

----- Original Message -----

Subject:Public comment

Date:Tue, 11 May 2010 08:45:21 -0700

From:Kevin B Mc Grath <kevinb@humboldt.net>

To:pfmc.comments@noaa.gov

I ask that the Petrale sole be delisted as a federally managed groundfish. As a deep water fish it should be placed with Pacific Halibut and other flatfish. Please consider this logical request

Kevin Mc Grath

P.O. Box 1

Redway,CA

95560

707-223-1939

----- Original Message -----

Subject:Rockfish regulations in Northern California

Date:Fri, 21 May 2010 17:57:25 -0700

From:Tim <reelsteel@humboldt1.com>

To:pfmc.comments@noaa.gov

My name is Tim Klassen and my wife Sherry and I own a charter fishing business in Eureka California. There are about 10 other charter operators in our region. In 2008 and 2009 we all relied primarily on rockfish for our income since issues with Sacramento Chinook salmon prevented us from fishing for salmon. Due to yelloweye rockfish restrictions, the rockfish season here is 3 to 4 months long. In other words, nearly all of our income comes in 3 to 4 months. This year we will have a reasonable salmon season which will put less pressure on rockfish. I am greatly concerned that if salmon seasons are restricted like the last two years that we will have to rely on rockfish again. If rockfish is restricted any further it would have a devastating impact to our industry. The season length has a direct correlation to our ability to earn a living. If the season were shortened by one month then that would reduce our income by 25%, if two months then the impact would be 50% and so on. Please consider this when allocation of yelloweye are made. Also, Marine Protected Areas that are currently being proposed for our area should help to reduce yelloweye bycatch. Thank you for your consideration. Sincerely, Tim Klassen Reel Steel Sportfishing

----- Original Message -----

Subject:Yelloweye Testimony

Date:Wed, 26 May 2010 08:29:38 -0700

From:Terry Kennedy <goldbeachfishing@gmail.com>

To:pfmc.comments@noaa.gov

5/26/2010

My name is Terry Kennedy and I fish the commercial nearshore fishery out of Gold Beach and Port Orford, Oregon. I am also a river guide on the Rogue River so I interact with tourist frequently.

I have grave concerns about the reduction of the Yelloweye by-catch. In order for us to continue to stay in business, our fishery cannot afford any more cutbacks. A lot of our costs of operation continue on even when we are not fishing. We have to be able to supply an ample amount of fish to our buyers in order to keep them in business as well. This fishery is a vital part of our economy on the South Oregon coast. It is a huge draw for an oceanfront community to have locally caught fish in our restaurants and local markets for the tourists to enjoy.

I am requesting that you not reduce our Yelloweye catch.

Thank you,

Terry Kennedy
95676 Quail Mt Rd
Gold Beach, OR 97444

----- Original Message -----

Subject:quota cuts

Date:Tue, 25 May 2010 22:19:23 -0400 (EDT)

From:Tedboattime@aol.com

To:pfmc.comments@noaa.gov

As a participant in the nearshore live fisherie, I find the proposed cuts to the catch quota a lame duck way of going about things. All of your info comes from computer generated programs and not real time info. I have been a commercial fisher for over 30 years in one aspect or another and have to deal with bad information. Before you decide on anything maybe the board members need to get a first hand look at what goes on than what is on a computer screen. First hand information is needed now more than ever.

Ted A Johnson

----- Original Message -----

Date: Tue, 25 May 2010 18:15:02 -0700
From: Wayne Van Waveren <vandrifter@charter.net>
To: pfmc.comments@noaa.gov

Council

I am a Black and Blue nearshore fisherman. We fish mostly inside 20 fathoms. We catch very few yellow eye and are able to return most of them. We have been cut back with quota so we can make very little money. To further restrict us would be a disaster financially.
Thank you

Drifter 2

----- Original Message -----

Subject: Nearshore testimony
Date: Tue, 25 May 2010 13:48:00 -0700
From: pescadito@charter.net
To: pfmc.comments@noaa.gov

My name is David Smith. I am a commercial fisherman, in the 'Nearshore fishery' and have been fishing the Dawn Treader II for 8 years.

I am against further changes in the status quo of this fishery. We simply cannot survive with a 25% reduction, as proposed. Fuel prices, quota reductions, buyer problems, and the new Yellow-eye proposal, would simply make this a losing battle.

I have never caught a Yellow-eye in all my years in the nearshore fishery. Those that do, fish in deeper waters, such as trawlers, and many longliners from Port Orford. I would much more be inclined towards a hook reduction for longliners, that would discourage more bycatch of Yellow eye.

Please consider the economic impact of the 25% reduction.

Sincerely,

David Smith
F/V Dawn TreaderII

----- Original Message -----

Subject:nearshore fish

Date:Tue, 25 May 2010 12:21:00 -0700

From:johnandjane <johnandjane@charter.net>

To:pfmc.comments@noaa.gov

John Fisher

You have made it impossible to make a living with the quotas that are in place now so cutting back more on the smallest guys quotas isn't even close to acceptable! This is from a fisherman that has made a living at fishing for salmon and snapper with hook and line for 33 years and you guys are putting us into the broke mode just to appease some more bigger qualtons of the sea!!!

----- Original Message -----

Subject:Serious about Yelloweye

Date:Mon, 24 May 2010 23:43:56 -0700

From:Harry Whisman <telsta860@gmail.com>

To:pfmc.comments@noaa.gov

Hello,

I recently purchased a nearshore permit and was disappointed to hear some of the things said at the Port Orford meeting recently. My understanding is that we need to get serious about cutting down the yelloweye mortality due to commercial fishing and my suggestion would be to cut down on the activities that kill the yelloweye the most. I have made 7 landings so far and before that, I went out on another nearshore boat for 5 other landings. In each case we fished with rods and reels in water less than 17 fathoms and the whole time I've been out there, I've seen 2 canaries caught and zero yelloweye. My understanding is that the yelloweye live in the deeper water so this is not at all unusual. At the meeting I was looking at numbers which didn't reflect my own observations and I must say I'm a little confused. Perhaps it has something to do with the fact that perhaps boats that go out with thousands of baited hooks, maybe have a greater effect on the yelloweye than I do??!! Certainly the boats that go out with thousands of baited hooks set in deep water where the yelloweye live, have a much larger effect than guys like me who fish with jigs in the shallow water. It was stated at the meeting that the quota for black cod was actually going to be increased!! More fishing where the yelloweye mortality is the highest and less for those of us in the shallow water?? Am I missing something here??

The idea set forth of cutting out the nearshore fishery during November and December was presented by fishermen who crab during that time frame. I don't have a crab permit so naturally I don't think that's a fair solution either.

If you want to get serious about saving the yelloweye and you have to curtail something, then for crying out loud...curtail those activities which effect the yelloweye the most and leave those of us who have little to no effect alone.

Please!!

Harry Whisman

----- Original Message -----

Subject:Yellow Eye Impact

Date:Mon, 24 May 2010 23:00:32 -0700 (PDT)

From:Mike Tamalonis <miketskyway@yahoo.com>

To:pfmc.comments@noaa.gov

I fish commercial nearshore species out of Port Orford, Oregon and have watched the quota be cut every year since I have started 7 years ago. When is this going to end ? The price of fuel, tackle, parts, maintenance fees, dock fees, licenses and permits, and everything else has gone up at a steady rate. The only problem is the quota is going down at a steady rate. The fish buyers are not paying anymore than they were 3 years ago, but the operating costs still go up and the quota goes down.

Someone should really consider an ACCURATE STOCK ASSESSMENT. I talk to a lot of the old time veteran divers and they tell me there are more fish then ever. Has anyone ever thought of actually looking in the ocean to see what is there, instead of just watching what is caught and returned to the dock ??? Instead of sending observers out to count the time you drop a jig in the water, send a diver out with an urchin diver and take an accurate look at what is really there ! !

Any further cuts will have a great negative impact on the economy around the coast. Us commercial fisherman are trying to make a living. Take the cuts from the sport fishermen, that work all week and come out once in a blue moon to Play in the ocean and catch a couple fish

MIKE T - Silver Fox II

----- Original Message -----

Subject:Yelloweye Rockfish by-catch

Date:Mon, 24 May 2010 15:52:44 -0600

From:Mark Ludes <foghorn@hughes.net>

To:pfmc.comments@noaa.gov

Pacific Fishery Management Council

Re: Council meeting 2010 in-season Yelloweye reduction

To all it may concern;

Thank you in advance for reading and considering this comment. I am a commercial fisherman on the southern Oregon coast. I have been involved in the Nearshore (Live Fish) since 1997. For the past eight years I and many others have had to adjust to reductions of catch for one reason or another. Each reduction has been and is detrimental to my livelihood. This proposed reduction will impact us in not only the lessor of fish caught but also making it impossible economically for the fish buyer in our area to stay in business. Which again will impact most of the Nearshore fishermen with not having a place to sell their fish.

Currently I am forced to fish inside the 20 fm line. Generally I fish in 15 fm and shallower. I never see yelloweye rockfish. Eighty percent of Oregons Nearshore Fishing is caught by live fish fishermen. The nearshore live fishing fleet are professionals at keeping fish alive and any unwanted species that are caught are quickly released alive back into the ocean.

Oregons nearshore fisherery is only allotted a very small amount of yelloweye by-catch, therefore any further reductions in our fishery would actually be minimal in the impact of yelloweye by-catch. I feel that there would be lessor by-catch of Yelloweye if the reduction was obtained from the Sportfishing Industry, ie: Lingcod, where the allotment is three times greater than the Nearshore Fishery. They are also aloud a greater area to fish due to no restrictions until they reach the 40 fm line.

I would request that there are no further cut backs or reductions of our Nearshore fish quotas currently inforced. Thank you for your consideration in this matter.

Sincerely,

Mark Ludes
F/V ASTRID
foghorn@hughes.net



KEN FRANKE
PRESIDENT

SPORTFISHING ASSOCIATION OF CALIFORNIA

5000 N. Harbor Drive, Suite 100
San Diego, CA 92106
(619) 307-5834
Email: kfranke2@san.rr.com

RECEIVED

APR 19 2010

PFMC

April 1, 2010

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Dear Chairman Ortmann,

In our letter dated March 5, regarding proposed changes to rules within the Cow Cod Conservation Area, there was an error in the text. The request was to permit retention of shelf rockfish, not slope rockfish. We believe this will reduce the work load of the wardens, as their attention would be focused on ensuring protection of Cow Cod, the true intent of this area. Please accept my apology for the error.

Sincerely,

Ken Franke
President
Sportfishing Association of California



MARINA del REY SPORTFISHING, INC.

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

S APRIL 10

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APR 08 2010

PFMC

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The CCA creation was a necessary reaction with regards to protecting Cow Cod. It was, at the time of creation, extremely restrictive.

After almost a decade of monitoring, studies suggest Cow Cod thrive in a much deeper environment than originally determined. It would not seem unreasonable at this point to move the depth of access within the CCA to a level above their typical habitat. Additionally, the original ruling prohibited retention of shelf rockfish within the CCA. Not only is this ruling extreme and overly restrictive, one must consider the absolute waste of the shelf rockfish resource while complying with current regs within the region.

Fishing activities and access to this resource are essential to my livelihood. These same activities are an important part of the local economy.


During the last decade, we have used blanket closures as a management tool; it would seem appropriate to reopen areas when studies logically indicate impact to the resource and or the intended protected species will be nonexistent or minimal at best.

The purpose of this letter is therefore to respectfully request that the Council consider two items.

1. Staff consideration be given to study the viability of opening those areas of the CCA shallower than Cow Cod reside.
2. To permit retention of shelf rockfish when fishing in waters shallower than it is determined Cow Cod reside in the CCA.

In closing, the purpose of the CCA was to protect Cow Cod. Current studies suggest much more area was closed than necessary. Allowing access to the area shallower than Cow Cod thrive, and permitting the lawful take of shelf rockfish within this region, would restore a critical fishing area to the sportfishing community at large.

Sincerely,


Rick ORTMANN, PRESIDENT

J & T Sport-fishing Inc.
SPITFIRE
13759 Fiji Way
Marina Del Rey, CA. 90292
(818)585-1959

RECEIVED

APR 19 2010

PFMC

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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Sincerely,



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APR 19 2010

PFMC



Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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Sincerely,

ERNEST A. PRIETO
OWNER / CAPTAIN

Chubasco Sportfishing

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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Sincerely,

Chris Piqua
"owner; Sea Jay Sportfishing"



Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RECEIVED

APR 19 2010

April 6, 2010

PFMC

Dear Chairman Ortmann,

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Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Hansen", is written over the word "Sincerely,".

Mike Hansen

President

Dana Wharf Sportfishing



AMERICAN ANGLER
The Finest in Long Range Sportfishing

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RECEIVED

APR 19 2010

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Sincerely,

SAM PATELLA/BRIAN KIYOKAWA
OWNER/OPERATORS

1403 Scott Street • San Diego, California 92106 • Phone (619) 223-5414 • Fax (619) 223-3296

E-mail: office@americananglersportfishing.com • www.americananglersportfishing.com

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APR 19 2010

PFMC

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

April 5 2010

Dear Chairman Ortmann,

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Sincerely,



James Alley - Owner
San Diego Sport Fishing, Inc.
1403 Scott St.
San Diego CA 92106

INDIAN SPORTFISHING

1170 LOCUST ST SAN DIEGO CA. 92106 (619) 523-8862

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APR 19 2010

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Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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Sincerely,



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APR 19 2010

PFMC



Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

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Sincerely,

A handwritten signature in black ink that reads "Thomas Scott Pottinger".

12190 Rockstream Road, Lakeside, CA 92040

WESTPORT CHARTERBOAT ASSOCIATION
P. O. BOX 654 • WESTPORT, WASHINGTON 98595

May 14, 2010

Pacific Fishery Management Council
David Ortmann, Chairman
7700 NE Ambassador Place
Suite 101
Portland, OR 97220-1384

RECEIVED

MAY 17 2010

PFMC

Re: 2011-2012 Groundfish Specs
June, 2010 briefing book

Dear Chairman Ortmann,


The Westport Charterboat Association endorses the proposals submitted to you by the Washington Department of Fish & Wildlife under the Groundfish agenda item for "Harvest specs., Mgmt Measures & Rebuilding plans" scheduled to begin Monday, June 14.

Although we don't usually favor management changes that reduce bag limits, it is apparent that no one is catching more than the proposed new limits. In addition, there are generally no stock assessments for stocks that might fall in the range between current catches and overall limits. We support precautionary management because it enhances the continuation of sustainable fisheries.

With regard to the potential allowance for fishing for Rockfish outside 30 fathoms during the mid-March – mid-June closed period, we are very supportive. The vast majority of Yelloweye encounters are experienced when targeting Lingcod. We agree with the continuance of restriction on Lingcod fishing outside 30 fathoms. Trips taken outside 30 would be targeting Yellowtail Rockfish which are abundant.

Thank you for your consideration.

Respectfully yours,



Larry Giese
Washington charterboat representative / GAP
Secy-Treasurer, Westport Charterboat Association

May 24, 2010

To:
Pacific Marine Management Council

Dear Committee,

In the last few years, longliners have come into the near shore targeting cabezon due to the salmon closure and other factors. The problem with this is that methods of fishing used for midwater and depths greater than twenty fathoms are aggressive and impact yellow eye rockfish, canary rockfish, and juvenile rockfish that are spawned and live inside the twenty- fathom area.

Therefore, we respectfully ask that the Pacific Marine Fisheries Committee to consider a limit on the number of hooks to be used inside the twenty- fathom area, in order to minimize "by-catch" and juvenile mortality.

In a second issue, the Oregon Department of Fish and Wildlife introduced the fact that the PMFC is seeking a twenty-five percent (25%) reduction in the overall catch for near shore fishermen. This comes five months after we were hit with a 35% increase in license fees. Fuel costs, slip rentals, and overall expenses have all increased. We therefore say "NO!" to this reduction. Such a reduction will deeply affect fishermen, buyers, wholesalers, and the consumer.

While fishermen are receiving no more income from their work, these increases and proposed cuts put us one step closer to going out of business. Again, we say "NO!"

Respectfully Submitted,

Signature Dan Webb 5/25/10

Printed Name Dan WEBB

Name of Vessel NAVANAX

May 24, 2010

To:
Pacific Marine Management Council

Dear Committee,

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Respectfully Submitted,

Signature Joey Sanders

Printed Name Joey Sanders

Name of Vessel Shotgun Annie

May 24, 2010

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Pacific Marine Management Council

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Respectfully Submitted,

Signature *Chesler*

Printed Name Chesler

Name of Vessel 1547-2000

May 25, 2010

To:

The Pacific Marine Management Council

And All Concerned.....

Dear Committees,

I feel that being charged with increased permit license fees (35% this year alone) for 2010, coupled with already reduced quotas on certain species, that more reduction on catch quota is not the answer to saving struggling fish species. Instead, I believe more reductions for those species would further cripple the already struggling near shore fisherie.

I would like to propose a uniform hook limitation-stipulation, not to exclude anyone; not long-line, hook and line, or cable gear. All boats fishing inside the 20-30 fathom line should be limited to 150 hooks per boat, per day, being fished at any time. This, instead of the suggested reductions, would create a more level playing field for all concerned.

This proposal helps reduce by-catch numbers, and promotes the return of healthier fish of all species to the reef. This in turn helps increase fish populations that sustain an entire fisherie, commercial and public alike, for years to come.

The hook limit solution could have a positive impact on the environment ,the reef itself, the by-catch quotas, and the near shore live fish industry especially, that depends so heavily on the near shore boundary and regulations to make a living.

Less hooks means less soak time. Less soak time means lower mortality rates for all species, harvestable and protected alike.

Respectfully,

Signature *[Handwritten Signature]*

Printed Signature CHRISTOPHER BLOOM

Fishing vessel NOV-0151A-01

May 25, 2010

To:

The Pacific Marine Management Council

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Respectfully,

Signature *Michael McGrath*

Printed Signature Michael McGrath

Fishing vessel *The Pioneer*

May 24, 2010

To:
Pacific Marine Management Council

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Respectfully Submitted,

Signature *William J. ...*

Printed Name William J. ...

Name of Vessel MS ...

MAY 25 2010

CHAIRMAN ORTMANN:

Including all Council members

AS A COMMERCIAL FISHERMAN HERE IN
PORT ORFORD OREGON, AND OWNER-OPERATOR
OF A PERMITTED NEAR SHORE ROCKFISH VESSEL I FEEL
COMPULSED TO WRITE TO YOU & YOUR GROUP
STATING MY FEAR THAT YOU WILL LOWER OUR
QUOTA OR CURTAIL OUR FISHING METHODS OR
BOTH IN ORDER TO SAVE MORE YELLOWEYE-
ROCKFISH - WE IN PORT ORFORD HAVE DONE EVERYTHING
IN OUR POWER TO LIMIT INTERACTION WITH THESE
FISH - YOU CAN LOOK AT YOUR OWN OBSERVER DATA -
MY OWN EXPERIENCE OF THE PAST THREE YEARS FISH-
ING WITH & WITHOUT AN OBSERVER (OBSERVER DAYS
IN THREE YEARS 78 DAYS) I'VE CAUGHT ONE YELLOW-
EYE & 22 CANARIES AND CAN SAY ALL BUT
ONE CANARY WERE RELEASED ALIVE & WELL.
I UNDERSTAND YOU'VE BEEN SUED, AND HAVE A
RESPONSIBILITY TO PROTECT, BUT I FEEL IF YOU
PICK ON THE COMMERCIAL ROCKFISH NEARSHORE
FISHERS TO SAVE YELLOWEYE YOU MAY PUSH
US INTO BANKRUPTCY, YOU HAVE AN ECONOMIC
RESPONSIBILITY TO COMMUNITIES & THEIR COMMERCIAL
FISHERS AS WELL (MAC-STAVENS ACT) PLEASE USE
COMMON SENSE - WE FISHERS HAVE BEEN
PUSHED TO THE LIMIT ALREADY -

THANKS

SIGN OF DISTRESS

MIKE DASHDOWN

F/V IRISH - ROSE -

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

May 25, 2010

Comments prepared for the June 2010 meeting of the Pacific Fishery Management Council

Ladies and Gentleman of the Council,

We have a problem. It manifests itself in the Supplemental Report of the Science and Statistical Committee, "An approach to Quantifying Scientific Uncertainty in West Coast Stock Assessments." I asked a distinguished colleague to review this document. He is unfamiliar with the Council but he is well qualified to speak to the issue of "Best Available Science."

Here is what he said, "The idea that we will ignore some key uncertainties and then adjust the decision for that oversight is silly. It is usually more important to understand (and characterize) what you don't know than it is to refine an analysis of the things you do know. Statisticians tend to focus on the latter because that is where the data are."

Actually, I think we have two problems. The first is a problem of inappropriate framing. The second is a misuse of probability theory.

Inappropriate framing is the root cause of most bad decisions in any field. People often refine the answer to the wrong problem. The Council has framed the allowable catch problem as a fishery science problem. It is a management science problem.

The Council is charged with making an important decision on behalf of the American tax payer. The decision is how many fish should we allow fishers to catch? The applicable best available science for making this decision should be management science, supported by the best available biological and physical science. It is not biological and physical science alone.

Management science begins with the decision, not with the data. Decisions require us to look forward. When we make decisions we usually don't have adequate data about the future. It is not appropriate to base these decisions entirely on statistical data. The right approach is to begin by clearly framing the decisions to be made and clarifying the objectives. Then we can start modeling and collecting information. The modeling and the information collection are guided by what is important for improving the decisions. For example, we expect that marine protected areas and ocean zoning will affect our estimates of fish population dynamics. Decisions about marine protected areas and ocean zoning should not be treated as an afterthought.

Information and modeling are expensive so we need to gather and analyze information efficiently. In the case of the Council, the cost includes not only the cost of the SSC, but also the cost of the time of all the people who are involved. Not to mention the cost of bad decision making.

The second problem is with the SSC's use of probability theory. Management scientists rarely rely on raw statistics. Instead they rely on informed judgment, guided by all the relevant information that is available. It's called the Bayesian approach. The Bayesian approach is normative. It is what we should do, not a description of what we usually do. The SSC appears to regard Bayes rule as optional, a choice for them to make. It is not a choice, it is a fundamental law of the calculus of probabilities. We don't ignore the laws of physics when we don't understand them or they are difficult to use. It means we have to make the decision based on the best available information, judgment, insights from models, data, experts, etc. Whether we have historical data is not the issue.

Uncertainties are represented by probabilities. According to the laws of probability theory there are strict rules for updating our information as we learn more, i.e., Bayes rule. Management science has developed ways of determining the economic value of new information. They rely on the use of Bayes rule. Fishery science using classical statistics has no way of placing an economic value on information. As near as I can ascertain, none of this science is being applied by the SSC.

The SSC is constrained by what they know, classical statistics. Classical statistics is good for testing scientific theories. It is only marginally useful for making strategic resource decisions. The perspective of the SSC appears to be, If they are uncertain about something (usually because they have no data) then it doesn't exist. But then when they are finished analyzing they change their philosophy radically and arbitrarily start assigning probabilities. The methodology they use for assessing probabilities is definitely not best available science. The SSC paper is clear evidence of why classical statistics is not best available

science in this situation. The big idea is summarized in the question: Is it better to be precisely wrong or approximately right? The SSC and the Council are acting as though it is better to be precisely wrong.

Management science is about process as well as tools. The modeling process should begin with simple, transparent models. The addition of more complexity is guided by sensitivity analysis and the needs of the decision makers. We add complexity if it is going to improve our ability to make decisions. We don't add more detail purely for the purpose of increasing precision.

The models that the SSC uses were not built using any management science discipline. Consequently we now have models that are metaphorically like white elephants. They are big, unwieldy, and they have big appetites for expensive data. Furthermore they are not transparent. The SSC appears to have lost track of why the models were created: to inform decision makers and stakeholders.

I could go on about what is wrong with the existing system. The root cause is that best available science is not being applied. The best available science is management science, supported by the best available fishery science.

On June 8, 2008, I testified before this body while I was a member of the Groundfish Advisory Panel. My testimony follows:

"I recommend that the Council develop a normative framework for making total allowable catch, stock assessment, and information collection decisions. The framework should include the costs and benefits of raising or lowering catch limits (preferably expressed in dollars.) The framework should also include the uncertainties in fish stock estimates. In developing this approach NMFS should rely on the extensive literature and experience related to the science and engineering of decisions under uncertainty.

Such a framework would improve the Council's decisions and would provide more defensible arguments. As a welcome side benefit it would prevent many unproductive discussions about the precautionary approach. A normative quantitative framework would enable us to talk in a constructive way about how much precaution is appropriate in each situation.

Anyone interested in learning more about normative decision making should consult the vast literature on decision analysis or consult Steve Barrager, GAP Conservation Seat.

Development of this normative framework should have a high priority. It is not currently in the Research and Data plan."

What has the Council done to address this issue in the last 2 years? Where do we go from here? Innovation is not going to come from doing more of the same. As Albert Einstein said, "Insanity is doing the same thing over and over and expecting a different result." I think we are going to have to take a new approach.

In summary, the objectives of all of all our analytical efforts are understanding, learning and efficiency. Does the current way of doing things help the Council understand the important issues and how they relate to decision making? Are we learning how to do things better or are we stuck in the same old pointless debates and political thumb wrestling? Are we getting value for our money?

This testimony is posted on my blog at BakerStreetPublishing.com. The address is <http://bakerstreetpublishing.com/blog/> . I welcome comments.

Thank you for your kind consideration.

Stephen Barrager, PhD
Publisher
www.BakerStreetPublishing.com

To Chairman Ortman
Pacific Fisheries Management Council
(503) 820-2299
7700 NE Ambassador Pl St 101
Portland OR 97220

My name is Scott Spencer and I work for a seafood company in Port Orford, OR. And as someone who makes a living from the live fish industry I'm very concerned and dismayed at the possible closure of this fishery. Even any limits beyond what are already such small quotas could severely hurt this market.

I've worked in the live seafood industry for over ten years and seen it grow and develop. It is highly sustainable due to its low impact environmentally. Fishermen are able to target species, and avoid others, without the mortality rates associated with other techniques of fishing.

Also the economic effects on the entire community should be taken into account. We employ truck drivers, service men for our equipment not to mention the fishermen, deck hands, barbers, boat mechanics, crane operators, dock workers and all the others involved in some or all, making a living from the live fish industry.

There must be a better answer than shutting us down. Maybe individual quotas, not statewide limits, that lump everyone together regardless of impact.

It seems like more study is needed before any decision is made, and keep everyone informed.

Thank You for your time.
Scott Spencer
(541) 332-7633 Hm
-7069 wk

Dear Mr Ortman

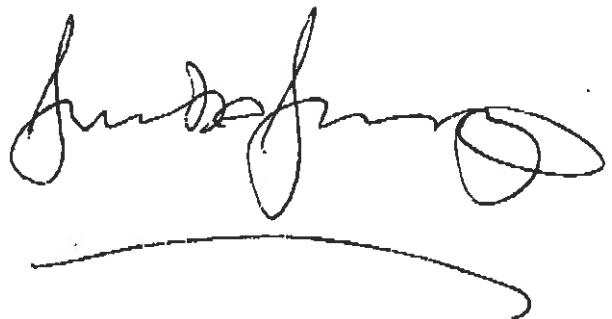
My name is Jimbo Jennings owner operator
FV /my GIRL near shore fishing boat. Our job
is to catch and deliver live rock fish to local
fish buyers, there for venting many spp of rock fish
every fishing day, and any by-catch released.

Question with continued fathom restrictions,
reserve areas, catch restrictions, current bad
economic conditions, a winter that wont
quit, in a small community where every cent
spent here counts, what next?

Why would you chose a perfectly viable
and sustainable fishery on account of a
spp of fish that by all accounts is on the
recovery-expanding its area in fact, or
opt. for a sport fishing only world where
only the few are allowed our resources
shouldering us for the 3mt

could put the last straw on the
camels back and break the Fish Buyers
and ergo the whole live fish industry.
By the way, you "sporties" can thank
us for showing you how to vent and
keep fish alive, too bad you forget

When do we get something back?
how about some recognition of a job
well done, shouldering the current regs
and witnessing the recovery of yellow
eye + canary and the senching up tight
and tighter on the pocket strings + poundage,
and gear type and on and on...



A handwritten signature in cursive script, appearing to read "J. J. J.", with a long horizontal flourish underneath.

Dear Mr. Urtmann

I have fished out of Port Oford
for the last 18⁺ years. We watched
the fish restrictions tighten so developed
a better market "Live Fishing" to sustain
a fishery that was still profitable. At
this time more restrictions and less money
will most likely put a large # of fishermen
back hand's and the Only Live Fish Buyer
out of Business. Which would have a devastating
impact on a coastal fishing community
like and including Port Oford

Sincerely

Mark McClelland
F/U Miss Emily

Linden Skoog + V Rock n Roll Cold Beach OR.

RECEIVED Trout + Cabazon Quota's Out of Whack!

MAY 24 2010

PFMC

Live-Fishing for rockfish using a 6 ounce lead jig with one treble hook placed of minimal strain on the Yelloweye by-catch quota.

When it comes to Live-Fishing, the reason for yelloweye by-catch can largely be blamed on the escalating use of longlines.

The larger boats in other ports were frustrated by not harvesting the full 2500 lb cabazon quota each period (just like jig fishers)

So like the excellent fishermen they are, they adopted new methods in order to realize the uncought portion. This led to longer lines with more boats and more boats fishing those lines. Last year it also resulted in the first early closure for cabazon in my 13 years of commercial fishing. And likewise more yelloweye by catch, as these lines are usually fished in deeper water (outside 20 fathoms)

I believe if the Cabazon quota was decreased and the Seatrout quota increased until they met in the middle, the yelloweye by-catch would quickly show signs of slowing.

Linden Skoog
Thank You.



Oregon State Chapter

May 26, 2010

Dave Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384
Email: pfmc.comments@noaa.gov

Dear Chairman Ortmann and members of the Council,

We have been informed of a recent court decision requiring, among other issues, an inseason adjustment from 17 to 14 metric tons of yelloweye rockfish impacts for the remainder of the 2010 season. In addition an order is seen to revisit the yelloweye rebuilding plan including economic rationale for setting allowed impacts for this species to be completed within one year from order.

RFA-Oregon urges the Council to recommend an appeal to this court ruling. We feel it could be shown that this is a setting of fishery quotas by the bench which is outside of the normal court function of interpreting law. It is true, as well; that a thorough and comprehensive analysis of economic factors can be shown that includes all of the cumulative impacts from all regulatory constraints, not just those of one rebuilding species. The point can be made that some fishing communities are at a financial “tipping point” with regard to fishery support infrastructure. Small economic impacts could result in the collapse of a port’s ability to support a fleet if these fixed costs cannot be met.

For 2010 inseason adjustments we recommend an 18% downward adjustment for all sectors where practical. We urge all future investments remain at a functional level such as research and EFP’s. Research and EFP’s are the only known vehicles that have any promise of helping fisheries better survive these constraints in the future. The court document does describe joint management with Canada which should be explored as well.

Sincerely,

John Holloway
Recreational Fishing Alliance, Oregon Chapter
Oregon Anglers

Marine Protected Areas May Reduce Uncertainty and Precautionary Buffers

Ocean Innovations
Environmental Defense Fund
Contact: Rod Fujita, Ph.D
Tel: 415 293 6050 Email: rfujita@edf.org

May 25, 2010

Summary

Uncertainty in fisheries management is unavoidable. Many factors contribute to uncertainty, including our inability to predict environmental conditions, sampling error, assessment error, and our inability to accurately predict fisherman response to management measures (management uncertainty). The high degree of variability that is characteristic of many fish populations also increases uncertainty.

Marine protected areas (MPAs) that restrict fishing sufficiently to allow depleted populations to rebuild and age structure to recover may provide a hedge against, and possibly reduce, these uncertainties in fisheries management. Like more conventional controls on fishing mortality such as allowable catch levels and effort controls, MPAs reduce fishing mortality on spawning stock – but it may be possible to quantify the amount of spawning stock protected in an MPA more precisely and accurately than it is to specify the spawning stock protected with other types of measures, if the MPAs are sampled well.

MPAs may provide a hedge against uncertainty in larval production and recruitment. Many fish populations, particularly those that have been depleted, exhibit age structure within MPAs that include higher proportions of megaspawners (large fish) relative to fishing grounds. These megaspawners are often exponentially more fecund than smaller fish, and in some cases, egg and larval viability is greater relative to the eggs and larvae of smaller fish. Hence, the “extra” (i.e., unaccounted for) recruitment expected as a result of these MPA effects may be considered to be a hedge or reduction in uncertainty.

The fisheries under PFMC jurisdiction span a large region rich in MPAs of various kinds, including MPAs with significant restrictions on fishing mortality which would be expected to yield the benefits discussed here. Examples may include the no-take and limited-take reserves of California’s MPA network and the Rockfish Conservation Areas. The paucity of monitoring data for the RCAs and various EFH designations make it difficult to determine whether these may be producing the MPA effects that would be important in reducing uncertainty. Conceptually, however, it may be possible to compute the effects of certain kinds of MPAs (where fishing is significantly restricted and for which data are available) on scientific and management uncertainty and adjust precautionary buffers to be applied to assessment reference points to generate Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs).

Types of Uncertainty

Uncertainty, or unknown variables, can be divided into two distinct, but interdependent categories: objective and subjective (Stergiou 2002). Objective uncertainties relate to variance in stochastic processes such as growth, larval dispersal, natural mortality, and recruitment. Here, such uncertainties, and the factors that increase them, are labeled natural/biological uncertainties.

Subjective uncertainties refer to the lack of sufficient knowledge regarding many of the above biological processes as well as deficiencies in population estimates or stock dependency correlations in current research and data. For the purposes of this paper these unknowns are labeled as assessment-based uncertainties. Finally, we recognize that uncertainties in each of the first two categories often manifest in management arenas, and thus create the need for a third category labeled management uncertainties. It is important to note that these three categories (natural/biological, assessment-based, and management) are interdependent and often cause, or are caused by, one another. Therefore, areas in which MPAs can reduce uncertainties in any one category may have beneficial effects within another. For example, MPAs may reduce variance in fisheries yield by increasing survivorship of limiting age classes.

Natural/Biological Uncertainty

Natural environmental uncertainties such as spatial and temporal variations in water temperature, salinity, nutrient availability, disturbance mechanisms (e.g., hurricanes, typhoons), and the effects of climate change cause impacts that are difficult to predict or detect. Biological uncertainties such as natural mortality, recruitment rates, fecundity, home ranges, and larval dispersal distances concerning target populations are also difficult to measure. Additionally, temporal variations between populations, sub-populations, and cohorts, as well as limited scientific knowledge concerning the genetic structure of target stocks add further uncertainties to this category (Grafton and Kompas 2005; FAO 2006). The effects of fishing practices, highlighted within the assessment-based and management sections below, create even greater difficulties in understanding natural factors such as mortality, nutrient availability, and recruitment rates. Together, all of these unknowns increase complexity and uncertainty, and reduce the stability of a fishery. Due to these complex interactions between fish stocks, ecosystem variables, and human actions, natural/biological parameters are often inexact and create significant fisheries management uncertainties even under data-rich scenarios.

Assessment-based Uncertainty

Due to lack of data, inaccurate data, inconsistent data, or structural errors (i.e., misunderstanding of functional relationships and processes), conventional and alternative stock assessments often contain a considerable amount of uncertainty. Uncertainties in data from biological processes can hamper assessment models and stock abundance measures, and increase difficulty in predicting predation and competition rates among species (Stergiou 2002). In combination with this, and even when sufficient data is available, human measurement error during data-gathering surveys also increases uncertainty levels within these models (Halpern et al. 2006). If estimates of population abundance and size (Lauck et al. 1998) and fishing mortality (Mangel 2000) are only approximate references, these factors can create misinformed stock assessments and poorly determined annual catch limits (ACLs).

Additional assessment-based uncertainties may result from illegal, unreported, and unregulated fishing, ghost fishing, bycatch, and discards, which affect fishing mortality rates and further influence stock biomass calculations (Mangel 2000; Lauck et al. 1998). Overfishing, unless extreme, can take years to detect, and hence sometimes results in severely depleted fish populations before clear signals appear in stock assessments. In addition, assessment references may simply be outdated, resulting in inaccurate snapshots of target stocks (Lauck et al. 1998). Other factors, such as high costs of some traditional stock assessments, may also lead to the use of less accurate models and an inconsistency of reporting due to lack of funding (Lauck 1998).

Management Uncertainty

In addition to biological and assessment-based uncertainty, management actions (or lack thereof) can also increase uncertainty levels. Habitat degradation due to fishing gear, noncompliance of fisheries regulations, non-reporting of landings, and point and non-point source pollution alter the status of target populations but are often difficult to measure and regulate (Lauck et al. 1998). Difficulty controlling exploitation of fisheries due to insufficient human resources, political will, or funding, and little or no stakeholder support, may also greatly affect fishing mortality, which in turn increases uncertainty in stock biomass and appropriate ACLs. Market volatility and rapid responses by fishermen to changes in price signals may also contribute to management uncertainty.

Additionally, many management variables are compounded by natural/biological and assessment-based uncertainty. Some uncertainties such as larval dispersal and natural mortality rates may be omitted or miscalculated in stock assessment models and lead to inappropriate managerial actions and fishing regulations. Such factors increase the need to reduce ambiguities in both the above categories in order to better inform managerial tactics and reduce uncertainty.

Effects of Marine Protected Areas

Natural/Biological Uncertainty

Given the quantity and variety of uncertainty inherent in fisheries assessment and management, diversifying management actions through the use of marine protected areas may help hedge against depleted populations and possible stock collapse. By protecting a portion of the stock, MPAs encourage population persistence, help reduce biomass and harvest variation, often increase stock productivity, and can lead to a higher level of catch (Grafton and Kompas 2005; Mangel 2000; Lauck et al. 1999). MPAs have also been shown to reduce bycatch and protect ocean biodiversity and population structures of important commercial species (Lauck et al. 1998). Well-placed MPAs also protect connectivity of marine populations by preserving larval sink-source dynamics.

Surveys taken inside and outside MPAs reveal strong increases in individual fish size and overall fish abundance and biomass within MPA borders (Hilborn et al. 2004). Increases in size translates to an increase in overall fecundity as older, larger female spawners produce a greater number of eggs (Berkeley et al. 2004). Once population biomass and fecundity within the MPA

improve, spillover of larvae and adults from the reserve into open areas may improve stock resilience, which improves the quality of catch and allows target stocks to recover faster after a negative shock (Roberts et al. 2001; Grafton et al. 2005), though empirical evidence at scale is lacking. Even when nested within fisheries with extreme exploitation rates, MPAs can help stabilize and maintain higher levels of recruitment and spawning biomass in fished waters (Guenette and Pitcher 1999). These MPA effects may help reduce biological/natural uncertainty.

Assessment-based Uncertainty

MPAs can hedge against assessment-based uncertainty in several ways. Since fish populations can be severely depleted before signals appear in stock assessments, MPAs help buffer against these potential miscalculations by protecting a portion of stock biomass, and thus increasing the resilience of the fished population (Grafton et al. 2005). Protected marine reserves can also establish a control setting for important baseline research, including proxies for unfished biomass. This strengthens the accuracy of estimated biological parameters such as natural mortality, fecundity, and population abundance important for assessments, and can help improve assessment models for data-poor fisheries (Wilson et al. 2010). Better assessment models allow managers to gauge the success of traditional management techniques such as permit regulation and ACLs, and thus enhance fishery sustainability and economic security (Lauck et al. 1998).

Management Uncertainty

As previously stated, MPAs can help hedge against biological, natural, and assessment-based uncertainties by diversifying fisheries management. The combination of greater spillover to fished waters due to the presence of larger, more fecund females inside the reserve, protection of important habitat, and increased baseline and life history characteristic data allows managers to better assess and sustainably manage target stocks. Even if a fishery is rich in data and optimally managed, due to environmental stochasticity, the addition of MPAs or a MPA network into the management framework may generate higher economic payoff than traditional management without MPAs (Grafton et al. 2005). Additionally, MPAs provide a refuge for data-poor or unassessed species, and are often a preferred management technique for sedentary species due to smaller home ranges (Hastings and Botsford 1999).

Conclusions

Fisheries management is an uncertain enterprise. Uncertainty in life-history characteristics, natural stochasticity, human error, stock assessments, and in management can lead to overfishing, excessive bycatch, or even stock collapse. Under the new federal ACL mandate, Councils must account for scientific uncertainty by adjusting allowable biological catch levels downward with a precautionary buffer, and they must account for management uncertainty by further adjustment downward with another buffer.

The PFMC's area of jurisdiction is rich in MPAs of many kinds, some of which may restrict fishing and be of sufficient size to increase target and bycatch species biomass, fecundity, and recruitment levels enough to have a significant effect on scientific and management uncertainty. Yet these MPA effects are not accounted for in the buffers used to generate ACL and ACT

levels. Accounting for the effects of the sizeable MPAs within the PFMC's jurisdiction may result in more science-based (and potentially smaller) precautionary buffers and in more accurate ACL and ACT levels.

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