

ATTACHMENT to Observer Advisory Committee Meeting Report

May 29, 2015, 8 am – 5 pm, Coast International Hotel, Anchorage, AK

BSAI Trawl CV Observer Coverage

Sam Cunningham (NPFMC staff) presented an overview of the Council’s rationale for considering a change in observer coverage requirements for trawl CVs that operate in the BSAI management area. Sally Bibb (NMFS SF AKRO staff) also fielded questions and contributed comments on NMFS’s perspective as to the range of alternatives that should be considered. The OAC reviewed staff’s draft purpose and need statement² and a set of preliminary alternatives, providing comments to help define the scope of the action. The briefing document provided for the meeting also included summary data on trawl CVs’ fishery participation throughout the Alaska region (2010 through 2014), as well as harvest amounts and estimated ex-vessel revenues for 2014.

Discussion of Alternatives

The OAC discussed the necessary scope of the action, noting a trade-off between options that broaden eligibility to voluntarily move to full coverage and that add flexibility to accommodate unforeseen management needs³, versus the time it would take to complete an analysis and implement regulations. Some OAC members reiterated that the Council initiated this action to solve a problem for AFA-affiliated trawl CVs fishing for BSAI Pacific cod, and thus the action should focus on that task. The OAC recognized the challenge of defining eligibility by either past or anticipated participation in a specific directed fishery (e.g. Pacific cod trawl), and that eligibility defined by participation would likely have to be determined based on the licenses and endorsements associated with a given vessel. In general, writing regulations and evaluating applications to be placed in full coverage will be more difficult if the conditions for carrying full coverage are narrowly defined, as that increases the number of conditions and qualifications that must be defined in regulation and evaluated in each application. **The OAC’s ultimate recommendation was to focus on alternatives that address AFA CVs in the BSAI trawl fisheries, and to retain options for the move to the full coverage category to be either required for such vessels, or a voluntary choice.**

NMFS staff articulated that a one-time choice by vessel owners is preferable to an annual application in terms of administrative costs and stability for the partial coverage category. If an annual choice model is analyzed, staff suggested that the choice be made by July 1 of each year. July 1 is the declaration date in the preliminary preferred alternative for the “small C/P” observer action, and provides the agency with the minimum amount of time needed to project demand for partial coverage observer days for the upcoming year’s Annual Deployment Plan, which must be prepared each summer for presentation to the Council in October. One OAC member requested that the annual choice model remain on the table for consideration, and also stated that getting the AFA vessels to make a decision by such an early date could be a significant challenge. An additional challenge identified for the annual choice model is the fact that observer fees lag participation in partial coverage by one year. This raises the possibility of having a partial coverage category that is unexpectedly underfunded to meet the demand for observer days in the subsequent year. That possibility was illustrated with an example where all eligible vessels opt into the full coverage category in one year (thus not paying the 1.25% ex-vessel fee that funds the subsequent

² Referred to as a ‘problem statement’ in the briefing document.

³ Two other groups of vessels that might request full coverage in the future were discussed: (1) fixed-gear vessels that want to operate in multiple areas on the same trip, and (2) GOA trawl CVs if they are still in the partial coverage category, but end up operating under a cooperative-level PSC allocation as a result of the GOA Trawl Bycatch Management action (which would put them in a position similar to AFA trawl CVs fishing for BSAI Pacific cod, who wish to be insulated from the fishery-wide PSC rate when fishing without an observer on board).

year's partial coverage), then a number of those vessels move back into partial coverage in that subsequent year. In that case, the Year 2 partial coverage category might have fewer observer days to spread around a larger-than-anticipated number of vessels.

The OAC recommended that any required move into the full coverage category apply only to vessels that deliver to shore-based processors or stationary floating processors, since observer coverage is not currently required for vessels that deliver unsorted codends to motherships. The Committee noted that some vessels deliver only a small portion of their catch to shoreside processors; whether an observer might be required for shoreside trips was not clearly resolved.

Purpose and Need Statement

The OAC did not recommend changes to the provided draft purpose and need statement. Staff noted that the draft statement is rather specific to the BSAI Pacific cod CV trawl fishery. The Council could consider whether the scope of the statement should be broadened if the Council defines a range of alternatives that potentially affect a larger set of vessels.

NMFS Comments

NMFS staff recommended that the OAC consider a wide range of alternatives at this stage. That said, NMFS staff acknowledged that analyzing a broader set of alternatives would be relatively more complex and could require additional time. NMFS noted that an alternative requiring full coverage for all BSAI trawl CVs – such as Alternative 2 in the original draft alternatives – would be complex, but also most consistent with the Council's initiation of a discussion paper to consider a full coverage requirement for all GOA trawl CVs.

NMFS staff suggested that options allowing vessels other than BSAI Pacific cod trawl CVs to request full coverage should be discussed by the OAC (Alternative 3, Element 1 – Eligibility to request full coverage – in the original draft alternatives). While NMFS has not yet received requests for voluntary full coverage from non-AFA vessels, such requests might be received in the future and, if the scope of this action is narrow, NMFS would not be able to approve those requests. NMFS staff did not suggest that other vessels requesting voluntary full coverage be subject to any different conditions than those set for BSAI Pacific cod trawl CVs, in terms of whichever options are ultimately selected to dictate when full coverage applies. However, when queried by the OAC chair, no OAC member expressed support for expanding the option to volunteer for full coverage beyond the participants in the BSAI Pacific cod fishery.

Revised Draft Alternatives

The following set of alternatives is prepared by staff to reflect the OAC's discussion and recommendation. If the Council chooses to narrow the scope of the analysis to address a particular problem in the most expeditious manner possible, the reasons for doing so could be explained in a section describing alternatives that were considered but not advanced.

Alternative 1. Status quo.

Alternative 2. Require full observer coverage for all trawl CVs fishing in the BSAI, except CVs delivering unsorted codends to motherships.

Option 1. Extend full observer coverage requirement only to BSAI trawl CVs that are affiliated with an AFA cooperative, except when those CVs are delivering unsorted codends to motherships.

Suboptions apply to Alternative 2, or Alternative 2 Option 1:

Suboption 1. Full coverage is required for all trawl fishing in the BSAI.

Suboption 2. Full coverage is required for all trawl fishing off Alaska.

Alternative 3. Allow BSAI trawl CVs currently assigned to partial observer coverage to voluntarily choose full observer coverage.

Element 1. Vessel (owners) eligible to make this choice.

Option 1. Owners of a trawl CV that is affiliated with an AFA cooperative.

Option 2. Owners of a CV that is permitted to fish for BSAI groundfish with trawl gear.

Element 2. Fishing activity for which vessels would be in the full coverage category.

Option 1. For all trawl fishing in the BSAI.

Option 2. For all trawl fishing off Alaska.

Element 3. Time at which this choice must be made (as a request to NMFS).

Option 1. One-time selection (applies in future years).

Option 2. Annual selection (cannot be reversed in the applicable year).

Suboption 1. Annual selection must be communicated to NMFS by July 1 of the preceding year.

Suboption 2. Annual selection must be communicated to NMFS by December 1 of the preceding year.