



**NOAA
FISHERIES**

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PUBLIC NOTICE

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PACIFIC COAST GROUND FISH FISHERY

A final rule, the Program Improvement and Enhancement Rule (PIE 2) has published in the Federal Register

The National Marine Fisheries Service (NMFS) announces the publication of a final rule, the Program Improvement and Enhancement Rule (PIE 2), in the Federal Register that proposes revisions to the Pacific coast groundfish trawl rationalization program (program), a catch share program, and includes clarifications of regulations that affect the limited entry trawl and limited entry fixed gear sectors managed under the Pacific Coast Groundfish Fishery Management Plan (FMP) (see 78 FR 68764). Removal of the end of year ban on QP transfers between vessel accounts will be effective December 15, 2013. The remainder of the rule will be effective January 1, 2014.

This rule implements trailing actions for the program that were recommended by the Council, and includes the following, by category of (A) implementation of original program, (B) increasing flexibility or efficiency, and (C) minor revisions/clarifications:

(A) Implementation of Original Program

1. Establish quota share (QS) permit application and QS transfer regulations,

(B) Increasing Flexibility or Efficiency

2. Clarify exceptions for lenders from

- control rules,
3. Change the opt-out requirement for quota pound (QP) deficits,
4. Eliminate double filing of co-op reports (November and March),
5. Revise first receiver site license requirements (FRSL), including site inspection and expiration date,
6. Remove end of the year ban on QP transfers between vessel accounts,
- (C) Minor Revisions/Clarifications
7. Remove the term “permit holder” from groundfish regulations and replace with “vessel owner”, “permit owner”, or “owner of a vessel registered to a limited entry permit” as applicable,
8. Revise the process for a permit holder (vessel owner) to change their vessel ownership,
9. Clarify that the processor obligation may be to more than one mothership (MS) permit,
10. Revise the mothership catcher vessel (MS/CV) endorsement restriction given severability,
11. Clarify sorting requirement for full retention so “predominant species”

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- means only one species,
12. Clarify the accumulation limits calculation for compliance with the annual QP vessel limit in vessel accounts,
 13. Add a prohibition against failing to establish a new vessel account, following a change in vessel ownership, prior to fishing in the Shorebased IFQ program, and
 14. Add a prohibition against landing fish from an IFQ trip to a first receiver without a valid FRSL.

NMFS is currently involved in ongoing litigation regarding the initial allocation of whiting quota to the shoreside and mothership sectors of the trawl rationalization program. The outcome of this litigation may affect existing quota share allocation amounts and could potentially affect or delay quota share trading, which is scheduled to begin January 1, 2014 under existing regulations (78 FR 18879).

The small entity compliance guide entitled, “Compliance Guide for the Pacific Coast Groundfish Trawl Rationalization Program: Program Improvement and Enhancement Rule (PIE 2)” will be sent out electronically next week and posted to the website here: http://www.westcoast.fisheries.noaa.gov/fisheries/groundfish_catch_shares/rules_regulations/trawl_regulations_compliance_guides.html Additionally, paper copies of the compliance guide will be mailed to all affected parties. Please see the compliance guide for further details regarding this rulemaking.

Groundfish E-mail Group

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<http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/Public-Notices/Index.cfm>
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NMFS Trawl Program Website

<http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/Trawl-Program/index.cfm>