

## 5-YEAR CATCH SHARE PROGRAM AND INTERSECTOR ALLOCATION REVIEW UPDATE

At its June 2016 meeting, the Council adopted a calendar for the process of reviewing the catch share program and the groundfish fishery management plan's (FMP's) intersector allocations. Following that calendar, both these topics are to be scoped through the November 2016 Council meeting. Scoping hearings are being held in fishing communities both before and after the September Council meeting. A new Council webpage provides a place to track developments in the review process, including the dates and locations for these hearings: <http://tinyurl.com/hjkmvw6>. After November, the development of a full review of the catch share program will proceed to completion based on the plans for analysis (blueprint) adopted at the November Council meeting. That completion is currently scheduled for April 2018. At the November meeting, a decision will be made on whether and how to proceed with further review of the intersector allocations.

Also at the June 2016 meeting, Council members expressed an interest in trying to accelerate the trawl catch share program review process and accelerate the policy development that might follow from that review. To that end, an alternative calendar has been developed for Council consideration (Agenda Item F.5, Attachment 1). This attachment displays both the current schedule and a possible alternative process. Following the alternative calendar, the catch share review would be completed in November 2017, at which time a range of alternatives for follow-on actions would be adopted for analysis over the winter and final Council action taken in April 2018. This would potentially allow implementation of some actions for the start of 2019, depending on such factors as implementation complexities and workload competition with the 2019-2020 groundfish specifications. Ability to meet either of these timelines will be dependent on the tasks the Council assigned for analysis when it adopts the blueprint in November. The Council should review and decide whether or not to adopt the alternative process.

As part of the development of the catch share review, the appendix to the groundfish FMP, which describes the program, needs to be updated (Appendix E). The groundfish FMP authorizes that "Appendix E may be revised from time to time to reflect [regulatory] changes to the program, but changes can be made without submitting such changes for review by the Secretary as described in §304(a) of the MSA" (p. 90). A list of the actions taken since first approval of the program is provided in Agenda Item F.5, Attachment 2, and a proposed update of descriptive language is provided in Agenda Item F.5, Attachment 3. Item numbers in Attachment 3 reference actions documented in Attachment 2. In addition to changes directly related to actions, changes to the language are proposed to reflect that the program has now been implemented (some of the previous language was prospective, describing what *will* happen if the Council's recommendations were adopted). Similarly, references to "status quo" or other alternatives/options considered that are no longer relevant to the program in its current form have been removed, in some cases documented in footnotes. Consistent with the authorization provided in the groundfish FMP, the Council should review Attachment 3 and provide guidance on the update. Taking into account this guidance, Council staff will update Appendix E after the Council meeting.

At this meeting, under Agenda Item G.5, the Council will advise the chair on the appointment of the Community Advisory Board (CAB). In addition to appointing members, a CAB chair will need to be identified. At its June 2016 meeting, the Council identified the following charge for this group:

The Community Advisory Board is charged with providing the perspective of fishing communities on performance of the trawl catch share program, possible improvements to the program and other advice requested by the Council that may inform the program review. These perspectives may include but are not limited to the views of local harvesters, fish buyers and processors, materials and service providers, and others impacted by the trawl rationalization program. Harvest interests include the perspective of vessel, permit, and quota share owners as well as crew members. Others impacted may include service providers such as observers and observer providers.

The CAB's first meeting will be in October or early November, at which time the primary item on its agenda will be the review of the blueprint for the 5-year review. In addition to the draft blueprint, summaries from the community hearings will also be available for CAB consideration.

With respect to the scoping process for the intersector allocations in the FMP, and the Amendment 21 allocations in particular, a preliminary assessment of the performance of current groundfish FMP allocations has been developed (Agenda Item F.5, Attachment 5). This attachment is identical to one that was provided at the hearings except that here there is an additional section that provides staff identified "Policy Issues for Possible Consideration."

On July 27, 2016, the National Marine Fisheries Service (NMFS) released a fishery allocation review policy (Policy Directive 01-119, [www.nmfs.noaa.gov/op/pds/documents/01/01-119.pdf](http://www.nmfs.noaa.gov/op/pds/documents/01/01-119.pdf)). This policy is intended to "provide a mechanism to ensure fisheries allocations are periodically evaluated to remain relevant to current conditions" and to "improve transparency and minimize conflict for a process that is often controversial." The policy directive has three steps, the first is to identify triggers for a review, the second is the review, and the third is evaluation of alternative allocations. The scoping that is currently under way in the Council process corresponds to the second step (a review of the allocations). NMFS guidance on this second step states in part, as follows.

. . . This review will assist the Councils in determining whether or not the development and evaluation of allocation options is warranted, and is not, in and of itself, a trigger to initiate an FMP amendment (or framework adjustment, if appropriate) to consider alternative allocations. . . . The review should consider the FMP objectives along with other relevant factors that have changed and may be important to the fisheries allocation. . . . Relevant factors are described in the NMFS fisheries allocation factors document (Procedural Directive 01-119-02). At this stage, in depth analyses are not required; however, to ensure transparency, a clear articulation of how the objectives are or are not being met, and a clear rationale on relevant factors considered should be included in the record.

There are two procedural directives companioned with this policy directive—one on criteria for initiating fisheries allocation reviews and one on recommended practices and factors to consider when reviewing and making allocation decisions. This second procedural directive is most relevant to the Council action at hand and is included here as Agenda Item F.5, Attachment 5.

Finally, NMFS has provided a report that has information related to the question of trawl fleet attainment of its allocations under the trawl rationalization program, as compared to attainment prior the program (Agenda Item F.5.a, NMFS Report).

**Council Action:**

1. **Consider the review process, revise and provide other guidance, as appropriate.**
2. **Provide guidance on updating the descriptions of the trawl catch share program contained in Appendix E of the groundfish FMP.**
3. **Consider whether to provide additional direction relative to the CAB and its first meeting.**

Reference Materials:

1. Agenda Item F.5, Attachment 1: Catch Share Review Calendar: Approved and Alternative Process.
2. Agenda Item F.5, Attachment 2: Clarifications, Interpretations, and Trailing Actions On The Trawl Rationalization Program.
3. Agenda Item F.5, Attachment 3: Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery, Description of Trawl Rationalization (Catch Shares) Program Appendix E.
4. Agenda Item F.5, Attachment 4: Evaluating the Performance of Groundfish Fishery Management Plan (FMP) Allocations since Implementation of the Trawl Catch Share Program.
5. Agenda Item F.5, Attachment 5: NMFS Allocation Policy Guidance.
6. Agenda Item F.5.a, NMFS Report: Exploration of landings, harvest specification and attainment time series, for stocks of interest in the historical shorebased LE trawl fishery and contemporary IFQ program.
7. Agenda Item F.5.b, Public Comment.

Agenda Order:

- F.5 5-Year Catch Share Program and Intersector Allocation Review Update Jim Seger
- a. Reports and Comments of Advisory Bodies and Management Entities
  - b. Public Comment
  - c. **Council Action:** Provide Guidance on Plans for the 5-Year Review of the Trawl Catch Share Program and Allocations, Including Refining the Process, Ad Hoc Community Advisory Board Tasks, and Other Guidance as Needed

PFMC  
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