

GROUND FISH MANAGEMENT TEAM REPORT ON  
PART I INSEASON ADJUSTMENTS TO 2009 AND 2010 GROUND FISH FISHERIES

The Groundfish Management Team (GMT) considered the requests from industry representatives, the most recent information from the West Coast Groundfish Observer Program (WCGOP) and the status of ongoing fisheries. However, the GMT notes that the latest WCGOP total mortality report for 2008 was not examined in detail at this meeting, but will be used to update bycatch rates and projection models over the winter.

The GMT received guidance from National Marine Fishery Service (NMFS) Northwest Region (NWR) regarding timing of implementation of inseason recommendations from this meeting. Due to workload, NMFS requested the GMT not consider any 2009 inseason adjustments, barring any serious conservation concerns. NMFS also requested additional time for implementation of 2010 routine inseason adjustments, in order to allow adequate time for implementation of 2010 interim measures for petrale sole and canary rockfish by January 1, 2010. Therefore, unless otherwise noted, all of the inseason adjustments for 2010 are recommended for implementation January 1, 2010, with the understanding that additional time may be necessary and they may not go into effect until March 1, 2010 (Period 2).

**SABLEFISH OVERFISHING**

The 2008 WCGOP total mortality report showed that the sablefish acceptable biological catch (ABC) of 6,058 mt was exceeded by 20 mt, an overage of 0.3 percent. Upon further examination it appears that there was a coding error in the Pacific Fishery Information Network (PacFIN) Quota Species Monitoring (QSM) system that resulted in approximately 400 mt of catch going unreported inseason. As such, cumulative limit adjustments during 2008 were based on underestimated catch and resulted in impacts above the ABC.

The GMT has been able to confirm with PacFIN staff that the coding error has been corrected and that this affected QSM reported catch for sablefish, longspine, and shortspine thornyheads. Projections for the remainder of 2009 have been checked and total catches are not expected to exceed the OYs (i.e. 6,654 mt out of 7,052 mt N of 36° and 474 mt out of 1,371 mt S of 36°).

**Inseason Changes to 2009 Fisheries**

**RECREATIONAL**

The GMT received recreational updates from each state. The yelloweye rockfish impacts in the California recreational fishery are projected to exceed the 2.8 mt harvest guideline by as much as 0.9 mt. This was partly due to higher than expected effort in July and August in the areas North of Point Arena from which the majority of the yelloweye rockfish catch originated. In addition, effort drawn to the North Coast over Labor Day weekend for the brief salmon opportunity shifted to fishing for groundfish resulting in higher than expected anticipated catch values from weekly tracking of catch in September.

California Department of Fish and Game (CDFG) have indicated that a *de minimus* amount of yelloweye rockfish catch occurs in the remaining management areas South of Pigeon Point and

no action is necessary to prevent additional impacts. Despite the yelloweye rockfish harvest guideline overage in the California Recreational fishery, there is still a 1.8 mt residual between the projected impacts for all sectors and the OY. All other recreational fishery impacts on yelloweye as well as other overfished species appear to be tracking as expected, so no changes to management measures are being recommended for these fisheries.

### **Inseason Changes to 2010 Fisheries**

#### **MIDPOINT HARVEST SPECIFICATION CORRECTIONS**

##### *Petrale OY*

The GMT discussed changes to the petrale sole OY for 2010. Guidance from NMFS NWR indicates that the two OY options and suite of management measures analyzed in the draft Environmental Analysis (i.e. either status quo or 1,193 mt) are available for implementation by January 1, 2009. However, should the Council recommend a different OY for 2010 and different management measures, additional time may be required for implementation due to the need for supplemental analysis. This additional time needed for implementation could jeopardize implementation of the conservation measures in a timely manner.

The GMT suggests that in deciding on a petrale sole OY for 2010 the Council should provide preliminary guidance under this agenda item. After consideration of Annual Catch Limit options for 2011-2012 under Agenda Item G.6 and the impacts of the 2010 OY on rebuilding scenarios. The Council should also take into considerations the impacts of treaty tribal fisheries in setting the OY. The current trip limit of 50,000 lb/2 month for the Makah bottom trawl fishery has resulted in average annual catch of 48 mt with a high in 2004 of 85 mt. The Council could then make a final decision on the petrale OY for 2010 based on discussions with industry on structuring fisheries as well as the impacts to rebuilding.

The GMT specifically considered OYs of 1,800 mt and 1,500 mt in addition to the two options in the draft Environmental Assessment (EA). The 1,800 mt option was to provide for a summer fishery and a nominal winter fishery; however, this option would result in a 2011 ACL that is less than 1,000 mt. The 1,500 mt option is similar but maintains the 2011 ACL at or above 1,000 mt (i.e. assuming the majority of opportunity is during the summer months). The GMT notes this latter option is not in the rebuilding analysis but interpolated by the GMT with guidance from the assessment author. Preliminary discussions with industry indicate that 1,000 mt harvest level is a minimum needed for prosecution of fisheries.

In considering this matter, the GMT would appreciate guidance on the following issues:

- Does the Council wish to consider OYs or management measures that differ from what is in the EA, and if so:
  - What OYs does the Council wish to consider
  - What season structure does the Council wish to consider (year round petrale fishery or eliminate the winter fishery)

### *Canary OY*

The GMT examined the rebuilding analysis for canary rockfish, Agenda Item G.2.a, Supplemental Attachment 2, and the impacts of various OY levels on rebuilding. We note that the minimum time to rebuild does not change regardless of the OY option chosen for 2010 (i.e. 105mt, 85 mt, or 44 mt).

### RECREATIONAL

CDFG will review the data to determine whether additional actions will be necessary to prevent the yelloweye harvest guideline from being exceeded in 2010. If action is deemed necessary, it can be taken at the March 2010 Council meeting prior to the opening of the area from which yelloweye rockfish catch is most likely to accrue.

### COMMERCIAL

#### *Sablefish South of 36° N. Latitude*

For open access (OA) sablefish S. of 36° N. lat., industry requested an increase from the 400 lbs/day, 1500 lbs/week, and 8000 lbs/2 months to up to 2,500 lbs/week with no bimonthly limit.

The Limited Entry sablefish Daily Trip Limit (DTL) fishery S. of 36° N. lat. has also requested that the bimonthly limit be removed. The GMT is concerned that removing the bimonthly limit for either fishery will result in substantial increases in catch, especially in the OA fishery where effort is not controlled. The GMT does not recommend removing the bimonthly limits in either the OA or limited entry (LE) DTL fisheries, but is supportive of removing the daily limit for the LE sector beginning period 2.

Opportunities for Conception area sablefish raise several allocative issues that the GMT would appreciate Council guidance on. As indicated in public comment, increases in OA catch have inadvertently reduced the exvessel price paid for sablefish, thus adversely impacting LE fixed gear vessels in that area. In addition, the lack of LE and OA allocations in this area make it difficult for the GMT to craft trip limits for OA and LE vessels in this area. In light of these issues, the GMT would appreciate Council guidance on how to structure LE and OA opportunities in this area.

#### *Sablefish North of 36° N. Latitude*

Available information indicates that catches in the LE DTL portion of the sablefish fishery have been substantially less than the allocations (Table 1). Even though catches and the percentage of the allocation caught have increased in recent years, this fishery has typically under-harvested its allocation. The percentage of the allocation caught by this fleet has ranged from a low of 22 percent during 2004 to a high of 54 percent during 2008.

Table 1. Limited Entry Fixed Gear Sablefish DTL allocation, catch, and percentage of allocation caught for 2004 – 2008 north of 36° N. lat.

Year	Allocation (mt)	Catch (mt)	Percentage of Allocation Caught
2004	367	79	22%
2005	367	146	40%
2006	356	106	30%
2007	276	116	42%
2008	276	159	54%
2009	351	.	.
2010	321	.	.

The GMT found there was sufficient variability in trip limits during the past 5 years (beginning January 1, 2004) to develop a meaningful regression model for estimation of catch levels at different trip limits. The significance of potential explanatory variables was evaluated using a stepwise regression analysis. Much of the variability in catches can be explained by trip limits and calendar period. Highest catches were observed during the 6<sup>th</sup> period when effort was the highest. High catches are also apparent during periods 1 and 2.

Based on the model results the GMT developed the following trip limit recommendations. Period 1 trip limits would be identical to the initial 2009 trip limits (300 pound daily limit, 1,000 pound weekly limit, and 5,000 pound bimonthly limit). For the remainder of the year the weekly limit would be 1,750 lbs and the bimonthly limit would be 7,000 lbs (Table 2). Even though we demonstrated that increased catches are desirable for this fishery during period 1, staffing and workload issues for NMFS precluded the opportunity to liberalize 1<sup>st</sup> period trip limits. However, a 1<sup>st</sup> period increase to 7,000 lbs bimonthly is recommended if possible. As with LE DTL in the south, the GMT recommends eliminating the daily limit.

The limits recommended by the GMT here are expected to better achieve the allocation without exceeding it (based on the 95 percent upper confidence limit). While the model predicts that higher limits might stay within the allocation, the GMT recommends a more cautious approach given the novelty of the model and lack of measured predictive performance.

Table 2. The predicted annual catch under this trip limit regime is 201 mt. The upper 95% confidence limit is 302 mt.

Period	Daily Limit	Weekly Limit	Bimonthly Limit
1 Status Quo	300	1,000	5,000
1 Option 1	NA	1,750	7,000
2	NA	1,750	7,000
3	NA	1,750	7,000
4	NA	1,750	7,000
5	NA	1,750	7,000
6	NA	1,750	7,000

For the OA sablefish fishery, industry has requested a change in the weekly and bimonthly limits from 800 lbs/week and 2,400 lbs/2 months to 1,000 lbs/week and 3,000 lbs/2months. The GMT notes that in recent years the fishery has attained their HG; therefore increases early in the season may force reductions later in the year.

#### *Minor Nearshore Rockfish*

At the June 2009 meeting, the Council adopted a modified black rockfish trip limit between 42° N. lat. and 40°10' N. lat. of 7,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish to allow access to the higher black rockfish OY while restricting blue rockfish harvest to stay within its harvest guideline. This was done for both LE and OA nearshore fleets. California has requested that this limit structure stay in place starting January 1 both for consistency and to ensure that the harvest guideline for blue rockfish is not exceeded. The GMT notes that while delaying implementation until period 2 will not like result in exceeding the harvest guideline there will likely be confusion among the public as well as enforcement concerns with the limit structure by period reverting back to those in place in 2009.

#### *Scorpionfish*

Industry has requested that the increased LE and OA California scorpionfish limits south of 40°10' N lat. adopted by the Council in June 2009 (i.e. 1,200 lbs/2 months) be maintained in 2010. Given the lack of attainment of the OY for this species and expected levels of overfished species interactions, the GMT recommends implementing this increase as soon as possible in 2010 while maintaining the spawning closure in period 2 (March-April).

The GMT also received a request to modify the OA incidental California halibut trawl trip limit S. of 40°10' N lat. to allow for increased retention of scorpionfish. CDFG has indicated that they will not have the information on incidental scorpionfish encounters in this fishery available in time for inseason action at this meeting. GMT could analyze the issue and report to the Council in March.

#### *RCA Boundary Adjustments*

A request to modify the non-trawl Rockfish Conservation Area (RCA) between 40° 10' and 43° N. lat was also discussed by the GMT. The nearshore fishery in this area has been restricted to

waters inside 20 fm to reduce impacts to yelloweye. Industry has requested moving the line back out to 30 fm. The GMT was unable to update the nearshore model based on the new total mortality report or analyze potential reductions in gear interactions from the proposed change at this meeting. The GMT will analyze the issue and report to the Council in March.

*Limited Entry Non-whiting Trawl*

Other proposed changes to limited entry trawl will be presented under the second inseason item, Agenda Item G.10, based on the guidance received here.

**GMT Recommendations:**

1. Provide guidance on preferred petrale OY options for 2010.
2. Provide guidance on preferred canary OY options for 2010.
3. Consider increasing the weekly limit for the OA sablefish fishery S. of 36° N lat from 1500 lbs/week up to 2,500 lbs/week beginning as soon as possible in 2010.
4. Consider removing the LE DTL daily limit coastwide beginning as soon as possible in 2010.
5. Consider increasing the LE DTL limits N. of 36° N lat from 300 lbs/day, 1,000 lbs/week and 5,000 lbs/2 months up to 1,750 lbs/week and 7,000 lbs/2 months beginning as soon as possible in 2010.
6. Retain the current minor nearshore limit of 7,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black rockfish for 2010.
7. Consider increasing LE and OA California scorpionfish limits S. of 40° 10' N. lat to 1,200 lbs/2 months for periods 1 and 3-6.

**Projected mortality impacts (mt) of overfished groundfish species updated with most recent research estimates and fishery projections through November 2009.**

Fishery	Bocaccio b/	Canary	Cowcod	Dkbl	POP	Widow	Yelloweye
<b>Limited Entry Trawl- Non-whiting</b>	14.8	21.8	1.3	203.1	95.5	19.3	0.6
<b>Limited Entry Trawl- Whiting</b>							
At-sea whiting motherships a/		4.3		6.0	0.5	60.0	0.0
At-sea whiting cat-proc a/		6.1		8.5	0.5	85.0	0.0
Shoreside whiting a/		7.6		10.5	0.1	105.0	0.0
Tribal whiting		1.4		0.0	0.7	3.7	0.0
<b>Tribal</b>							
Midwater Trawl		3.6		0.0	0.0	40.0	0.0
Bottom Trawl		0.8		0.0	3.7	0.0	0.0
Troll		0.5		0.0	0.0		0.0
Fixed gear		0.3		0.0	0.0	0.0	2.3
<b>Fixed Gear Sablefish</b>	0.2	2.8	0.0	4.2	0.5	0.1	0.9
<b>Fixed Gear Nearshore</b>	0.3	<b>3.6</b>	0.0	0.0	0.0	0.3	1.2
<b>Fixed Gear Other</b>	5.0	0.0	0.0	9.0	0.0	0.7	0.0
<b>Open Access: Incidental Groundfish</b>	2.0	0.9	0.0	0.0	0.0	4.0	0.3
<b>Recreational Groundfish e/</b>							
WA							
OR		10.3				1.0	5.2
CA	67.3	15.0	0.3			6.0	<b>3.7</b>
<b>EFPs</b>	13.7	2.7	0.3	1.3	0.0	5.5	0.3
<b>Research: Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs.</b>							
	2.0	4.5	0.2	2.0	2.0	5.7	0.7
<b>TOTAL</b>	105.3	86.2	2.1	244.6	103.5	336.3	15.2
<b>2009 OY f/</b>	288	105	4.0	285	189	522	17
<b>Difference</b>	182.7	18.8	1.9	40.4	85.5	185.7	1.8
<b>Percent of OY</b>	36.6%	82.1%	52.5%	85.8%	54.8%	64.4%	89.4%
Key	= either not applicable; trace amount (<0.01 mt); or not reported in available data						
<p>a/ Non-tribal whiting values for canary, darkblotched, and widow reflect bycatch limits for the non-tribal whiting sectors. The widow bycatch limit is the difference between the OY and the projected impacts in all non-whiting fisheries. All other species' impacts are projected from the GMT's whiting impact projection model. The Council may elect to change these bycatch limits when setting final whiting management measures in March of 2009 or 2010 or under any inseason action at any of their future meetings.</p> <p>b/ South of 40°10' N. lat.</p> <p>c/ Mortality estimates are not hard numbers; based on the GMT's best professional judgment.</p> <p>d/ Bycatch amounts by species unavailable, but bocaccio occurred in 0.1% of all port samples and other rockfish in another 0.1% of all port samples (and squid fisheries usually land their whole catch).</p> <p>e/ Values in scorecard represent projected impacts for all species except canary and yelloweye rockfish, which are the prescribed harvest guidelines.</p> <p>f/ 2009 and 2010 OYs are the same except for darkblotched (291 mt in 2010), POP (200 mt in 2010), and widow (509 mt in 2010).</p>							