

NMFS Recommendations for Regulatory Changes to the Rockfish Program Reauthorization

October 2019 Staff Tasking

NMFS Alaska Region has identified several regulatory changes in addition to the changes brought forward in the Program Review (October 2017) and the Discussion Paper (December 2018). These administrative changes would be analyzed in the initial review draft analysis scheduled for presentation at the December 2019 Council meeting. Analysts are seeking approval from the Council to include the following proposed elements in the December analysis.

1. Consistent season date closure of cod in November

Close the Rockfish Program Pacific cod fishery on November 1 for consistency with other GOA Pacific cod seasons (and SSL protection measures). Currently, the Rockfish Program fisheries, including Pacific cod, close by regulation on November 15. There is an informal agreement for the trawl CV cooperatives uses to stand down from November 1 through 15. This action could eliminate the need for a voluntary stand-down and replace it with a regulatory fishery closure.

2. ICA increases

NMFS would like the flexibility to reallocate unused ICA for Pacific Ocean perch, northern rockfish, and dusky rockfish allocated to the Rockfish Program cooperatives to prevent exceeding the TAC in the Central GOA. This is routinely done for the Bering Sea AFA Pollock fishery and Amendment 80 cooperatives. Currently, ICAs are set in the harvest specifications at the beginning of the season. Incidental catch is estimated at the beginning of each year and NMFS sets the ICA conservatively to avoid exceeding the TAC. This is a conservation and management issue (NS 1) that could be addressed in the reauthorization of the Rockfish Program.

3. Clarify Use Caps in CP to CV sector transfers

The question being raised is the intent of the Council correctly applied when calculating CV sector use caps. Specifically, do the CV sector harvest and processing caps include fish transferred from the CP sector to a CV cooperative? For example, if a vessel is close to the vessel use cap but acquires an amount of CQ from the CP cooperative that would result in the vessel harvesting an amount that is greater than 8% of CV sector CQ, does the CP CQ fish count towards the cap since the 8% cap is calculated as 8% of the CQ primary rockfish species CQ issued to CV sector? The same question applies to the 30% processing cap. In both cases, the regulatory text states that the use caps are based on "CQ initially issued" to the CV sector.

Processors may not receive or process more than: 30% CQ issued to CV sector (rockfish primary species, Pacific cod, and sablefish), as described in 50 CFR 679.82(a)(2)(i) and (a)(3). Because CQ derived from C/P QS is not subject to the CV sector use caps, processors could potentially use that CQ to process an amount of Rockfish Program CQ that is greater than 30% of the CV sector allocation of the applicable CQ. A possible solution could be that any transfer of CP CQ to CV cooperatives does not apply to CV ownership and use caps.

4. Monitoring and reporting changes

Catch Monitoring Control Plan notification

NMFS proposes revising existing notification requirements to reduce confusion and streamline reporting requirements. Currently vessel operators are required to give two different notices of landing. First, the Rockfish Program CMCP specialist must be notified the day prior to a landing by email, text, or phone. Second, the CMCP specialist must be notified 1 hour in advance of the delivery by text or phone. The first notification enables NMFS personnel to plan for upcoming deliveries and the second notification provides more specific offload timing so that the CMCP specialist can meet the delivery vessel at the dock. The notifications have proven challenging and this can make it difficult for the CMCP specialist to intercept the vessel, especially if the notification does not occur until the middle of the night. This reduces the monitoring coverage of vessels.

A possible fix would be to require that the notifications be submitted between 6am and 6pm, similar to the IFQ program. The vessel would be able to select any time of day to deliver, but the notifications would only be allowed during business hours. Vessel operators would call-in or use an online application between 6am and 6pm and declare a landing/offload time at least 3 hours in advance of actual offload. The offload data would then automatically be made available to the rockfish monitor.

Check-in Time Requirements

Rockfish cooperatives are required to check-in at least 48 hours prior to the time the catcher vessel begins a fishing trip to fish under a CQ permit. Industry mentioned in a 2015 PRA comment that a 24 hour check-in is sufficient. The two day wait time is sometimes inconvenient for cooperative catcher vessels. These regulations are found at 50 CFR 679.5 (r)(8).