



C7 CGOA Rockfish Program Reauthorization

December 2019 Council Meeting

Action Memo

- Council Staff: Jon McCracken
- Other Presenters: Stephanie Warpinski (NMFS)
Darrell Brannan (Brannan & Associates)
Mike Downs (Wislow Research Associates)
- Action Required: 1. Review the initial review draft of the EA/RIR/SIA.
2. Determine whether to release the document and schedule final action.
3. Select a Preliminary 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 release to the public, with any requested changes by the Council. The Council could then schedule the issue for final review at a future meeting. Should the Council determine that the RP will not be reauthorized, the CGOA rockfish fishery would return to being managed as a limited entry fishery under the License Limitation Program (LLP).

Information presented in the analytical documents that have been developed build on the RP 5-year review that was conducted by the Council two years ago. Many of the same conclusions reached in that analysis are also reached in this analysis, but the data have been updated to include the most recent information available.

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).

Two alternatives were selected by the Council for staff to analyze. The first would allow the RP to sunset and return to management under the LLP. If this alternative is selected, the Council will need to provide additional direction for specific elements of the program (e.g., how treat halibut Prohibited Species Catch set-asides established under the RP), but the general structure of the fishery would return to how it was managed prior to Rockfish Pilot Program being implemented in 2007. The second alternative would reauthorize the RP by either removing the sunset date or establishing a new sunset date within a range of 10 through 20 years. The action also includes elements that could be selected that would modify regulations to:

- Reallocate unharvested RP Pacific cod from onshore cooperatives to fixed gear open access fisheries after the RP fisheries close on November 15.
- Exempt crab program sideboard limits for vessels when fishing in the RP.
- Require annual NMFS cost recovery reports in regulations.
- Clarify regulations to specify that only shoreside processors receiving RP Cooperative Quota (CQ) must submit the Rockfish Ex-vessel Volume and Value Report.
- Modify RP cooperative report, cooperative application, and cooperative check-in requirements.
- Exempt shoreside processors under the RP from the requirement to provide observers specific materials.
- Allow NMFS to reallocate unused Rockfish ICA to the RP catcher vessel (CV) cooperatives.
- Clarify regulations regarding accounting for inseason use caps when catcher/processor (CP) quota share (QS) is transferred for use by the CV sector.

In addition to the above proposed actions, the Council requested that the analysis review the performance of the entry-level longline fishery and step-up mechanism; review information related to the current three-day stand down requirement for vessels transiting from the Bering Sea/Aleutian Islands (BSAI) to the Gulf of Alaska (GOA) to participate in the RP; review harvest patterns in the RP; and review CGOA rockfish bycatch in other trawl fisheries. All of these requests have been included in the analytical documents.

Should the Council select 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, if Alternative 2 is selected as the preferred alternative.