

GROUND FISH MANAGEMENT TEAM REPORT ON FINAL ACTION ON  
INSEASON ADJUSTMENTS

The Groundfish Management Team (GMT) reviewed the latest information on the status of the Pacific coast groundfish fisheries and provides the following comments and recommendations.

Action Items

Sablefish Daily Trip Limit (DTL)

Table 1 shows the projected landings (mt) and percent attainment for limited entry north of 36° North latitude (N. lat.) (LEN), open access north of 36° N. lat.(OAN), limited entry south of 36° N. lat. (LES), open access south of 36° N. lat. (OAS) for the daily trip limit fisheries (DTL) with data through September 15, 2017. Landings have been tracking lower than usual due to poor weather, salmon fishing opportunities in the north, and difficulty finding fish in the south.

**Table 1: DTL Projected Landings and Attainment by Sector**

<b>Sector</b>	<b>Projected Landings (mt)</b>	<b>Landing Target (mt)</b>	<b>Attainment(%)</b>
LEN	184-194	258	71.4-75.5
OAN	299-326	425	70.4-76.8
LES	169-219	728	23.3-30.2
OAS	78.3	312	25.1

Based on the low attainment, the Groundfish Advisory Subpanel (GAP) requested that the GMT look at trip limit increases for LEN and OAN. Table 2 shows the alternative trip limit proposals for Council consideration.

**Table 2: Alternative Trip Limits for LEN and OAN**

Sector	Alternative	Trip Limit
LEN	Status Quo	1,100 lbs/week, not to exceed 3,300 lbs/2 months
	Alternative 1	1,500 lbs/week, not to exceed 4,500 lbs/2 months
OAN	Status Quo	300 lbs daily, or 1 landing of per week of up to 1,000 lbs, not to exceed 2,000 lbs/2 mo
	Alternative 1	300 lbs daily, or 1 landing of per week of up to 1,300 lbs , not to exceed 2,600 lbs/2 mo

Table 3 below shows the projected landings and attainment by Alternative assuming that the trip limits were in place as of mid-October, which is likely the earliest date for implementation after consultation with NMFS staff. After discussions with the GAP, **the GMT recommends that Alternative 1 for both LEN and OAN be implemented as soon as possible.**

**Table 3: Projected landings and attainment by alternative and DTL sector**

Sector	Alternative	Projected Landings (mt)	Landing Target (mt)	Attainment (%)
LEN	SQ	184-194	258	71.4-75.5
	1	193.9-206.9		75.2-80.2
OAN	SQ	299-326	425	70.4-76.8
	1	321-374		75.5-88.0

### Status of Recreational Fisheries in Oregon and California

The GMT was briefed by the California and Oregon state representatives on the status of their recreational fisheries. Recreational fisheries in both states have and are experiencing higher than expected mortality for certain species. This is likely the result of higher than expected effort and favorable weather conditions which were experienced in recent months. This has resulted in projected or actual impacts that approach and/or exceed relevant allowable harvest limits. As a reminder, the state of Oregon can take action through state processes to make inseason changes to the recreational fishery; California relies upon modifications to the federal rule, either through Council action or the inseason process outside of a Council meeting, as described in the Groundfish Fishery Management Plan (FMP).<sup>1</sup>

<sup>1</sup> For actions outside of a Council meeting, the Regional Administrator, NMFS West Coast Region, after consultation with the Chairman of the Pacific Fishery Management Council and the Fishery Director of the California Department of Fish and Wildlife, or their designees, is authorized to modify the designated routine management measures. Action

## Oregon

On September 17th, Oregon, through state action, closed their recreational groundfish fishery for all species except for flatfish. This closure is intended to prevent recreational overages of their state harvest guidelines (HG) from reducing opportunity to the Oregon commercial nearshore fishery, and to ensure the total recreational and commercial removals do not exceed the Oregon annual catch limits (ACLs) for black rockfish and cabezon ([Agenda Item E.10.a., Supplemental ODFW Report 1](#); Table 2). The Oregon recreational fishery also exceeded their Federal harvest guideline (HG) of yelloweye (projected 3.15 mt through August, out of 3.0 mt HG). The closure is causing considerable disruption to the fishery and negative economic impacts to communities through the loss of tourism, particularly for fishery charter businesses.

The Oregon Department of Fish and Wildlife (ODFW) is considering re-opening the Oregon recreational fishery, through state rule, on October 1st seaward of the 40 fathom regulatory line. The options for this reopening including allowing fishing for all bottomfish, except cabezon and black rockfish, or allowing fishing for all bottom fish, except for cabezon, black rockfish, nearshore rockfish, and lingcod. According to Table 1 in [Supplemental ODFW Report 1](#), only 1.5 mt of black rockfish would accrue under any of the options under consideration, less than 0.2 mt for the Nearshore Rockfish Complex North of 40°10 N. latitude, and 2.0 mt of cabezon. Any of the options would provide additional opportunity to target healthy and underutilized deeper water stocks, while helping to avoid nearshore species.

In order to proceed with either re-opening option, the Council needs to provide guidance to ODFW regarding the level of acceptable yelloweye rockfish mortality necessary to keep the mortality from all sectors within the yelloweye ACL. Per modeling conducted by ODFW, the proposed reopening outside of 40 fathoms (fm) could result in up to an extra 0.5 mt of yelloweye rockfish impacts for a total of 3.8 mt (3.3 mt current year-end estimate with the closure, plus the additional 0.5 mt) of yelloweye for the Oregon recreational fishery.

## California

The GMT was informed of higher than anticipated yelloweye rockfish mortality in the California recreational fishery. The California Department of Fish and Wildlife (CDFW) report ([Agenda Item E.10.a., Supplemental CDFW Report, September 2017](#)), indicates that 3.59 mt of projected mortality has accrued through September 10th. If the recreational fishery were to proceed under the status quo 2017 season structure, the California recreational HG (3.9 mt) is projected to be exceeded by 0.6 mt (Table 4). If the fishery were closed in October (CA Alternative 1), mortality would be expected to be within the HG of 3.9 mt; however, adverse economic impacts would occur.

Based on requests from the GAP, the GMT analyzed two inseason alternatives for the California season structure: (1) CA Alternative 2- implement 2016 depth restrictions in all management areas north of Point Conception from October through December, and (2) CA Alternative 3- implement a 20 fathom depth restriction in all management areas north of Point Conception, from October through December. (See Attachment 1 for season structures.) The GMT would also note that

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can only be taken if a California state-specific federal harvest limit specified in regulation is attained or projected to be attained prior to the first day of the next Council meeting.

industry has expressed that time on the water is most important, in other words, they would prefer season length over depth.

**Table 4: Projected yelloweye rockfish mortality in the California recreational fishery.**

<b>Alternatives</b>	<b>Season Structure</b>	<b>YE Mortality</b>
CA No Action	2017 Season Structure	4.5
CA Alternative 1	Closure in October	3.9
CA Alternative 2	2016 Depth through Dec 31	4.2
CA Alternative 3	20 fm through Dec 31	4.1

### **Updated Yelloweye Rockfish Projections**

The GMT updated the overfished species scorecard to reflect current projections for yelloweye rockfish (Attachment 2). This includes updates to off-the-top deductions and recreational sectors based on no action (i.e., Oregon remains closed and California keeps current season structure). There is currently a 1.3 mt residual in the scorecard taking into consideration the overage from both Oregon and projected overage in California under status quo season structure. Even with the overages projected for both states, there is 0.4 mt that was not allocated at the beginning of the biennium, research projections are 0.9 mt lower than the off-the-top deduction, and the incidental open access sector was projected at 0.1 out of 0.4 mt based on the 2016 Groundfish Mortality report and assumed trace amount from the directed Pacific halibut fishery.

Unlike when the Council moves off-the-top deductions to the trawl sectors inseason, the Council can “allocate” remaining off-the-top deductions to non-trawl sectors, although the amounts would not change in regulations. In essence, if the ACL is not projected to be exceeded, the Council could choose to allow the recreational sectors to continue to operate as planned and exceed the HG or provide guidance to operate within a recommended amount.

### **Risk to the ACL**

In addition, the GMT examined projected yelloweye rockfish mortality under two scenarios for the Oregon and California recreational fisheries along with projections for the remaining fisheries to assess the risk to the ACL (Table 5). The “Low Impact Scenario” assumes the Oregon recreational fishery remains closed and California Alternative 1, which would close the fishery when their HG is projected to be attained (lowest impacts possible). The “High Impact Scenario” assumes Oregon recreational fisheries re-open October 1 seaward of the 40 fathom line (all species, except black rockfish and cabezon; OR Option 1) and status quo 2017 season structure in California (highest impacts possible). These are intended to provide the “bookends” of potential yelloweye rockfish impacts. While the GMT normally sets projected impacts for the shoreside

IFQ fishery at the allocation, the GMT believes that it is more likely that the sector will take 0.1 mt, as it has in recent years.

**Table 5: Projected yelloweye rockfish end of the year impacts based on the "low impact scenario" and the "high impact scenario"**

		<b>Low Impact Scenario</b>	<b>High Impact Scenario</b>
<b>Date: 16 Sept 2017</b>	<b>Allocation</b>	<b>Projected Impacts</b>	<b>Projected Impacts</b>
Off the Top Deductions	5.4	4.2	4.2
Additional Buffer			
EFP	0.030	0.030	0.030
Research	2.7	1.8	1.8
Incidental OA	0.4	0.1	0.1
Tribal	2.3	2.3	2.3
Bottom Trawl		0.0	0.0
Troll		0.0	0.0
Fixed gear	2.3	2.3	2.3
mid-water whiting		0.0	0.0
Trawl Allocations	1.1	0.1	0.1
-SB Trawl	1.1	0.1	0.1
-At-Sea Trawl	0.0	0.0	0.0
a) At-sea whiting MS			
b) At-sea whiting CP			
Non-Trawl Allocation	13.1	12.8	13.9
Non-Nearshore	0.8	0.7	0.7
LE FG		0.6	0.6
OA FG		0.0	0.0
Directed OA: Nearshore	2.1	1.6	1.6
Recreational Groundfish			
WA	3.3	3.3	3.3
OR	3.0	3.3	3.8
CA	3.9	3.9	4.5
<b>TOTAL</b>	<b>19.6</b>	<b>17.1</b>	<b>18.3</b>
2017 Harvest Specification	20	20	20
Difference	0.4	2.9	1.7
Percent of ACL	100.0%	85.5%	91.4%

As shown in Table 5, there is a residual of 2.9 mt under “Low Impact Scenario” and 1.7 mt under “High Impact Scenario”. The final year-end residual will likely be higher given that other fisheries (e.g. tribal, EFP, non-IPHC research) typically attain less than their share. This is one of the main reasons inseason scorecard projections are often near 100 percent of the ACL, but final estimates are lower (i.e., 61 percent on average for yelloweye). Based on the GMT’s best projections, most

likely there is at least another ~2.0 mt of yelloweye that is reported on the scorecard but will go unutilized.

## Council Action

When determining the course of action, the Council should consider the information presented above with regards to the residual in the scorecard, risk to the ACL, and needs of the fishing communities. **The GMT recommends that the Council provide guidance to both Oregon and California on the amount of yelloweye rockfish by which they may exceed their HG.** For Oregon, any action to manage to that amount will be taken through state process. **The GMT recommends for California, the Council should also recommend an Alternative (as described in Table 4).** As a reminder, during the 2017-2018 biennial process, CDFW developed a new inseason process which would allow routine inseason actions (eg time/area closures, depth based management) which can be taken outside of a Council meeting for select species, including yelloweye rockfish, if California recreational HG are projected to be exceeded prior to the first day of the next Council meeting (e.g., November 15, 2017). Therefore, if California were to project to exceed their revised HG, which will not implemented in regulation, action could be taken outside the Council meeting. As this is ultimately a risk call by the Council in terms of the likelihood of exceeding the ACL, the GMT does not provide a recommendation.

## Lingcod Size Limits

The GMT had a discussion with the Enforcement Consultants (EC) on the lingcod size limits in regulation. The 24 inch size limit in the trawl sector exists in regulation; however, it is not listed in the footnotes for the trip limit table and isn't explicit in the regulations. **The EC has requested, and the GMT recommends, that a footnote be included for lingcod in the trip limit table for trawl gear.** The footnote would note that the current lingcod size limit is 24 inches.

The GMT recommends:

1. **Alternative 1 for Sablefish LEN (1,500 lbs/week, no more than 4,500 lbs/2 months) and OAN (300 lbs daily, or 1 landing of per week of up to 1,300 lbs, not to exceed 2,600 lbs/2 mo) be implemented as soon as possible.**
2. **That the Council provide guidance to Oregon and California on the amount of yelloweye rockfish by which they may exceed their HG.**
3. **For California, the Council recommend an Alternative for the California recreational fisheries (as described in Table 4).**
4. **As requested by the EC that a footnote be included for lingcod in the trip limit table for trawl gear, similar to what is in the trip limit table for fixed gear.**

## Informational Items

### At-Sea Whiting

Table 6 below shows catch to date through September 15 and reflects changes to allocation from the release of both the darkblotched rockfish and Pacific ocean perch (POP) buffers in June ([NMFS SEA-17-13](#)), transfer of widow from the mothership (MS) to catcher processor (CP) sector via a

cease fishing agreement ([Agenda Item E.10.b, Public Comment 1, September 2017](#); [NMFS SEA-17-15a](#)), and the tribal reapportionment for Pacific whiting ([NMFS SEA-17-16](#)).

**Table 6: At-Sea Sector Catch and Attainment through September 15, 2017**

Species	CP			MS		
	Catch (mt)	Allocation (mt)	%	Catch (mt)	Allocation (mt)	%
Whiting	62,053	137,252	45.2	29,180	96,884	30.1
Canary	1.2	16	7.8	1.3	30	4.5
Widow	247.8	458.2	52.1	20.1	243.3	8.3
Darkblotched	6.9	41.4	16.6	1.1	36.6	3.0
POP	15.6	28.7	54.2	2.9	25	11.6
Salmon count (taken)	151			40		

LEFG and OA trip limits for lingcod south of 40°10' N. lat.

After discussions with the GAP regarding the NMFS disapproval letter (Agenda Item E.10 a, Supplemental NMFS Report 1, September 2017) on the Council's recommended trip limit increases for Period 6 for lingcod south of 40°10' N. lat. in June 2016, the GMT recommends no further action on adjusting trip limits.

### Overfished Species Scorecard

The overfished species scorecard (Attachment 2) has been updated to reflect new recreational projections (Oregon closed, California remaining open), inseason bootstrap projections for the at-sea sectors, estimates for incidental open access from the 2016 Groundfish Mortality Report, and research.

Through September 12, the International Pacific Halibut Commission (IPHC) stock assessment survey has completed all but 13 of their stations. Yelloweye rockfish impacts are estimated to be approximately 0.4 mt. The last time the 13 remaining stations were surveyed, there were zero yelloweye rockfish encountered. Therefore, the impacts are not expected to increase. This has reduced the research projected impacts by 1.0 mt. Additionally, ODFW provided an update on

their research activities for the year so far, and for the remainder of the year. ODFW is estimating total yelloweye rockfish impacts will be  $\leq 0.1$  mt, which then returns an additional 0.3 mt to the scorecard.

Attachment 1: California Alternative Season Structures

Status Quo (2017 SQ season structure)

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed				May 1 – Oct 31, <30fm						All Depth	
Mendocino	Closed				May 1 – Oct 31, <20fm						All Depth	
San Francisco	Closed			April 15 – Dec 31, <40fm								
Central	Closed			April 1-Dec 31 <50 fm								
Southern	Closed		Mar 1 – Dec 31, <60fm									

Alternative 2 (2016 depths through December 31)

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed				May 1 – Oct 31, <30fm						Oct 1-Dec 31 <20 fm	
Mendocino	Closed				May 1 – Oct 31, <20fm						Oct 1-Dec 31 <20 fm	
San Francisco	Closed			April 15 – Dec 31, <40fm						Oct 1-Dec 31 <30 fm		
Central	Closed			April 1-Dec 31 <50 fm						Oct 1-Dec 31 <40 fm		
Southern	Closed		Mar 1 – Dec 31, <60fm									

Alternative 3 (20 fm through December 31)

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed				May 1 – Oct 31, <30fm						Oct 1-Dec 31 <20 fm	
Mendocino	Closed				May 1 – Oct 31, <20fm						Oct 1-Dec 31 <20 fm	
San Francisco	Closed			April 15 – Dec 31, <40fm						Oct 1-Dec 31 <20 fm		
Central	Closed			April 1-Dec 31 <50 fm						Oct 1-Dec 31 <20 fm		
Southern	Closed		Mar 1 – Dec 31, <60fm									

PFMC  
09/18/17



**Attachment 2. Allocations<sup>a</sup> and projected mortality impacts (mt) of overfished groundfish species for 2017.**

<i>Date</i> : 17 Sept 2017	Bocaccio b/		Cowcod b/		Dkbl		POP		Yelloweye	
	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts
<b>Off the Top Deductions</b>	15.4	14.6	2.0	2.0	27.3	9.2	17.4	14.4	5.4	4.2
Additional Buffer					<b>0.0</b>		<b>0.0</b>			
EFPc/	10.0	10.0	0.015	0.015	0.1	0.1	0.0	0.0	0.030	0.030
Research d/	4.6	4.6	2.0	2.0	2.5	2.5	5.2	5.2	2.7	<b>1.8</b>
Incidental OA e/	0.8	<b>0.0</b>	0.0	0.0	24.5	<b>6.4</b>	3.0	<b>0.0</b>	0.4	<b>0.1</b>
Tribal f/					0.2	0.2	9.2	9.2	2.3	2.3
Bottom Trawl					0.2	0.2	2.0	2.0		0.0
Troll					0.0					0.0
Fixed gear					0.0				2.3	2.3
mid-water					0.0					0.0
whiting						0.3	7.2	7.2		
<b>Trawl Allocations</b>	302.4	92.7	1.4	0.2	535.6	147.1	220.0	73.1	1.1	1.1
<b>-SB Trawl</b>	302.4	92.7	1.4	0.2	507.6	136.9	198.3	43.0	1.1	1.1
<b>-At-Sea Trawl</b>					78.0	<b>10.2</b>	53.7	<b>30.1</b>	0.0	0.0
a) At-sea whiting MS					36.6	<b>2.6</b>	25.0	<b>8.3</b>		
b) At-sea whiting CP					41.4	<b>7.6</b>	28.7	<b>21.8</b>		
<b>Non-Trawl Allocation</b>	472.2	202.1	2.6	0.0	28.2	5.8	11.6	0.3	13.1	13.4
Non-Nearshore	144.3	16.6		0.0		5.6		0.3	0.8	0.7
LE FG		6.2				5.2		0.3		0.6
OA FG		10.4				0.5		0.0		0.0
Directed OA: Nearshore	1.8	0.6		0.0		0.2			2.1	<b>1.6</b>
Recreational Groundfish										
WA						--		--	3.3	<b>3.3</b>
OR						--		--	3.0	<b>3.3</b>
CA	326.1	184.9		2.2		--		--	3.9	<b>4.5</b>
<b>TOTAL</b>	790.0	309.4	6.0	2.2	591.1	162.1	249.0	87.9	19.6	18.7
<b>2017 Harvest Specification</b>	<b>790</b>	<b>790</b>	<b>6.0</b>	<b>6.0</b>	<b>641</b>	<b>641</b>	<b>281</b>	<b>281</b>	<b>20</b>	<b>20</b>
<b>Difference</b>	0.0	480.6	0.0	3.8	49.9	478.9	32.0	193.1	0.4	1.3
<b>Percent of ACL</b>	100.0%	39.2%	100.3%	36.9%	92.2%	25.3%	88.6%	31.3%	100.0%	93.5%
Key			= not applicable							
		--	= trace, less than 0.1 mt							
			= Fixed Values							
			= off the top deductions							

a/ Formal allocations are represented in the black shaded cells and are specified in regulation in Tables 1b and 1e. The other values in the allocation columns are 1) off the top deductions, 2) set asides from the trawl allocation (at-sea petrale only) 3) ad-hoc allocations recommended in the 2013-14 EIS process, 4) HG for the recreational fisheries for canary and YE.

b/ South of 40°10' N. lat.

c/ EFPs are amounts set aside to accommodate anticipated applications. Values in this table represent the estimates from the 13-14 biennial cycle, which are currently specified in regulation.

d/ Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs.

e/ The GMT's best estimate of impacts as analyzed in the 2017-2018 Environmental Impact Statement (Appendix B), which are currently specified in regulation.

f/ Tribal values in the allocation column represent the the values in regulation. Projected impacts are the tribes best estimate of catch.