



## C3 MRA Adjustments EA/RIR

April 2025

### Action Memo

Council Staff: Taylor Holman  
Other Presenters: Josh Keaton (NMFS SF), Jon McCracken (McCracken and Associates)  
Action Required: 1) Review Initial Review Draft  
2) Consider next steps, potentially identifying a preliminary preferred alternative and releasing the analysis for final action

### BACKGROUND

This action includes an Initial Review of a proposed action to adjust the maximum retainable amount (MRA) regulations to clarify (1) the definition of a fishing trip, (2) calculations for MRAs, and (3) applications of MRAs. Other measures under consideration include (1) revising the triggers that end a fishing trip from five to two triggers in the definition of a fishing trip for catcher/processors and motherships, (2) add additional species to an offload-to-offload MRA application in the BSAI and GOA for all vessel sectors, and (3) provide exemptions in regulation from MRA requirements in cases of medical emergencies, mechanical emergencies, or poor weather that ends a fishing trip. This document provides an initial analysis assessment of the action alternatives and options.

The action under consideration was initiated by Council motion at their April 2024 meeting, following the review of a discussion paper developed and presented by NMFS agency staff. This action is intended to improve the regulations that implement the MRA of species closed to directed fishing (incidental catch species) while a vessel operator is engaged in fishing for species or species groups that are open to directed fishing. These revisions are necessary to clarify current MRA regulations, make MRA calculations easier, reduce regulatory discards, and address medical, mechanical, and weather issues that can impact MRA calculations.

Analysts have identified several items and sections within the analysis that would benefit from Council attention or consideration. These items are included within the Executive Summary, under “Specific Items for Council Attention,” and will be discussed within analyst presentations to the Council.

### ALTERNATIVES

**Alternative 1: No Action (Status quo).**

**Alternative 2 – Revise MRA Regulations**

This alternative would revise MRA regulations to clarify (1) the definition of a fishing trip, (2) calculations for MRAs, and (3) applications of MRAs. These changes would not change how the MRA regulations are currently implemented.

**Option 1:** Modify the definition of a fishing trip to make it clear that motherships are responsible for the overall MRA of any catcher vessel delivering unsorted codends.

**Option 2:** Clarify that MRAs are calculated by fishery management program due to different fishing prohibitions in place for each fishery management program.

**Option 3:** Correct regulation citations for American Fisheries Act (AFA) vessels and AFA replacement vessels.

**Option 4:** Clarify that when Community Development Quota (CDQ) uses an AFA vessel to harvest Amendment 80 species BSAI pollock and Bering Sea (BS) Atka mackerel MRAs are calculated at the time of the offload and clarify the species used as basis species for CDQ.

**Option 5:** Clarify that MRAs take precedence over improved retention/improved utilization (IR/IU) regulations when vessels fish in areas with different fishing prohibitions.

**Option 6:** Update IR/IU regulations for Amendment 80 vessels to reflect past Council actions.

*Additionally, staff are recommending that the Council add a new option under Alternative 2 (originally included in the Council's June 2024 POP MRA motion as Alternative 3):*

***Option 7:** Revise the definition of directed fishing at 50 CFR 679.2 for vessels participating in the pelagic trawl EM program such that vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is 80 percent or greater of total catch.*

### **Alternative 3 – Revise Triggers that End a Fishing Trip**

This alternative would revise the triggers that end a fishing trip from five to two triggers in the definition of a fishing trip for catcher/processors and motherships (not including current offload-to-offload species - BSAI pollock, BS Atka mackerel, and weekly reporting period species in the Central GOA Rockfish Program). Two triggers would remain: (1) when all fish or fish product is offloaded and (2) if the vessel changes authorized gear type. Three triggers would be removed: (1) the effective date of a different fishing prohibition in the area the vessel is fishing, (2) when a vessel enters or leaves an area with a different fishing prohibition, and (3) the end of a weekly reporting period.

### **Alternative 4 – Add Additional Species to an Offload-to-Offload**

This alternative would add additional species to an offload-to-offload MRA application in the BSAI and GOA for all vessel sectors. Continue to exclude AFA vessels for BSAI pollock and BS Atka mackerel from the offload calculation.

**Option 1:** Add BSAI Pacific cod, GOA Pacific cod, GOA pollock, BS skates, Central GOA Rockfish Program, and GOA shallow-water flatfish

**Option 2:** Include all groundfish species, except as noted above

### **Alternative 5 – Provide Exemptions from MRA Requirements**

This alternative would provide exemptions in regulation from MRA requirements in cases of medical emergencies, mechanical emergencies, or poor weather that ends a fishing trip.

**The options under the action alternative can be implemented in any combination.**