

CONSIDERATION OF INSEASON ADJUSTMENTS FOR GROUNDFISH TRAWL SECTORS

Management measures for groundfish are set by the Council with the general understanding that these measures will likely need to be adjusted within the biennium to attain, but not exceed, the annual catch limits (ACLs). This agenda item will consider inseason adjustments to ongoing 2014 groundfish trawl fisheries based on recent catch data and year-end projections (Agenda Item B.1.a, Attachments 1 and 2). Any adjustments would be intended to achieve the Pacific whiting total allowable catch, while mitigating impacts to overfished and protected species. Potential actions include adjustments to the off-the-top deductions from the darkblotched rockfish ACL (hereinafter ACL set-asides) and subsequent increases to the darkblotched rockfish catcher-processor and mothership sector allocations. Additionally, the Council may consider implementation of bycatch reduction areas for the Pacific whiting sectors to reduce Chinook salmon bycatch.

Pacific Whiting Fishery and Darkblotched Rockfish Adjustments

The Pacific whiting mothership cooperative closed itself October 11, 2014 when their darkblotched rockfish allocation was exceeded by 1 metric ton (mt). Approximately 30 percent of the mothership sector Pacific whiting allocation remains unharvested, at an ex-vessel value of approximately \$10 million, given recent price structure. Subsequently, the Midwater Trawlers Cooperative and United Catcher Boats requested the National Marine Fisheries Service (NMFS) transfer 3 mt of darkblotched rockfish to the mothership sector cooperative necessary to achieve their whiting quota (Agenda Item B.1.a, Attachment 2). The request was based on projections that indicate the total catch of darkblotched rockfish will remain well below the ACL by year end (Agenda Item B.1.a, Attachment 3). Additionally, such transfer would not result in a change to another sector's allocation nor have an impact on an existing fishery.

On October 17, 2014, participants in the catcher-processor sector of the Pacific whiting fishery indicated that fishing for whiting will cease for the remainder of the 2014 calendar year at such time as (1) the participants have harvested all whiting quota made available to the catcher-processor sector (including any reapportionments from the tribal whiting allocation) or (2) upon the harvest of a total of 6.0 mt of darkblotched rockfish plus any additional darkblotched rockfish allocated to the catcher-processor sector after the date of this letter, whichever occurs first (Agenda Item B.1.a, Attachment 4). Therefore, the catcher-processor sector has formally announced they do not intend to harvest 3.0 mt of darkblotched rockfish from their current allocation, and as such, NMFS may redistribute this 3.0 mt of darkblotched rockfish to the mothership sector. It is expected that NMFS will immediately transfer the 3.0 mt of darkblotched rockfish which would allow the mothership sector to recommence fishing operations.

The NMFS has indicated it may soon reallocate unused whiting quota from the tribal fishery to non-tribal sectors. If this occurs, it is probable that insufficient darkblotched rockfish allocation will remain to attain a higher Pacific whiting total allowable catch in these non-tribal fisheries.

Council action under this agenda item is to consider increasing the catcher-processor and mothership darkblotched rockfish allocations through a routine inseason adjustment of the ACL

set-asides for darkblotched rockfish. The ACL set-asides for darkblotched rockfish were recommended during the biennial process and implemented in regulation to account for groundfish mortality in the Pacific Coast treaty Indian tribal fisheries, scientific research, non-groundfish target fisheries (hereinafter incidental open access fisheries), and, as necessary, exempted fishing permits. The ACL set-asides, except for the Pacific Coast treaty Indian tribal fisheries amounts, can be modified through inseason action and made available to other fisheries based on inseason projections (see regulations at 660(c)(3)).

Current landings, projections, and recent year data indicate that total darkblotched rockfish mortality will be significantly below the ACL by year end (Agenda Item B.1.a, Attachments 1 and 3). Most notably, the darkblotched rockfish ACL set-aside for the incidental open access fisheries is substantially higher (18.4 mt) than the current fishery landings (0.0 mt) or the most current year estimate of landings and discard (5.0 mt). The majority of the darkblotched rockfish impacts in the incidental open access fishery come from the pink shrimp fishery. The west coast pink shrimp fisheries are scheduled to close on October 31.

The Council should review the current fishery projections and recommend full reapportionment, partial reapportionment, or no reapportionment of the ACL set-asides for darkblotched rockfish. When recommending such adjustments, the Council should also consider the allocation framework criteria outlined in the Fishery Management Plan (FMP) and the objectives to maintain or extend fishing and marketing opportunities, taking into account the best available information on sector needs (Agenda Item B.1.a, Attachment 5).

Chinook Salmon Bycatch

The Pacific whiting fishery operates under regulations and an Endangered Species Act biological opinion for Chinook salmon that include a threshold of 11,000 Chinook salmon or a ratio of 0.05 ratio of the number of Chinook salmon to metric tons of Pacific whiting. Additionally, the biological opinion includes a threshold of 6,000-9,000 Chinook per year in the bottom trawl fishery. Attainment of the threshold requires NMFS to implement the Ocean Salmon Conservation Zone, which would prohibit fishing shallower than 100 fm (see regulations at 660.131(c)(3)), and to reinitiate Endangered Species Act (ESA) consultation.

The latest data on the Pacific whiting fishery indicate the 11,000 Chinook salmon threshold is projected to or has been attained (Agenda Item B.1.a, Attachment 1, Table 1). NMFS has indicated that ESA consultation has been re-initiated and the agency intends to implement the Ocean Salmon Conservation Zone.

Pacific whiting bycatch reduction areas are another routine mitigation measure that could be implemented to reduce Chinook salmon bycatch. The bycatch reduction areas would apply to vessels using midwater trawl gear during the primary whiting season and would prohibit vessels from fishing shoreward of a boundary line approximating the 150 fm depth contours (see regulations at 660.72 and 660.73). The Council should consider the latest information on Chinook salmon interactions in the Pacific whiting fishery, including the pending implementation of the Ocean Salmon Conservation Zone, and determine whether additional measures are needed to reduce Chinook salmon bycatch.

Council Action:

1. **Consider recent information on catches of darkblotched rockfish and determine whether to reduce the darkblotched rockfish ACL set-aside for the incidental open access fisheries.**
2. **Consider the allocation framework criteria in the FMP if the darkblotched rockfish ACL set-aside is made available to another sector.**
3. **Consider the latest information on Chinook salmon interactions in the Pacific whiting fishery, including the pending implementation of the Ocean Salmon Conservation Zone, and determine whether additional measures are needed to reduce Chinook salmon bycatch.**

Reference Materials:

1. Agenda Item B.1.a, Attachment 1. Fact Sheet – Current Status of the Trawl Fishery.
2. Agenda Item B.1.a, Attachment 2. Request from Midwater Trawlers Cooperative and United Catcher Boats Regarding Darkblotched Rockfish.
3. Agenda Item B.1.a, Attachment 3. The Groundfish Management Team Scorecard from September 2014.
4. Agenda Item B.1.a, Attachment 4. Letter from Member Companies of the Pacific Whiting Conservation Cooperative Regarding Darkblotched Rockfish.
5. Agenda Item B.1.a, Attachment 5. Allocation Framework Provided in the Groundfish Fishery Management Plan.

Agenda Order:

- a. Agenda Item Overview
- b. National Marine Fisheries Service Report
- c. Reports and Comments of State and Tribal Management Agencies
- d. Public Comment
- e. **Council Action:** Adopt Recommendations for Adjustments to 2014 Groundfish Trawl Fisheries

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