

**EMERGENCY ACTION TO CONSIDER CHANGING SEASONAL PROCESSING
LIMITATIONS – FINAL ACTION**

The Pacific Fishery Management Council (Council) took action on April 9, 2020 to add this agenda item to its April 2020 meeting agenda in response to requests from its Groundfish Advisory Subpanel and the public to modify 2020 mothership and catcher-processor transfer rules in West Coast at-sea Pacific whiting fisheries.

The Council was informed of industry concerns regarding the ability of available mothership platforms to receive and process Pacific whiting this year. The situation has the potential to strand a substantial portion of the 2020 mothership allocation of Pacific whiting, resulting in considerable economic losses.

In response, the Council is anticipated to consider temporarily allowing a relaxation of the seasonal processing limitations for whiting mothership and catcher-processors in 2020, which would allow a catcher-processor vessel to participate as a processor in the mothership sector with the ability to transfer back into its own sector during a season. This action would require emergency rulemaking to amend the Pacific Coast Groundfish Fishery Management Plan and 2020 groundfish regulations.

The National Marine Fisheries Service has published policy guidelines for the preparation and approval of emergency regulations under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act (Agenda Item J.1, Attachment 1). The policy guidelines provide the following criteria defining a fishery emergency as a situation that:

1. Results from recent, unforeseen events or recently discovered circumstances;
2. Presents serious conservation or management problems in the fishery; and
3. Can be addressed through emergency regulations for which the immediate benefits outweigh the value of advance notice, public comment, and deliberative consideration of the impacts on participants to the same extent as would be expected under the normal rulemaking process.

The Council will consider the situation and determine if emergency rulemaking is warranted based, in part, on the NMFS policy guidelines regarding the justification and criteria for such actions.

Council Action:

Consider emergency action to amend the Groundfish Fishery Management Plan to temporarily allow the relaxation of the seasonal processing limitations for whiting mothership and catcher-processors.

Reference Materials:

1. Agenda Item J.1, Attachment 1: FR 97-22094: Policy Guidelines for the Use of Emergency Rules.
2. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

J. Mothership and Catcher-Processor Seasonal Processing Limitations

J.1. Emergency Action to Consider Changing Seasonal Processing
Limitations – Final Action

Council Staff

- a. Reports and Comments of Management Entities and Advisory Bodies
- b. Public Comment
- c. **Council Action:** Consider Emergency Action to Amend the Groundfish Fishery Management Plan to Temporarily Allow Relaxation of the Seasonal Processing Limitations for Whiting Mothership and Catcher-Processors

PFMC
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