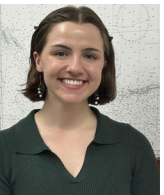
C1 MRA MODIFICATIONS

TAYLOR HOLMAN, JOSH KEATON, KRISTA MILANI

Presentation Overview

- Introduction
  - Overview of what is a Maximum Retainable Amount (MRA)
  - Changes to analysis since April
- Description of Alternatives
- Background
- Management & Enforcement Considerations
- Expected Effects of Alternatives
- Environmental Impacts of Alternatives
- Conclusion and Next Steps



INTRODUCTION

Key Definitions

MRA - Maximum Retainable Amount of **GROUNDFISH** species that are closed to directed fishing.

Directed fishing - When a species is retained over the MRA.

Targeting - Species intended to be harvested on a haul by haul basis.

Retained – Fish either processed on a catcher processor or retained in a refrigerated seawater tank or vessel hold for catcher vessels.

Bycatch - (Or bycatch species) means groundfish caught and released while targeting another species or caught and released while targeting the same species.

Incidental Catch - Retained catch of species while targeting a different species.

Harvest - All retained and all discarded catch.

"Topping-off" - Targeting a species that is closed to directed fishing in order to retain as close to the MRA as possible.

TAC - Total Allowable Catch ***Note: All harvest (total retained and discarded catch) accrues towards the TAC***

Trip – Period for MRA calculation. Begins when harvesting, receiving, or processing of groundfish has begun. Ends when all fish product has been offloaded or transferred from the vessel.

Intrinsic Rate – Natural rate of a species encountered in normal fishing operations for a specific target species.

Instantaneous - MRA cannot be exceeded at any point in time during a fishing trip.

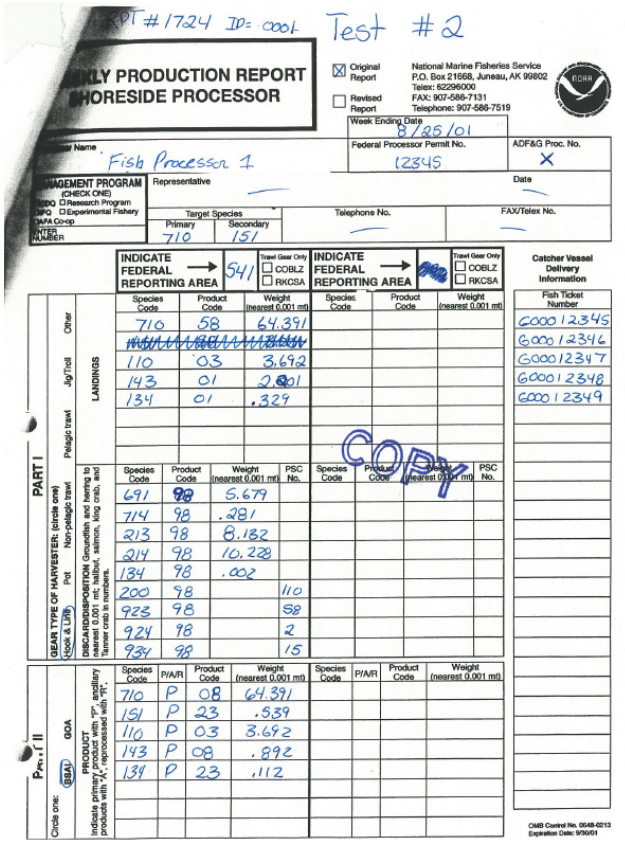
More detailed information will be provided in this presentation on some terms

HISTORY OF MRA DEFINITION

Back in time: 1985

- Amendment 9 implemented the MRA definition and the definition of directed fishing
- Weekly Processor reporting for catch accounting

1985 – 2003
Primary tool for tracking catch


RPT #1724 ID= 0001 Test #2

LY PRODUCTION REPORT
HORESIDE PROCESSOR

Original Report / Revised Report

National Marine Fisheries Service
P.O. Box 21668, Juneau, AK 99802
Telex: 6229600
FAX: 907-586-7131
Telephone: 907-586-7519

Week Ending Date: 9/26/01

Federal Processor Permit No.: 12345

ADF&G Proc. No.: X

Fish Processor 1

Representative

Date

Target Species — Primary: 710 — Secondary: 151

Telephone No.

FAX/Telex No.

INDICATE FEDERAL REPORTING AREA → 541

INDICATE FEDERAL REPORTING AREA →

Travel Gear Only: ☐ COBLZ ☐ RKCSA

Catcher Vessel Delivery Information

LANDINGS

Species Code	Product Code	Weight (nearest 0.001 mt)
710	58	64.391
110	03	3.692
143	01	2.801
134	01	.329

Fish Ticket Number
6000 12345
6000 12346
6000 12347
6000 12348
6000 12349

PART I

Species Code	Product Code	Weight (nearest 0.001 mt)	PSC No.
691	98	5.679	
714	98	.281	
213	98	8.182	
214	98	10.228	
134	98	.002	
200	98		110
923	98		58
924	98		2
934	98		15

COPY

PART II

Species Code	P/A/R	Product Code	Weight (nearest 0.001 mt)
710	P	08	64.391
151	P	23	.539
110	P	03	3.692
143	P	08	.892
134	P	23	.112

OMB Control No. 0648-0213
Expiration Date: 9/30/01

Recordkeeping and Reporting was:

- Weekly
- By Reporting Area
- Target species was primary production
- Shoreside / motherships multiple vessels aggregated together

What is a Maximum Retainable Amount (MRA)?

Maximum Retainable Amount (MRA)

Maximum round weight of a species closed to directed fishing that may be **retained** onboard a vessel; Excess catch must be discarded.

- MRAs both limit and allow for some retention of species closed to directed fishing (referred to as incidental catch species) while a vessel operator is engaged in fishing for species/species groups open to directed fishing (referred to as basis species).
- MRAs are determined by percentages in regulation (see Appendix 2 of the analysis), and are based on the retained round weight of basis species caught during that fishing trip.
- Example: MRA percentage 20/100 = **20%**
  - Retained species open to directed fishing (basis species) = **100 mt** (round weight)
  - Retained species closed to directed fishing (incidental species) = **20 mt** (round weight)

- Note that MRA calculations include only **retained** fish.
- There is no MRA allowed for species in prohibited catch status (PSC).

Purpose of a MRA?

- Directed fishing is defined through reference to the MRAs, making MRAs essential to fishery management.
  - Directed fishing closures help ensure vessel operators generally follow management decisions and limit overall harvest.
- MRAs allow some retention of species closed to directed fishing but places a limit on how much.
  - Used as a management tool to allow harvest to meet optimum yield (OY) at a controlled pace
  - Inseason Management assumes continued harvest of valuable species when making management decisions, including “top-off” behavior.
    - Example: Trawl Pacific Cod in the Central GOA - Pacific cod is a valuable species, sometimes not able to be managed inseason through a directed fishery. Vessels can top-off while participating in other fisheries to achieve the Pacific cod TAC.
  - Inseason will prohibit retention (PSC Action) if harvest is expected to exceed TAC, thereby setting MRA to zero.

Purpose of a MRA?

- MRAs slow the harvest rate of species closed to directed fishing
  - Removes incentives for vessel to catch species closed to directed fishing in excess of MRA due to the operational costs to discard.
  - Spreads catch out over time on individual vessels, but limited impact on management as the overall fleet operations stagger over time due to operational constraints (*e.g.,* dock space, processing capacity, hold capacity etc.)
    - *i.e.*, Vessels in the fleet do not leave the dock and offload at the same time resulting in overall fleet catch spread out over time.

MRAs do not prevent a vessel from catching a species and discarding

Discarded catch still accrues towards a TAC

  - Retention may be required if improved retention/improved utilization (IR/IU) species
    - Retention required up to the MRA if species closed to directed fishing
  - ***Not applicable to MRA regulations*** are those programs that require full retention
    - Retention of rockfish for non-trawl CVs,
    - Trawl EM trawl program

Directed Fishing and MRA Interaction

Directed Fishing means any fishing activity that results in the **retention** of an amount of species…

- RETENTION is defined in Retain on board 50 CFR 600.10 and 679.27(c)(2)
- Simply defined:
  - Catcher Processors – Processed fish
  - Catcher Vessel – Stored in hold or refrigerated seawater tanks (RSW)

....that is **greater than the maximum retainable amount** for that species.

MRA percentages are defined in 50 CFR 679 Tables 10, 11, and 30 (see Appendix 2)

- Some flatfish species set at 35%: Arrowtooth (GOA) and some flatfish species (BSAI)
- Most species set at 20% including Pollock, Pacific Cod, Atka Mackerel, etc.
- Rockfish species range from 1% to 15%
- Skates 5% (GOA) and 20% (BSAI)
- Sablefish 1% or 7%

Directed fishing closures and MRAs do not prohibit a vessel catching and discarding fish, it only limits retention

Directed fishing closures and MRAs do not prohibit a vessel from targeting that species as long as the MRA is not exceeded.

MRA APPLICATION

- The accounting period for most MRAs is known as “instantaneous,” because the **MRA cannot be exceeded at any point in time during the fishing trip**.

- Most MRAs are based ONLY on the weight of retained basis species onboard the vessel caught during the current fishing trip. Any exceedances must be discarded immediately.
  - Example: If a vessel has **not yet caught any basis species during that fishing trip, all incidental species caught by the vessel must be discarded** until the vessel has caught and retained a volume of basis species during that fishing trip.

- Exceptions include species currently under offload-to-offload accounting periods (BSAI Pollock and BS Atka Mackerel). *More detail on this is included later in the presentation.*

Changes to analysis from April

SSC comments from April were addressed

- Evaluation of historical fishing patterns that have emerged from similar actions (e.g., offload-to-offload for BSAI pollock and BS Atka mackerel)
  - Section 5.3.4 (pages 117 - 131)

- Clarification on the regulatory and analytical assumptions associated with methods
  - Section 2.3.1 (pages 43-44)
  - Section 2.4.3 (pages 54-55)

- Clarify how individual fleets and fishing communities are affected by MRA regulations
  - Section 3.2 (pages 70-77)

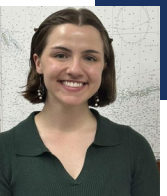
- Evaluation of Alternative 6
  - Sections 2.6 (pages 57-59) and 6.4.7 (page 163)

Changes to analysis from April

Other Changes:

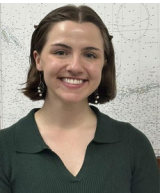
- Minor revisions to improve clarity and organization throughout document
- Enhanced sections on potential impacts of action on Steller Sea lions
- Specific Items for Council Attention in the Executive Summary (pages 19-21)
- Discussion on the new alternative (Alt 5)

BACKGROUND & DESCRIPTION OF ALTERNATIVES



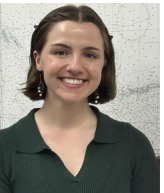
History of MRA Actions (Appendix 1)

- Full timeline of pertinent actions regarding MRAs is available in Appendix 1.
- Three actions are associated with a changing an MRA calculation interval from instantaneous to offload; similar to Alternative 4.
  - 69 FR 32901, 2004: Changed BSAI pollock MRA from instantaneous to offload, for non-AFA vessels
  - 74 FR 7209 (proposal), and 74 FR 65503 (withdrawal), 2009: Proposed to revise MRA accounting interval to offload-to-offload for certain species, for the H&G trawl C/P sector (now called A80).
  - 79 FR 70286, 2014: Changed BS Atka mackerel MRA from instantaneous to offload, for non-AFA vessels, to allow for greater utilization of BS Atka mackerel.



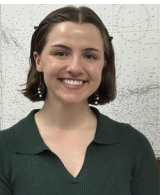
History of this Action (Section 1.2)

- NMFS identified challenges with current MRA regulations at the October 2023 Council meeting. The Council moved to initiate the development of an MRA discussion paper in October of 2023.
- The discussion paper was presented by NMFS staff in April of 2024. The Council took action to move the paper forward to an initial review analysis, and adopted a purpose and need statement & suite of alternatives.
- The initial review analysis was presented to the Council in April of 2025. The Council took action to make minor revisions to the suite of alternatives, and moved the paper forward for final action.



Purpose and Need (Section 1.1)

The purpose of this action is to improve the regulations that implement the Maximum Retainable Amount (MRA) of species closed to directed fishing (incidental catch species) while a vessel operator is engaged in fishing for species or species groups that are open to directed fishing. This action is necessary to clarify current MRA regulations, make MRA calculations easier, reduce regulatory discards, and address medical, mechanical, or weather issues that can impact MRA calculations. The Council intends to maintain the original intent of MRAs and is not considering changes that increase MRA percentages or changes in how MRAs assist in limiting harvest of a groundfish species within its annual total allowable catch.



Description of Alternatives (Chapter 2)

Alternative 1 (Section 2.1): Status Quo.

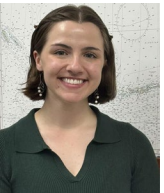
Alternative 2 (Section 2.2): Revise MRA regulations to clarify (1) the definition of a fishing trip, (2) calculations for MRAs, and (3) applications of MRAs. These changes provide clarification and make minor modifications in how the MRA regulations are currently implemented.

Option 1 – Modify the definition of a fishing trip to make it clear that motherships are responsible for the overall MRA of any catcher vessel delivering unsorted codends.

Option 2 – Clarify that MRAs are calculated by fishery management program due to different fishing prohibitions in place for each fishery management program.

Option 3 – Correct regulation citations for American Fisheries Act (AFA) vessels and AFA replacement vessels.

Option 4 – Clarify that when Community Development Quota (CDQ) uses an AFA vessel to harvest Amendment 80 species BSAI pollock and Bering Sea (BS) Atka mackerel MRAs are calculated at the time of the offload and any species open to directed fishing may be used as a basis species for compliance with MRAs.



Description of Alternatives: Alt. 2, Cont. (Sec. 2.2)

Alternative 2, cont. (Section 2.2):

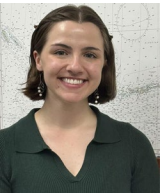
Option 5 – Clarify that MRAs take precedence over improved retention/improved utilization (IR/IU) regulations for catcher vessels delivering catch to a shoreside processor or stationary floating processor when catcher vessels fish in areas with different fishing prohibitions.

Option 6 – Update IR/IU regulations for Amendment 80 vessels to reflect past Council actions.

Table 2-1 (page 39) provides a summary of Alternative 2, Options 1-6 and corresponding regulatory sections.

Option 7 – Revise the definition of directed fishing at 50 CFR 679.2 for vessels participating in the pelagic trawl EM program such that vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is

Suboptions: 51-90 percent or greater of total catch.

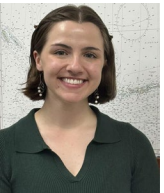


Description of Alternatives: Alt. 3 (Sec 2.3)

Alternative 3 (Section 2.3): Revise the triggers that end a fishing trip from five to two triggers in the definition of a fishing trip for C/Ps and motherships (not including current offload-to-offload species - BSAI pollock, Bering Sea (BS) Atka mackerel, and weekly reporting period species in the Central GOA Rockfish Program).

Method 1 (Section 2.3.1) - Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas.

Method 2 (Section 2.3.1) - Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.



Description of Alternatives: Alt. 4 (Sec. 2.4)

Alternative 4 (Section 2.4): Add additional species to an offload-to-offload MRA application in the BSAI and GOA for all vessel sectors.

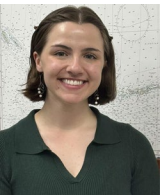
Option 1 – Add BSAI Pacific cod, GOA Pacific cod, GOA pollock, BSAI skates, Central GOA Rockfish Program, and GOA shallow-water flatfish.

Option 2 – Include all groundfish species.

Methods 1 and 2 would only apply to catcher processors and motherships.

Method 1 – Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas.

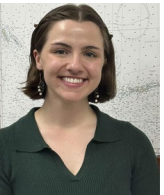
Method 2 – Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.



Description of Alternatives: Alt. 5 and Alt. 6 (Sec. 2.5, 2.6)

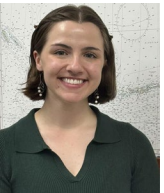
Alternative 5 (Section 2.5): Apply Bering Sea pollock MRA provisions to Amendment 80 vessels on an annual basis with the implementation of an incentive plan or other controls to prevent increases in average pollock catch. Establish similar measures for CDQ groups harvesting Amendment 80 species to ensure consistency with regulation of harvest statutory requirements.

Alternative 6 (Section 2.6): Provide exemptions in regulation from MRA requirements in cases when medical emergencies, mechanical emergencies, or poor weather end a fishing trip.



Description of Species and Sectors (Chapter 3)

- This action could impact a wide variety of fishing vessels participating in the federally regulated groundfish fisheries off Alaska, depending on the alternatives selected.
  - A description of the fishing vessels, grouped into fleets based on the fish species they target and the gear used, is included in Section 3.1. These sectors include: A80 C/P, AFA C/P, trawl CV (AFA CV and non-AFA CV), Hook & Line C/P, Hook & Line C/V, and Pot C/P & C/V.
  - A description of BSAI and GOA groundfish species, including information regarding harvest by species, wholesale and ex-vessel value, total incidental catch, target catch, discarded and retained catch, and total catch are included in Section 3.4. This action does not impact any PSC species.



MANAGEMENT AND ENFORCEMENT CONSIDERATIONS

Management Impacts Under Alternatives

- Under Status quo and Alternative 2
  - CVs are held to an instantaneous MRA which is challenging to enforce
    - All species and complete weights may not be known until time of offload
  - CPs and motherships
    - Engaged in multiple trips during their voyage creating complicated calculations
    - Required to discard fish once a trip trigger is met even when there is enough basis species onboard for further retention

- Under Alternatives 3 and 4
  - Although not possible to fully predict changes in vessel behaviour, impact to management under any alternative is likely limited.
  - NMFS already assumes continued harvest after a directed fishing closure, including topping-off and discarding, in current management.
    - Vessel hold capacity likely provides an upper cap on additional harvest.
  - NMFS can further disincentivize catch by prohibiting retention of a species if the TAC is reached (set MRA to zero).
    - This does not prevent catch and discard of that species under any Alternative.

Effects on FMP Groundfish Species (Section 5.2)

- Likely neutral however hard to predict changes in vessel behavior.
- Table 5-1 shows the species with the highest risk of exceeding TAC if change in behaviour occurs.
- Reminder: Though risk exists, Inseason has tools to mitigate most risk of large overages.

Table 5-1 Groundfish species at highest risk of exceeding ABC and TAC and potentially OFL under Alternative 4, Option 2

Area	Species	TAC/ABC/OFL	Comments	MRAs	OFL/ABC risk
BSAI	Greenland turbot	BSAI wide OFL. TACs are further divided by subareas. TACs often set at ABC.	High value fish so topping off does occur. Usually small ABC/OFL buffer resulting in about 500 mt. Note that in 2025 the buffer was set much higher. Harvest has been low in recent years due to HAL vessels being unable to participate due to whales and informal industry agreement. This could change once longline pots are authorized.	1%, 7%, or 35% depending on directed fishery	Medium - largely depends on ABC/OFL buffer. NMFS could potentially set the TAC lower if the risk increases.
GOA	Big skates	GOA wide OFL. TACs are further divided by subareas. Council usually sets TAC at ABC.	Topping off often in HAL fisheries occurs due to high value of species. In addition, low observer coverage sometimes results in high discard rates which, combined with more topping off behavior could result in ABC and OFL overages. Note that currently 2025 is having this issue. OFL/ABC buffer usually results in about 1,000 mt buffer.	5%	Medium - skates are resilient so PSC is effective in controlling harvest with limited impact to stock.
GOA	Longnose skates	GOA wide OFL. TACs are further divided by subareas. Council usually sets TAC at ABC.	Topping off often in HAL fisheries occurs due to high value of species. In addition, low observer coverage sometimes results in high discard rates which, combined with more topping off behavior could result in ABC and OFL overages. In 2023 there was a longnose skate TAC overage in the Eastern GOA. OFL/ABC buffer usually results in about 1,000 mt buffer.	5%	Medium- skates are resilient so PSC is effective in controlling harvest with limited impact to stock
GOA	Other skates	GOA wide. Council usually sets TAC at ABC.	Historically low ABC/OFL. Some skate species may have economic value resulting in top off behavior. OFL/ABC buffer usually about 250 mt	5%	Medium - Not all skates in the "other skates" complex are high value species so not that much topping off is occurring currently. There was a TAC overage in 2022.

Alternative 5 Annual MRA (Section 2.5 & 4.3)

- May improve retention & utilization by smoothing short-term bycatch fluctuations. Could reduce regulatory discards.
  - Largest discard amount is pollock by Amendment 80
- Some risk that changes in vessel behavior could result in increase in pollock harvest resulting in a need to increase ICA for pollock
- Consultation with industry representative listed several reasons why a change in behavior is unlikely (page 56)
- Council receives detailed information on sector level catch and retention through established reports. Any change in behavior would be identified.
- To further mitigate risk, implementation of an incentive plan agreement with a goal to prevent increase in pollock harvest and providing safeguards to maintain catch limits and monitor spatial impacts could be implemented.
- Unexpected changes to vessel plans may make it difficult for vessels to comply with annual MRA and IR/IU regulations
  - eg. Vessel has to stop fishing earlier in the year than expected due to mechanical issue.

Incidental Catch Allowances (Section 4.4)

- If changes in vessel behavior were to occur, this could result in Incidental Catch Allowances (ICA) being modified (Section 4.4)
  - Under Alt 3 and 4 a vessel could use basis species onboard to retain more of a species recently closed to directed fishing.
    - eg. Both Pacific cod and pollock are open to directed fishing to a CP. Mid-way through the CP's trip Pacific cod closes to directed fishing. The CP can use basis species (i.e. pollock) to continue to target Pacific cod. This could result in higher overall catch of Pacific cod than status quo and a higher ICA amount needed.
  - Under Alt 3 and 4 if a CP or mothershp does not actively top off on a species once it is closed to directed fishing then there would be no need to increase the ICA.
    - Discarding would decrease while increasing retention
  - ICA would only be affected by CPs or motherships who were mid trip when directed fishing closed because there would be more basis species onboard than status quo.
    - A limited number of vessels would be mid trip so impact to ICA is likely low.

Specific Items for Council Attention (pgs 19-21)

- **Inclusion of FMP Area Change as Trip Trigger** - MRA percentages differ between the BSAI and GOA.

- **Offload Trip Trigger Clarification** - Vessels sometimes do not offload all product. The wording should change to state “when **any** fish or fish product is offloaded”, not “all”.
  - Assumption analysts made was that offload to offload would be implemented similar to how it was implemented for pollock. The use of “Any” was used.
  - **Alternative 4 Trip Trigger Language** - If selected, language stating that removal of “any” fish or fish product should be added, along with specifying that the MRA calculation is based on the basis species for C/Ps and motherships.
  - Council could also clarify if status quo wording of “all” for CVs should change

Specific Items for Council Attention (pgs 19-21)

- **Clarify that lowest MRA for duration of fishing trip would be removed for CPs under Alt 3 and/or 4**
- **Current regulations (*50 CFR 679.20(e)(3)(ii)*) require a CP to be restricted to the lowest MRA for the duration of a fishing trip**
  - Directed fishing prohibitions can occur during a trip for several reasons:
    - CPs often fish both inside and outside protection area during their voyage
    - NMFS closes directed fishing for a species mid-trip in the current fishing area.
- Regulatory discards would increase, **and Council purpose and need statement would not be met.**
  - Example: CP fishes in area outside protection area where Pacific cod is open to directed fishing. CP then goes inside protection area where Pacific cod is closed to directed fishing and MRA is 20%.
    - Under *50 CFR 679.20(e)(3)(ii),* the CP is now restricted to 20% Pacific cod for the entire fishing trip (offload-to-offload), regardless of area.
    - Failure to discard previously retained Pacific cod (over the 20% MRA) harvested from outside the protection area could put them in violation.
    - This example is described further in Section 5.3, under Scenario 3b (Table 5-5).

Catcher Vessels Under Alternative 4

Regulation would remain unchanged for CVs

50 CFR 679.20(e)(3)(i) For catcher vessels, the maximum retainable amount for vessels fishing during a fishing trip in areas closed to directed fishing is the lowest maximum retainable amount applicable in any area, and this maximum retainable amount must be applied at any time and to all areas for the duration of the fishing trip.

NMFS recommends leaving most of this provision in place.

- The definition of a fishing trip is already offload-to-offload for CVs.
- CV fishing trips are typically shorter than CP voyages.
- Difficult to determine where catch came from on CVs for MRA calculations due to:
  - Lower observer coverage.
  - Daily logbooks not required on some smaller CVs.

No management issues were identified with eliminating instantaneous MRAs on CVs

Specific Items for Council Attention (pgs. 19-21)

- **Trip Trigger Definition Clarifications**
  - Current regulations state: "*An operator of a catcher/processor or mothership processor vessel is engaged in a fishing trip from the time the harvesting, receiving, or processing of groundfish is begun or resumed in an area* ***<u>until</u> any of the following events occur"…***
  - "Resumed" refers to when a vessel ceases fishing for an amount of time (*i.e.,* weather) and then resumes fishing before other triggers are met. This does not refer to instances where a vessel fishing one area, moves to a new area beginning a second trip, and then returns to the first area to "resume" the first trip.
  - This can be problematic because:
    - C/Ps may use more than one gear type during a voyage causing multiple daily trip triggers.
    - C/Ps and motherships often fish both inside and outside SSL protection areas on the same day or week which causes multiple new MRA trips.
    - More trips for MRA calculations results in higher discards.

Enforcement Considerations (Section 4.5)

- **Enforcement Considerations**
  - OLE provided information for each alternative for the Council's consideration in Section 4.5 of the Analysis.
  - Alternative 6 concerns regarding MRA exemptions due to weather:
    - Localized weather conditions are difficult to confirm without independent observations, and hence enforcement fairness would be subjective
    - This could result in a large number of exemptions being requested because inclement weather is common in the BSAI and GOA management areas
    - Specific weather conditions affect the various fleets differently and unequally (different length/sized vessels, different experience levels of captains).

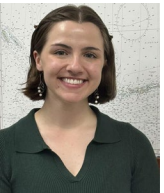
EXPECTED EFFECTS OF ALTERNATIVES

Alternatives 1 and 2 (Sec. 2.1, 2.2)

<u>Alternative 1:</u> No Action (Status quo).

- **With respect to Alt 2:** Regulation adjustments to improve clarity and reflect current practices to help avoid confusion on MRA calculations will remain unchanged.
- **With respect to Alt 3:** Vessels will continue to trigger multiple trips between offloads.
- **With respect to Alt 4:** Leave in place the existing MRA accounting periods, which applies at any time during a fishing trip for most MRAs.
- **With respect to Alt 5:** Leave in place the existing MRA accounting periods for BS pollock for A80 vessels.
- **With respect to Alt 6:** No exemptions would be implemented in MRA regulations in cases of medical, mechanical, or weather emergencies.

<u>Alternative 2:</u> This alternative would revise MRA regulations to clarify (1) the definition of a fishing trip, (2) calculations for MRAs, and (3) applications of MRAs. These changes would not alter how the MRA regulations are currently implemented, and would have no economic impact.



Alternative 3 (Sec. 2.3)

Alternative 3: Revise the triggers that end a fishing trip for C/Ps and motherships, from five to two triggers.

Method 1 - Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas.

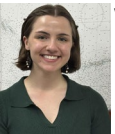
Method 2 - Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.

Instantaneous MRA provision would remain in place under this alternative.

Fishing trips under Alt. 3 would primarily span between offloads. Under Method 2, vessels could not use all basis species onboard in their MRA calculations if a change in directed fishing occurred during the trip.

Without additional regulatory changes a vessel would be restricted to the lowest MRA for the duration of the fishing trip when the vessel has fished in an area closed to directed fishing. (details on pg. 19-20).

Further clarification on the timeframe for the MRA calculations would be beneficial. NMFS agency staff note that changing the wording of the offload trip trigger from "all fish or fish product" to "any fish or fish product" would provide clarity and would likely be easier to track. (details on pg. 19).



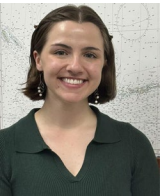
Economic Impacts: Alternative 3 (Sec. 6.4.3)

Overall economic impact expected to be positive:

- Additional operational flexibility via increased trip lengths, & fewer MRA calculation "restarts"
- Likely to reduce regulatory discards of valuable incidental species, which appear to occur most often during the start of a fishing trip
- Provides a strong economic incentive to harvest high valued species up to their MRA amounts, including through "topping off" on these species (targeting species closed to directed fishing)

Magnitude of impact is dependent on current utilization of MRAs, the difference between current trip lengths and days between offloads, and changes in the strategic behavior of vessels.

- Under Alt. 3, vessel operators could use a larger volume of basis species in their MRA calculations.
- If a vessel is currently able to harvest up to the MRA of all valuable species, for all fishing trips between offloads, then Alt. 3 would have no economic impact.
- If the length of trips under Alt 1 is constraining for vessels, the additional flexibility granted under Alt 3 may allow them to retain a higher volume of valuable incidental species.



Economic Impacts: Alternative 4 (Sec. 6.4.4)

This alternative would add additional species to an offload-to-offload MRA calculation period in BSAI and GOA for all sectors.

Option 1: Add BSAI Pacific cod, GOA Pacific cod, GOA pollock, BS skates, Central GOA Rockfish Program, and GOA shallow-water flatfish

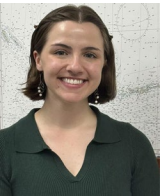
Option 2: Include all groundfish species

Methods 1 and 2 would only apply to C/Ps and motherships.

Method 1 – Use all basis species accumulated on the vessel when calculating MRAs for each trip regardless of fishery closures and protection areas.

Method 2 – Only use basis species accumulated after a change in directed fishing has occurred due to an inseason action or entering a protection area for the species that had a change in status for each trip.

- Allows vessels that would have otherwise been forced to discard valuable incidental caught groundfish over the MRA to now retain these incidental catch species, as long as they were under the MRA at the time of offload



Economic Impacts: Alternative 4 (Sec. 6.4.4)

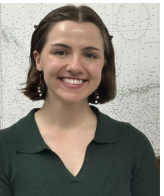
Currently, vessels cannot exceed the MRA at any time during a fishing trip. Regulations appear most challenging at the beginning of the trip when the vessel does not have sufficient basis species to retain valuable incidental catch species.

The overall economic impact of changing the MRA management period for all groundfish in the BSAI and GOA is expected to be positive under both Option 1 and Option 2, and Method 1 and Method 2.

- Capitalizing on offload-to-offload MRA calculation period is dependent on, but not limited to, prices of species, available buyer, accessibility to species, storage availability, ability to process the species, and the MRA limit

For most groundfish species, the risk of a "top off" fishery early in the fishing trip is not expected to affect most groundfish stocks relative to status quo since the alternative does not change the species TACs, gear types, and general location of the fisheries which the groundfish are caught

- Under Option 2, for some groundfish species (with low OFL, ABC, TAC relative to high total catch, high retention rates, and high ex-vessel price) the risk of "top off" early in the fishing trip could increase risk of exceeding the ABC and TAC, and in some rare cases approach the OFL. (see Table 5-1)



Effects Of Methods 1 and 2 on Alts 3 and 4 (Sec. 6.4.5)

Magnitude of positive economic impacts under Alternatives 3 and 4 is dependent on the value, distribution, and current MRA utilization of each species, by sector, as well as the methods identified by the Council.

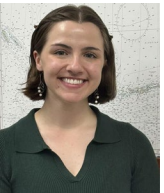
Methods 1 and 2 function similarly under Alternatives 3 and 4.

Method 1:

- The “demoninator” of the MRA calculation would be larger; a greater volume of incidental species could be retained post-inseason actions, or after a vessel moves into a protection area.

Method 2:

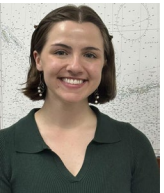
- The “demoninator” of the MRA calculation would be smaller; a smaller volume of incidental species could be retained post-inseason actions, or after a vessel moves into a protection area.
- Limits the amount of species that could be retained inside closed areas, and the amount of retention that could occur after an in-season closure of a species previously open to directed fishing



Effects of Methods 1 & 2 on Alt 3 & 4 (Sec. 6.4.5)

- A greater reduction in regulatory discards would occur under Method 1 where a change in directed fishing status occurred during a fishing trip.
  - Ex: If the directed fishing status of a valuable species was open outside of a protection area, and closed inside of this protection area, Method 2 would only allow vessels to use basis species harvested from inside the protection area in the MRA calculation.

- In cases where directed fishing status did not change, Methods 1 and 2 would result in the same MRA calculation.
  - Ex: If a species was closed to directed fishing both inside and outside a protection area Method 2 would not require that vessels only use basis species from inside the protection area in their MRA calculation for this species.



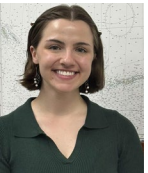
Effects Of Methods 1 and 2 on Alts 3 and 4 (Sec. 6.4.5)

Method 1:

- Would likely result in the least amount of discarding.
- Compared to Method 2, a larger volume of species could be retained inside closed areas, and a larger volume of species could be retained after an in-season closure of a species previously open to directed fishing.

Method 2:

- The “denominator” of the MRA calculation would be smaller; a smaller volume of incidental species could be retained post-inseason actions, or after a vessel moves into a protection area.
- Limits the amount of species that could be retained inside closed areas, and the amount of retention that could occur after an in-season closure of a species previously open to directed fishing
- May mitigate concerns over SSL protection areas, or potential ICA increases.
- Would likely result in more discarding than Method 1.
- Compared to the status quo, would not result in diminished discards in certain cases, and result in a small decrease in discards in other cases. Described on pages 44 and 56.

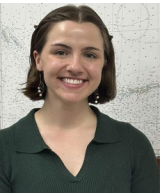


Economic Impacts: Alternative 5 (Sec. 6.4.6)

- Annual accounting would provide greater flexibility, allowing an operator to balance a trip with higher pollock bycatch against subsequent, cleaner trips over the course of a fishing year.

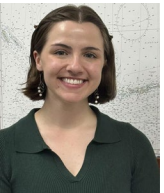
- Annual MRA accounting for pollock may further reduce regulatory discards. The main factors that could determine the size and distribution of the economic impact are:
  - The value of pollock relative to the value of groundfish normally caught by the sector;
  - the amount of pressure vessel operators are experiencing to reduce discards; and
  - strategic behavior of individual vessels.

- Pollock can be expected to generate more revenue than sculpins or sub-standard flatfish, but this may not result in increased net revenues. The relative benefits of retaining pollock and possibly displacing more valuable product are not known.



Economic Impacts: Alternative 6 (Sec. 6.4.7)

- Alternative 6 would provide exemptions from MRA requirements in cases of medical, mechanical, or poor weather emergencies
  - Current regulations state the MRAs apply at any time during the duration of fishing trip, therefore if a vessel returns to port for a medical, mechanical, or a weather emergency and they are over the MRA limit, it is a violation.
  - Between 2021 and 2024, OLE documented 4 instances of medical or mechanical issues that forced an unexpected return to port which resulted in an MRA overage
  - Based on low rate of occurrence, OLE recommends assessing overages on a case-by-case basis.
    - If Alternative 4 is selected, and additional species go to offload-to-offload MRAs, the occurrence of overages due to medical/mechanical/weather issues could increase. Discussed in Section 6.4.8.



Effects of Action Alternatives in Combination (Sec. 6.4.8)

Alternatives 3 and 4

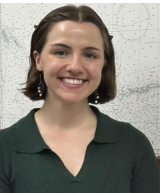
- Alternative 3 would not remove the instantaneous MRA, while Alt. 4 would.
- Under Alt. 4, the trip triggers removed by Alt. 3 would be irrelevant for any species with an MRA calculation at the time of offload.

If the Council selects Alt. 4, Option 2, it is not necessary to also choose Alt 3. The three trip triggers would have no effect on the desired outcome. However, the Council may want to also choose Alternative 3 in this scenario in order to ensure the regulations are not confusing and that unnecessary regulations are not in place.

If the Council selects Alt. 4, Option 1, then the MRA calculations of species not listed would vary whether the Council decided to choose Alt. 3 in combination. If both are chosen, species not listed in Option 1 would have an instantaneous MRA, but the three trip triggers that would restart the MRA calculation period would not be in effect.

Alternatives 4 and 6

- If Alt. 4 is selected, it is possible that the rate of MRA overages that occur due to emergency returns to port would increase.
- The impact of Alt. 6 would be greater if selected in combination with Alt. 4 versus if selected alone.



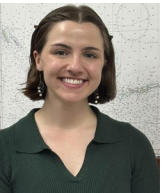
Summary of Expected Effects (from Table ES-1)

	Regulatory Discards	Economic Impacts
Alternative 1, No Action	Reg. discards are required, which are deducted from the TAC but do not accrue to the MRA.	Status quo conditions. Regulatory discards remain at current levels.
Alternative 2, Options 1-6	No impacts.	No impacts.
Alternative 2, Option 7	May reduce discards for vessels in regulatory bind.	No impacts.
Alternative 3	Likely to result in reductions of regulatory discards; seen as economically and environmentally beneficial.	Expected to be positive. Magnitude of impact varies & is reliant on changes in strategic vessel behavior.
Alternative 4, Options 1 & 2	Likely to result in reductions of regulatory discards; seen as economically and environmentally beneficial.	Expected to be positive. Magnitude of impact varies & is reliant on changes in strategic vessel behavior.
Alternative 5	Likely to result in reduction of reg. discards of pollock in A80 sector. Reduction in regulatory discards is seen as economically and environmentally beneficial.	Expected to be positive for A80 sector. Low risk of increases in pollock harvests that would result in negative allocative impacts for user groups if realized. Incentive plans & other tools would mitigate this risk.
Alternative 6	May reduce discards in emergency cases.	Neutral to positive. Vessels may avoid regulatory violations in rare cases.

Social Impact Assessment (Sec. 7)

This action may have limited beneficial social impacts

- **The RIR analysis indicates that the action alternatives do not create impacts, economic or social, on most of the impact categories or sectors of the fishing fleet, fishermen or communities with the exception that there may be effects on trips, time period, and days at sea.**
- These effects are largely due to a reduction in regulatory discards early in trips (Alternative 3 and 4) that may change fleet behavior and are thought to be generally beneficial.
- Allowing a trip to end early for weather, mechanical, or medical reasons (Alternative 5) is considered generally beneficial.
- The Social Impact Assessment (SIA) documents that analysts did consider the potential for social impacts and the guidance for conducting an SIA.



ENVIRONMENTAL IMPACTS

Resource Components Addressed in the Analysis

- **The alternatives do not change the MRA rates**
- The alternatives clarify MRA accounting responsibilities, potentially revise trip definitions, and clarify regulatory precedence.
- None of the alternatives address any allocation within the fishery, have direct effect on the target species stocks, or change any biological parameter used to manage the fishery.
- No effects are expected on habitat, seabirds, or the overall ecosystem.
- Environmental analysis is included on two resource components: 1) target and non-target (incidental) species, and 2) Steller sea lion prey availability.

Effects on Groundfish Species

- The effects of the alternatives on groundfish species in the BSAI and GOA groundfish fisheries are likely neutral.
- **Alternatives 1, 2 and 6 will have no meaningful effect on groundfish species** as they contemplate administrative changes that do not impact timing, location or magnitude of groundfish harvest.
- Retention of non-target groundfish would likely increase under **Alternative 3**, but overall catch would likely remain neutral ***because all catch is deducted from the total allowable catch (TAC) for each species or species group***.
- Under **Alternative 4**, there may be some added risk of approaching Acceptable Biological Catch (ABC) and Overfishing Limits (OFLs) for some species, which are identified in Table 5-1.
- BS pollock catch under **Alternative 5** could increase or decrease depending on fleet behavior. It could result in less discarding of BS pollock because vessels could retain more BS pollock earlier in the year when it is encountered more frequently instead of discarding, or alternatively catch could increase if vessels topped off on BS pollock early in the year to ensure they retained up to the MRA and then had discarded BS pollock catch later in the year.

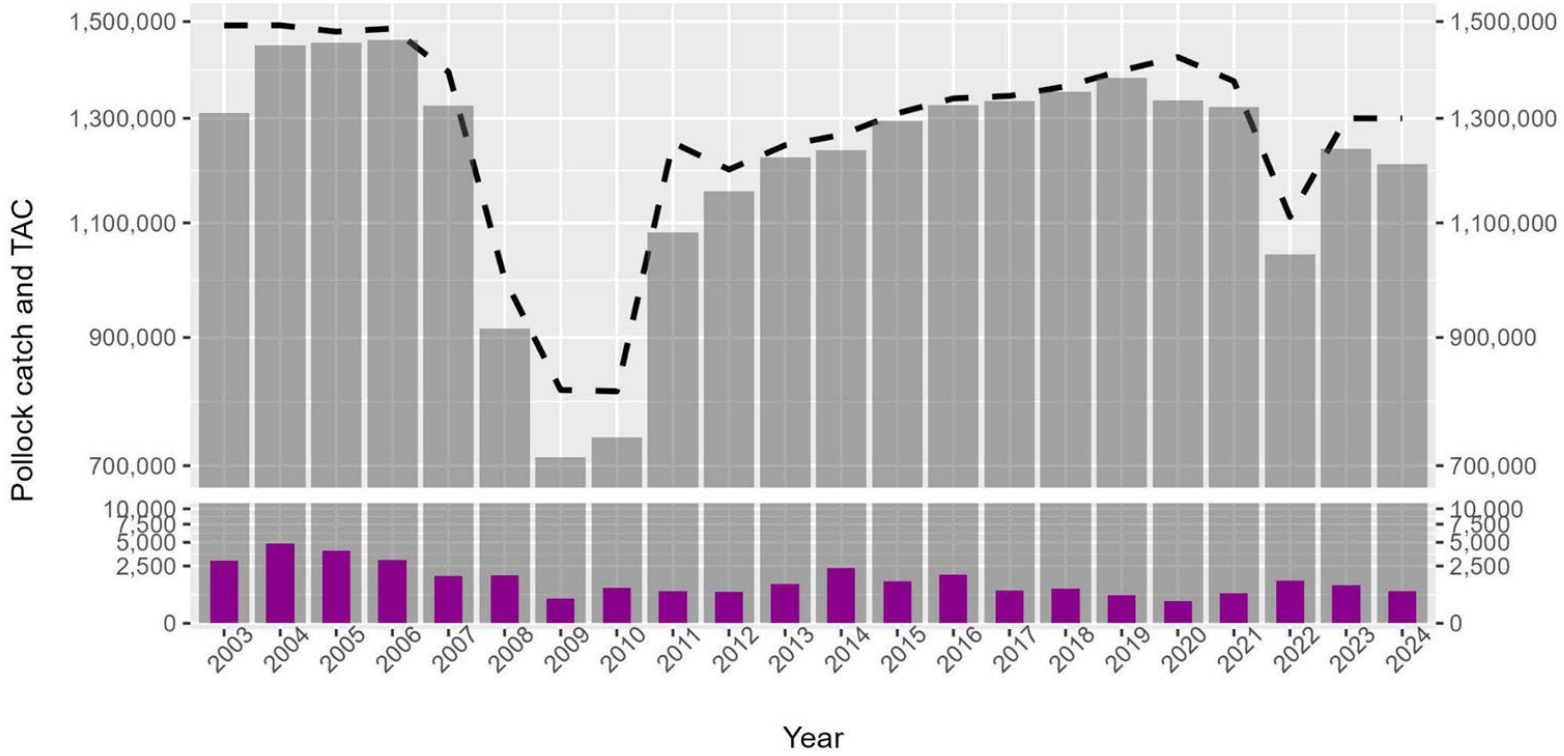
Effects on Steller Sea Lion Prey (Sec. 5.3.5)

- Steller sea lions rely on localized prey specific to where the action overlaps.
- **Alternatives 1, 2 and 6 will have no meaningful effect on Steller sea lions** as they contemplate administrative changes that do not impact timing, location or magnitude of groundfish harvest.
- **Alternatives 3, 4 and 5 could affect the localized availability of prey in Steller sea lion protection areas.**
- A similar proposed rule was withdrawn in 2009, citing “Although the Council’s action provided relief from the ‘‘instantaneous’’ accounting interval, the Council determined that a relaxed interval would increase incentives to harvest incidental catch in Steller sea lion protection areas.
- To address this problem, the Council decided that a new fishing trip would begin or end any time a non-AFA trawl C/P would enter or leave a Steller sea lion protection area that was closed to directed fishing for Atka mackerel or Pacific cod.”

Effects on Steller Sea Lion Prey (Sec. 5.3.5)

- **Under Alternatives 3, 4 and 5, incidental catch of prey species important to Stellar sea lions (i.e. pollock, Pacific cod, and Atka mackerel) could increase or decrease inside protection areas.**
- Extensive regulations have been implemented over the years to prevent localized depletion of prey for Steller sea lions - this action does not change those regulations.
- Under Alternatives 3 and 4, Method 2 provides the scenario with the least opportunity to increase “topping off” in protected areas
- Prey species and areas that could be affected by the action are
  - BS Pollock, AI Atka mackerel, BSAI and GOA Pacific cod
- Changes in vessel behavior is not easily predicted, but interpretation of the data at hand suggests that Alternatives 3, 4 and 5 provide increased the opportunity for topping off, but that in practice the risk of increase is low.

Bering Sea Pollock - Figure 5-15 (page 126)



Limited catch inside SSL protection Areas

No significant change in harvest (amount and location) after implementation of offload to offload MRA calculation

EFFECTS ON STELLER SEA LION PREY

- **For the proposed action to have negative potential effects on SSL prey levels, a series of events would need to occur.**
  - Selection of Alternative 3, Method 1 or Alternative 4, Method 1; or Alternative 5.
  - Affected sectors would need to choose to alter their behaviors from the status quo to increased topping off in SSL protection areas.
  - Topping off would need to occur at a level that negatively impacts SSL localized prey.
- If prey was depleted so as to detrimentally affect SSLs, this could require Council action in the future and could lead to reevaluation of coverage under the ESA.

Table 5-20 Possible effects on regulatory discards and topping off opportunity of SSL prey species inside SSL protection areas based on Alternatives 3 and 4 and Methods 1 and 2.

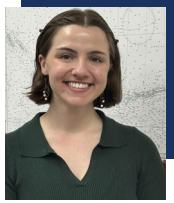
Alternatives and Methods	Overall Regulatory Discards	Risk of Topping Off Inside SSL Protection Areas
Alternative 3, Method 1	Medium	Medium
Alternative 3, Method 2	Highest	Lowest
Alternative 4, Method 1	Lowest	Highest
Alternative 4, Method 2	Medium	Medium

Note: This table represents a range and does not indicate overall risk. For example, the risk is highest under Alt 4 method 1 however the overall risk of change in behavior is still considered low.

Summary of Environmental Impacts

	Target & Non-target Species	Marine Mammals (SSL)
Alternative 1, No Action	Status quo conditions.	Status quo conditions.
Alternative 2, Options 1-6	No impacts.	No impacts.
Alternative 2, Option 7	No impacts.	No impacts.
Alternative 3	Potential for increased harvest of incidental catch species inside protection areas. Magnitude and distribution of impact dependent on changes in vessel behavior around protection areas.	Potential for increased harvest of SSL prey species in SSL protection areas. Magnitude and distribution of impact dependent on vessel behavior.
Alternative 4, Options 1 & 2	Limited potential & risk of approaching ABC and OFL for certain species. Risks mitigated by existing fishery mgmt. mechanisms; therefore not considered to be environmentally significant. Potential for increased harvest of incidental catch species inside protection areas. Magnitude and distribution of impact dependent on changes in vessel behavior around protection areas.	Potential for increased harvest of SSL prey species in SSL protection areas. Magnitude and distribution of impact is dependent on vessel behavior.
Alternative 5	No impacts.	Potential for increased harvest of BS pollock in SSL protection areas. Magnitude and distribution of impact is dependent on vessel behavior.
Alternative 6	No impacts.	No impacts.

CONSIDERATIONS FOR DECISION MAKING AND NEXT STEPS

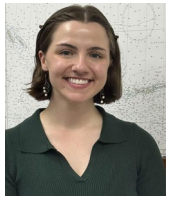


Considerations and Next Steps

- Table ES-1 (pg. 16-18) provides a full comparison of the impacts of the alternatives, which may be helpful for consideration during decision-making. Select sections of this table are summarized within this slide deck.

- Specific Items for Council Consideration and Attention (pg. 19-21, slides 27-31)
  - Inclusion of FMP Area Change as Trip Trigger
  - Clarification of the Offload Trip Trigger
  - Additional Regulations to Consider under Alternatives 3 and 4
  - Clarifications within Trip Trigger Definition
  - SSL Protection Area Concerns, and Prior Council Actions
  - Enforcement Considerations
  - Directed Fishing Definition, and Interrelation w/ MRA Definition

- If the AP chooses to recommend the Council take further action on this item, they may recommend modifying the motion as they see fit, or recommend selecting one or more alternatives as the preferred alternative for final action. The AP may also recommend that the Council request additional analysis.



THANK YOU TO ALL PREPARERS, CONTRIBUTORS, AND PERSONS CONSULTED

QUESTIONS?