

GROUND FISH MANAGEMENT TEAM REPORT ON MOTHERSHIP/CATCHER PROCESSOR PROCESSING LIMITATIONS

The Pacific Fishery Management Council (Council) added a new agenda item (Agenda Item J.1) late in the week, after the Groundfish Management Team (GMT) had adjourned. Therefore, the full GMT was unavailable to review the agenda item and participate in the limited discussions. This report summarizes the feedback of those who were available to participate in discussions.

Problem Overview

One of the six mothership (MS) platforms that had committed to the 2020 Pacific whiting season withdrew from this agreement less than six weeks before the start of the season in order to participate as a catcher-processor (CP; [Agenda Item G.8.a, Supplemental GAP Report 1, April 2020](#)). The MS permit owner reported concerns about potential for COVID-19 to impact their ability to process whiting in the 2020 season. The three MS-endorsed catcher vessels (MS/CVs) that had made commitments to that MS processor in November (as required by regulations) now have no MS platform to accept their deliveries, which could stand a large proportion of Pacific whiting harvest goals. In 2019, those three vessels accounted for approximately 24 percent of the MS sector quota with an ex-vessel value of approximately \$5 million ([Agenda Item G.8, Midwater Trawlers Cooperative Public Comment](#)).

Although displaced MS/CVs can be released from previous MS processing commitments for situations like this, industry has stated that no other MS processors anticipate having the capacity to take catch from additional MS/CVs during the 2020 season. Industry representatives stated that some processor vessels operating as CPs could potentially accept landings from MS/CVs in 2020, but cannot be registered to an MS permit if they have operated as a CP because regulations currently limit a single vessel from processing in both the CP and MS sectors in the same year.

Therefore, the Council could request the National Marine Fisheries Service (NMFS) take emergency action to allow vessels operating as CPs to also serve as MS processors in the same year in order to be able to accept deliveries from MS/CVs. One of the six MS processing permits are now expected to be inactive in 2020 (i.e., six total permits, six original platforms that committed originally, one of which later decommitted) and potentially available to lease for interested CP platforms.

Brief Analysis

Regulations at 50 CFR §§ 660.25(b)(4)(vii), 660.150(b) and (f), and 660.160(b) and (e) do not allow at-sea Pacific whiting processing platforms to operate as both an MS and a CP in the same calendar year. Therefore, if a vessel that was originally scheduled to be an MS makes even one tow as a CP, it cannot act as an MS for the remainder of that calendar year. To address the situation, there is a request from the Groundfish Advisory Subpanel and MS catcher vessel representatives for an emergency action that would allow a processing platform to be an MS and a CP at different times but in the same calendar year rather than being mutually exclusive. Any processing platform

in the MS sector would still need to lease one of the six MS processing permits, and a platform would not be able to be both an MS and a CP simultaneously. It is likely that the NMFS will work with the At-Sea Hake Observer Program and industry on the logistics of the transition and to ensure catch is appropriately accounted for.

Finally, as is the nature of emergency actions, this action would only stay in place initially for 180 days, and the Council could take action to extend it for an additional 186 days only after there has been an opportunity for public comment. The GMT notes that the initial 180 days for which the rule would be in place would not cover the entirety of the at-sea whiting fishery season (May 15 to December 31). If the Council chooses to support an emergency action at this time, they may want to consider additional actions needed later in the year, which would be dependent on the Council continuing to work towards a permanent fix to this issue.

The GMT has not had time to do a thorough analysis of this emergency action request. However, after an initial examination of the proposed emergency action it does not appear that it would increase the risk to any of the target or bycatch species annual catch limits. The CP and MS sectors would still be required to stay within all of their allocations, which are designed to keep overall groundfish catch within annual catch limits. Additionally, the existing permits (10 CP and 6 MS) would not change, and processing vessels must be registered to one or the other in order to operate in either sector. The environmental assessment (EA) for the 2019-2020 harvest specifications (2019-2020 EA) already assumed full attainment of the whiting total allowable catch limit for 2020 and modeled the associated impacts of that catch. Since this action would not change any catch limits or remove any mitigation measures already in place, all impacts from this action would be expected to be within the projected impacts for the 2019-2020 EA.

The GMT recommends the Council send a letter to the NMFS requesting them to implement an emergency action to allow processing vessels to operate as MS and CPs in the same calendar year. The GMT again stresses no additional impacts are expected with this action, because the only change would be to allow displaced MS/CVs to land to a CP that would also be allowed to process as an MS.

PFMC
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