

GROUND FISH ADVISORY SUBPANEL REPORT ON FINAL ACTION ON
INSEASON ADJUSTMENTS

The Groundfish Advisory Subpanel (GAP) met with the Groundfish Management Team (GMT) to discuss progress of this year's fishery and possible inseason adjustments. The GMT discussion was led by Ms. Jessi Doerpinghaus, Washington Department of Fish and Wildlife, Mr. Patrick Mirick, Oregon Department of Fish and Wildlife and Mr. Andre Klein, California Department of Fish and Wildlife. The GAP offers the following recommendations and comments on proposed inseason adjustments to ongoing groundfish fisheries.

Fixed Gear Lingcod

Open Access Fixed Gear Lingcod Fishery North of 40° 10' N. Latitude

Current trip limits: 100 lbs. monthly for Jan/Feb/March/April
600 lbs. monthly for May thru November
100 lbs. for December

The GAP received multiple requests from northern fixed gear fishermen exploring the possibility of increasing the lingcod trip limits especially for the winter months to facilitate the market demand. Increasing the trip limits would also reduce regulatory discards as fishermen have been encountering increasing numbers of lingcod.

Having reviewed the trip limit options contained in the GMT statement, the GAP supports:

Alternative 2

Limited Entry Fixed Gear Lingcod Fishery North of 40° 10' N. Latitude

Current trip limits: 200 lbs. bimonthly for Jan thru April
1200 lbs. bimonthly for May thru October
600 lbs. for November
200 lbs. for December

Having reviewed the trip limit options contained in the GMT statement, the GAP supports:

Alternative 2

Open Access Fixed Gear Lingcod Fishery South of 40° 10' N. Latitude

Current trip limits: 100 lbs. monthly for Jan/Feb
Closed March/April
400 lbs. monthly for May thru November
100 lbs. for December

The GAP has received multiple requests dating back to the previous specs cycle from southern fixed gear fishermen exploring the possibility of increasing the lingcod trip limits especially for the winter months to facilitate the market demand. Increasing the trip limits would also reduce regulatory discards as fishermen have been encountering increasing numbers of lingcod.

Having reviewed the trip limit options contained in the GMT statement, the GAP supports:

Alternative 2

Limited Entry Fixed Gear Lingcod Fishery South of 40° 10' N. Latitude

Current trip limits: 200 lbs. bimonthly for Jan/Feb
Closed March/April
800 lbs. bimonthly for May thru October
400 lbs. for November
100 lbs. for December

Having reviewed the trip limit options contained in the GMT statement, the GAP supports:

Alternative 2

Non-trawl RCA

Representatives from the fixed gear industry have requested that the RCA line from 34° 27' N. Latitude to 40° 10' N. Latitude be moved from 30 fathoms out to 40 fathoms. This would provide better opportunity to nearshore longline fishermen that are restricted in waters within one nautical mile of the shore under California Department of Fish and Wildlife (CDFW) regulations. The opportunity to fish in deeper water would allow fixed gear fishermen to access more valuable species such as vermilion rockfish. This 40 fathoms rockfish conservation area (RCA) line request was analyzed under the 2017/2018 specifications package.

The GAP supports moving the shoreward RCA line from 30 fathoms out to 40 fathoms thus creating an RCA from 40 fathoms to 125 fathoms between 34° 27' N. Latitude And 40° 10' N. Latitude.

At-Sea Whiting Sectors

The GAP considered the information and analyses developed by the GMT to inform Council consideration about releasing fish from the rockfish buffers to the Mothership (MS) and Catcher-Processor (CP) cooperatives. The Council established the rockfish buffers to provide an ability to respond to unforeseen catch events. The bycatch encounter rates are far and above the projected rates analyzed in the 2017-2018 specifications, especially for the CP sector. The MS sector has also had high bycatch events and closed Pool 1 prematurely. Council discussion in March and April 2017 was informed by similar bycatch projections used in the 2017-2018 specifications, which were biased low because of the fishery's past practices to avoid fishing in more northern areas with a higher prevalence of slope rockfish species. At the April 2017 meeting, the Council clearly recognized that if the at-sea whiting sectors were to avoid Klamath area salmon then the fleets would need to fish in those northern areas and anticipated that rockfish encounters would increase. For these reasons, the Council acted to recommend National Marine Fisheries Service (NMFS) provide additional Pacific ocean perch (POP) to the at-sea sectors and request the GMT prepare an analysis to support future releases of POP, darkblotched rockfish, and canary rockfish as necessary. Fishing performance in the at-sea sectors since May 15th has, generally, met the expectations discussed by the Council. That is, while target species catch rates have been positive, bycatch rates of rockfish have been higher than projected in the 2017-2018 specifications analysis. Therefore, the sum of this information supports providing additional rockfish from the buffers to the at-sea whiting sectors. The GAP recommends release of the full amounts for darkblotched rockfish (50 mt) and POP (25 mt) to the at-sea whiting sectors as soon as possible. The GAP also requests the Council consider release of canary rockfish from that buffer because this would provide at-sea whiting fishery participants additional flexibility in fishing on the slope and shelf in their efforts to catch their whiting allocations while minimizing, to the extent practicable, bycatch of rockfish and salmon. Additional rationale for the action, including why it is consistent with the groundfish FMP is attached as an appendix.

Appendix to June 2017 GAP Inseason Management Report

Rationale for Release of Rockfish Buffers to the At-Sea Whiting Sectors:
Consistent with the Groundfish Fishery Management Plan (FMP), Informed by the Best
Available Information, and the Need for Urgent and Timely Action

1. Consistent with the allocation framework in the FMP (Section 6.3.1)

Per the FMP's Allocation Framework, "[t]he distribution of the whiting trawl allocation of [rockfish species with allocations] to individual whiting sectors will be done pro rata relative to the sectors' whiting allocation." The current regulations state "When recommending adjustments to the non-tribal deductions [that is, the current Council action], the Council shall consider the allocation framework criteria outlined in the PCGFMP and the objectives to maintain or extend fishing and marketing opportunities taking into account the best available fishery information on sector needs." Consistent with the FMP's allocation criteria about dependence on and economics of the fishery, release of additional rockfish to the at-sea sectors would support fishery participants that are heavily dependent on the whiting fishery and promote economic benefits to those fishery participants. It would also be consistent with the FMP's Allocation Framework to release rockfish from the buffers because it would help the Council achieve potential biological yield for the rockfish species and the whiting fishery. Finally, the action would be consistent with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) goals and objective and, as noted below, the groundfish FMP; both of which are also included in the FMP's Allocation Framework.

2. Consistent with the goals and objectives of the FMP (Section 2.1)

Providing additional fish from the buffers is consistent with and will promote achievement of the FMP's Management Goals, notably Goal 2 (Economics) and Goal 3 (Utilization). The action would fit within the FMP's Conservation Objectives because overall harvest will not exceed the annual catch limits (ACLs). The action would be consistent with the FMP's Economic Objectives, most notably Objective 1 – "attempt to achieve the greatest possible net economic benefit to the nation from the managed fisheries." The action would also be consistent with the FMP's Utilization Objectives, most notably Objective 9 – "Develop management measures and policies that foster and encourage full utilization (harvesting and processing), in accordance with conservation goals, of the Pacific Coast groundfish resources by domestic fisheries." Finally, the action is consistent with the Social Factors identified in the FMP, notably Objective 14 – "When considering alternative management measures to resolve an issue, choose the measure that best accomplishes the change with the least disruption of current domestic fishing practices, marketing procedures, and the environment" and "Objective 16 – Consider the importance of groundfish resources to fishing communities, provide for the sustained participation of fishing communities, and minimize adverse economic impacts on fishing communities to the extent practicable."

3. Informed by recently available fishery information, particularly things we didn't know at the March and April Council meetings

The bycatch encounter rates are far and above the projected rates analyzed in the 2017-2018 specifications, especially for the CP sector. The MS sector had high bycatch events and closed Pool 1 prematurely. Council discussion in March and April 2017 was informed by similar bycatch projections used in the 2017-2018 specifications, which were biased low because of the fishery's past practices to avoid fishing in more northern areas with a higher prevalence of slope rockfish species. At the April 2017 meeting, the Council clearly recognized that if the at-sea whiting sectors were to avoid Klamath area salmon then the fleets would need to fish in those northern areas and anticipated that POP and darkblotched encounters would increase. For these reasons, the Council acted to recommend NMFS provide additional POP to the at-sea sectors and request the GMT prepare an analysis to support releases of POP, darkblotched rockfish, and canary rockfish as necessary. Fishing performance in the at-sea sectors since May 15th has, generally, met the expectations discussed by the Council. That is, while target species catch rates have been positive, bycatch rates of rockfish have been higher than projected in the 2017-2018 specifications analysis. Therefore, the sum of this information supports providing POP and darkblotched rockfish from their respective buffers to the at-sea whiting sectors.

4. Urgency in facilitating a regulatory change (e.g. transfer of POP from the buffer), because a notice and comment rule (e.g. 6+ months) would prevent us from achieving the goals and objectives in the FMP

The urgency of the need for additional POP and darkblotched rockfish is clear. Current encounter rates with these species are high. It is highly likely (if not inevitable) that both the CP and MS sectors will achieve their respective current allocations of rockfish well before their respective whiting allocations will be caught. Delay in releasing fish set aside for the distinct purpose of providing relief from this type of situation is not warranted. Any delay, beyond the normal Routine Management rulemaking timeframe, will be highly disruptive to the at-sea whiting sectors. If additional rockfish amounts are not provided as soon as possible, then the Council will not achieve the FMP Goals regarding economic benefit and full utilization.

5. Supported by analytical basis for the amount of buffer that the at-sea sectors are requesting, including discussion based on the allocation framework outlined in the FMP

The GMT analysis clearly shows that the current rockfish allocations are likely to result in premature closure of the at-sea whiting sectors. The at-sea whiting sector participants are requesting a release of 25 mt from the POP buffer and 50 mt from the darkblotched rockfish buffer. While the GMT analysis appears to indicate that each at-sea sector might not close prematurely if smaller amounts are made available, smaller amounts would be highly disruptive for the at-sea sectors cooperatives. While a specific sector might appear to have sufficient amounts of rockfish, the seasonal pool structure of the MS fishery and the individual member company and vessel allocations within the CP sector means that smaller releases of rockfish buffer would prematurely closure MS seasonal pools and end the season of CP member companies. Moreover, release of the buffer in one action will result in less NMFS workload

because the action would be implemented via one inseason rulemaking. Therefore, the negative economic and workload consequences of smaller releases are compelling reasons to release the full buffer amounts at this time.

PFMC
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