DRAFT SUMMARY MINUTES
Ad Hoc Allocation Committee
Pacific Fishery Management Council
West Conference Room
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384
(503) 326-6352
August 27-28, 2001

MONDAY, AUGUST 27, 2001 - 10 A.M.

Members present:
Mr. Phil Anderson, Washington Department of Fish and Wildlife
Mr. Burnie Bohn, Oregon Department of Fish and Wildlife
Mr. LB Boydstun, California Department of Fish and Game
Mr. Bill Robinson, National Marine Fisheries Service

Others present:
Ms. Eileen Cooney, General Counsel, National Oceanic and Atmospheric Administration
Dr. Jim Hastie, National Marine Fisheries Service Northwest Fisheries Science Center
Mr. Jim Glock, National Marine Fisheries Service
Mr. Russell Porter, Pacific States Marine Fisheries Commission
Mr. Wade Van Buskirk, Pacific States Marine Fisheries Commission
Mr. Brian Culver, Washington Department of Fish and Wildlife
Mr. Mark Saelens, Oregon Department of Fish and Wildlife
Mr. Don Bodenmiller, Oregon Department of Fish and Wildlife
Mr. Jim Golden, Oregon Department of Fish and Wildlife
Mr. Dave Thomas, California Department of Fish and Game
Ms. Marija Vojkovich, California Department of Fish and Game
Mr. Rod Moore, West Coast Seafood Processors Association
Mr. Steve Bodnar, Coos Bay Trawlers Association
Mr. Marion Larkin
Mr. Gary Frederic
Mr. Vidar Wespestad, Pacific Whiting Conservation Cooperative
Mr. Joe Easley, Oregon Trawl Commission
Mr. Dan Waldeck, Staff Officer, Pacific Fishery Management Council
Mr. John DeVore, Staff Officer, Pacific Fishery Management Council

A. Call to Order

Mr. Anderson called the meeting to order at 10:15 a.m. A round of introductions was made. Mr. Anderson mentioned the schedule and expectation that there will be breaks through the day to convene scheduled conference calls.

B. Appoint Acting Chair

Mr. Anderson was appointed acting chair.

C. Review and Approve Agenda

Mr. Boydstun suggested the Ad Hoc Allocation Committee (Committee) review the 2000 commercial and recreational catches of overfished groundfish species. This was added to the agenda under item E.
D. Report on Recent Court Ruling

Ms. Cooney reviewed the recent court ruling Natural Resources Defense Council (NRDC) v. Donald Evans, Secretary of Commerce regarding bycatch discard estimates used in managing Pacific Coast groundfish fisheries. The first issue regarding bycatch estimation was sufficiency of the record of the methodology and data used to estimate discard. The court ruled the record did not contain sufficient explanation of the discard issue. The second issue involved publication of a proposed rule in the Federal Register, followed by public comment and a final rule. The judge said the National Marine Fisheries Service (NMFS) decision not to publish a proposed rule was wrong. The judge ruled the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and Administrative Procedures Act (APA) both require full notice and comment rulemaking. The third challenge regarded the process for adopting rebuilding plans. The challenge was the Magnuson-Stevens Act requires these rebuilding plans be fishery management plan (FMP) amendments or rules, but Amendment 12 does not require this. The judge ruled that rebuilding plans must be plan amendments or regulations. Plaintiffs also challenged the "mixed-stock" exception regarding overfishing, and the judge ruled this issue was not ripe because the mixed stock exception has not been used. The final challenge was a NEPA challenge to both the bycatch issues in the annual specifications. The judge found an adequate range of alternatives had not been analyzed.

Mr. Robinson stated they would have to work with Council staff to turn rebuilding plans into FMP amendments. Mr. Bohn thought we should consider integration of alternatives previously discussed regarding Council process. Mr. Robinson agreed there may be greater urgency to do this. Mr. Anderson wondered if the Council process to set annual specifications for groundfish fisheries might require three meetings to accommodate public comments. Mr. Robinson said there is not sufficient time to accommodate rule-making between the November Council meeting and the first of the year. The current process to publish a rule is about 6 weeks. To do a proposed and final rule-making would require a minimum of four months. Mr. Boydstun, referring to page 3 of the judges ruling in the NRDC lawsuit, said it appeared there is insufficient public disclosure of the data and considerations used in decision making. Ms. Cooney stated we work in shorthand where the public may not understand the content of groundfish rule-making. Dr. Hastie explained NMFS has done more work this summer to explain the steps used to estimate bycatch and discard. It is not clear whether this is sufficient.

Mr. Boydstun wondered about a date for meeting the ruling expectations. Ms. Cooney explained no date was given, but we should move ahead right away. She explained that an internal NMFS assessment of Dr. Hastie's work needs to be made. Then the next steps will be decided. Mr. Robinson stated we have two challenges: meeting the ruling expectations for 2001 fisheries and doing a NEPA process for 2002 specifications.

Mr. Boydstun asked whether the scope will need to be broader than bocaccio and lingcod. Ms. Cooney stated we need to fix the 2001 specifications for bocaccio and lingcod only, but broaden the scope for all groundfish species in 2002. Mr. Boydstun wanted to know whether we need to set new optimum yields (OYs) for 2001. Ms. Cooney suggested we need to do a better job documenting how we set OYs.

Mr. Moore asked about the need to turn rebuilding plans into FMP amendments. Ms. Cooney stated the ruling was clear a better job needs to be done. Mr. Moore asked whether regulations alone would suffice or whether they need to be FMP amendments? Ms. Cooney stated they could be regulations, the judge was not definitive.
E. Status of 2001 Catch Levels (Commercial and Recreational)

1. Status of 2000 catch levels for overfished species (new agenda):

<table>
<thead>
<tr>
<th>Stocks</th>
<th>Commercial</th>
<th>Recreational</th>
<th>Total</th>
<th>Total Catch OY</th>
<th>ABC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bocaccio</td>
<td>25</td>
<td>108</td>
<td>133</td>
<td>100</td>
<td>164</td>
</tr>
<tr>
<td>Canary</td>
<td>56</td>
<td>110</td>
<td>166</td>
<td>200</td>
<td>287</td>
</tr>
<tr>
<td>Lingcod</td>
<td>144</td>
<td>339</td>
<td>483</td>
<td>378</td>
<td>700</td>
</tr>
<tr>
<td>Pacific ocean perch</td>
<td>121</td>
<td>0</td>
<td>121</td>
<td>270</td>
<td>713</td>
</tr>
<tr>
<td>Cowcod</td>
<td>3</td>
<td>5</td>
<td>8</td>
<td>&lt;5</td>
<td>24</td>
</tr>
<tr>
<td>Widow</td>
<td>3,789</td>
<td>21</td>
<td>3,810</td>
<td>4,333</td>
<td>5,750</td>
</tr>
<tr>
<td>Darkblotted</td>
<td>239</td>
<td>0</td>
<td>239</td>
<td>192</td>
<td>256</td>
</tr>
<tr>
<td>Yelloweye</td>
<td>13</td>
<td>20-22</td>
<td>33-35</td>
<td>29</td>
<td>39</td>
</tr>
</tbody>
</table>

Mr. Boydstun asked about the above recreational estimates and whether they were all from Recreational Fishery Information Network (RecFIN). Dr. Hastie stated they were but were adjusted with Washington and Oregon independent estimates. Dr. Hastie stated darkblotted, widow, and yelloweye rockfish were not tracked separately in 2000. They were approaching overfished and part of the minor rockfish complex.

2. Inseason Catch Update
3. Discuss Need for Inseason Adjustments

Dr. Hastie produced a Total Fleet quota species monitoring (QSM) table for 2001 and reviewed the landings.

Canary rockfish
Canary rockfish are tracking at 111.4% through August (39 mt landed for a commercial OY of 35 mt). There are 44 mt set aside for recreational fisheries and 22 mt landed through June.

Bocaccio
Bocaccio looks good with 41.7% of the commercial OY landed through August. Recreational catch of bocaccio was 50 mt through June with a set aside of only 52 mt. Dr. Hastie suggested this high catch of bocaccio was indicative of a strong year class recruiting to the fishery. Mr. Boydstun stated there are some Marine Recreational Fisheries Statistics Survey (MRFSS) estimation procedures that have been adopted but don’t seem to be incorporated. Mr. Porter stated the new methodology was implemented, alongside the standard phone survey methodology, beginning with Wave 2 (starting in March) in 2001. Data entry took a while, but Wave 2 files have been sent in; and Wave 3 data will be sent in later this week. He stated there will be a conference call tomorrow and he will bring up incorporating the new charterboat effort estimates for the California recreational fishery catch estimates in a more timely manner. Mr. Boydstun stated he needs the best numbers possible to adopt emergency regulations to close recreational fishing for bocaccio. Mr. Porter hopes to have good estimates through Wave 3 by the September Council meeting. Mr. Boydstun wanted to know what proportion of the 50 mt were landed in Wave 1. Mr. Thomas stated 17 mt. Mr. Boydstun said emergency action could not be adopted until October 5 at the earliest. Dr. Hastie corrected the bocaccio annual allocation number (40 not 48) which means landings through mid-August are at 50%.

Lingcod
Lingcod landings are over 50% through mid-August. Recreational landings range between 72 mt and 128 mt. There is a discrepancy between Oregon Department of Fish and Wildlife (ODFW) reported landing in Oregon and MRFSS estimates of Oregon recreational catch. We are in good shape with lingcod. Pacific ocean perch (POP) are at 51.8% through mid-August. The landing limits were increased on July 1. Darkblotted are at nearly 90% through mid-August. There is a problem with being low on slope rockfish while being in danger
of going over on darkblotched. Widow and yellowtail rockfish landings are over 70%. We may have to ratchet mid-water trawl fisheries back. Yelloweye landings are not separately tracked, but Dr. Hastie believes commercial landings are low given the small footrope restriction and the pattern of yelloweye landings last year. The recreational fishery has caught an estimated 14 mt through Wave 3. Mr. Culver explained we may be closer to 10 mt due to adjustments in Washington data that have not been incorporated in MRFSS data yet. He also stated there may be some market-driven targeting by line fishers which might drive up commercial landings relative to last year. The Dover sole/thornyhead/trawl-caught sablefish complex (DTS) landings are relatively high, particularly Dover sole (89% through mid-August). It doesn’t appear we can entertain the same limits next year and expect a year-round fishery. The problem is exacerbated by the expectation sablefish OY will decrease next year. Southern nearshore rockfish is over 60% through mid-August. However, the recreational nearshore set aside was 550 mt, and MRFSS estimates indicate 120 through Wave 3.

Mr. Anderson thought the Ad Hoc Allocation Committee should not recommend 2002 management measures, but should allow the Groundfish Management Team (GMT) and Groundfish Advisory Subpanel (GAP) to work through the numbers and recommend 2002 management measures. However, the Committee may want to recommend some inseason recreational fishery changes.

Mr. Golden asked what set aside was made for nearshore rockfish for recreational fisheries. Dr. Hastie replied the set aside was 750 mt north of Mendocino. Referring to recommended commercial OYs for nearshore rockfish, Mr. Frederic asked whether the processor closures in Eureka were factored in. Dr. Hastie thought Pacific Seafoods was going to take over. Mr. Moore stated not completely. Dr. Hastie replied that could make a difference.

F. Stock Assessment Update and Recommended Optimum Yields for 2002

Dr. Hastie produced a table, “Preliminary ABCs and OYs Recommended by the GMT for 2002” and reviewed the GMT recommendations by species.

Lingcod
The 577 OY recommendation corresponds to the new rebuilding analysis for coastwide lingcod with a 60% probability of recovering the stock by 2009. This recommended OY is down from the 611 mt in 2001.

Whiting
Whiting OYs may change pending a new stock assessment in 2002.

Sablefish
Three different scenarios for managing sablefish in 2002 were presented. The Stock Assessment Review (STAR) Panel could not resolve which recruitment scenario was most appropriate. Under the "regime shift" scenarios, sablefish are currently at about B_35%; the "density dependent" scenarios are closer to an overfished biomass. The best case scenario indicates a significantly smaller OY than in 2001 (4,500 mt versus 6,895 mt). Evidence of recent recruitments in the coming years will sort out these competing scenarios and what OYs are appropriate. Mr. Boydston asked about the stock assessment presentation at the September Council meeting. Mr. DeVore stated that would occur at 3:30 p.m. Monday, September 10. Dr. Hastie explained the challenge is to keep fishing mortality low enough to allow enough survival of recruits to avoid the stock being declared overfished in the next few years. Mr. Moore, who sat in on the sablefish STAR panel, explained some scenarios projected a downturn in biomass followed by an increase. One of the things, other than recruitment scenarios, that should be considered is the possibility there will be a subsequent increase in recruitment. He urged the Committee to consider this when looking at future management. Dr. Hastie stated the GMT didn’t feel comfortable with recommending management options that assumed better future recruitment. Although this is a real possibility, the GMT thought it better to be conservative until there is evidence of better recruitment. Mr. Larkin commented we have seen this in the past. Fishermen have seen lots of juvenile sablefish and maybe that should be considered. Mr. Frederic agreed with Mr. Larkin. He has seen lots of small sablefish (6 inches to 8 inches) while trawling for Petrale sole this summer.
Dover sole
We are currently managing Dover sole at $F_{40\%}$, but the recruits are below that replacement line. An alternative proxy for $F_{MSY}$ should be considered. The GMT recommended looking at $F_{45\%}$ and $F_{50\%}$.

Shortspine thornyhead
New assessment of this stock shows an increasing biomass. The GMT recommendation reflects this with an increased OY.

Longspine thornyhead
The GMT recommends adopting the same OY as last year.

Widow rockfish
Recommendations span a 60%-80% probability of recovery within the stated rebuilding timeframes. All of these recommendations represent a substantial reduction over past OYs. At the low end, these recommendations represent something like 2 months of midwater trawl fishing. If we cannot have a stand alone midwater limit, then we should consider a bycatch allowance limit for widow rockfish in the shoreside whiting fishery.

Canary rockfish
The GMT recommends the same OY as this year.

Pacific ocean perch
The GMT displayed three options bracketing a 60%-80% probability range for recovery. Dr. Hastie cautioned that, if recruitment does not improve as expected, OYs would be about 150 mt in the near future. The low end at 80% probability is close to the 2001 OY. Mr. Wespstad stated fisheries in Alaska and Canada indicate lots of POP in northern waters. The recruitment we have seen may be related to poor environmental conditions in the last ten years (which did not affect northern waters to the same degree). Mr. Frederic asked what the recovery period is. Dr. Hastie explained it will take 30-40 years to recover POP without fishing. The analysis of foreign catch composition will affect our outlook for POP. However, there is some disagreement by scientists that has not yet been resolved.

Darkblotched rockfish
A range of 60%-80% recovery for darkblotched was presented by the GMT. All of these recommendations are slightly better than the 2001 OY.

Bocaccio
The GMT recommends continuation of the agreed three-year plan to keep OYs of about 100 mt. We are scheduled to go to a 3% exploitation rate in 2003. We may need to keep OYs down longer than through 2002. We will need to review the dynamics of bocaccio and consider alternate rebuilding trajectories. Mr. Larkin asked whether there has been a reassessment of the $B_{2\%}$ estimate. Dr. Hastie explained that is standard procedure when a new assessment is done. A new bocaccio assessment is scheduled for next year.

Yelloweye rockfish
Oregon data was used in the yelloweye assessment with some model runs that used Washington data (age data was limited from Washington fisheries). The coastwide 2002 ABC is 27 mt. This is a problem. We may be close to 27 mt by September. Hopefully, we can use the Punt rebuilding model on yelloweye before the September Council meeting. At this time, the GMT is recommending about 2 mt for the Monterey area. The GMT is recommending 9 mt for north of Cape Mendocino (1 for Eureka and 8 for Washington and Oregon). It is expected this is a "best case" scenario. Mr. Boydston noted the 2001 commercial landing are 13 mt through mid-August, and MRBSS estimates about 14 mt in recreational fisheries. Mr. Bohn asked about 2000 recreational catches. Dr. Hastie stated it was 20 mt-22 mt and about 45 mt in 1999. Mr. Boydston asked where the commercial catches of yelloweye are occurring. Dr. Hastie stated it was primarily in Oregon and Washington line fisheries. Mr. Easley stated yelloweye are not well surveyed with the gear being used in trawl surveys.
Black rockfish
Dr. Hastie explained that the black rockfish assessment was retracted after the authors realized incorrect catch per unit of effort (CPUE) data was incorporated in the original assessment. A rough analysis with the new data indicates not much change relative to the old assessment. Mr. Saelens remarked this analysis suggests future reductions may be necessary to keep black rockfish from falling below B_{490}. Dr. Hastie said there is some talk of a new assessment next year or the year after. Mr. Bodenmiller explained Oregon CPUE data will be incorporated into RecFIN next year.

Minor rockfish
Mr. Boydstun asked why the "minor Sebastes" OYs are less than last year. Dr. Hastie said that was primarily due to pulling yelloweye out of the complex for separate tracking. There may be a push to decrease allocation of commercial nearshore minor rockfish to accommodate the recreational fishery, particularly with the push to get recreational fishers off shelf species like canary and yelloweye.

G. Specifications and Management Options for 2002

The following table was generated to aid discussion of management options for 2002:

<table>
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<tr>
<th>Stock</th>
<th>Comm 00</th>
<th>Rec 01</th>
<th>Total 00</th>
<th>Total 01</th>
<th>Total Catch OY</th>
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<tbody>
<tr>
<td>Bocaccio</td>
<td>25</td>
<td>20</td>
<td>108</td>
<td>50</td>
<td>133</td>
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<tr>
<td>Canary</td>
<td>56</td>
<td>39</td>
<td>110</td>
<td>22</td>
<td>166</td>
</tr>
<tr>
<td>Lingcod</td>
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<td>72</td>
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<tr>
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</table>

1. California Report
   - Lingcod and shelf rockfish in 20 fm fisheries
   - Yelloweye rockfish data review
   - Need to adjust for bocaccio biomass increase
   - Canary rockfish status

Mr. Boydstun gave the California report. California Department of Fish and Game (CDFG) filed notice for regulation changes. Currently there is a January through February closure for lingcod in the south, and they filed notice to allow retention of lingcod in the 20 fm fisheries during the closures. They are also proposing to allow anglers to take rockfish other than those declared overfished within 20 fm during the closed periods. These regulations will be decided in December.

They filed notice there may be additional regulatory changes following the September Council meeting. They filed notice there may be recreational changes in response to the change in status of yelloweye. CDFG is considering how to react to increasing bocaccio biomass in future fisheries as they rebuild. The same rebuilding paradox may also exist for canary and yelloweye as they rebuild. Mr. Thomas gave a brief overview of yelloweye. They appear to be equally distributed in California waters with no apparent hot spots. Mr. Thomas then displayed some length frequency data for bocaccio showing fast growth rates and evidence of a strong 98 year class.
2. Washington/Oregon Reports

Mr. Bohn gave the Oregon report. Everything adopted for 2001 seems to be working. It is expected regulation changes will be needed for 2002 recreational fisheries, especially for yelloweye. Mr. Bodenmiller stated the canary bycatch in charter fisheries was very low (<2%) based on this year’s observer coverage.

Mr. Anderson introduced Mr. Culver who talked about the retention limit for canary and yelloweye in recreational fisheries (2 of either species in combination in the daily bag). These species are primarily caught in the north. There may be effective time/area closures Washington Department of Fish and Wildlife (WDFW) will consider.

Mr. Anderson stated there is much concern with rapid attainment of some quota species monitoring (QSM) species’ limits this year. The Council is challenged to keep this fishery open year round.

3. Development of Management Alternatives
   - Limited entry
   - Open access
   - Recreational

The above table was discussed. Mr. Boydston asked whether the GMT discussed bocaccio discard. Dr. Hastie said it was discussed, but he wasn’t sure whether his latest overview of discard assumptions would be accepted in the Council process. Therefore, the discard estimate may or may not stand. Mr. Boydston remarked he thought the NRDC lawsuit ruling threw out the 16% discard assumption. Ms. Cooney and Dr. Hastie said the ruling was there was inadequate documentation of assumptions used. Dr. Hastie explained the alternative proposed by Dr. Mark Powell (use of co-occurrence ratios from trawl surveys) was discussed by the GMT in August. The GMT was asked to consider Dr. Powell’s proposal and recommend whether the SSC should review it during the September Council meeting. He stated the GMT did not recommend it be put on the SSC agenda for September and it was subsequently left off the SSC agenda. Mr. Waldeck confirmed that. Mr. Robinson thought it would be prudent to get this issue before the SSC in September given the recent NRDC lawsuit. Mr. Waldeck thought that could be accomplished given one issue recently dropped off the September SSC agenda. Dr. Hastie explained there is no data for independently estimating discard rates for Monterey and Conception fisheries. Mr. Boydston stated CDFG may have some spot prawn trawl data that could be useful for these southern areas.

Mr. Robinson stated we have three major management areas we need to focus our attention: DTS complex, shelf rockfish, and slope rockfish. He added there are also problems with bocaccio we need to address. Dr. Hastie explained our DTL fisheries need to be evaluated. Line fishers are targeting yelloweye and sablefish, both species are on the hot list. Dr. Hastie thought we might need to turn off all the shelf rockfish trip limits. Mr. Robinson wondered whether it made sense to consider seasons. Dr. Hastie agreed it might be better to use shelf rockfish to accommodate bycatch in fixed gear fisheries targeting sablefish for instance. This still leaves the open access fisheries in limbo where there are only DTL opportunities.

Mr. Anderson and Mr. Bohn left for a conference call. The rest of the group discussed options for 2002 DTS and shelf fisheries. Ms. Cooney recommended there be careful consideration of discard rates assumed for any management option considered.

The meeting was adjourned at 4:30 p.m.

TUESDAY, AUGUST 28, 2001 - 8 A.M.

Members present:
Mr. Phil Anderson, Washington Department of Fish and Wildlife
Mr. Burnie Bohn, Oregon Department of Fish and Wildlife
Mr. LB Boydston, California Department of Fish and Game
Mr. Bill Robinson, National Marine Fisheries Service
Others present:
Ms. Elleen Cooney, General Counsel, National Oceanic and Atmospheric Administration
Dr. Jim Hastie, National Marine Fisheries Service Northwest Fisheries Science Center
Mr. Brian Culver, Washington Department of Fish and Wildlife
Mr. Mark Saelens, Oregon Department of Fish and Wildlife
Mr. Don Bodenmiller, Oregon Department of Fish and Wildlife
Mr. Jim Golden, Oregon Department of Fish and Wildlife
Mr. Dave Thomas, California Department of Fish and Game
Ms. Marija Vojkovich, California Department of Fish and Game
Mr. Wade Van Buskirk, Pacific States Marine Fisheries Commission
Mr. Rod Moore, West Coast Seafood Processors Association
Mr. Steve Bodnar, Coos Bay Trawlers Association
Mr. Vidar Wespestad, Pacific Whiting Conservation Cooperative
Mr. Gary Frederic
Mr. Dan Waldeck, Staff Officer, Pacific Fishery Management Council
Mr. John DeVore, Staff Officer, Pacific Fishery Management Council

G. Specifications and Management Options for 2002, (continued)

3. Development of Management Alternatives
   • Limited entry
   • Open access
   • Recreational

Mr. Anderson called the meeting to order at 8:15 a.m..

Dr. Hastie presented an overview of 2001 commercial landings and 2002 allocations for overfished species and respective complexes. Data were stratified by month indicating seasonal patterns of landings for some species. The overview also depicted low and high monthly average landings for 2002 based on the GMT recommendations for Dover, TWL sablefish, shortspine thornyheads, darkblotted rockfish, POP, widow rockfish, canary rockfish, bocaccio, and north nearshore rockfish. For Dover sole, the 2001 management scheme was to frontload catches to keep effort off the shelf early. With lower limits in 2002, this strategy would fail to provide for summer flatfish opportunity. Trawl sablefish in 2002 could sustain a low and high average monthly landing of 100 mt-140 mt (down from the 2001 monthly averages). The Committee should consider a seasonal structure for this fishery. Shortspine thornyheads are not a problem and we may be able to offer slightly higher limits in 2002. Darkblotted rockfish limits will be similar in 2002 as in 2001. Separate limits for darkblotted could be considered if segregation of darkblotted from other slope species could be demonstrated. POP management strategy in 2001 was to offer higher summer limits. We may be able sustain higher limits through the year in 2002. Widow rockfish will be dramatically lower in 2002 (30 mt to 40 mt per month versus 86 mt-213 mt per month in 2001). The shoreside whiting fishery will be directly affected. There might be an ability to craft a summer midwater fishery for yellowtail with some of the widow OY. Canary rockfish can only sustain about 3 mt per month. Canary rockfish will require further constraint of directed line fisheries and recreational fisheries. Most small footrope tows did not catch canary even when limits were higher. The concern is the incidental high catch of canary in flatfish tows. How well can fishermen stay off canary? Mr. Culver said we need to pay attention to midwater trawl fisheries and bycatch of canary. Dr. Hastie said he would analyze (next week) individual attainment of canary, bocaccio, and widow in flatfish fisheries. The 300 pounds per month limits in place for canary after April in 2001 realized higher monthly amounts (4 mt-15 mt) than the 3 mt proposed for 2002. Mr. Robinson mentioned the NRDC suit that hasn't been adjudicated yet. This lawsuit, unlike NRDC 1 and 2, deals with substance, not process. The heart of it is the claim that discard increases as trip limits are cranked down. He recommends an alternate strategy to reduce fishing mortality on canary rockfish than lowering limits. Perhaps a seasonal management structure should be considered. This is also appropriate strategy given the need to analyze prudent alternative management regimes. Mr. Anderson thought it wise to look at the effect of reduced trip limits first and then consider alternative regimes. Mr. Robinson thought that was reasonable. Mr. Saelens agreed Dr. Hastie's exercise was a good way to illustrate the potential shortcomings of status quo management. He urged the Committee and Council to document all that is considered when shaping management strategies. Dr. Hastie said trip limit reductions and the effect on discard is more complex than the linear formula claimed in NRDC 3. The true
effect should be put in context of how fisheries are prosecuted, relative abundance of overfished species, etc. Bocaccio landings will be sensitive to the rebuilding paradox where efforts to craft management measures to avoid bocaccio will get increasingly more difficult as the 98 year class recruits to fisheries. North nearshore rockfish will only be able to sustain 15 mt-32 mt per month which is less than realized in summer 2001 fisheries. A seasonal management regime may be appropriate for this complex. We may want to consider a pooled limited entry (LE) and open access (OA) limit much as was done in 2001, although we couldn’t accommodate the inseason increase adopted this year. Perhaps the 3,000 pound landing limit that was adopted for the beginning of 2001 would be appropriate for the entire 2002 season.

Dr. Hastie ran some PacFIN runs for 2001 landings of canary, bocaccio, and yelloweye by gear type. Line gear accounts for 89% of the yelloweye commercial landings. Trawl gear accounts for the majority of canary commercial catch (46.5%) and bocaccio (78%). Finfish excluders in the shrimp fishery might be able to reduce canary catch by about 15 mt, but may not be helpful to reduce bocaccio landings. Mr. Boydstun asked if species associations by gear type could be analyzed relative to bocaccio landings. He wanted to distinguish chilipepper targeting and bocaccio landings in California. Dr. Hastie said logbook data is not available, but he could look at coincident landings and provide the summary data by the September Council meeting. Mr. Boydstun wondered if he could get a time series of species landings by gear type. Dr. Hastie said these strata can be summarized separately in PacFIN, but not both together. Canary landings in OA fisheries will surpass the 2001 allocation despite the mandate to use bycatch reduction devices (BRDs) in Washington and Oregon (beginning in August).

Mr. Anderson recommended the Committee focus on developing a broad recommendation to the Council and avoid specificity since the GMT and GAP can work that out. One thought is to develop two or more management approaches. These would include trip limit reductions and a year-round fishery (status quo) and one or more principle alternatives. Trip limit management principles may include 1) when making a trip adjustment for a specific species, adjust the trip limits for each species taken in the complex as required to minimize discard mortality, and 2) consider and adjust, if appropriate, the bycatch rate for each of the species taken in the strategy. Mr. Robinson suggested we also consider recommendations for managing recreational fisheries. One principle to consider would be management measures must have a high probability of staying within prescribed catch levels. Mr. Boydstun thought we should also address directed fisheries for other species that catch overfished species. Mr. Anderson thought that was addressed in trip limit management principle number one (listed above). Mr. Robinson wondered if trip limit adjustment could be effective if fisheries are not selective. Mr. Moore related that midwater fishers have stated they can be selective most of the time. Mr. Frederic said there is a point of economic diminishing returns where, if trip limits are too low, fishers won’t even fish. This also exacerbates processing capability since processors won’t stay open if they don’t get enough product. Trip limit adjustment may not be better than a seasonal structure. Mr. Robinson wondered if it would be better to have a smaller limit for a longer period of time or a larger limit for a smaller period of time. Mr. Frederic thought a larger limit for a shorter period of time would be better. Mr. Culver thought scaling gear to available limits should be considered (i.e., smaller trawls for smaller limits). Mr. Culver also thought continued work with selective flatfish trawls should be pursued. Mr. Moore remarked that when a product is pulled out of the market, they can’t get back in. Therefore, seasonal management would be disastrous to marketing and processing capability.

Mr. Anderson thought allocation principles should address which species should be considered in the recommendation. Mr. Boydstun agreed and stated yelloweye allocation would be a new issue. Recreational set asides: lingcod 320 mt, canary 44 mt, bocaccio 52 mt (Mendocino south), yelloweye. Mr. Boydstun asked if the proposed yelloweye OY is 11 mt. Dr. Hastie confirmed that was the recommendation from the stock assessment author (Mr. Farron Wallace) and the GMT. The nearshore rockfish recreational catches in 2001 were 575 mt in the north and 550 mt in the south. The 2002 recommendation for the nearshore rockfish recreational set aside is 800 mt in the north and 400 mt in the south. This set aside would potentially accommodate a recreational fishery like we had in 2001. Mr. Boydstun asked the Committee to recommend improved real time data quality in the MRFSS data estimation system. Mr. Boydstun also wanted the Committee to identify the major challenges in Pacific Coast groundfish management. One example is the increasing demographics on the West Coast and the corresponding increase in recreational effort and catch. Other examples were offered and incorporated in the recommendations listed below.
Mr. Frederic expressed frustration there has been a past expectation of minor adjustments in sablefish OYs and that, instead, there are continued cuts in yields. Economic contracts have been made based on this expectation, and fishermen are losing by "a death of a thousand cuts." Mr. Anderson said, with the uncertainty in environmental regime shifts that affect productivity of long-lived species, these types of management changes are inevitable. This is part of making a living off a natural resource. The regime shift we observed in the 1990s was significant and certainly affects how we manage. Dr. Hastie said that sustainable yields can be shaped within these environmental shifts that affected recruitment, but they have to be conservative.

Mr. Boydston wanted to know if Dr. Hastie was intending to review bocaccio discard rates. Dr. Hastie said much depended on the Scientific and Statistical Committee (SSC) accepting the analyses he is providing for the September Council meeting. Dr. Hastie gave an overview of the two analyses he developed. The continued use of 16% discard rate was not specifically addressed at the last GMT meeting. There may be limited opportunity for the GMT to discuss this at the September Council meeting. Mr. Culver remarked the GMT did endorse the use of the new Observer Program as the superior methodology, although that data will not be immediately available. Mr. Boydston stated the bocaccio discard/bycatch rate assumptions and rationale need to be on the Council screen when adopting management measures in October/November. Dr. Hastie explained lingcod discard/bycatch rates were not derived from the Pikitch study. Mr. Saelens said the rationale for the lingcod discard rate assumption was previously put in the Council record.

Mr. Anderson turned the Committee's attention to yelloweye allocation. Dr. Hastie said at least 2 mt of yelloweye should probably be allocated to commercial fisheries. Trawl fisheries take about 1 mt, and there is some incidental catch in sablefish line gear fisheries. Dr. Hastie thought, with smaller sablefish limits, fishermen will more likely fish the shelf than the slope to target sablefish which would exacerbate yelloweye bycatch. Mr. Bohn, regarding recreational fishery management, stated there is a huge difference in how the states shape recreational fisheries if the allocation is 2 mt versus 9 mt. Mr. Anderson asked where the 4 mt-11 mt range of OYs for yelloweye came from. Dr. Hastie explained there was uncertainty with the GMT as to projected recruitment of yelloweye in the north. The 4 mt-11 mt seemed to capture the most reasonable range of OYs given the data available. Mr. Anderson thought we should use a range of recreational yelloweye OYs of 2 mt-9 mt and keep talking as better data becomes available.

Mr. Anderson wanted to dedicate time to discuss alternative management measures for 2002. He also wanted to discuss canary catches in 2001. It is expected the recreational fishery will exceed the canary allocation this year. The Committee also needs to provide direction and comment on draft rebuilding plans.

Mr. Moore stated the GAP has recommended in the past that the Council needs to go through a formal allocation process between gear types and between commercial and recreational fisheries. Mr. Robinson thought it a difficult task to reconcile all of the recommendations of the Committee. It may be possible to compress fishing seasons and still meet most of the challenges outlined. Mr. Boydston wondered why the idea of fishing seasons does not go forward. Mr. Moore said seasons work well for select fisheries like the live-fish fishery, but doesn't work for much of the groundfish market where there is continual market demand. Ms. Cooney thought the concept of platooning could work. Mr. Frederic stated market demand varies regionally. Mr. Moore agreed. Mr. Boydston wondered if regional differences could be accommodated. Mr. Anderson thought seasonal opportunities might work for some fishing sectors, but may not work for others. Mr. Moore agreed and thought the concept of fishing cooperatives was a good example where it might work well. Mr. Frederic explained seasons should be different in northern and southern areas due to weather considerations. Mr. Robinson asked about full retention of rockfish. There was a general summary of the August 6 full retention meeting. The bottom line was a pilot full retention program is recommended for implementation as the Observer Program gets underway. Results of ongoing exempted fishing permit (EFP) fisheries should also give us good information on how we can implement full retention measures. Mr. Bodnar wondered where the observers for EFP fisheries would come from. He expects, with the limited fishing opportunities available, there would be interest in EFP fisheries. Mr. Culver explained that observers can be funded within the EFP fishery with some of the proceeds derived from the fishery being dedicated to fund observers. Mr. Bohn thought there may be some trepidation by fishers to participate in EFPs since there is much Council scrutiny of EFP fisheries. However, he thought it was a sound strategy the Committee should recommend. Mr. Bodnar thought there was little likelihood of getting a buyback program in place anytime soon. He urged some relief in the form of permit stacking to keep the industry from going under until Congress funds buyback. Mr. Robinson explained the Council put permit stacking below the line temporarily.
and it is still on the Council screen. Mr. Culver reiterated the need to pursue gear specifications. Mr. Anderson and Mr. Bohn thought that was implicit in the EFP recommendation. Mr. Frederic wants to the Committee to consider individual fishing quotas (IFQs). Mr. Anderson said that tool was not available to us. Mr. Robinson thought IFQs make more sense with the restrictions we are looking at. Mr. Anderson stated the Strategic Plan called for implementation of voluntary permit stacking first, buyback second, and then consideration of measures such as IFQs.

The Committee discussed canary rockfish allocation and 2001 catches. The 2001 allocation was 5 mt for research, 44 mt for recreational fisheries, and 44 mt for commercial fisheries of which 39 mt represents the total catch OY. The current catch estimates are 5 mt for research (assumed), 22 mt for recreational fisheries through June (2 mt in Washington, 5 mt in Oregon, and 15 mt in northern California), and 39 mt in commercial fisheries through August 16. Mr. Anderson asked Dr. Hastie if there were inseason adjustments that could be considered to reduce canary take. Dr. Hastie replied that reducing line fishery opportunities to reduce yelloweye catch should dampen canary catch as well. Mr. Frederic thought, as sablefish move offshore in the fall, these fisheries will move off the shelf, and thereby reduce canary take. Mr. Anderson thought it possible both recreational and commercial fisheries could end up with 50 mt each, resulting in exceeding the canary OY by about 10 mt. Mr. Boydstun questioned the 15 mt estimate for northern California recreational fisheries. Mr. Thomas and Dr. Hastie thought the estimate and California recreational catch projection to be reasonable. Mr. Van Buskirk explained the bocaccio catch estimate was high due to the fact charter observations were not made earlier in the year after California regulation changes. He also explained there was a potential bias in the phone survey which could have resulted in overestimates of California recreational catches. The new methodology will probably result in reduced estimates that may be available by October 1. Unfortunately, the new survey estimates will not have time to be validated when they first become available. The best projection of 2001 canary catch, given Mr. Van Buskirk’s judgement, is a total annual recreational catch of 3 mt in Washington, 16 mt in Oregon, and 32 mt in California for a total of 51 mt. Combined with a commercial catch projection of 50 mt, total catch would be 101 mt (best case). Mr. Robinson remarked we are still over the rebuilding objective for 2001. Mr. Bohn asked whether we would still be on the constant catch rebuilding trajectory with this catch. Dr. Hastie said it is a zero sum game where the average would have to be made up in the future with reduced catches. Mr. Culver said the target would be even harder to achieve next year. Mr. Boydstun said that the California Fish and Game Commission will meet again in early October and could consider management changes for canary and bocaccio. They will make every effort to obtain the best catch projections possible and react accordingly. Mr. Robinson thought it best to take care of the canary problem inseason this year rather than bite two bullets next year. Ms. Cooney agreed immediate action would be the best strategy.
Committee Recommendations

Allocation
1) The Committee endorses the current (2001) allocation of species taken in both commercial and recreational fisheries.
2) Recreational set asides:
   lingcod: 320 mt
canary: 44 mt
bocaccio: 52 mt (Mendocino south)
yelloweye: total (recreational plus commercial) 4 mt-11 mt
   * Manage commercial fisheries for discard mortality (2 mt)
   * Manage recreational fisheries for minimal incidental catch (2 mt-9 mt).
nearshore rockfish:

Management Principles
1) Management measures must have a high probability of keeping total mortalities within the harvest ceiling.
2) When making a trip adjustment for a specific species, adjust the trip limits for each species taken in the complex as required to minimize discard mortality.
3) Consider and adjust, if appropriate, the bycatch assumptions for each of the species taken in commercial and recreational fishing strategies.

Data Quality
1) Incorporate estimates derived from the California/MRFSS Commercial Passenger Fishing Vessels Effort Program as soon as possible.
2) Reconcile and incorporate the Oregon Sampling Program data into the RecFIN database by 2002.

Major Management Challenges
1) Keeping recreational harvests within harvest guidelines (e.g., bocaccio, yelloweye).
2) Managing the yellowtail and widow rockfish complex.
3) Accounting for effort shifts in recreational and commercial fisheries from the shelf to nearshore species.
4) Managing the shelf line fishery, including the DTL fishery, to stay within rockfish harvest levels (e.g., yelloweye, sablefish allocation [primary versus DTL]).
5) Providing economically viable trip limits while maintaining a year round fishery.
6) Document rationale used to support discard rates (e.g., 16% for bocaccio).
7) Reducing harvest capacity.

Alternate Management Strategies
1) Consider shorter timeframes for each fishing sector (e.g., longline, trawl, OA) that results in an increase in the economic benefit to the fishing industry and that minimizes bycatch mortalities.
2) Consider additional EFPs that provide individual fishers opportunities to harvest higher quantities of healthy species while staying within specified bycatch limits of depressed species with an observer on board.

H. Recommendations for Draft Rebuilding Plans

Mr. Robinson stated NMFS is working closely with Council staff to produce sound rebuilding plans. He thought the best action of the Committee would be to adopt management measures consistent with rebuilding objectives.
I. Provide Direction to Council Staff, Groundfish Management Team, Groundfish Advisory Subpanel, and Other Council Entities

Mr. Anderson asked how these meeting minutes would be entered in the record. Mr. DeVore stated these would be a supplemental attachment to the briefing book, and Committee members would get a chance to review them for accuracy prior to finalization. Mr. Boydstun asked Mr. Bohn if ODFW was contemplating inseason changes. Mr. Bohn said they were considering changes. Mr. Boydstun asked if they could be apprized of these changes prior to the Council meeting. Mr. Bohn agreed.

The meeting was adjourned at 1 p.m..

PFMC
09/06/01