

AMENDMENT 15 TO THE GROUND FISH FISHERY MANAGEMENT PLAN -
AMERICAN FISHERIES ACT

Situation: The American Fisheries Act (AFA) of 1998 provides the Council the opportunity to recommend management measures to protect West Coast fisheries from harm caused by the AFA. The AFA provides vessels in the Bering Sea pollock fishery greater flexibility in when and how they participate in that fishery. The concern is that AFA vessels will use benefits gained from the AFA to move into West Coast groundfish fisheries, increase effort, and cause harm to current participants.

In response to these concerns, the Council developed a suite of management alternatives to provide various levels of protection for the West Coast groundfish fishery. These alternatives are being developed into an amendment to the groundfish fishery management plan (Amendment 15). At the June Council meeting, staff presented a preliminary analysis of the proposed management measures. The Council also received information from the Groundfish Advisory Subpanel (GAP) and public about the proposed measures. Two additional management options were recommended by the GAP (Exhibit C.9, Attachment 3).

The Council directed staff to include GAP Option 1 in Amendment 15, and complete the analytical portions of Amendment 15 in time for Council review in September 2001. In addition, the Council requested an analysis comparing the proportion of groundfish harvested by AFA vessels before and after implementation of the AFA.

At this meeting, the Council will review an analysis of the proposed management alternatives, and, possibly, select preferred alternatives. The Council will also review an analysis comparing pre and post AFA harvest. Based on this latter analysis, the Council could request GAP Option 2 be incorporated into Amendment 15.

Preliminary action on Amendment 15 could occur at this meeting (if GAP Option 2 is not added), with the Council directing staff to finalize and distribute Amendment 15 for public review. Depending on workload priorities, final action could occur in March or April 2002. If GAP Option 2 is added, analyses for Amendment 15 will require additional work, thus, preliminary action would likely occur in March 2002, with final action possibly in April 2002.

Two attachments are provided to aid Council deliberation. Attachment 1 (Excerpts from Amendment 15 – Environmental Assessment [EA]/Regulatory Impact Review [RIR]) discusses the rationale for developing protective management measures (Section 1) and details the management alternatives developed by the Council (Section 2). Draft language for amending the groundfish fishery management plan (FMP) is also included in this attachment. This draft language highlights the specific provisions in the FMP that could be affected by the proposed measures. A “technical amendment” is also included to alter the FMP section pertaining to the Limited Entry Permit Issuance Review Board. The amendment would move these provisions from the FMP to the Council Operating Procedures. If this change is adopted, appeals of a NMFS decision to issue or not issue an AFA permit would not be dealt with through the Council process. This is similar to what is done for sablefish endorsements and tier assignments.

Attachment 2 (Analysis of Management Alternatives) is a comparative analysis of the proposed management alternatives. It provides the basis for Council selection of preferred alternatives. This document also includes analysis of participation prior to and following implementation of the AFA.

Council Task: Provide guidance on staff recommendations.

Reference Materials:

1. Exhibit C.9, Attachment 1, Excerpts from Amendment 15 – EA/RIR.
2. Exhibit C.9, Attachment 2, Analysis of Management Alternatives.
3. Exhibit C.9, Attachment 3, June 2001 GAP Report.

4. Exhibit C.9.b, Supplemental GAP Report.

Groundfish Fishery Strategic Plan (GFSP) Consistency Analysis

The direct benefits of these management measures relate to preventing harm to West Coast groundfish fishery participants. However, protective management measures could provide indirect benefits consistent with the GFSP. AFA management measures restricting participation of AFA vessels could facilitate attainment of GFSP capacity reduction goals, and possibly reduce latent capacity. These measures might also facilitate allocation decisions by reducing the number of participants competing for limited resources.

PFMC
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