

HARVEST SET-ASIDE FLEXIBILITY

Harvest set-asides are amounts of a species harvestable surplus that are not allocated to fisheries but are instead “set aside” to accommodate impacts resulting from research activities, approved exempted fishing permit (EFP) activities, bycatch in non-groundfish fisheries, and tribal fishery impacts. Set-aside amounts are decided in the Council’s biennial specifications process and are needed to ensure that annual catch limits are not exceeded. The Council has managed set-asides routinely in the past by considering these impacts when making inseason adjustments. However, Federal regulations implementing Amendment 21 are now more stringent disallowing a re-allocation of yields set-aside for these activities back into directed groundfish fisheries.

The Council has addressed this issue in the recent past and stated they preferred the ability to more flexibly manage released set-asides inseason. NMFS is seeking more rationale and guidance from the Council before a preferred alternative can be analyzed. Attachment 1 to this agenda is an excerpted outline for a proposed Environmental Assessment (EA) to analyze impacts associated with flexible management of set-asides. The outline provides a purpose and needs statement for the proposed action and a set of alternatives for Council consideration of a preferred alternative. It is noted that the alternatives only address flexible management of yields set aside for research, EFPs, and bycatch in non-groundfish fisheries; flexible management of yields set aside for tribal fisheries is contemplated in a separate NMFS rulemaking.

The Council task is to select a range of alternatives for analysis and to decide a preliminary preferred alternative. The Council should also discuss the timing of finalizing the action later this year or the possibility of rolling the decision into the 2013-2014 biennial management specifications. Preliminary plans were posited to provide a draft EA in April and make a decision then. However, a draft EA will not be available in time for April action due to competing work load. Unless the action could be rolled in the biennial process, the process will need to be delayed and the implications of a delay should be discussed so a workable plan to complete the action can be developed.

Council Action:

- 1. Adopt a range of alternatives for analysis and a preliminary preferred alternative for managing the distribution of unused harvest set-asides.**
- 2. Consider how to complete final action on this issue.**

Reference Materials:

1. Agenda Item F.7.a, Attachment 1: Draft outline of the Environmental Assessment for Set-Aside Flexibility.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Preliminary Alternatives for Managing the Distribution of Unused Harvest Set-Asides

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PFMC
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