Trawl Rationalization

Regulatory Deeming

June 2010
NEPA Documents:

Both Am 20 & 21 FEISs should publish in late June

3 or more rulemakings-

1. Data Collection Rule (final rule published 1/29)
   — Potential participants in TRat program should complete an ownership interest form.
   — Potential participants should check their data.
   — Deadline extended: late May 2010 → July 1, 2010
3 or more rulemakings-

1. Data Collection Rule

2. Initial Issuance Rule & FMP Review
   - Will announce NMFS approval or disapproval of FMP AM 20 & 21 and EIS review
   - If approved, will announce draft regulations for the following:
     - Allocations (from Am 21)
     - Initial issuance and appeals (IFQ, MS, C/P)
     - Reorganized groundfish program regulations (includes existing observer program regulations)
   - Schedule
     - Open for public comment through July 12, 2010
     - August – final rule publishes
     - Sep-Dec – initial issuance & appeals
     - 1/1/2011 – TRat program implemented

3. Program Components Rule
TRat progress

1. Data Collection Rule
2. Initial Issuance Rule & FMP Review
3. Program Components Rule
   — Will announce draft regulations for the following:
     o Program components
       (IFQ gear switching, new observer program requirements, equipment requirements, catch monitors, catch weighing requirements, coop permits/agreements, first receiver site licenses, vessel accounts, etc.)
     o Further tracking and monitoring components
     o Mandatory economic data collection
   — Schedule
     o April & June – PFMC meetings – regulatory deeming
     o Aug – proposed rule publishes
     o Nov – final rule publishes
     o 1/1/2011 – TRat program implemented
NMFS Clarifications Requested of Council
Issue 1: QS permit renewal.

What happens if a QS permit is not renewed on time?

• **A:** Not renewed between 9/15-11/30, have until 9/1 of the following year to renew and get QP or IBQ pounds. They would not be redistributed.

• **B:** Not renewed between 9/15-11/30, QP or IBQ pounds get redistributed to all other QS permit owners that renewed on time.

• **Sub-B:** Same as B except that if not renewed between 6/15-8/31, hardship provision in cases of illness, injury, or death would extend deadline to September 30.
NMFS clarifications

Issue 2:
How many decimal places should transfers of QS be divisible to?

- A (NMFS-preferred): to 0.001%
- B: to the smallest percent any person is issued for any species during the initial issuance process.
- C: based on a minimum of 1 pound.

Issue 3:
Is IBQ transferable in the first 2 years?

- A (NMFS-preferred): IBQ not transferable, but IBQ pounds are
- B: IBQ and IBQ pound are transferable
Issue 4:

What are the ownership rules applicable to MS/CV endorsed permits and MS permits?

- A: *not subject to individual and collective rule*
- B: *subject to individual and collective rule*
NMFS Interpretations of Council Intent
**State employees as CM**

4) NMFS is continuing to explore this.

**QS and IBQ transfer deadline**

9) No transfers between 12/1-31.

**Changes in vessel registration**

11) Effective date for change in MS/CV endorsed permit is the start of the next cumulative limit period.
NMFS interpretations

Coop report deadline March 31

13) Preliminary report would be to Council in November. Final report to NMFS by March 31 (aligns with coop permit renewal process 2/1-3/31).

Coop failure & coop agreement

15) & 16) Language changes noted
Draft Program Components Rule
Note corrections:

- P. 46 – delete “other fish” from vessel limit table
- P. 69 - gear switching

Items that need drafted:

- Interim first receiver site license & CM providers
- Reallocation language from App.D (A-2.1.6)
Seaward non-trawl RCA

Based on the spex decision for overfished species, the non-trawl RCA will likely be specified at 100 for most of the coast and 125 fm in one or more areas (N. Pt Chehalis, Cascade Head to 43)

- In the north, fixed gear YE rates are highest between 100 and 125 fm

Shoreward non-trawl RCA

Based on the spex decision for overfished species, the non-trawl RCA will likely be:

- Closed to shore in WA
- 20 fm for OR and N CA
- 60 fm S of 34-27
- No nearshore allocations were made to the trawl fleet
- High YE bycatch rates in this area, could exceed the trawl allocation
Questions?