



C3 CGOA Rockfish Program Reauthorization

January/February 2020 Council Meeting

Action Memo

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Action Required: 1. Review the preliminary final review draft of the EA/RIR/SIA.
2. Determine whether to take final action.
3. Select a Preferred Alternative, as appropriate.

BACKGROUND

The Central Gulf of Alaska (CGOA) Rockfish Program (RP) is scheduled to sunset on December 31, 2021, without the Council taking positive action to reauthorize the program. The RP was established for 10 years (2012 through 2021) and replaced the Rockfish Pilot Program that was in place for 5 years (2007 through 2011). Given that the RP could sunset, the Council developed a suite of alternatives, a problem statement, and requested that staff being the analytical process of developing an Environmental Assessment (EA), Regulatory Impact Review (RIR), and Social Impact Assessment (SIA) that is necessary as part of the decision making process to reauthorize the RP. Those analyses have been prepared for the Council to review at this meeting. The Council is scheduled to review those documents and determine if they are adequate to reaffirm or modify the Preliminary Preferred Alternative (PPA) and take final action. The current versions of the analysis include the new elements and suboption approved at the December 2019 meeting that are not part of the PPA, because they had not been fully analyzed when the PPA was selected.

CGOA Rockfish Program Purpose and Need statement and Alternatives

The Council adopted the following problem statement in December 2018.

The Central Gulf of Alaska Rockfish Program (RP) will sunset on December 31, 2021 and the Council must act if it intends to reauthorize the RP. The purpose of this action is to reauthorize the RP to retain the management, economic, safety, and conservation gains realized under the RP to the extent practicable, consistent with the Magnuson-Stevens Act.

For both the onshore and offshore sectors, the RP has improved safety at sea, controlled fleet capacity, enhanced NMFS' ability to conserve and manage species allocated under the RP, increased vessel accountability, reduced sea floor contact, allowed full retention of allocated species, and reduced halibut and Chinook salmon bycatch. In addition, the rockfish fishery dependent communities in the Central Gulf of Alaska and the onshore processing sector have benefited from a more stable workforce, more onshore deliveries of rockfish, improved rockfish quality, and increased diversity of rockfish products. Central Gulf of Alaska fishermen, and the onshore processing sector have benefited from reduced conflicts with salmon processing. The offshore sector has benefited from greater spatial and temporal flexibility in

prosecuting the fishery, resulting in lower bycatch, a more rational distribution of effort, and more stable markets.

The Council must act to continue the management, economic, safety, and conservation gains realized under the RP. Otherwise, fisheries managed under the RP will revert to effort-control management under the License Limitation Program (LLP).

The PPA selected by the Council is presented in bold font below. The elements and suboption added at the December 2019 meeting are shown in underlined text.

Alternative 1: No Action

Under the No Action alternative, the CGOA rockfish fisheries would revert to LLP management. Because the fishery would no longer be managed under a LAPP structure, the management regulations associated with a LAPP would also be removed.

Alternative 2: Reauthorize the Rockfish Program (RP).

Reauthorize the RP with the existing management framework unless modified under this alternative.

Element 1: Modify regulations at 679.80(a)(2) to specify the duration of the program.

Option 1: Remove sunset date.

Option 2: Replace with new sunset date (10-20 years).

Element 2: Reallocate unharvested RP Pacific cod from RP cooperatives to fixed gear open access fisheries after the RP fisheries close on November 15. The Regional Administrator would consider a reallocation of the projected unused allocation first to the CV pot, jig, and hook-and-line sectors first, then to the combined CV and CP pot sectors, and then to all other CP sectors, taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the reallocated Pacific Cod.

Element 3: Exempt vessels from crab program sideboard limits when fishing in the RP.

Element 4: Require annual NMFS cost recovery reports in regulations.

Element 5: Clarify regulations at § 679.5(r)(10) to specify that only shoreside processors receiving RP CQ must submit the Rockfish Ex-Vessel Volume and Value Report.

Element 6: Remove regulations in § 679.5(r)(6)(iii)(B) requiring that an annual RP cooperative report be submitted to NMFS. The Council may request that the RP cooperatives voluntarily provide annual reports to the Council.

Element 7: Revise § 679.5(r)(6)(iii)(D) to replace “any actions” with “any civil actions”.

Element 8: Revise § 679.81 (i)(D)(3) to remove requirements for a Fishing Plan to be submitted with a cooperative application for CQ.

Element 9: Revise § 679.84(f)(1) to exempt shoreside processors under the RP from the requirement to provide an observer work station and observer communication described at § 679.28(g)(7)(vii) and (viii).

Element 10: Allow NMFS to reallocate unused rockfish ICAs to RP cooperatives

Suboption: With a preference to reallocate to CV cooperatives first.

Element 11: Clarify regulations regarding accounting for inseason use caps to specify that any transfer of unused rockfish ICAs or CP CQ to CV cooperatives does not apply to CV ownership, cooperative, harvester CQ, or shoreside processor CQ use caps.

Element 12: Modify cooperative check-in times from 48 to 24 hours.

Element 13: Remove CP rockfish program sideboard limits in the WGOA rockfish fisheries in § 679.82(e)(4).

Element 14: Modify regulations at § 679.23(h)(1) by removing the 3-day stand down for CVs that fish for groundfish in the BSAI while pollock or Pacific cod is open to directed fishing in the BSAI from the GOA stand down if they check into the RP and fish in the CGOA RP.

Should the Council reaffirm or modify its PPA under Alternative 2, the current allocations of QS to LLP licenses would not change. Because the allocations would not change, LLP license holders with QS would not be required to reapply to determine their QS allocation. It also means that NMFS would not need to allow time for the application, review, and appeals process that typically accompanies the issuance of QS under a Limited Access Privilege Program. This will help streamline the implementation process and ensure the program is implemented in a timely fashion.