

GROUND FISH ADVISORY SUBPANEL REPORT ON OMNIBUS GROUND FISH WORKLOAD PLANNING

The Groundfish Advisory Subpanel (GAP) received a presentation from Ms. Kelly Ames, Mr. Jim Seger and Mr. John DeVore about Omnibus prioritization.

The GAP has summarized its comments and proposed actions – whether to remove an issue or leave it on the list and whether it’s a high or low priority on a modified Table 3 from [Agenda Item G.6, Attachment 2](#). We also provide comments on the two proposed ad hoc committees. Comments relating to specific issues, including new measures we suggest be added to the list, are below.

GAP Priorities

Recognizing only a handful of measures may make it through the process in the next two years, we prioritize our recommendations below for quick reference, in order of priority. Details about each are discussed in subsequent sections. The common aspect to each of these is that they remove needless constraints and also help all sectors of the industry. We recommend moving forward with whichever one or combination of the three deemed the most probable to be achieved and provide the most widespread benefits:

- Harvest policy “ramp up” (new measure)
- Green light policy (new measure)
- #47 and #60, Analysis of Multi-year Catch Policy and #60, Resolve Long-term Non-whiting Surplus Carryover Provision

The remaining four are in no particular order:

- #65, Eliminate the prohibition on at-sea whiting processing S. of 42°
- #57-59, Midwater fishery/trawl gear configurations (combine these into one measure, redefine and retitle)
- #54-55, Allow between sector trading of quota pounds (combine into one measure, redefine and retitle)
- #48, Create 60-mile bank RCA lines

Harvest Policy “ramp up”

Under current Council harvest policy, when a stock drops below its harvest target (e.g., 40% for most roundfish and 25% for flatfish) the stock enters a precautionary zone where harvest levels are lowered (“ramped down”) to slow stock depletion from crossing into the overfished zone. This is generally known as the 40:10 policy. Several years ago, the Council adopted the 40:10 policy to adjust the acceptable biological catch (ABC) downward for any species of groundfish when a stock assessment indicated that the current biomass was below the target harvest level of unfished biomass. This policy at its extreme would set the ABC at a value of zero if the biomass was to fall to 10% (for roundfish) or 5% (for flatfish) of unfished. By adjusting the ABC downward, this policy automatically has a built-in rebuilding component to bring the biomass back toward the

target harvest level.

The GAP recommends exploration of a policy in which harvest levels are slowly ramped up after a stock crosses back into the precautionary zone. This would require amending the Council's current rules for overfished stocks. Under the current policy, when a stock is declared overfished, a rebuilding plan is developed and the rebuilding plan dictates harvest levels until the stock rebuilds to its target biomass. In contrast, it is the GAP's understanding that NMFS considers any stock to be no longer overfished once the stock is above the overfished threshold.

For example, the National One Standard Guidelines state that ABC for an overfished stock must be set consistent with the rebuilding plan: "(f) Acceptable biological catch, annual catch limits, and annual catch targets... (3) Specification of ABC... (ii) ABC for overfished stocks. For overfished stocks and stock complexes, a rebuilding ABC must be set to reflect the annual catch that is consistent with the schedule of fishing mortality rates in the rebuilding plan." However, the GAP notes that once a stock crosses back above the overfished threshold, then that stock is no longer overfished.

Therefore, the GAP thinks the Council has self-imposed a restriction beyond the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). That is, restricting harvest to rebuilding plan levels until the stock has reached its target biomass is more proscriptive than required by the MSA. The GAP suggests the Council discontinue the use of a rebuilding plan once a stock is no longer overfished, and in its place implement the use of the 40:10 policy for any stock above the overfished threshold and below the target biomass. This "ramp up" policy would allow increased harvesting opportunities once a stock crosses back above the overfished threshold.

Green light policy

The GAP initiated this discussion in June 2015, when the canary rockfish assessment showed the stock was rebuilt. The issue was addressed in our [June inseason statement](#) because there was no other agenda item under which it could be addressed. Our hope was that annual catch limits (ACLs) for canary could be increased in 2016 (mid-biennium); however, we discovered there was no mechanism in place to do this without emergency action that was not timely and burdensome to staff. As such, an increase in the ACL could not be accomplished and an ACL increase was delayed for a year until it could be addressed in the current biennial harvest specifications and management cycle. Later in the year it was determined a green light policy change would require too much workload to accomplish for the 2017-18 management cycle, even though the ACLs could be increased under established management measures. We suggested in our [November 2015 statement](#) the green light policy be removed from the specifications package and moved to the Omnibus list. Consequently, we request it be included in the top three items of the new Omnibus list.

This is high on our list for a number of reasons. Some examples of those include:

1. A higher ACL in 2016 (and subsequent year) may have allowed the F/V Seeker to cover its disaster tow in late 2016 and continue fishing in 2017.
2. Nearshore fishermen in California could have increased their limits of other target species without the constraints of canary.
3. Sport fishermen in California could have accessed other areas or increased the bag limits

with a higher canary ACL.

4. All groundfish sectors would benefit by a green light policy.

This issue becomes especially important as two species – darkblotched and bocaccio rockfish – may be rebuilt soon.

Comments on specific Omnibus items

#47, Analysis of Multi-year Catch Policy and #60, Resolve Long-term Non-whiting Surplus Carryover Provision

The GAP recommends combining these into one measure and moving forward with them only if changes in the MSA or National Standard 1 guidelines would allow for these provisions to work.

#54, Allow Between Sector Transfer of Unneeded Overfished Species and #55, Allow Between Sector Transfer of Rockfish from Individual Fishing Quota (IFQ) to Mothership (MS)

The GAP supports both of the measures and suggests combining them into one issue, redefining the measure and changing the title so it reflects a broader measure to address the needs of all trawl sectors – shoreside and at-sea – from any constraining species, not just overfished species. We suggest the title “Allow between sector trading of quota pounds.”

#57, Year Round Whiting Season and Other Season Date Modifications; #58, Remove Certain Midwater Area-Management Restrictions; and #59, Remove Certain Restrictions on Trawl Gear Configuration (Gear Regs Update II)

The GAP supports these measures and suggests combining them into one measure, redefining the issue and changing the title to more accurately reflect what the industry is asking. The crux of the issue is a non-whiting midwater fishery: shoreside trawlers would like to fish midwater rockfish year-round, both north and south of 40° 10’ N. latitude. We note the whiting fleets are not interested in a year-round whiting season.

In other words, we suggest separating the non-whiting midwater fishery from the whiting fishery and whiting season structure. Currently, the only way a midwater trawler can target rockfish is when the primary whiting season is open, and only north of 40° 10’ N. latitude. Disassociating the two would allow the non-whiting midwater trawlers to target rockfish outside of the primary whiting season and in both management areas. We suggest the title, “Year-round non-whiting fishery for midwater target species.”

The GAP suggest eliminating the following three items from #59 – 1) allowing targeting of whiting with non-midwater trawl gear; 2) eliminate the distinction between midwater whiting and midwater non-whiting trips; and 3) eliminate the distinction between midwater and bottom trawl gear – because conditions no longer warrant changing these distinctions due to interaction with other groundfish issues.

The Omnibus table

We've summarized our recommendations in a modified Table 3 from [Agenda Item G.6, Attachment 2](#). Any that are listed as **high** priority are in bold; the others are listed as low priority. In addition, we make some recommendations for items to be removed. However, the six measures listed on Page 1 remain the GAP's top priorities.

Table 3 (modified). Candidate Items for Prioritization in September. This list contains the unprioritized list of potential groundfish management measures, based on the September 2014 omnibus list and additions that have occurred since that list was first compiled.

2016 #	Short Title		Combine with?	GAP priority and comments (Leave on/take off list; high /low priority; comments)
43	Rebuilding Revision Rules (signal vs. noise)			Leave on list; High priority
44	Further Consideration for Reorganizing Stock Complexes			Leave on; low priority
45	Ecosystem Port Sampling White Paper		46	Leave on; low priority
46	Further Consideration for Ecosystem Component Species		45	Leave on; low priority
47	Analysis of a Multi-Year Average Catch Policy		60	Leave on; high priority <i>unless</i> there is a change to MSA or NS1 guidelines; combine with #60
48	Create 60-Mile Bank RCA Lines			Leave on; high priority
49	Groundfish Conservation Areas for Rougheye Rockfish			Leave on; low priority
50	New Dressed to Round Conversion Factors for Sablefish		63	Leave on; high priority. Doesn't seem like a lot of work to analyze and implement; combine with 63.
51	Eliminate Permit Size Endorsements			Leave on; low priority
52	Seabird Avoidance Devices for Vessels less than 55 feet			Leave on; low priority
53	Move the Seaward Non-Trawl RCA Line Closer to Shore for Pot Vessels			Leave on; low priority
54	Allow Between Sector Transfer of Unneeded Overfished Species		55	Leave on; high priority. Combine #54 with #55, change

55	Allow Between Sector Transfer of Rockfish from IFQ to MS		54	the title to reflect a broader measure to address the needs of all sectors resulting from any constraining species. We suggest the following title: “Allow between sector trading of quota pounds”
56	Revise Length of Time Required for the Trawl Fleet to Retain Records			remove
57	Year Round Whiting Season and Other Season Date Modifications		58, 59	Leave on; high priority. Combine 57, 58, 59, and change the title and description to reflect the changes requested. Suggested title: “Year-round non-whiting fishery for midwater target species”
58	Remove Certain Midwater Area-Management Restrictions		57, 59	
59	Remove Certain Restrictions on Trawl Gear Configuration (Gear Regs Update II)		57, 58	
60	Resolve Long-term Non-Whiting Surplus Carryover Provision		4 7	Leave on, high priority; do only if a change in MSA or NS1 guidelines permit
61	Carryover when Management Units Change			Leave on, low priority
62	Allow Trading of Previous Year Quota Pounds in Current Year			Leave on, low priority.
63	Discard Survival Credit for Lingcod and Sablefish (<i>specific to IFQ</i>)		50	Leave on, high priority; combine with 50
64	Require Posting of First Receiver Site Licenses			Remove
65	Eliminate the Prohibition on At-Sea Processing S. of 42°			Leave on; high priority.
66	Discard Mortality Rates for Commercial Nearshore Fisheries		6 9	Leave on; high priority. Combine with #69
67	Commercial Gear Restriction for Targeting Flatfish in CA			Remove
68	Retain Halibut in the Sablefish Fishery (South of Pt. Chehalis)			Leave on; low priority
69	Discard Mortality Rates for the Recreational Fisheries		66	Leave on; high priority. Combine with #66
70	50 fm Depth Restriction (WA and OR)			Leave on; low priority

Measures to be added to the Omnibus list

In addition to adding the harvest policy “ramp up” and green light policy measures above, the GAP supports adding the following item.

Process for moving EFPs into regulation

The GAP requests the Council ask the Groundfish Management Team (GMT) and Scientific and Statistical Committee (SSC) to advise exempted fishing permit (EFP) applicants on how much data is needed or what specific data is needed to move the EFP into regulation. The GAP also suggests the SSC fast-track its decision in lieu of the inability to tell the applicants where the threshold would be on whether enough data has been gathered to inform the renewal of an EFP in a subsequent year. The GAP understands this is an issue that is not limited solely to the groundfish sector, but to other sectors as well. It may well be better suited to a Council Operating Procedure (COP).

Ad hoc committees

Limited Entry (LE) Fixed Gear Sablefish

For the LE FG sablefish, the GAP suggests deferring the creation of an ad hoc committee until a future time. Fishermen would like to get some preliminary information first, which would help the GAP determine whether to support formation of an ad hoc committee.

The GAP requests the Council staff provide information by September 2016, if possible, that includes:

- The number of active and latent permits for the zero tier fishery, both north and south (using 2010-2015 history)
- The total sablefish catch of active permits, north and south of 36° N. latitude, between 2010 and 2015.
- Estimates of the quota a zero tier would have received if
 - every permit receives an equal allocation of the 15% allocated to the DTL fishery (based on 2016 allocations)
 - permits with northern sablefish history (2011-2015) receive an equal allocation
- Information on the distribution of northern sablefish history among permits, while preserving confidentiality by grouping permits (2011-2015).

Nearshore ad hoc committee

The GAP is uncertain about the relevancy of this committee but supports the seats identified in the report under this agenda item if the Council chooses to proceed with this committee.

PFMC
06/26/16