

GROUND FISH MANAGEMENT TEAM REPORT ON MID-WATER RECREATIONAL FISHING REGULATIONS

The Groundfish Management Team (GMT) received an overview of the midwater recreational fishery on our publicly noticed webinar on September 1, 2015, and had our main discussion at that time. In trying to best help the Pacific Fishery Management Council (Council) and National Marine Fisheries Service (NMFS), the GMT focused our discussion, and this report, on providing additional information and clarification for items in the “Issues for Council Discussion” section of the NMFS report ([Agenda Item H.1.a, NMFS Report, September 2015](#)).

Monitoring

The GMT believes that catch and effort from the longleader fishery could be obtained using the same recreational survey designs and estimation procedures that are currently in place in California and Oregon. However, the list of possible trip types of target species (e.g., groundfish, tuna, and salmon) would have to be expanded to include the longleader trips. Once longleader trips are identified during the dockside survey (angler interviews), estimates of catch (including discard mortality), and effort could be stratified or post-stratified for longleader trips depending on whether the target species is known prior to sampling the trip.

Although no survey design changes are believed to be needed to estimate catch and effort from the longleader fishery, additional or shifted sampling coverage may be necessary - especially if this longleader fishery creates new effort in times or ports that otherwise had minor or no groundfish fishing effort, and thus may not have been previously sampled. In California, this would primarily entail sampling in winter months in which groundfish effort was limited by take provisions for groundfish, if the longleader fishery was allowed in currently restricted months. And in Oregon, this would primarily involve sampling in ports that recently have only salmon effort, and thus have only been sampled during the salmon season months (primarily summer).

If new effort enters the recreational groundfish fishery, as a result of the longleader fishery, and sampling effort is not proportionally adjusted, it could reduce the sampling rate, which could also impact the precision of catch and effort estimates. In Oregon, there is lesser concern since survey rates (i.e., 25 - 40 percent) have been regarded by the NMFS Marine Recreational Information Program (MRIP) external reviewers as being well above levels needed for precise estimates. However, in California, sample rates are lesser and may be of greater concern (i.e., target rate in the primary boat mode within the private and rental boat mode of 20 percent and < 5 percent of trips sampled in party charter boat mode as rates vary by district).

Although the GMT does not recognize major issues surrounding each state’s ability to monitor catch and effort from the longleader fishery, if doubts remain, the Recreational Fisheries Information Network (RecFIN) Technical Committee or Statistical Sub-Committee could be consulted for additional insight. Both committees consist of experts in recreational fishery surveys from each of the states and NMFS.

Management Response to Quota Overages

Currently recreational groundfish fisheries are tracked inseason by the states, and management actions are taken either by the state, NMFS, or both, when a harvest guideline (HG) is approached or attained. Accordingly, the longleader fishery could be managed inseason to stay within desired limits (e.g., a portion of an overall state fishery quota).

Landings estimates from West Coast recreational fisheries are available monthly on approximately a one month lag. For example, June data becomes available in early August. The Oregon Department of Fish and Wildlife (ODFW) can produce preliminary estimates a week after a month has concluded. The data at that time have not been fully checked and cleaned, and may vary slightly from the final estimate. The preliminary data can be useful in determining how fisheries are tracking, and if management measures might be warranted. Mortality estimates from the California Recreational Fishery Survey (CRFS) program are available with a month to month and a half lag. However, the California Department of Fish and Wildlife (CDFW) does have a method to track yelloweye rockfish and cowcod impacts on a weekly basis. The final annual estimates of total mortality from all sectors are available in the annual Groundfish Mortality Reports produced by the West Coast Groundfish Observer Program (WCGOP). These reports are available in November of the following year, and are often used in subsequent biennial harvest specifications and management measures process to inform adjustments to formal allocations and management measure changes.

If an HG for the state recreational fishery as a whole, or if one is specified for the longleader fishery, is approached or attained, management measures that are available are: reduce the daily bag limit for that specific species or for the longleader portion of the fishery; further restrict depth/area closures; prohibit retention of species (if enough poundage remains to account for discard mortality); or complete closure of the longleader fishery or the entire groundfish fishery. Which management measures are used and when are usually state-specific and depend on which species is involved. Unlike salmon fisheries, multi-year credit card accounting and requiring paybacks are not management tools available for recreational groundfish fisheries.

Another issue to consider is that there are differences in how Oregon and California are able to adjust management measures inseason. The Oregon Fish and Wildlife Commission (OFWC) has delegated authority to ODFW to be able to put temporary or emergency rules in place, usually within two days. The process for CDFW allows for emergency rules to be put in place when a specified harvest guideline is expected to be exceeded, after a 10 day notice; however, in the absence of specified harvest guideline for a component of the recreational fishery, there may be complications that could hamper inseason actions.

To try to minimize the potential for inseason actions, ODFW, CDFW, NMFS and the GMT will likely attempt to estimate what impacts from the longleader recreational fishery might be as part of the preliminary environmental analysis (EA). This will help inform the setting of management measures in such a way to minimize the potential for inseason actions, as well as disruption of the regular, or core, recreational groundfish fishery. Oregon has data from an exempted fishing permit from 2009 and 2011 to help inform this projection. Similar data are not currently available for California; therefore the use of proxies will likely be required.

Based on preliminary discussions amongst GMT members, there may be differences in how ODFW and CDFW anticipate this fishery operating in terms of allocation of overfished species, as well as the newly rebuilt canary rockfish. As an example, would this fishery operate within the current state specific recreational fishery HGs for these overfished species (and canary rockfish); or would the longleader fishery require its own allocations? The GMT anticipates state reports which may contain information on how each state anticipates the longleader fishery being allocated and managed.

One topic the GMT sees direct management implications is what species are allowed to be retained in the longleader fishery and what species might be prohibited. The retention of lingcod has led to a number of discussions about whether it will act as an incentive to fish the gear incorrectly (closer to the bottom). If retention of lingcod is allowed for vessels fishing with longleader gear, there may be an incentive to target and catch lingcod and, coincidentally, also increase encounters with more benthic overfished species, such as yelloweye rockfish. Prohibiting the retention of lingcod (or only allowing retention of semi-pelagic rockfish species) could alleviate some of that concern. Therefore, two possible alternatives could include (1) allow retention of lingcod, and (2) prohibit the retention of lingcod.

With canary rockfish having been declared rebuilt, there may be potential for increased opportunities in the recreational fisheries starting in 2017. Bycatch of canary rockfish in the EFP occurred across all habitats; therefore, adjustments to the quota of canary rockfish could be needed in order to provide opportunity in the longleader fishery. Under current regulations in Oregon, only one canary rockfish per day is allowed, as part of the daily marine bag limit. With the current one canary bag limit, discard of canary rockfish may be prevalent, and there could be issues with high-grading, which could increase fishing time and thus yelloweye rockfish interactions. Discard of canary rockfish could be problematic, since mortality rates are around 45 percent between 50 and 100 fathoms and 100 percent outside of 100 fathoms (even if descending devices used). Accordingly, allowing a greater bag limit (such as seven, the current limit marine fish bag limit in Oregon) could be beneficial by reducing waste. Further, greater retention could alleviate some misidentification concerns that were identified in the ODFW report as being potentially problematic (i.e., canary rockfish being misidentified as yelloweye rockfish or vice versa). Therefore, the Council may want to examine a potential range of canary rockfish bag limits as part of the analysis, in terms of potential impacts to overfished species (particularly yelloweye rockfish) from the longleader fishery. The actual analysis of a range of canary rockfish bag limits would occur under a biennial harvest specification process.

The ODFW Report ([Agenda Item H.1.a, ODFW Report](#)), Figure 4, indicates the potential yelloweye impacts, utilizing data from the EFPs, based on a range of angler trips. This is a helpful way to visualize the range of impacts that could occur when the fishery is implemented in regulation. The GMT notes, however, that sometimes the impacts from an EFP differ from the impacts that occur when the fishery is implemented in regulation. This may be particularly true with this EFP as it was conducted only on charter vessels, and the GMT understands the regulatory proposal would likely be for both charter and private vessels. Given the level of uncertainty surrounding the projected angler trips and associated overfished species impacts, the ability to monitor and take inseason action in response to catch approaching harvest targets, as proposed by ODFW, is an important consideration when turning EFPs into regulation.

Enforcement

The GMT believes the Enforcement Consultants and states can better speak to the majority of the items under this subject.

A consideration that came up during GMT discussion is how this new fishery gear type would interplay with other fisheries in the same areas, such as halibut. If an angler caught an otherwise legal Pacific halibut on the longleader gear, would they be able to retain it? This consideration might best be discussed under the Catch Sharing Plan Process. Alternately, if an angler targeting Pacific halibut caught a yellowtail rockfish on halibut gear rather than the longleader gear, would retention be allowed? This matter seems more appropriate to be considered in the groundfish process. Similar considerations may be necessary for other species as well.

Allocation

Between-sector allocation decisions occur during the biennial harvest specifications and management measures process. These are the allocations specified in federal regulations. Reallocation between sectors for these types of allocations is not something that is done outside of the biennial cycle. Therefore any alternative that requires between-sector reallocation could be included in the “considered but rejected” section of this analysis. For recreational fisheries, the states can do sub-allocations within their state-specific HG through state processes and regulations.

Based on our discussions to date, the GMT believes that ODFW and CDFW may have somewhat different ideas or approaches to allocation for this fishery. Regardless of the approach, the GMT thinks that the initial data from the first year(s) of the longleader recreational fishery in one or both states may better inform future allocation needs for both states, which will be dealt with in future biennial cycles (likely the 2019-2020 cycle at the earliest).

Socio-economic Benefits

The final subject that NMFS is asking for clarification on is the socioeconomic benefits, including what the costs to manage, monitor, and enforce might be versus the benefits of implementing.

The GMT believes that the main benefit of the longleader fishery will be to help buffer against downturns in other fisheries. Currently, all of the other recreational fisheries (e.g. salmon, halibut) are at full capacity, and if one were to decline, the remaining recreational fisheries would not be able to absorb the lost effort. Accordingly, a decline in one of the recreational fisheries would decrease net effort (angler trips), and thus have negative economic impacts to coastal economies. The longleader fishery could provide additional opportunity to absorb lost effort that could occur with decline of the other recreational fishing opportunities, thus providing a hedge to fishermen and communities.

For example, the longleader fishery might have helped mitigate the impact of the 2008 salmon collapse (but also collapse of any fishery). During that year, total Oregon recreational angler trips declined by approximately 50,000, as the other fisheries did not absorb the lost salmon effort (Figure 1). As can be seen in Figure 1, lost effort in the salmon fishery was not offset by

an increase in other targets, which resulted in a decrease in total number of angler trips. Using multipliers from the IO-PAC model, a decline of 50,000 recreational trips in Oregon translates into a reduction in recreational fishing’s contribution to income in the state by approximately \$6.0 million. An alternative fishing opportunity likely would have reduced the impact to some degree.

Of upcoming concern is another salmon collapse due to the drought conditions in California. For the Oregon Chinook salmon fisheries, the majority of the catch for all ports except Astoria is from California stocks. Adoption of the longleader fishery could therefore provide potential for near-term recreational fishing opportunities and economic benefits.

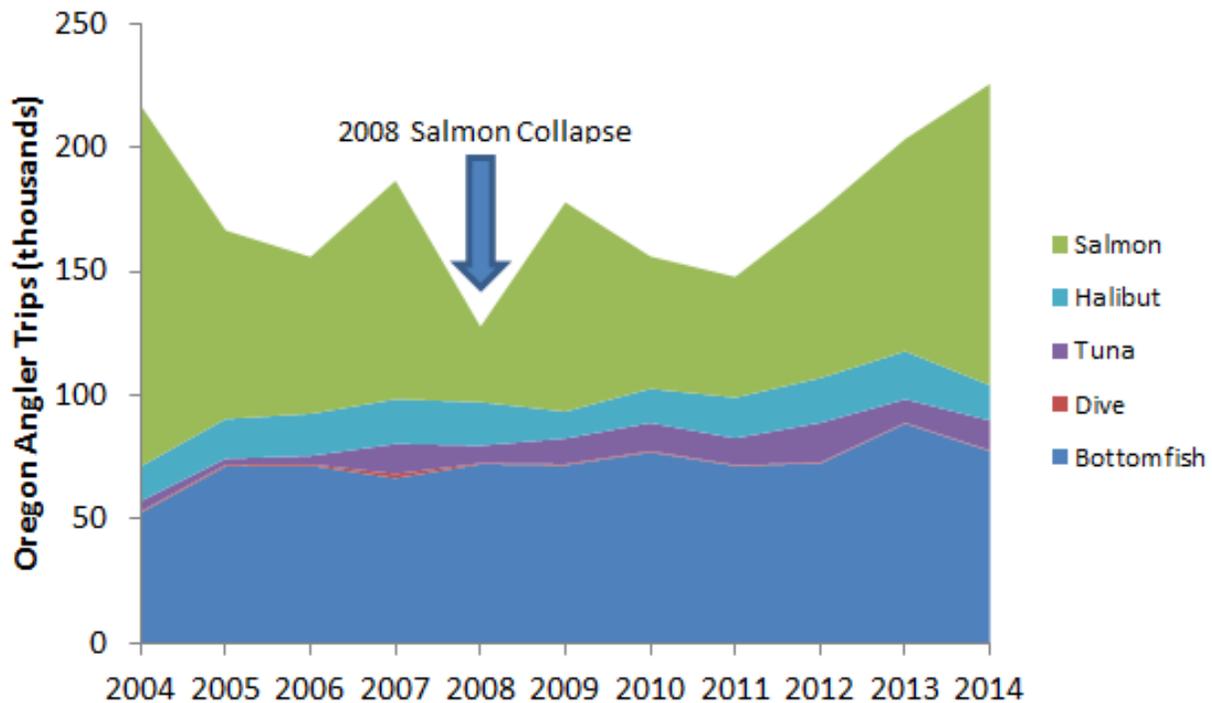


Figure 1. Oregon recreational angler trips (thousands) by year and target species. As can be seen, the 2008 salmon collapse dramatically decreased both salmon effort and total effort.

From a cost perspective, if this fishery opens up new areas and/or times, there could be increased sampling costs, as the sampling programs would need to cover those times/areas. This would likely require additional sampler time (salary and benefits) as well as any associated administrative or logistical expenses. There may also be enforcement costs, either in direct costs or to other enforcement activities, for new times/areas. Due to the uncertainty in additional times or areas that may be included, the GMT cannot currently quantify what those expenses will be, just that there will be some additional expenses.