

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REPORT ON 2017 AND 2018 GROUNDFISH HARVEST SPECIFICATIONS AND MANAGEMENT MEASURES

The Washington Department of Fish and Wildlife (WDFW) would like to provide the following comments and recommendations relative to harvest specifications and biennial management measures for 2017-2018. While we understand that Agenda Item F.3 is focused on harvest specifications and the Council will be considering groundfish biennial management measures, including allocation, set asides, and harvest guidelines under Agenda Item F.6, we wanted to provide our thoughts on these items under F.3 to give the Council, advisory body members, and the public the full picture relative to our recommendations.

Annual Catch Limits for Canary, Widow, and Darkblotched Rockfish

As the Council is aware, these stocks have been overfished and managed under rebuilding plans for the last 10-16 years, and are now recently rebuilt or on the verge of being rebuilt. For each of these stocks, the latest assessment (in 2015) used higher steepness values than the previous assessment, indicating a more robust recruitment. These higher values were based on an updated meta-analysis of steepness and were significant factors in determining their current status. While we recognize and agree with the STAR Panels' and SSC's statements that these assessments represent the best available science, we also note that they acknowledge the uncertainty associated with the changes in steepness and provided cautionary advice to the Council relative to management.

In response, WDFW would like to propose an approach for all three stocks in setting the annual catch limits (ACLs) that includes a buffer between the acceptable biological catch (ABC) and the ACL to account for management uncertainty relative to providing fisheries in 2017 and 2018 that would allow for the retention, if not targeting, of these stocks by different sectors that have not been able to access them for over a decade. If these stocks are as abundant as their assessments suggest (e.g., over 75 percent depletion in the case of widow rockfish), then harvest may be higher than anticipated across multiple sectors due to increased encounters, therefore contributing to higher management uncertainty. In short, by offering an opportunity that has not been available for the last 10-16 years, it is difficult to predict what level of catch will occur.

In assessing what an appropriate amount of buffer may be, we note that the current status and ten-year projection levels for each of these stocks varies, which we describe in more detail below. We also note that the status of widow and darkblotched have been confirmed over two assessment cycles, whereas this is the first assessment indicating canary rockfish are rebuilt. Taking those differences into account, while we propose a similar approach for all three stocks, we also believe it is appropriate to consider stock-specific buffer amounts.

Canary Rockfish

The assessment for canary rockfish noted "several important sources of uncertainty regarding our base model," and indicated that "the status and allowable catch for canary rockfish depends strongly on the magnitude of recruitment compensation (steepness), and the rate of natural

mortality for juvenile females and males of all ages.” In the decision table profiled around natural mortality, under the base case for the No Action ACL, the status of canary rockfish is 57.2% in 2017 (i.e., rebuilt) and declines to 45.2% (still above target), but under the low state of nature, the stock is at 35.3% (i.e., still rebuilding) in 2017 and declines to 20.8% (overfished).

Given the difference in status between the base case and low state of nature, the status under the low state of nature indicating the stock would be in the precautionary zone, and that this is the first assessment indicating canary rockfish are above the B_{40%} target, WDFW would propose a reduction of about 28% between the ABC and ACL and a static ACL for 2017 and 2018 of 1,226 mt. This amount correlates to the target harvest level of B_{40%} and, coincidentally, is about where the stock would be if steepness were actually at the level assumed previously (i.e., 0.6). We believe that this provides a risk-averse approach for canary rockfish harvest levels for 2017 and 2018 while providing for additional harvest opportunity for multiple sectors, and additional time to further explore the uncertainty associated with steepness and natural mortality prior to the next assessment cycle.

Widow Rockfish

The assessment for widow rockfish indicates its status under the base case is 84%, which declines to 56% and, under the low state of nature, the stock is at 64%, declining to 40% over the ten-year period. Given the high level of status under both the base case and the low state of nature, the fact that the stock remains at B_{40%} or higher over the ten-year projection, and that this is the second assessment confirming its rebuilt status, WDFW proposes a relatively small buffer of 10% between the ABC and ACL (applied to the higher of the two years) and static ACLs for 2017 and 2018 (see Table 1 below).

Darkblotched Rockfish

Darkblotched rockfish is different altogether. Under the base case, it is at 39.5% increasing significantly to 58% in ten years, but under the low state of nature, it is at 9% and increasing only slightly to 11% over the ten-year period. While there is a substantial difference in status across the two scenarios (i.e., ranging from being overfished to on the verge of being rebuilt), it is offset by this being the second assessment indicating its status is closer to rebuilt than overfished, WDFW proposes a reduction of 25% between the ABC and ACL (again, applied to the higher of the two years), and static ACLs for 2017 and 2018.

Table 1. WDFW recommended ACLs (mt) for canary, darkblotched, and widow rockfish for 2017 and 2018.

Stock	2017	2018
Canary Rockfish	1,226	1,226
Darkblotched Rockfish	490	490
Widow Rockfish	12,157	12,157

As we noted above, we believe the values in Table 1 represent a risk-averse approach for 2017 and 2018 while providing for additional harvest opportunity primarily for the trawl sectors, and

additional time to further explore the uncertainty associated with the application of the higher steepness value for these stocks.

At-Sea Set Asides for Canary, Darkblotched, and Widow Rockfish and Pacific Ocean Perch (POP)

As the Council has discussed previously, there is considerable concern expressed by mothership whiting fishery harvesters and at-sea processors that the bycatch limits for canary, darkblotched, and widow rockfish and POP may be overly constraining and could impede their ability to achieve their full whiting harvest levels. Mothership harvesters submitted a proposal to allow the transfer of a portion of their shoreside quota to the mothership sector to cover anticipated overages for these stocks; however, as the National Marine Fisheries Service has indicated, the analysis for that proposal would be substantial and could not be completed in time for a January 1, 2017, implementation date.

As a reminder, the at-sea amounts for canary rockfish are set as two-year within-trawl allocations, whereas darkblotched and widow rockfish and POP are allocated species under Amendment 21. In an effort to address the concerns referenced above, as an alternative, WDFW proposes that all of these stocks be managed as set asides for each of the at-sea sectors.

As such, the amounts for the at-sea sectors would be subtracted “off-the-top” of the trawl allocation, but treated as set asides, which would allow for the unused portions of those set asides to be available to cover potential overages in other sectors’ harvests. In our opinion, the Council had the foresight to anticipate the recent rebuilt status of widow rockfish in creating the trawl catch share program, but may not have adequately considered the potential needs of the at-sea sectors under a rebuilt status in developing allocations for darkblotched rockfish and POP under Amendment 21.

The proposed set aside amounts for the catcher processor and mothership sectors for these stocks are described in Table 2. We would note that the widow rockfish set asides represent the status quo levels (i.e., Amendment 21 percentages under the proposed ACL), whereas we are proposing slightly higher allocations for darkblotched and POP than what is currently in place. We also note that for POP, the Council has selected final preferred alternatives for the ACLs (171 mt in 2017 and 176 mt in 2018). WDFW is not proposing to revise these ACLs, but is proposing that, relative to the within-trawl allocation procedure, POP would be treated as a set aside for the at-sea sectors.

WDFW recognizes that the slightly higher values for darkblotched and POP and the treatment of these stocks as set asides for the at-sea sectors likely warrant an amendment to the fishery management plan; however, we believe that the analyses for such an amendment should be relatively straightforward and considerably less onerous than what would be needed to analyze the mothership quota transfer proposal.

Table 2. Proposed at-sea sector set asides (mt) for canary, darkblotched, and widow rockfish, and POP for 2017 and 2018.

Stock	Catcher-Processor	Mothership
Canary Rockfish	16	30
Darkblotched Rockfish	25	20
Widow Rockfish	370	261
Pacific Ocean Perch	20	15

Harvest Specifications and Management for Nearshore Stocks

As the states of Washington, Oregon, and California noted in our joint reports to the Council in March 2014 and June 2014 with regard to the biennial harvest specifications and management measures for the 2015-2016 cycle, the Magnuson-Stevens Fishery Conservation and Management Act (MSA) clearly indicates that the states’ jurisdiction and authority within its respective boundaries, to include state waters, is not diminished by the MSA. As such, our understanding continues to be that the portions of nearshore rockfish and roundfish stocks (e.g., China, copper, and brown rockfish, cabezon, and kelp greenling) occurring in state waters are under the states’ respective jurisdictions.

However, as we acknowledged, these same nearshore stocks are part of the management unit species within the West Coast Groundfish Fishery Management Plan (FMP) and the Council process provides an important opportunity for collaboration and coordination. While the states independently manage their nearshore fisheries through separate licensing/permitting requirements, data collection and research programs, stakeholder communication efforts, and enforcement, we do recognize the benefit of coordinated data sharing and management through the Council.

Given the diversity of our respective management programs, the states had also expressed concern with assessing the status of nearshore stocks on a broader geographic scale, and preferred to have state-specific assessment approaches. As an interim measure, the states of Oregon and Washington had proposed and implemented an agreed-to sharing approach for minor nearshore rockfish, which was in place for 2015 and continues in 2016.

We were very pleased that the Northwest and Southwest Fisheries Science Centers were responsive to our concerns and with the manner in which information for nearshore stocks were considered for this biennial cycle. We believe that many of our concerns were addressed and support the work done by the STAT Teams in assessing the status and determining the appropriate harvest levels for our nearshore stocks—notably, black rockfish and China rockfish. As such, WDFW recommends that the Washington-specific model outputs for nearshore stocks apply as harvest specifications for Washington and that stocks without state-specific models continue to be managed within the Minor Nearshore Rockfish complex north of 40°10’N. latitude. The specific catch limits we are proposing are described in Table 3.

Table 3. Proposed harvest specifications (mt) for Washington nearshore groundfish stocks.

Stock/Stock Complex	OFL		ABC		ACL	
	2017	2018	2017	2018	2017	2018
Black Rockfish (WA)	319	315	305	301	305	301
China Rockfish (WA)	9.63	9.29	8.79	8.48	8.79	8.48
Minor Nearshore Rockfish Complex (N. of 40°10') ¹	118	119	105	105	105	105
Cabezon (WA)	4.5	4.8	3.8	4	3.8	4
Kelp Greenling (WA)	7.1	7.1	5.9	5.9	5.9	5.9

¹Includes: black and yellow, blue (CA), blue (OR/WA), brown, calico, China, copper, gopher, grass, kelp, olive, quillback, and treefish rockfish.

Allocations and Harvest Guidelines for Canary Rockfish

In September 2015, the Council heard from a couple of sectors—namely IFQ shorebased trawl and recreational—that they wanted to have midwater targeting opportunities in 2017 and 2018, which they had not been able to access for over a decade due to potential canary rockfish bycatch. In response, the Council identified preliminary canary rockfish allocation alternatives, attempting to cover a range of scenarios that included historical periods when canary rockfish represented a target species to present. The initial analyses for these alternatives are described in [Agenda Item F.6, Attachment 2](#), including the sector-specific annual mortality levels from 1990-2014. In reviewing these sector-specific catches, there does not appear to be an “ideal” base period when canary rockfish represented a target species across all sectors simultaneously. Rather, the highest catches for shoreside trawl and nearshore were in 1990-1992 (i.e., prior to limited entry), 1999 for catcher-processor, 2004 for mothership, 1997-1998 for non-nearshore, and in varying years for the recreational fisheries by state.

In an attempt to be responsive to the comments we heard from the IFQ shorebased trawl and recreational sectors while also recognizing that all sectors will likely have higher unavoidable catches of canary rockfish in 2017 and 2018 than they did previously due to higher abundance, WDFW would like to propose the two-year allocation scenario described in Table 4 below as an alternative for the Council’s consideration.

Table 4. WDFW proposed canary rockfish allocation alternative (mt) for 2017 and 2018.

Off-the-Top Deductions		
	Tribal	35
	EFP	1
	Research	7.5
	OA Incidental	1.5
Trawl		
	CP Set Aside	16
	MS Set Aside	30
	Shorebased Trawl IFQ	950
Non-Trawl		
	Non-Nearshore	15
	Nearshore	50
	WA Recreational	20
	OR Recreational	40
	CA Recreational	60
Total		1226

In developing this proposal, we considered the several factors with the primary objective being consistency with the goals of the FMP and achieving a “fair and equitable” sharing of canary rockfish. Our approach and the factors we took into account are described as follows:

- Because canary rockfish is caught in every groundfish fishery (as well as incidentally in some non-groundfish fisheries), we tried to structure the alternative to ensure that all of the sectors would be likely to achieve most, if not all, of their respective target species (i.e., we did not want canary rockfish to be a constraining stock for any sector). While the proposed alternative allocates the majority of the canary rockfish to the IFQ shorebased trawl sector, we did not want to hamper the ability of the at-sea whiting, fixed gear, and recreational sectors to achieve their respective harvests of their target species. However, we also wanted to provide an amount to the IFQ sector that would provide a meaningful harvest opportunity and the ability to access healthy stocks, such as widow and yellowtail rockfish. Overall, we attempted to project the amount needed for the at-sea and non-trawl sectors first, then provided the balance to the shoreside trawl—then, circled back to assess whether the amount proposed for trawl would be “meaningful.”
- In projecting the amounts of canary rockfish that may be needed to accommodate current harvest strategies, one of the factors considered was the amount of effort in the various sectors when high catches of canary rockfish were achieved (e.g., in the early 1990s) compared to the recent levels of effort. For example, there were 444 participants in the shoreside trawl fishery in 1990 as compared to 95 in 2015. Similarly, there were 37,214 bottomfish-directed angler trips in the Washington recreational fishery in 1994 compared to 27,255 bottomfish trips in 2015.

- In assessing whether the amount remaining for shoreside trawl would provide for a “meaningful” midwater harvest opportunity, we reviewed the ratios of canary, widow, and yellowtail rockfish caught during our midwater trawl exempted fishery in 2002 and compared those catch rates to the proposed ACLs and allocations for those stocks under this action. In short, our estimates indicate that yellowtail rockfish would actually be the harvest constraint if the shoreside trawl fishery harvested the entire yellowtail ACL of 6,196 mt, and that the proposed canary rockfish shoreside trawl allocation would accommodate a midwater shelf rockfish harvest opportunity.
- The non-trawl sectors are primarily constrained by the rockfish conservation areas (RCAs) in place to facilitate the rebuilding of yelloweye rockfish. These RCAs will be in place for 2017 and 2018 and are likely to remain for several years (i.e., the yelloweye rockfish T_{Target} rebuilding year is 2076). Therefore, allocating amounts of canary rockfish to non-trawl sectors above what they could reasonably access would likely strand fish.
- There is potential of setting a precedent with this allocation proposal and then encountering difficulty in taking fish away from a sector (e.g., trawl) to reallocate it to another sector (e.g., fixed gear) in the future. This is always a challenge when considering reallocation; however, we believe the Council intended for the allocation of canary rockfish to be temporary in nature when it deliberately excluded it from the long-term allocations considered under Amendment 21 and, as mentioned above, it is unlikely this bridge will present itself until yelloweye rockfish are rebuilt. However, WDFW is proposing this allocation as a temporary approach with the intent of revisiting it in the future, if/when the Council deems appropriate.

Given all of these factors, WDFW believes that this proposed allocation alternative is consistent with all of the goals of the FMP, and especially the economic and utilization goals.

Trawl Rockfish Conservation Area (RCA) Modification (North of 40°10’N. latitude)

WDFW recommends removing the trawl RCA closure north of Cape Alava, Washington (48°10’N. latitude) and extending the shoreward and seaward RCA boundaries north of 40°10’N. latitude to the U.S./Canada border. This trawl RCA closure has been in place since 2007 and has significantly hampered the trawl fishery’s ability to efficiently access healthy groundfish stocks, such as lingcod, sablefish, and yellowtail and widow rockfish. Given its location at the northernmost area of the Exclusive Economic Zone (EEZ), this RCA closure has contributed to a further decline in groundfish landings into Washington ports. While productive fishing grounds are still available adjacent to this closure, it is not economical to fish the area around the closure given the distance from shoreside ports.

This RCA closure was developed and proposed as an inseason measure in March 2007 with the intent of protecting canary rockfish (see [Agenda Item E.5.b, Supplemental GMT Report, March 2007](#)). At the time, it was estimated that the trawl fishery would harvest 20 mt of canary rockfish in that calendar year and, in combination with the non-trawl harvest, the canary rockfish

optimum yield (i.e., annual catch limit) would be exceeded. Subsequently, it was thought that this closure likely benefited other rebuilding rockfish stocks, such as widow and yelloweye rockfish, as well.

Given that the trawl fishery is now managed under a catch share program with individual accountability, canary and widow rockfish stocks are rebuilt, and the unlikelihood of trawlers encountering high levels of yelloweye rockfish while targeting midwater stocks or avoiding rocky habitat, WDFW believes that removing the RCA closure north of Cape Alava is warranted.

In summary, as we mentioned above, we understand that the Council will be considering groundfish biennial management measures, including allocation, set asides, and RCA revisions under Agenda Item F.6, we wanted to provide our thoughts on these items under F.3 to give the Council, advisory bodies, and the public the full picture relative to our recommendations.