contract
  - Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law
- g. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species and PSC allowances, as may be adjusted by annual inter-cooperative transfers.
- h. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.
- i. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.

## 7. Voluntary catcher processor cooperative structure

- a. Annually allocate species to the cooperative. For an eligible CP, the CP history of the vessel in the qualifying years will be assigned to the LLP on the vessel at the time of implementation of the program. Qualifying years:

Option 1. 2008 – 2012

Option 2. 2007 – 2012

Option 3. 2003 – 2012

- b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of vessels in the cooperative [such as, non-pollock Chinook salmon cap divided by area and then based on non-pollock landings (excluding CG rockfish); halibut PSC apportioned by area and then in proportion to target groundfish landings associated with cooperative members' LLPs.] Once in the cooperative, PSC can be used to support any target fisheries within the cooperative at any time (no seasonal PSC apportionments).
- c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector-level, non-transferable target allocations and PSC]. No later than November 1 of each year, an application must be filed with NMFS by the cooperative with a membership list for the year. In order to operate as a cooperative, membership must be comprised of:

Option 1: at least 2 separate entities (using the 10% individual and collective rule) and/or

Option 2: at least [2 – 4] eligible LLP licenses. An LLP must have associated catch history to count toward the threshold.

- d. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.
- e. The contract would require signatures of all LLP holders in the cooperative. The annual cooperative contract must include:
- Bylaws and rules for the operation of the cooperative
  - Annual fishing plan
  - Operational plan for monitoring and minimizing PSC, with vessel level accountability, as part of the annual fishing plan
- f. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species, secondary species, and PSC, as may be adjusted by annual inter-cooperative transfers.
- g. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.
- h. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.
- i. No person may hold or use more than the following percentage of allocated target species CP cooperative quota in each region, using the individual and collective rule:
- Option 1. 30%
  - Option 2. 40%

## **8. Fishery dependent community stability (applies to inshore cooperatives)**

### **a. Consolidation limits**

Option 1. Harvest use (ownership) caps in each region (WG and CG/WY). Harvesters that exceed these percentages are grandfathered into the program. No person may hold or use more than the following percentage of individual target species CV cooperative quota, using the individual and collective rule:

Suboption 1. 3%

Suboption 2.	5%
Suboption 3.	7%

Option 2. Vessel use caps are also applicable within the cooperatives. A vessel may not be used to harvest more than the following percentages of individual target species cooperative quota issued to the CV sector:

Suboption 1.	3%
Suboption 2.	10%
Suboption 3.	15%

Option 3. Processor use caps (facility-based) in each region (WG and CG/WY). Processors that exceed these percentages during the qualifying years are grandfathered into the program. No processor shall receive or process more than the following percentage of individual target species issued to the CV sector:

Suboption 1.	10%
Suboption 2.	20%
Suboption 3.	30%

**b. Regionalization of target species quota**

Target species cooperative quota would be required to be landed in the region in which it is designated (WG or CG/WY designation) based on historical delivery patterns during the following years:

- Option 1. The qualifying years for determining target species allocations.
- Option 2. 2011 - 2012.
- Option 3. Target species CG quota that has historically been landed in Kodiak would have a port of landing requirement to be delivered to Kodiak; CG quota not historically landed in Kodiak would be regionalized (WG or WY/CG).

**c. Active participation criteria**

To be eligible to purchase a GOA trawl CV license or catch history severed from a license, a person must be eligible to document a fishing vessel in the U.S. (status quo) and must:

- Option 1. Hold at least (options: 20% - 30%) ownership of a trawl vessel; or provide documentation of participation as a captain or crew in the GOA trawl groundfish fishery for 150 days (verified by a signature on a fish ticket or crew members' affidavit) for at least (options: 1, 2, or 4) fishing trips in the GOA groundfish trawl fishery in the most recent two years previous to purchase.
  - Option 2. Communities do not need to meet the criteria under Option 1.
- Suboption (applies to Option 1 or 2):  
To retain catch history, a person must be eligible to purchase catch history.

**9. Transferability**

- a. (Annually) Full transferability of cooperative quota, including PSC separately, for annual use within the cooperative. Cooperatives can engage in inter-cooperative transfers of annual allocations to other cooperatives on an annual basis. CP annual cooperative allocations may be transferred to inshore cooperatives; inshore annual cooperative allocations cannot be transferred to CP cooperatives. Inter-cooperative transfers must be processed and approved by NMFS.
- b. (Long-term) The LLP is transferable, with the associated history of the target species (which, when entered into a cooperative, brings with it a pro rata share of PSC).

Allocated species history is severable from a CV trawl license and transferable to another eligible CV trawl license (which, when entered into a cooperative, target species history brings with it a pro rata share of PSC). Transferred history retains the regional delivery designation. PSC cannot

be permanently transferred separately from the license.

Option: (Cooling off provision) License transfers (sale) and the severability provisions are prohibited for CV licenses in the first two years of the program.

#### **10. Gear conversion**

Pacific cod allocations associated with a trawl CV license may be fished with pot gear; a pot endorsement is not necessary but the license must have the appropriate area endorsement. Harvest would continue to be deducted from the vessel's annual trawl quota account and would not affect the pot gear Pacific cod sector allocations. Similar to status quo, PSC taken with pot gear does not accrue to a PSC limit or cooperative PSC allocation.

#### **11. Limited access trawl fisheries (CV and CP)**

If a license holder chooses not to join a cooperative, it may fish in the limited access fishery with an eligible FFP and LLP endorsed for GOA trawl. Under the limited access fishery, the LLP's historic share of (non-transferable) target species will be fished in a competitive fishery open to all trawl vessels in the sector who are not members of a cooperative. The catcher vessel limited access fishery will be subject to all current regulations and restrictions of the LLP and MRAs.

PSC limits in the limited access fishery will retain status quo apportionments by area, season, and/or fishery. Halibut and Chinook salmon PSC limits are annually apportioned to the limited access fishery on a pro rata basis relative to groundfish catch histories associated with LLPs that are not assigned to a cooperative, as reduced by:

Option 1.	10%
Option 2.	20%
Option 3.	30%

#### **12. Sideboards**

Sideboards that apply under the Rockfish Program for the CV and CP sectors, GOA non-exempt AFA CV sideboard limits, non-AFA crab vessel groundfish sideboards that apply to GOA trawl, and Amendment 80 groundfish and halibut PSC sideboard limits in the GOA, are removed for species allocated under the GOA trawl bycatch management program.

The Council requests further discussion of sideboards on directed fishing for Pacific cod with pot gear in the WG and CG (harvest that accrues to the Pacific cod pot sector allocations), as well as further information to consider whether CV sideboards are necessary for the BSAI Pacific cod and yellowfin sole fisheries.

#### **13. Program review**

Per the Magnuson Stevens Act, a program review would be conducted five years after implementation and every seven years thereafter.

#### **14. Cost recovery and loan program**

Per the Magnuson Stevens Act, a cost recovery program would be implemented to recover the incremental agency costs of the program related to data collection, analysis, and enforcement, up to a maximum of 3% of the ex-vessel value from landings of species allocated under the program. Up to 25% of cost recovery fees may be set aside to support a loan program for purchase of shares by fishermen who fish from small vessels and first-time purchases of shares under the program. Loan qualification criteria would need to be defined.

**ALTERNATIVE 3. PSC Only Apportionments to Cooperatives**

This alternative would apportion Chinook salmon and halibut prohibited species catch (PSC) limits to voluntary inshore trawl cooperatives, based on their member vessels. The following elements comprise **Alternative 3** for a Gulf of Alaska Trawl Bycatch Management Program for trawl catcher vessels in the Western Gulf, Central Gulf and West Yakutat areas:

**1. Observer Coverage and Monitoring**

All trawl vessels in the GOA will be in the 100% observer coverage category (or carry electronic monitoring at such time it is a regulated option for trawl vessels), whether they participate in the voluntary cooperative structure or the limited access fishery with trawl gear. The Council authorizes NMFS to report weekly vessel-level bycatch information as authorized under MSA Sec 402(b)(2)(A). NMFS will develop monitoring and enforcement provisions necessary to track cooperative allocations of PSC.

**2. Sector allocations of target species**

Allocations to the trawl sectors for WG and CG Pacific cod (Am 83), CGOA rockfish program (Am 88), and GOA pollock (Am 23) are maintained. GOA flatfish eligibility for the trawl CP sector under Am 80 is maintained.

Pollock and cod apportionments:

Option 1. Revise the GOA-wide pollock apportionments to 30% (A); 30% (B); 20% (C); 20% (D).

Option 2. Modify the pollock fishery to two seasons: Jan 20 to June 10 and June 10 to Nov 1. (If selected with Option 1, the seasonal split would be 60%/40%.)

None of the options change the distribution of GOA pollock among Areas 610, 620, or 630 as established through the specifications process.

Option 3. Modify the trawl cod fishery seasons: Jan 20 – June 10 and June 10 – Nov 1. No change to the A and B seasonal allocations.

**3. Sector allocations of PSC**

a. Chinook salmon:

The pollock trawl CV Chinook salmon PSC limit is:

- Option 1. 25,000 (status quo based on Am 93)
- Option 2. 18,750 (25% reduction)

The non-pollock/non-rockfish trawl CV Chinook salmon PSC limit is 2,700 (status quo based on GOA Am 97). Any Chinook salmon PSC caught in WY comes off of the (cooperative or limited access fishery) Chinook salmon PSC limit. The CG rockfish program Chinook PSC limit for the trawl CV sector is 1,200 (status quo based on Am 97). The Chinook salmon PSC limit for the trawl CP fishery is 3,600 (status quo based on Am 97); any Chinook salmon PSC caught by CPs in the GOA accrues to this limit.

b. Halibut:

i. The apportionment of the halibut PSC limit between the CP and CV sectors will be based on halibut PSC use by each sector during:

- Option 1. 2008 – 2012
- Option 2. 2007 – 2012
- Option 3. 2003 – 2012

- ii. The halibut PSC limit (excluding the CG rockfish program) for each (CP and CV) sector is reduced by:
  - Option 1. 10% (phased in over a two-year period)
  - Option 2. 15% (phased in over a three-year period)
  - Option 3. 20% (phased in over a three-year period)
  - Option 4. 25% (phased in over a three-year period)

Different percentage reductions can be applied to the CP and CV sectors.

- iii. All CPs operating in the GOA are subject to the CP halibut PSC limit. The CP halibut PSC limit is not further divided by area (CG/WG). Vessels can only be in one sector (i.e., vessels with CP licenses that have delivered shoreside during the selected years can elect to be in the CV sector and deliver their catch shoreside).

c. Rockfish Program PSC:

- Option: Any Rockfish Program halibut or Chinook salmon PSC that would roll over for use in other trawl CV fisheries under the current rules (after the set aside for halibut savings) can be transferred to the trawl CV cooperatives through inter-cooperative transfer.

**4. Voluntary inshore cooperative structure**

- a. Cooperative eligibility: Shoreside processors with an eligible FPP and harvesters with an eligible FPP and a CV trawl LLP or a CP trawl LLP that did not process catch onboard during the years selected above. Eligible harvesters must have the applicable area endorsement to use PSC apportioned to the cooperative in that area.
- b. PSC species allocated to the cooperative are halibut and Chinook salmon, divided first by area (WG and CG/WY) based on historical PSC use (*options: 2003 – 2012; 2007 – 2012; 2008 - 2012*). Once in the cooperative, PSC can be used to support any target fisheries within the cooperative in that area at any time (no seasonal PSC apportionments). PSC would be apportioned to the cooperatives as follows (a different option may be selected for each area, WG and CG/WY):

Option 1. Equal shares. Annually apportion PSC limits to each cooperative on an equal share basis relative to the number of member vessels in the cooperative.

Suboption: The non-pollock Chinook salmon PSC limit and halibut PSC limit would first be divided between cod and flatfish landings, before allocating equal shares per vessel to each cooperative. A vessel must have historical target cod and/or flatfish landings in order to receive a PSC apportionment associated with the flatfish and/or cod fishery.

Option 2. Vessel capacity. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to the capacity of the vessel assigned to the cooperative member's LLP the first year it enters a cooperative. The vessel capacity to determine the PSC apportionment associated with that LLP does not change in subsequent years.

Suboption: Vessel capacity is based on highest GOA groundfish landing associated with the license on which the vessel is designated during 2008 – 2012 (or most recent 5 years of landings).

Option 3 (can be selected with Option 1 or 2 above). Each processor controls a portion of the annual PSC [options: 5% - 20%] within a cooperative associated with its member vessels. Each processor would assign the incremental PSC to vessels in the cooperative under the terms of the cooperative agreement. PSC made available by these agreements cannot be used by vessels owned by the processor (a vessel with more than 10% ownership by a processor using individual and collective rules for determining ownership).

Suboption 1: Cooperatives that consist exclusively of processor-owned vessels are exempt from this prohibition.

Suboption 2: No prohibition on processor-owned vessels using processor-controlled PSC. Processor-owned vessels cannot access an amount of the cooperative's processor-controlled PSC greater than the amount they brought into the cooperative.

- c. Participants can choose to either join a cooperative or operate in a limited access fishery on an annual basis. Harvesters would need to indicate by affidavit their intent to participate in the GOA trawl pollock, Pacific cod, or flatfish fisheries in the upcoming year and be in a cooperative with a processor by November 1 of the previous season to access a transferable PSC allocation. A trawl CV license holder can be in one cooperative per region (WG and CG/WY) on an annual basis.

Option 1: Cooperative formation requires at least [options: 2 – 5] vessels with a CV trawl LLP.

Option 2: One cooperative for CG/WY and one cooperative for WG (more than one processor is allowed in each cooperative).

- d. Each cooperative would be required to have an annual cooperative contract filed with NMFS by November 1 of the previous year. Cooperative members shall internally allocate and manage the cooperative's PSC allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.
- e. The annual cooperative contract must include:
- Bylaws and rules for the operation of the cooperative
  - Annual fishing plan
  - Operational plan for monitoring and minimizing PSC, with vessel-level accountability
  - Provisions that prohibit, on a species or species group basis (pollock, cod, flatfish), an LLP holder/vessel that has had PSC allocated to the cooperative for that species or species group from receiving economic benefits from the cooperative for PSC quota use unless the vessel actively participates in the fishery for which the cooperative was awarded PSC. Active participation shall be determined by the cooperative agreement but shall not be less than 3 annual deliveries per species or species group (pollock, cod, flatfish).
  - Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law
- f. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's PSC allowances, as may be adjusted by annual inter-cooperative transfers.
- g. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.



- h. Permit post-delivery transfers of annual PSC among cooperatives. All post-delivery transfers must be completed by December 31.

**5. Transferability and consolidation limits**

(Annually) Allow transferability of PSC cooperative quota for annual use within the cooperative. Limit the amount of each species of annual PSC cooperative quota a person can use in the cooperative to (options: 110% - 150%) of what they brought into the cooperative.

Cooperatives can engage in inter-cooperative transfers of PSC to other cooperatives on an annual basis. Inter-cooperative transfers must be processed and approved by NMFS. Limit the amount of annual PSC cooperative quota a cooperative can transfer to another cooperative to no more than (option: 10% - 50%) of the initial cooperative allocation.

(Long-term) LLPs are transferable. PSC cannot be permanently transferred separately from a license or vessel.

**6. Limited access trawl CV fishery**

If a license holder chooses not to join a cooperative, it may fish in the limited access fishery with an eligible FFP and LLP endorsed for GOA trawl. Vessels must pre-register to operate in the limited access fishery by November 1 of the previous year.

Option 1. Sector-level PSC limits. PSC limits in the limited access fishery will retain status quo apportionments by area, season, and/or fishery. Halibut and Chinook salmon PSC limits are annually apportioned to the limited access fishery (sector-level) based on the number of vessels that are not assigned to a cooperative, using the same method selected for the cooperatives, as reduced by:

- Suboption 1. 10%
- Suboption 2. 20%
- Suboption 3. 25%

Option 2. Individual PSC limits. Non-transferable halibut and Chinook salmon PSC limits are annually apportioned to the limited access fishery participants using the same method selected for the cooperatives, as reduced by:

- Suboption 1. 10%
- Suboption 2. 20%
- Suboption 3. 25%

**7. Program review**

A program review would be conducted five years after implementation and every seven years thereafter.

**ALTERNATIVE 4.** Gulf of Alaska Trawl Bycatch Management Program (Alternative 2) with a Community Fisheries Association allocation or Adaptive Management Program. *(Options 1 and 2 are mutually exclusive.)*

**Option 1. Community Fisheries Association (CFA)**

- Element 1. Allocate 5% - 15% of the fishing quota for all species allocated to CVs under the program to a Community Fishing Association established under §303A(c)(3) of the MSA.
- Element 2. Number of CFAs  
Option 1. One GOA CFA  
Option 2. One CFA for the WG and one for the CG
- Element 3. Goals and objectives for a Community Fishing Association:  
- Provide for the sustained participation of fishing communities and to the extent practicable minimize adverse economic impacts on such communities  
- Assist entry-level and small vessel owner-operators, captains, crew and fishing communities
- Element 4. Communities eligible for participation via the CFA  
- Located in the WG, CG, WY  
- Consist of residents who conduct commercial fishing, processing, or fishery-dependent support businesses within the GOA  
- A high potential for economic and social impacts associated with a LAPP program on harvesters, captains, crew, processors, and other businesses substantially dependent upon the fishery  
- Have submitted a community sustainability plan through the CFA
- Element 5. The CFA must provide a community sustainability plan which includes:  
a. Description of board, governance structure;  
b. Description of quota allocation process;  
c. Goals and objectives for the CFA, and explanation of how the CFA intends to meet those goals and objectives;  
d. Description of how the CFA will meet the goals of sustaining community participation in the fishery, providing for new entry/inter-generational transfer, and encouraging active participation; and  
e. Description of how the plan will address the social and economic development needs of coastal communities
- Element 6. Require an annual report to the Council and communities
- Element 7. CFA Cooperative Program Integration  
- Annual quota allocated to the CFA may not be sold  
- The CFA will operate within the cooperative structure of the main program. Quota leased from the CFA must be utilized on a license and accessed through a cooperative  
- CFA quota will be subject to the same set of rules as other quota in the program such as bycatch management, observer coverage and monitoring, sector allocations, cooperative structure, and gear conversion  
- If selected by the Council, regionalization and port of landing requirements will apply to CFA quota (option: do not apply port of landing requirements)  
- Quota leased from a CFA counts toward any vessel and ownership use caps

**Option 2. Adaptive Management Program.** Set-aside 5% - 15% of fishing quota for all species allocated to CVs under the program for adaptive management.

- Element 1. Goals and objectives for adaptive management quota  
Option 1. Same as those identified in the CFA option; and/or  
Option 2.
- a. Community stability
  - b. Processor stability
  - c. Captain and crew entry and advancement
  - d. Conservation measures
  - e. To address other unintended outcomes
- Element 2. Process for allocating adaptive management quota
- The Council shall develop criteria for eligibility, a process for adaptive management proposals to meet the goals and objectives, and a regulatory mechanism for allocating quota to program participants.
  - The Council could allocate any amount up the total adaptive management set-aside to one or more proposals. Unallocated quota will pass through to the annual allocations to cooperatives.
- Element 3. Program review and evaluation
- Entities receiving adaptive management quota shall provide annual reports to the Council and NMFS describing outcomes associated with the use of the quota and progress toward objectives described in their proposal.
  - The Council shall periodically review its adaptive management goals and objectives.
  - The five-year overall program review should evaluate the Council's effectiveness in achieving its goals and objectives through the use of the adaptive management program and identify potential improvements to the program design.

The Council directs staff to include a discussion of the effects of the GOA trawl bycatch management program alternatives on the management and implementation of the Central GOA Rockfish Program. At a minimum, this analysis should review the implications on quota allocations, sideboard management, and catch accounting under the Central GOA Rockfish Program.

**Gulf of Alaska Trawl Bycatch Management Program Work Plan  
 Comparison of Alternatives**

<b>Program Element</b>	<b>Alt. 1: (No Action)</b>	<b>Alt. 2: Cooperatives with PSC, primary, and secondary species allocations</b>	<b>Alt. 3: Cooperatives with only PSC allocations</b>	<b>Alt. 4: Alt. 2 cooperatives with CFA or AM</b>	<b>Notes and issues to be resolved</b>
Observer Coverage	CPs: full coverage CVs: full coverage when in Rockfish Program. All other trawl CVs: partial coverage, trawl trip-selection pool at an estimated 29% coverage rate in 2016	All trawl vessels will be in full coverage category	Same as Alt. 2, but also notes that electronic monitoring could be used if regulations provide that option	Same as under Alt 2	Staff assumes that full coverage would be required for CVs delivering to unsorted codends to tender vessels and motherships, unless an observer is stationed on the tender/mothership. In general, staff assumes that observer requirements will mirror those of the CGOA Rockfish Program.
Eligibility	CPs: Must hold valid FFP and LLP license with a catcher/processor endorsement and other applicable endorsements for the fisheries in which they participate.  CVs: Must hold valid FFP and LLP license with a catcher vessel endorsement and other applicable endorsements for the fisheries in which they participate.	<b>Inshore:</b> CVs with an FFP and an LLP endorsed for GOA trawl, CPs with an FFP and an LLP endorsed for GOA trawl that did not process catch onboard during qualifying years, and shoreside processors with an FFP  <b>Offshore:</b> Am. 80 vessels (and their replacements) and their LLPs at the time of implementation	Same as Alt 2 (Inshore only)	Communities eligible to participate in CFA <ul style="list-style-type: none"> <li>• Located in WG, CG, WY</li> <li>• Residents with fishing related businesses</li> <li>• High potential for economic and social impacts from LAPP program</li> <li>• Submitted a community sustainability plan</li> </ul> Council shall develop criteria for eligibility for AM Program	Note: for reference the current inshore/offshore definitions, so would these be unnecessary or conflict under the Alt 2 definition if pollock and cod are allocated to cooperatives because it would eliminate the option for inshore CPs. Inshore: All catcher vessels with a valid FFP and GOA Groundfish License with a trawl endorsement making deliveries to the processors listed under 1 or 3 and Catcher/Processors defined under 2:

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Eligibility (ctd.)					<p>(1) Shoreside processing operations;</p> <p>(2) Vessels with an inshore endorsement on their FFP that are less than 125 ft LOA that process no more than 126 mt per week in round-weight equivalents of an aggregate amount of pollock and Pacific cod; and (3) Vessels that process pollock or Pacific cod, harvested in a directed fishery for those species, at a single geographic location in Alaska State waters during a fishing year.</p> <p>Offshore: Catcher vessels that do not deliver to a processor defined in 1, 2, or 3 above and catcher/processors that do not meet the criteria under 2, their replacements, and their LLPs at the time of implementation</p>

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Allocated Species	No allocations except under the Rockfish Program	<p><b>Primary Species:</b>            Option 1  <i>Pollock</i> (610, 620, 630, and 640)  <i>Pacific Cod</i> (WG and CG)            Option 2  <i>WGOA rockfish</i> (northern, dusky, and Pacific ocean perch)  <i>WY rockfish</i> (dusky and Pacific ocean perch)  <b>Secondary Species:</b> maintain CG Rockfish Program allocations            Option 1  <i>Sablefish</i> (WG, CG, and WY)            Option 2  <i>Thornyhead rockfish, shortraker rockfish, rougheye/blackspotted rockfish, other rockfish</i> (CG and WG)            Suboption to Option 2  <i>Big skates, longnose skates</i>  <b>PSC species:</b>  <i>Chinook salmon</i>  <i>Halibut</i></p>	<p><b>PSC species:</b>  <i>Chinook salmon</i>  <i>halibut</i></p>	Same as selected under Alt 2	
<b>Primary and Secondary Species Management Elements</b>					
Season Dates	<p><b>Pollock:</b> (4 seasons)            Jan. 20 to Mar. 10            Mar. 10 to May 31            Aug. 25 to Oct. 1            Oct. 1 to Nov. 1  <b>Pacific cod:</b> (2 seasons)            Jan. 20 to June 10            Sept. 1 to Nov. 1</p>	<p><b>Pollock:</b>            Option 1: same as Alt 1.            Option 2: (2 seasons)            Jan. 20 to June 10            June 10 to Nov 1  <b>Pacific cod:</b> (2 seasons)            Jan. 20 to June 10            June 10 to Nov 1</p>	Same as Alt 2	Same as Alt 2 and Alt 3	

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Seasonal Apportionments	<b>Pollock:</b> (4 seasons) 25%/25%/25%/25% <b>Pacific cod:</b> Gear, sector, and area apportionments listed in final GOA harvest specifications	<b>Pollock:</b> Option 1: (4 seasons): 30%/30%/20%/20%, Option 2: (2 seasons): 60%/40% <b>Pacific cod:</b> Same as Alt. 1 (status quo A/B season allocations defined under Am 83)	Same as Alt 2	Same as Alt 2 and Alt 3	
Sector Allocations of Primary and Secondary Species	Allocations listed in final GOA harvest specifications and closures	Pollock - Am. 23 Pacific Cod - Am. 83 CG Rockfish Program - Am. 88 CP flatfish eligibility - Am. 80 All other allocated groundfish species (except possibly WG and WY rockfish) would be based on sector's retained catch: Option 1: 2008 through 2012 Option 2: 2007 through 2012 Option 3: 2003 through 2012	Same as Alt 1	Allocate 5% - 15% of the CV sector primary and secondary species as CFA quota	Is the allocation of 5-15% to CFA from the sector allocation or the CQ?
Additional Sector Allocations Considered only for WG and WY rockfish	N/A	Option 1 Allocate based on Am 80 sideboards Option 2: Allocate only to the CP sector Option 3: Establish a CV sector allocation of WG rockfish of 2% - 5%. Any unharvested rockfish would be reallocated to CP cooperatives by (define date).	N/A	N/A	

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Pollock Trip Limits	136 mt (300,000 lbs.)	Alt 1. or 159 mt (350,000 lbs)	Alt 1	Same as Alt 2	
Cooperative Quota for Primary and Secondary Species	N/A	Annual allocations based on the aggregate retained catch histories associated with cooperative member vessel's GOA trawl groundfish LLP licenses during the qualifying years: Option 1: 2008 through 2012 Option 2: 2007 through 2012 Option 3: 2003 through 2012 Part 3.b, Option 3: Cooperatives manage secondary species under MRAs	N/A	Same as Alt 2, allocate 5% - 15% to CFA quota for primary and secondary species to eligible communities (Reduces amount allocated to cooperatives by 5% - 15%)	Is the allocation of 5-15% to CFA from the inshore PSC limit or the PSC CQ?
<b>PSC Management Elements</b>					
Establishing Sector PSC Limits	<p><b>Chinook salmon:</b>  <i>Pollock fishery</i> based on Am 93 25,000 total (18,316 WG, 6,684 CG)  <i>Non-pollock/non-Rockfish Program:</i>  Catcher Vessels: 2,700, Catcher/Processors: 3,600 (no more than 66% taken before June 1),  CG Rockfish Program Catcher Vessels: 1,200</p> <p><b>Halibut:</b>  1,705 mt (year 2016 and beyond), includes 191 mt allocation for Rockfish Program</p>	<p><b>Chinook Salmon:</b>  Same as Alt 1</p> <p><b>Halibut:</b>  allocated between CV and CP sectors based on sector's halibut PSC usage:  Option 1: 2008 through 2012  Option 2: 2007 through 2012  Option 3: 2003 through 2012</p>	Same as Alt 2	Allocate 5% - 15% of the CV sector PSC to CFA. Allocations to AM program are to be determined.	



<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Establishing Sector PSC Limits (ctd.)	(1,515 mt excluding Rockfish Program). Seasonal limits. Sideboard limits for Amendment 80 CPs and Non-Exempt AFA CVs				
Chinook Salmon PSC limit reductions	No Reductions	<b>Pollock fishery</b> based on Am 93, but any Chinook salmon PSC in the WY district would be deducted from the cooperative's allocation. <i>Option 1:</i> No change – 25,000 total (18,316 WG, 6,684 CG) <i>Option 2:</i> 25% reduction 18,750 total (13,737 WG, 5,013 CG) <i>Non-pollock/non-Rockfish Program:</i> same as Alt 1	Same as Alt 2	Same as Alt 2 Allocate 5% - 15% of the CV sector PSC limit as CFA quota. Allocations to AM program are to be determined.	Is full retention of salmon also required in WY district?  Is the allocation of 5-15% to CFA from the inshore PSC limit or the PSC CQ?
Halibut PSC limits reductions (excludes CG Rockfish Program)	No Reductions: 1,705 mt (year 2016 and beyond), includes 191 mt allocation for Rockfish Program. Seasonal limits. Sideboard limits for Amendment 80 CPs and Non-Exempt AFA CVs	Option 1: Status Quo (1,515 mt) Option 2: 10% reduction (1,364 mt) Option 3: 15% reduction (1,288 mt) Option 4: 20% reduction (1,212 mt) Option 5: 25% reduction (1,136 mt)  Option 2 phased in over two years; Options 3, 4, and 5 phased in over three years	Option 1: 10% reduction (1,364 mt) Option 2: 15% reduction (1,288 mt) Option 3: 20% reduction (1,212 mt) Option 4: 25% reduction (1,136 mt)  Option 1 phased in over two years; Options 2, 3, and 4 phased in over three years	Same as Alt 2 Allocate 5% - 15% of the CV sector PSC limit to CFA. Allocations to AM program are to be determined.	
Cooperative Quota for PSC species available to each sector	N/A	<b>PSC:</b> Allocate cooperative quota for PSC species to each cooperative on a pro rata basis relative to the percentage of primary species landings during the qualifying period.  <b>Option:</b> Each processor that is a member of a cooperative controls	First divide PSC by area (WG and CG/WY) based on historical PSC usage: Option 1: 2003-2012 Option 2: 2007-2012 Option 3: 2008-2012. Then allocate cooperative quota for PSC to cooperatives	Same as Alt 2 (Reduces amount allocated to cooperatives by 5% - 15%)	

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Cooperative Quota for PSC species available to each sector (ctd.)		<p>10% - 40% of the PSC allocated to their cooperative. Processor controlled PSC cannot be used by vessels in the cooperative that have more than 10% processor ownership based on the individual and collective rule. <b>Suboption:</b> no prohibition on use of processor controlled PSC by processor owned vessels, but processor owned vessels cannot use more PSC than the amount they brought into the cooperative.</p> <p>Suboptions for distributing processor controlled PSC: <b>Suboption 1:</b> NMFS holds the PSC and distributes on the processor's request.</p> <p><b>Suboption 2:</b> Distribute to the processor using the same method as the harvester's portion of the PSC limit.</p>	<p><b>Option 1:</b> Equal shares based on the number of eligible vessels in the cooperative (<b>Suboption:</b> First divide the non-pollock sector PSC limits between Pacific cod and flatfish before making equal allocations to each vessel with historical Pacific cod and/or flatfish landings. Note: Harvesters must indicate by affidavit their intent to participate in pollock, Pacific cod, or flatfish fisheries in the upcoming year and be in a cooperative by Nov. 1 of the previous year.)</p> <p><b>Option 2:</b> Allocate PSC based on the capacity of the vessels assigned to the cooperative members' groundfish LLP licenses the first year it is a member of any cooperative; capacity does not change in subsequent years (<b>Suboption:</b> Vessel capacity is based on highest GOA groundfish landing by the vessel assigned to the cooperative (1) from 2008 through 2012, or (2) five most recent years.)</p> <p><b>Option 3:</b> Each processor controls 5% to 20% of the cooperative's PSC. Processor controlled PSC cannot be used on vessels in the cooperative that have more than 10% processor ownership based on the individual and collective rule.</p>		

<b>Program Element</b>	<b>Alt. 1: (No Action)</b>	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Cooperative quota for PSC Usage Limitations	N/A	Cooperative quota for PSC may be used in any primary fishery or fishing season.	Same as Alt 2	Same as Alt 2, also applies to CFA quota.	
<b>Cooperative and Limited Access Fisheries Elements</b>					
Limited Access Fisheries	N/A	GOA trawl groundfish LLP license holders may choose to join a cooperative or continue to operate in the limited access fishery. If a participant is not in a cooperative with a processor by Nov. 1, they are assigned to the limited access fishery. TAC and PSC limits in the limited access fishery would be based on the catch history of the members of that sector, determined using the same method as defined for the cooperative, with options for reducing PSC apportionments by: Option 1: 10% Option 2: 20% Option 3: 30%	Eligible participants will fish from a sector or individual allocation based on whether option 1 or Option 2 is selected for the limited access fishery. Participants must pre-register for the limited access fishery by Nov. 1. PSC limits in the limited access fishery would be determined using the same method as defined for the cooperative(s), with options for reducing limited access PSC apportionments to either <b>Option 1</b> existing sectors/areas or <b>Option 2</b> individuals (non-transferable IBQ) by: Option 1: 10% Option 2: 20% Option 3: 25%	Same as Alt 2	Could members of a CFA form their own cooperative?
Voluntary Inshore Cooperative Structure	N/A	Holders of valid GOA groundfish LLP licenses with a trawl endorsement for the appropriate area must join a cooperative by Nov. 1 for their catch history to count towards cooperative allocations for the upcoming year; Cooperative contracts must be signed by processor and 33%, 51%, or 80% of LLP license holders (option to	Holders of a valid GOA groundfish LLP licenses with a trawl endorsement would need to indicate by affidavit their intent to participate in the GOA trawl pollock, Pacific cod, or flatfish fisheries in the upcoming year and be in a cooperative with a processor by Nov. 1 of the previous season to access a transferable PSC allocation. A trawl	Same as Alt 2	Clarify if “2 most recent years they fished” under Alt 2 Option 2 means 2 most recent years prior to Council final action. Or prior to implementation of program?

Program Element	Alt. 1: (No Action)	Alt. 2: Cooperatives with PSC, primary, and secondary species allocations	Alt. 3: Cooperatives with only PSC allocations	Alt. 4: Alt. 2 cooperatives with CFA or AM	Notes and issues to be resolved
Voluntary Inshore Cooperative Structure (ctd.)		require signature of a community rep.); <i>Option</i> to place harvesters and processors in cooperatives based on historical delivery pattern for the first 2 years after implementation (an LLP license holder would be in different cooperatives in WG/CG if they have history in both); <b>Option 1:</b> Using qualifying years for primary species allocations. <b>Option 2:</b> 2011-2012 or the 2 most recent years they fished.	CV LLP license holder can be in one cooperative per region (WG and CG/WY) on an annual basis. <b>Option 1:</b> Cooperative formation requires at least [options: 2 – 5] vessels with a CV trawl LLP license. <b>Option 2:</b> One cooperative for CG/WY and one cooperative for WG (more than one processor is allowed in each cooperative)		
Required Elements of Inshore Cooperative Contract	N/A	Each cooperative would be required to have an annual cooperative contract filed with NMFS and must include: <ul style="list-style-type: none"> <li>• Bylaws and rules for the operation of the cooperative</li> <li>• Annual fishing plan</li> <li>• Operational plan for monitoring and minimizing PSC, with vessel-level accountability, as part of the annual fishing plan</li> <li>• Clear provisions for how a harvester and processor may dissolve their contract after the cooling off period of two years. If a harvester wants to leave that cooperative and join another cooperative or</li> </ul>	Each cooperative would be required to have an annual cooperative contract filed with NMFS and must include: <ul style="list-style-type: none"> <li>• Bylaws and rules for the operation of the cooperative</li> <li>• Annual fishing plan</li> <li>• Operational plan for monitoring and minimizing PSC, with vessel-level accountability</li> <li>• Provisions that prohibit, on a species or species group basis (pollock, Pacific cod, flatfish), an LLP license holder/vessel that has had PSC allocated to the cooperative for that species or species group from receiving economic benefits</li> </ul>	N/A	Does the Council want NMFS to enforce this active participation requirement under 4 <sup>th</sup> bullet of Alt 3. If so, upon receiving a cooperative allocation, NMFS would need to verify that all of the member vessels met the requirement for the previous year before issuing cooperative quota for halibut and Chinook salmon PSC.

<b>Program Element</b>	<b>Alt. 1:</b> (No Action)	<b>Alt. 2:</b> Cooperatives with PSC, primary, and secondary species allocations	<b>Alt. 3:</b> Cooperatives with only PSC allocations	<b>Alt. 4:</b> Alt. 2 cooperatives with CFA or AM	<b>Notes and issues to be resolved</b>
Required Elements of Inshore Cooperative Contract (ctd.)		<p>the limited access sector, they could do so if they meet the requirements of the contract.</p> <ul style="list-style-type: none"> <li>• Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law.</li> </ul>	<p>from the cooperative for cooperative quota for PSC use unless the vessel actively participates in the fishery for which the cooperative was awarded PSC. Active participation shall be determined by the cooperative agreement but shall not be less than 3 annual deliveries per species or species group (pollock, Pacific cod, flatfish).</p> <ul style="list-style-type: none"> <li>• Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law.</li> </ul>		
Voluntary Offshore Cooperative Structure	N/A	<b>CP:</b> Must join a cooperative by Nov. 1; Minimum of either 2 entities or (Options) 2 to 4 LLPs with catch history required to form a co-op.	N/A	N/A because CFA only applies to inshore cooperatives	
Required Elements of Offshore Cooperative Contract	N/A	<p>All LLP holders in the cooperative must sign the contract. The contract must include:</p> <ul style="list-style-type: none"> <li>• Bylaws and rules for the cooperative operation</li> <li>• Annual fishing plan</li> <li>• Operational plan for monitoring and minimizing PSC, with vessel level accountability</li> </ul>			Does the offshore cooperative need to file the contract with NMFS?

<b>Program Element</b>	<b>Alt. 1: (No Action)</b>	<b>Alt. 2: Cooperatives with PSC, primary, and secondary species allocations</b>	<b>Alt. 3: Cooperatives with only PSC allocations</b>	<b>Alt. 4: Alt. 2 cooperatives with CFA or AM</b>	<b>Notes and issues to be resolved</b>
Cooperative Liability	N/A	Cooperative members are jointly and severally responsible for ensuring the members harvest no more than their cooperative quota	Same as Alt 2	Same as Alt 2	Issues related to vessel-level accountability when delivering to tender vessels
Cooperative Reports	N/A	Cooperatives must submit a written report annually to the Council and NMFS. At a minimum the report must contain the required elements (to be defined) and be submitted in a timely manner.	Same as Alt 2	<p>Each CFA must submit an annual report to the Council and communities. Elements of the report are to be defined.</p> <p>The CFA must provide a community sustainability plan which includes:</p> <ul style="list-style-type: none"> <li>• Description of board, governance structure;</li> <li>• Description of quota allocation process;</li> <li>• Goals and objectives for the CFA, and explanation of how the CFA intends to meet those goals and objectives;</li> <li>• Description of how the CFA will meet the goals of sustaining community participation in the fishery, providing for new entry/inter-generational transfer, and encouraging active participation; and</li> <li>• Description of how the plan will address the social and economic development needs of coastal communities</li> </ul>	

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<b>Cooperative Quota Consolidation Limit Elements</b>					
Cooperative Quota Ownership/Use Limits for persons	N/A	<p><b>CVs</b> No person may hold or use more than:            Option 1: 3%            Option 2: 5%            Option 3: 7%            of individual inshore cooperative primary species cooperative quota based on the individual and collective rule. Persons whose initial allocation is above the limit are grandfathered.</p> <p><b>CPs</b> No person may hold or use more than:            Option 1: 3%            Option 2: 5%            of allocated primary species CP cooperative quota based on the individual and collective rule.</p>	N/A	Same as Alt 2	
Cooperative Quota Use Limits for Vessels	N/A	<p>No vessel may be used to harvest more than:            Option 1: 3%            Option 2: 10%            Option 3: 15%            of individual primary species allocated to the inshore cooperative sector.</p>	N/A	Same as Alt 2	
Cooperative Quota Use Limits for Processors	N/A	<p>No processor (facility) may be used to process more than:            Option 1: 10%            Option 2: 20%            Option 3: 30%            of individual primary species allocated to the inshore co-op sector.</p>	N/A	Same as Alt 2	

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Limits on Cooperative quota for PSC Use	N/A	N/A	Limit the amount of each species of annual PSC cooperative quota a person can use in the cooperative to (options: 110% - 150%) of what they brought into the cooperative.	Same as Alt 2	
<b>Processor Elements</b>					
Processor Protections	N/A	See Cooperative PSC Allocations. Also harvester/processor linkages, but would need additional authority to implement.	See Cooperative PSC quota Allocations	Same as Alt 2	
Regionalization of Cooperative Quota	N/A	Primary species cooperative quota must be landed in the region it is designated based on historical delivery patterns: <b>Option 1:</b> qualifying years for determining primary species allocations <b>Option 2:</b> 2011 through 2012 <b>Option 3:</b> CG quota historically landed in Kodiak must be delivered to Kodiak, all other cooperative quota would be regionalized as WG or CG/WY.	N/A	Same as Alt 2, but may have the option of not including the port of landing requirement for Kodiak for CFA	
<b>Additional Elements</b>					
Active Participation Requirements to Purchase Catch History or CV LLP license	N/A	To purchase a CV LLP license or catch history severed from a CV LLP license a person must be eligible to document a fishing vessel in the U.S. and <b>Option 1a:</b> hold a minimum level of ownership in a trawl vessel, <b>Suboptions:</b> 20% through 30%. <b>Option 1b:</b> have participated as a	LLPs are transferable. PSC cannot be permanently transferred separately from an LLP license or vessel.	Same as Alt 2	



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Active Participation Requirements to Purchase Catch History or CV LLP license (ctd.)		captain or crew in the GOA groundfish trawl fishery for 150 days or <b>suboptions</b> 1, 2, or 4 fishing trips in the GOA trawl groundfish fishery in the two most recent years prior to purchase of the LLP license or catch history. <b>Option 2:</b> Communities do not need to meet the criteria under Option 1.			
Active Participation Requirements for Cooperative/Individual to Receive Quota	N/A	Applies to Option 1 and 2 above, to retain catch history used to determine annual allocations a person must be eligible to purchase catch history.	See bullet #4 under Req'd Elem's of Inshore Co-op Contract. Harvesters would need to indicate intent by affidavit to participate in the GOA trawl pollock, P. cod, or flatfish fisheries in the next year and be in a co-op with a processor by Nov. 1 to access a transferable PSC allocation.	Same as Alt 2	
General Transferability Provisions	Licenses are transferable as allowed under 50 CFR 679.4(k)(7)	<b>Option 1:</b> Licenses are transferable as under Alt 1., Catch history that results in an annual cooperative allocation of primary species or secondary species may be separated from the groundfish license it is initially attached.  Cooperative quota is fully transferable within the cooperative.  Inter cooperative transfers of cooperative quota must be processed and approved by NMFS.	(Annually) Allow transferability of PSC cooperative quota for annual use within the cooperative.  Cooperatives can engage in inter-cooperative transfers of PSC to other cooperatives on an annual basis. Inter-cooperative transfers must be processed and approved by NMFS. The amount of annual PSC cooperative quota a cooperative can transfer to another cooperative cannot be greater than (option: 10% - 50%) of the initial cooperative allocation	Annual quota allocated to the CFA cannot be sold. Leased quota may only be used on a qualified license through a cooperative.	

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General Transferability Provisions (ctd.)		<p>Inshore quota may not be transferred to a CP cooperative;</p> <p>Post-delivery transfers are permitted but must be completed by Dec. 31</p> <p><b>Suboption:</b> Prohibit sale of inshore cooperative LLP licenses and catch history for the first 2-years of the program. Does not apply to annual transfers of cooperative quota within a cooperative</p>	<p>(Long-term) LLPs are transferable. PSC cannot be permanently transferred separately from a license or vessel.</p> <p>Rockfish Program cooperatives may transfer any PSC that would be available to rollover under the terms of the Rockfish Program to an inshore trawl cooperative through an inter-cooperative transfer approved by NMFS.</p>		
Gear Conversion	N/A	<p>No requirement to use a specific gear; Vessels would be allowed to use pot gear to harvest trawl allocations of Pacific cod and those harvests would be deducted from the cooperative's quota limit. Any PSC taken with pot gear does not count against the PSC limit</p>	N/A. Any PSC taken with pot gear does not count against the PSC limit	Same as Alt 2	Need to ensure that the catch accounting issues are resolved
Program Review	N/A	5 years after implementation and every 7 years after initial review	Same as Alt 2	Same as Alt 2	
Sideboard Limits	Maintained for AFA, Crab Rationalization, Amendment 80, and Rockfish Program	Remove status quo sideboard limits for species that are allocated	Same as Alt 1	Same as Alt 2	
Cost Recovery	N/A	A cost recovery program would be implemented based on Magnuson Stevens Act requirements. A fee of up to 3% of the ex-vessel value of the primary and secondary species allocated to a cooperative would be collected.	N/A. Cost recovery fees are assessed against the ex-vessel value of allocated species. PSC species are the only species allocated and halibut PSC and Chinook salmon PSC do not generate an ex-vessel value.	Same as Alt 2	Do cost recovery fees apply to offshore, would only be secondary species and non-rockfish program rockfish if they do...

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Cost Recovery (ctd.)		Up to 25% of cost recovery fees may be set aside to support a loan program for purchase of shares by fishermen who fish from small vessels and first-time purchases of LLP licenses or catch history under the program. Loan qualification criteria would need to be defined.			