

OMNIBUS REGULATION CHANGES PART 1

Under this agenda item, the Council is slated to

- make a final recommendation on continuation of the trawl rationalization adaptive management program (AMP) pass-through,
- address any other issues identified by National Marine Fisheries Service (NMFS) with respect to development of rules to implement the Council's past recommendations on trawl trailing actions, and
- begin to develop a list of potential new groundfish management measures to be considered outside the biennial process, including trawl rationalization trailing actions and limited entry fixed gear-related actions.

Adaptive Management Program

At this meeting, the Council is scheduled to finalize a recommendation on continuation of the AMP pass-through. Ten percent of the annual distributions of the quota pounds (QP) issued for nonwhiting quota shares (QS) and halibut individual bycatch quota (IBQ) are reserved for the AMP. Currently the QP issued for the AMP QS/IBQ are distributed annually to QS/IBQ holders, in proportion to their QS/IBQ holdings, i.e. "passed through" based on QS/IBQ percentages. This "pass-through" has been in place as a temporary measure because the Council has yet to develop alternative criteria for their distribution (criteria that would address the objectives for the AMP program (see Agenda Item F.3.a, Attachment 1). The "pass-through" regulations are scheduled to sunset prior to the distribution for the 2015 fishing year and some Council action is required to provide direction on how the QP will be distributed for 2015. At its March 2014 meeting, the Council adopted the following alternatives for consideration:

- No Action Alternative: Beginning in 2015, the QP associated with the QS set-aside for AMP purposes will be distributed in accordance with procedures developed under the AMP provisions adopted under Amendment 20.
- Action Alternative 1: The AMP QP allocation procedures will be considered as part of the five-year review and the pass-through procedure used since 2011 will be continued
 - Suboption A: through 2017.
 - Suboption B: until the implementation of regulations resulting from the five-year review.
- Action Alternative 2. The pass-through procedures used since 2011 will be continued until procedures are developed as specified in the AMP provisions of Amendment 20.

If no action is taken, since other procedures have not been developed and the pass-through would sunset, the AMP QP would go undistributed. In these alternatives, all references to QS include halibut IBQ QS and all references to QP include the related halibut IBQ QP. A discussion of these alternatives is provided in Agenda Item F.3.a, Attachment 1.

New Rule Clarifications for Trawl Trailing Actions

At this time there are a number of issues on which the Council has taken action for which implementation is in progress. For two of these, the chafing gear rule and the observer/catch monitoring rule, proposed rules have been published and the comment periods completed, but the final rules had not been published as of the briefing book deadline. For two others, fixed gear trawl permit stacking (joint registration) and shorebased whiting season date changes, the proposed rules have yet to publish. This agenda item provides the Council an opportunity to respond to implementation questions which NMFS might identify, if any.

New Groundfish Management Measures

In March 2013, the Council adopted a process whereby only adjustments to routine management measures¹ would be considered during the process to establish biennial harvest specifications and management measures (see <http://tinyurl.com/nh9soch>, Motion 11, Item 4). New management measures² would be considered outside of the biennial process, and specifically, a call for new management measure proposals would be conducted at the June Council meeting in even-numbered years (e.g., 2014). At that June meeting, the Council would adopt a draft calendar and a prioritized list of new management measures to be analyzed outside of the harvest specifications and management measures process. The recommendation for narrowing the types of management measures considered during the biennial process, along with the development of default harvest control rules under Amendment 24 and the long-term impact analysis, was intended to reduce workload during the biennial process and increase the probability that harvest specifications would be implemented January 1. Also, at the March 2014 meeting, the Council aggregated consideration and prioritization of trawl trailing actions, delayed from last September to this June's Council meeting, to allow for a more holistic evaluation of groundfish priorities and workload.

In April 2014, the Council decided to postpone the adoption of a draft calendar and a prioritized list of new management measures to be analyzed outside of the harvest specifications and management measures process until the September 2014 Council meeting, given the anticipated workload and Council floor time necessary to accomplish the biennial specifications agenda items. However, the Council wanted to establish a list of candidate new management measures at the June Council meeting. To meet this objective, an initial unprioritized list of potential management measure topics, ordered by category and sector, has been provided in Agenda Item F.3.a, Attachment 2, derived from previous Council discussions. In order to assist in comprehensive workload planning, this attachment also includes a list of other groundfish-related matters with workload implications for Council, state, and Federal staff. Under Agenda Item F.3, the Council is scheduled to establish a tentative list of topics and, under Agenda Item F.9, the Council is scheduled to add to the list any additional candidates that may have arisen during the week.

Over the summer, staff will develop some preliminary background material on each issue of interest to the Council. In order to optimize the information available for the September prioritization, the Council may wish to identify those issues which should receive the most focus

¹ Routine management measures are defined in regulation and a range of alternatives have been previously analyzed.

² New management measures are those for which the environmental impacts have not been previously analyzed and/or have not been previously implemented in regulations.

between the June and September Council meetings under Agenda Item F.9, such as identifying three levels of background detail expected for the September Council meeting (e.g., high, medium, or low). Staff will distribute their available time among the topics based on these rankings. Since the Council removed prioritization from the June Council meeting task, the level of detail requested by the Council in June should not necessarily reflect the priorities assigned at the September Council meeting.

In September, the Council is scheduled to prioritize the list it develops at this meeting, determine the groups in which issues will be packaged for moving through the Council process, and identify a calendar for those packages. At that time, it is expected that a workload analysis of West Coast Region staff capabilities will be available for alignment with Council staff and Advisory Bodies, workload capabilities. For actions to be implemented by the start of 2016, alternatives for analysis will have to be finalized at the November Council meeting and final action taken by April 2015. Some of the criteria the Council may want to have in mind are provided as Agenda Item F.3.a, Attachment 3, which includes the Groundfish Strategic Plan executive summary, groundfish Fishery Management Plan goals and objectives, and a list of National Standards.

Council Task:

- 1. Adopt final preferred alternative for Adaptive Management Pass-through.**
- 2. Consider new rule clarifications, if any.**
- 3. Identify initial list of candidate new management measures for further consideration under Agenda Item F.9.**

Reference Materials:

1. Agenda Item F.3.a, Attachment 1: Trawl Rationalization Issue: Adaptive Management Program QP Pass-Through, Council Decision Document.
2. Agenda Item F.3.a, Attachment 2: Initial Compilation of Possible Groundfish Management Measures for Council Consideration.
3. Agenda Item F.3.a, Attachment 3: Considerations for Prioritizing the List of Groundfish Management Measures.
4. Agenda Item F.3.c, Public Comment.

Agenda Order:

- a. Agenda Item Overview Jim Seger and Kelly Ames
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Final Preferred Alternative for Adaptive Management Program Pass-Through; Consider New Rule Clarifications, if Any; and Identify Initial List of Candidate Management Measures Including Trawl Catch Share Trailing Actions and Off-cycle Groundfish Management Measures, for Further Consideration Under Agenda Item F.9