

PROPOSAL TO REVIEW PRE- AND POST-TRAWL RATIONALIZATION REGULATIONS

Before implementation of the trawl rationalization program in 2011, regulations governing the groundfish trawl fleet were built around monthly, bi-monthly, and per vessel trip limits to address a variety of Council concerns, including: minimizing bycatch, maintaining a year-round fishing season, better accounting for total groundfish catch, and administrative challenges associated with managing licensed and unlicensed fisheries. The trawl rationalization program replaced the need for some, but not all, of the trip limit structure in the regulations. Some of the remaining trip limit framework regulations may be less efficient and effective under an individual quota framework.

NMFS is supportive of continuing the Council's efforts to revise the regulations and gain flexibility and efficiency in the program. In an effort to implement trawl trailing actions in a timely manner, NMFS proposes a process where trawl program changes are considered more comprehensively with similar provisions analyzed and implemented together—rather than reviewing regulations one-by-one, each with its own analysis. Taking into account the recommendations of the Council's Trawl Rationalization Regulatory Evaluation Committee (TRREC) and public feedback at Council meetings, NMFS proposes to conduct a broad review of federal regulations applying to the groundfish trawl fishery (Figure 1) to assess:

- The utility of particular regulations in addressing conservation and management priorities;
- Whether measures remaining from the old trip limit framework unnecessarily decrease flexibility, reduce efficiency, or increase regulatory complexity and, if so, how those measures might be amended.

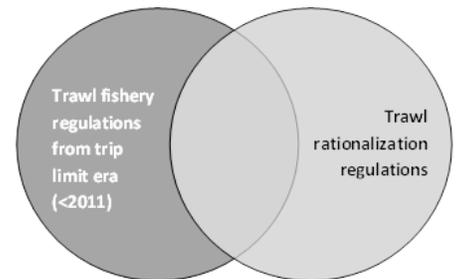


Figure 1: Current federal trawl regulations subject to review for flexibility, efficiency, and complexity

To begin this review, NMFS proposes the following for consideration by the Council, its advisory bodies, and the public at the September 2013 Council meeting during scoping for future trawl trailing actions:

A draft Purpose and Need statement for Council deliberation on an action to increase flexibility, improve efficiency, and reduce regulatory complexity. The NMFS report on this “trawl flexibility” action would include a summary of current trawl regulations that restrict the fishery to start the Council discussion on the scope of this action. In general, the summary of regulations would be organized by the following restrictions: how much fish can be caught, when fish can be caught, where fish can be caught, who can catch (and process) the fish, and what gear can be used to catch the fish. The current trawl regulations in the report would also include a list of corresponding Council recommendations not yet implemented and TRREC recommendations.

NMFS would review and discuss these documents with Council staff before the September 2013 Council meeting. Depending on the outcome from the September 2013 meeting, the Council could make draft and final recommendations in 2014, with the earliest potential effective date of January 1, 2015.

In 2013, NMFS suggests moving away from annual program improvement and enhancement (PIE) rules that include all trawl trailing actions (see 5 rulemakings in Agenda Item F.1.b, Supplemental NMFS Report). This “trawl flexibility” action would continue the transition away from annual PIE rules. The PIE rules could continue as minor changes or corrections to the regulations. Ultimately, if Amendment 24 separates analysis of groundfish management measures from the harvest specifications, then management measures for all groundfish sectors, including the trawl fishery could be evaluated together.