

GROUND FISH ADVISORY SUBPANEL REPORT ON THE
GROUND FISH COVID-19 EMERGENCY RULE REQUEST

The Groundfish Advisory Subpanel (GAP) discussed this under Agenda Item G.2, Groundfish Workload, and offers the following comments.

COVID-19 emergency rule

The GAP supports the [request submitted by PWCC, MTC, UCB and several catcher vessels](#) requesting the Council recommend that the National Marine Fisheries Service (NMFS) implement an Emergency Rule to allow an at-sea Pacific whiting processing platform to operate as both a mothership (MS) and a catcher processor (CP) in the same calendar year during the 2021 Pacific whiting fishery. The GAP recommends the Council also support this request.

The comment letter submitted by industry provides compelling rationale for the emergency rule request. The letter also details how the evolution of the COVID-19 pandemic, including its lasting and expanding impacts on the fishing industry, add to and exacerbate the problems facing the 2021 whiting fishery relative to 2020. As noted in the letter, while the requested regulatory remedy for this emergency petition is similar to the 2020 action, the underlying causes of this emergency are different than those that precipitated the emergency action in 2020. The emergency facing the whiting fishery in 2021 is that catcher vessels delivering to a MS will strand fish because, a) there is no available replacement MS processing platform if one experiences a coronavirus outbreak, and b) the company in 2020 that elected to put their vessel in the CP sector and not in the MS will be forced to again make the same operational decision that resulted in lost fishing opportunity for MS catcher vessels, again jeopardizing a significant portion of the MS allocation.

Finally, the GAP agrees with the industry letter that because the current regulatory remedy is similar to the 2020 emergency action recommended by the Council and implemented by NMFS, the workload associated with the current request should be reduced because the Pacific Fishery Management Council, its advisory bodies, and NMFS already developed a record of decision in support of the action implemented in 2020. To that end, our expectation is that the previous work on a similar action will facilitate Council and NMFS consideration and action on this item, that implementation of an emergency rule will elevate the urgency of finalizing long-term fixes to systemic issues causing under-attainment in the MS sector without delay, and that shifting of near-term priorities will be minimal.