

**GROUND FISH MANAGEMENT TEAM REPORT ON
 CONSIDERATION OF INSEASON ADJUSTMENTS (INCLUDING PACIFIC WHITING
 MANAGEMENT MEASURES AND BYCATCH LIMITS)**

The Groundfish Management Team (GMT) considered the requests from industry representatives, the most recent information from the West Coast Groundfish Observer Program (WCGOP) and the status of ongoing fisheries.

The GMT received guidance from National Marine Fisheries Service Northwest Region (NMFS NWR) regarding timing of implementation of inseason recommendations from this meeting. Given the priority of implementation of the trawl rationalization program, among other things, NMFS does not anticipate implementing any routine inseason adjustments to fishery management measure before May 1, 2010, at the earliest.

Scorecard Updates

RESEARCH

During the 2009-2010 biennial specifications process, the Council approved a 2.8 mt yelloweye set-aside per year for research catch in the scorecard. Given all other yelloweye impacts, there was 0.5 mt residual in the scorecard projections. During 2009, the GMT received regular updates on research activities and yelloweye rockfish impacts were adjusted to 0.7 mt at the November meeting.

The GMT has received updates on proposed research activities for 2010 from NMFS NWR, Washington Department of Fish and Wildlife (WDFW), Oregon Department of Fish and Wildlife (ODFW), and the International Pacific Halibut Commission (IPHC) relative to changes in projected research catches (Table 1).

Table 1. Yelloweye rockfish research catches and projections, 2009-2010.

	2009-2010 Biennial SPEX	2009 Estimated Impacts	2010 Projected Impacts
IPHC Survey	0.7	0.3	1.1
WDFW Enhanced Rockfish	1.0	0.2	1.0
ODFW Enhanced Rockfish	0.9	0.0	1.0
Other (including NMFS trawl survey)	0.2	0.2	0.2
Total	2.8	0.7	3.3

The GMT also received an update that the IPHC survey will be increasing the number of skates fished in their annual Pacific halibut stock assessment survey, from 5 to 8 skates per survey station. Based on the highest catch of yelloweye per skate between 2002 and 2009, the yelloweye rockfish impacts projected using 8 skates of gear are 1.1 mt. Based on the average catch of yelloweye per skate during the same time period, the projected IPHC impacts are 0.8 mt (Table 2). The GMT currently has 1.1 mt for the IPHC survey in the scorecard, based on the maximum catch per skate value in the data as a risk averse estimate. We have used a similar approach in the past for estimating research catch because most research is not constrained by overfished species impacts. The ODFW and WDFW enhanced surveys, in contrast, have agreed to keep impacts at or below their projections. The Council may wish to choose a less risk averse estimate based on the information shown in Table 2.

Table 2. Yelloweye rockfish catch statistics from IPHC standard grid stations, 2002-2009, with projected impacts given 8 skates in 2010 and 3-year average weight (2007-2009).

Statistic	Predicted Number YE	Predicted (mt)
Median	218	0.8
75th percentile	228	0.8
90th percentile	258	0.9
Max	316	1.1
Average	157	0.7

The GMT notes that with the slightly higher projected research impacts currently in the scorecard, all yelloweye rockfish is prescribed in 2010. If the Council desires a larger yelloweye residual in the scorecard, the GMT requests guidance on what magnitude of yelloweye residual they would prefer and which fisheries should be constrained given available options (Table 3). The GMT notes that there are more options that may increase the residual in the scorecard if action is considered early in the year (i.e., under Agenda Item E.8 Inseason Part II at this meeting), and that the options for reducing yelloweye impacts later in the year may need to be more severe to get the same catch reductions.

Table 3. Fisheries and potential management actions to reduce yelloweye impacts available at this meeting. If actions are necessary later in the year, they will likely have to be more severe.

Fishery	Potential Management Actions
Non-whiting trawl	Adjust shoreward RCA, reduce trip limits
Non-nearshore fixed gear (sablefish)	Adjust non-trawl RCA north Point Chehalis (100 to 125/150 fm) or 43° N. lat. to Cascade Head (125-150 fm), reduce trip limits
Nearshore fixed gear	Reduce trip limits north 40°10 N. lat., south 40°10 N. lat. adjust non-trawl RCA or reduce trip limits
Recreational	Depth restrictions, reduce bag limit, reduce season length
EFP	Reduce YE cap, zero YE cap, postpone EFPs

NON-WHITING EFPs

The Council recommended five non-whiting exempted fishing permits (EFPs) for 2010 at their November 2009 meeting. The overfished species bycatch caps for the non-whiting EFPs were corrected in the attached 2010 scorecard.

TREATY TRIBAL WHITING BYCATCH

The GMT updated the 2010 scorecard for the tribal whiting based on the adoption of set-asides under Agenda Item E.3 Pacific Whiting Harvest Specifications. Using the methodology described in the 2009-2010 harvest specifications and management measures Environmental Impact Statement, the GMT projects impacts of 4.30 mt for canary, 0.05 mt for darkblotched, 7.21 mt for POP, and 4.99 mt for widow (Table 4).

Table 4. Estimated bycatch in the tribal whiting fisheries for 2010.

Sector	Southern Bocaccio	Canary	Darkblotched	POP	Widow	Yelloweye
Makah	0.00	1.78	0.02	2.99	2.06	0.00
Quileute	0.00	2.52	0.03	4.22	2.92	0.00
Total Tribal	0.00	4.30	0.05	7.21	4.99	0.00

RECREATIONAL

2009 Fisheries

The GMT received reports from Washington, Oregon, and California regarding catch estimates for the 2009 recreational fisheries. None of the catch estimates for Washington and Oregon indicate that harvest guidelines for overfished or target species were exceeded in 2009. The yelloweye rockfish impacts in the California recreational fishery is estimated to have exceeded the 2.8 mt harvest guideline by 1.1 mt in 2009 for a total estimated catch of 3.9 mt. There was an unanticipated increase in yelloweye rockfish catch at the end of the 2009 season. The current yelloweye rockfish catch tracking methods track catch with a one week lag, allowing timely

action inseason if needed. When the harvest guideline was projected to be exceeded, the season had already closed in the North-Central North of Point Arena Management Area and the season in the Northern Management Area was already scheduled to close within two weeks.

California Department of Fish and Game staff informed the GMT that examination of the 2009 California Recreational yelloweye rockfish catch data indicated that implementation of additional management measures other than season length reductions would not significantly reduce yelloweye rockfish catch in 2010. The majority of yelloweye rockfish were encountered North of Point Arena, where the current depth and season structures already represent severe constraints. A 20 fm depth restriction will again be in place North of Point Arena as in 2009 as well as 2008, when the catch of yelloweye rockfish was 1.8 mt (1 mt below the 2010 HG of 2.8 mt). It is uncertain how much catch will accrue in 2010 given factors such as weather and alternative fishing opportunities. Therefore, CDFG is not recommending any pre-season adjustments at this time. Inseason action will be taken if necessary.

COMMERCIAL

2008 Total Mortality Report

The GMT received an updated set of total catch data from the West Coast Groundfish Observer Program (WCGOP) based on results published in the Total Mortality Report for 2008 (October 2009). Models were updated where appropriate and discussed in more detail below.

Limited Entry Non-Whiting Trawl

The GMT was unable to update the trawl bycatch model with the newest data from the WCGOP because of recent staffing changes. The team did compare the results of the 2008 Total Mortality Report with the 2008 PacFIN Best Estimate Reports (i.e., QSM) to determine whether differences in the trawl model projections versus the estimated total catch were apparent. Because significant differences between the 2008 QSM and Total Mortality Report were not detected, and since all management measures recommended by the GMT for the 2010 season (see Agenda Item G.10.b, Supplemental GMT Report, November 2009) were only recently implemented (February 26, 2010), with the exception of the recommended petrale sole management measures, no adjustments to trawl fishery management measures are recommended at this time. More discussion regarding petrale sole follows.

Petrale Sole

Management measures recommended for petrale sole at the November 2009 Council meeting were adopted on January 1, 2010. These measures included a reduction in trip limits to 9,500 lbs/ 2 months and a modified RCA boundary to include access to petrale sole areas (i.e., petrale cut outs). Feedback from industry in early 2010 indicated high discarding events were occurring. The GMT contemplated whether the reports of discard were higher than the assumptions in the November model and if additional management measures were necessary. The GMT understands that these occurrences of discarding took place over a short period of time by a small portion of the fleet. The GMT also understands that following these initial reports of excessive discarding of petrale sole during the first period, fishermen voluntarily refrained from fishing within the petrale cut outs and limited tows duration to prevent excessive petrale catches. Petrale cut outs are closed beginning Period 2 through Period 5, hence, there is no longer any concern of

fishermen trawling within these areas of high petrale sole concentration until Period 6. Furthermore, we understand that petrale sole are undertaking their seasonal shallow-water migration, and are now largely inaccessible since they are within the trawl RCA. This information, along with the fact that very little catch data is available to track 2010 petrale sole landings (i.e., we are too early in the season), has led the **GMT to recommend no additional management measures for petrale sole at this time**. The GMT will continue to closely monitor landings, and may recommend additional management measures for this fishery at future Council meetings.

Limited entry Non-Tribal Whiting Trawl Fishery

Shorebased whiting trip limits

In 2007, cumulative monthly limits were specified in the shoreside whiting Exempted Fishing Permit (EFP) for lingcod, minor slope rockfish (including darkblotched), minor shelf, shortbelly, widow, and yellowtail rockfish, Pacific Ocean perch, Pacific cod, and sablefish. The 2009 EFP structure did not provide landing allowances for species other than whiting. Since those allowances were not made in the EFP, Federal regulations applied and only allowed fishermen to get paid for monthly landing allowances for yellowtail and widow rockfish (species for which there is a midwater gear trip limit specified in regulation). In November 2009, the Council tasked the GMT and Region with analyzing mid-water trawl trip limits for the shoreside whiting EFP for 2010.

The GMT analyzed the 2007 trip limit structure specified in the EFP and compared it to landings in 2008 and 2009, years when overages were forfeited to the state, to determine whether these limits could be appropriate for the 2010 EFP. Overall, the limits specified in the 2007 EFP appear to be appropriate, although many boats would be expected to exceed the sablefish and slope rockfish limits. The GMT does not recommend increasing these limits to accommodate the higher landings because the whiting season is very short (~4-6 weeks) and there is limited opportunity to decrease limits inseason should it become necessary. These recommended limits are not expected to change the species composition of the landings or the magnitude of landings; they are only to allow the fishermen to get paid for their incidental catch, instead of forfeiting those landings to the state.

The GMT recommends the following limits be specified in the 2010 EFP:

- Lingcod: 600 lb per calendar month
- Minor slope rockfish, including darkblotched rockfish: 1,000 lb per calendar month
- Pacific ocean perch: 600 lb per calendar month
- Pacific cod: 600 lb per calendar month
- Sablefish: 1,000 lb per calendar month

These limits would be in addition to the current midwater trawl limits specified in federal regulations (i.e., trip limit table 3) for widow rockfish and yellowtail rockfish.

Bycatch limits

Beginning in 2009, whiting bycatch limits for canary, darkblotched, and widow were set for the entire non-tribal fishery and then distributed to each sector (shorebased, mothership, and catcher

processor) pro-rata to their whiting allocations. Whiting allocations, bycatch limits and total catch are presented in Table 5.

Table 5. Pacific whiting fishery summary by sector (2006 - 2009). SS = Shoreside, CP = Catcher Processor, MS = Mothership.

Species	Sector	2006		2007		2008		2009	
		Alloc/Cap	Catch	Alloc/Cap	Catch	Alloc/Cap	Catch	Alloc/Cap*	Catch
Pacific whiting	SS	97,469	97,297	87,398	73,280	58,669	50,423	40,738	40,771
	CP	78,903	78,864	70,751	73,263	115,789	108,121	35,376	34,620
	MS	55,696	55,355	49,942	47,809	58,087	57,432	24,034	24,091
	TOTAL	232,068	231,516	208,091	194,352	232,545	215,976	100,148	99,482
Canary	SS		1.64		2.01		1.66		2.31
	CP		0.10		0.35		2.43		0.23
	MS		0.85		1.62		0.74		0.60
	TOTAL	4.0 - 4.7	2.59	4.7	3.98	4.7 - 6.7	4.83	18.0	3.14
Darkblotched	SS		2.28		0.95		0.94		0.87
	CP		6.73		5.28		2.40		0.11
	MS		4.24		6.73		3.93		0.20
	TOTAL	25.0	13.25	25.0	12.96	40.0	7.27	25.0	1.18
POP	SS		0.14		23.14		0.07		4.70
	CP		0.75		2.92		12.83		0.06
	MS		1.88		0.73		2.93		1.40
	TOTAL		2.77		26.79		15.83		6.16
Widow	SS		49.38		88.97		99.09		108.64
	CP		67.00		72.77		52.37		0.96
	MS		71.80		72.99		60.75		24.94
	TOTAL	200 - 220	188.18	220 - 275	234.73	275 - 287	212.21	250.0	134.54
Yelloweye	SS		0.06		0.04		0.00		0.00
	CP		0.01		0.01		0.01		0.00
	MS		0.02		0.00		0.00		0.00
	TOTAL		0.09		0.05		0.01		0.00

* In 2009, bycatch caps were divided among the three whiting sectors pro-rata. The totals of those sector-specific limits are given here.

The GMT explored bycatch limits for the non-tribal whiting fishery for the 2010 season. Currently bycatch limits are specified in regulation for canary, darkblotched, and widow rockfish. Industry requested that the bycatch limits from 2009 be used for 2010 with the exception that the widow limit be increased to accommodate frequent interactions. The GMT notes that very little of the bycatch limit for either canary or darkblotched was used while a greater proportion of the widow limit was utilized by the fleet (Figures 1, 2, and 3).

Canary

Based on the latest understanding of canary biomass from the most recent assessment as well as the relatively high cap in 2009 (18.5 mt) compared to past amounts, the GMT suggests that the Council may want to consider a lower canary bycatch limit. A comparison of the most recent comparable biomass estimates from the 2007 and 2009 stock assessments suggests that a bycatch limit of 10.3 mt (55.8% of the 2009 bycatch limit) would be consistent with our current understanding of canary biomass. At the same time the GMT recognizes that the bycatch rate of canary in the whiting fishery is increasing in recent years. **The GMT recommends that the Council consider a lower canary limit, while balancing the increasing trend in the bycatch**

rate. We further note that if the Council does not want to reduce the canary limit for the non-tribal whiting fleet, reductions will have to be realized in other fisheries. For example, there is a considerable difference in the harvest guidelines of canary rockfish in the scorecard for the recreational fisheries compared to the projected impacts from those fisheries.

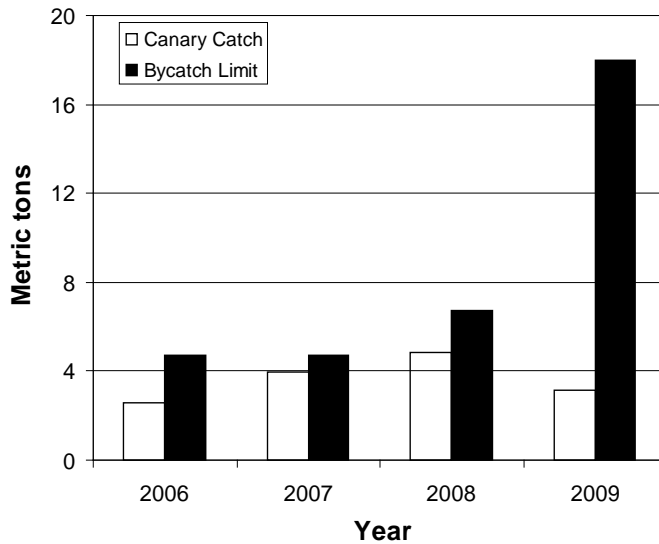


Figure 1. Canary bycatch limit and catch by year for all non-tribal sectors.

Darkblotched

For darkblotched rockfish the GMT discussed the rationale for setting the current bycatch limit (25 mt) as reflected in the 2009-2010 specifications and management measures EIS. Bycatch of shelf rockfish like canary is inversely proportional to bycatch of darkblotched. As such even though the darkblotched limit has not been fully attained in any year from 2006-2009, enough should be available to the fleet to prevent shutting down the fishery during the season. Given the recommendation to reduce the amount of canary available to the fleet, the **GMT recommends a status quo darkblotched limit.**

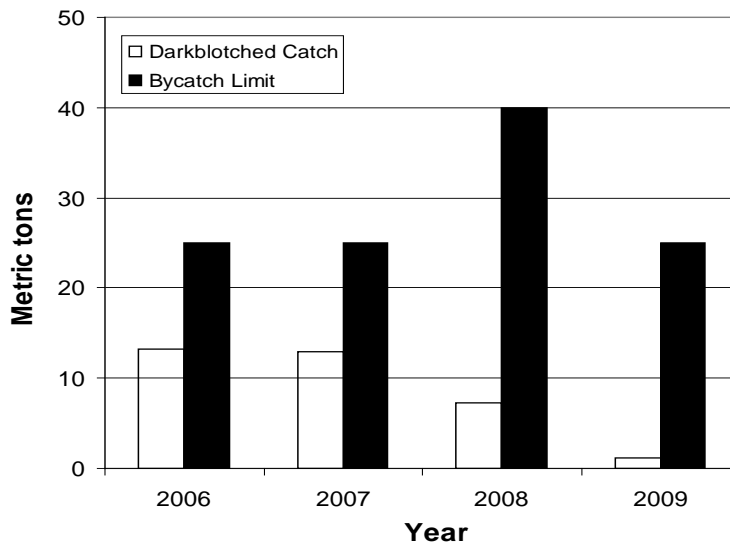


Figure 2. Darkblotched bycatch limit and catch by year for all non-tribal sectors.

Widow

The GMT examined widow bycatch rates in recent years and notes that they are increasing (Figure 4). Likewise, the relatively level of attainment for the widow bycatch limit in recent years is high compared to bycatch limits for other species (Figure 3). A linear interpolation of bycatch rates for 2006-2009 results in an estimate of 279 mt for 2010. **The GMT recommends that the Council consider an increase in the limit to 279 mt.**

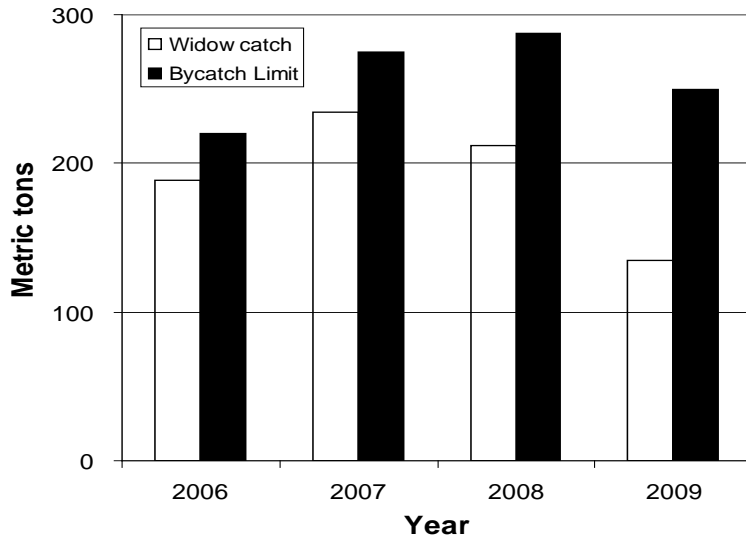


Figure 3. Widow bycatch limit and catch for the fleet by year.

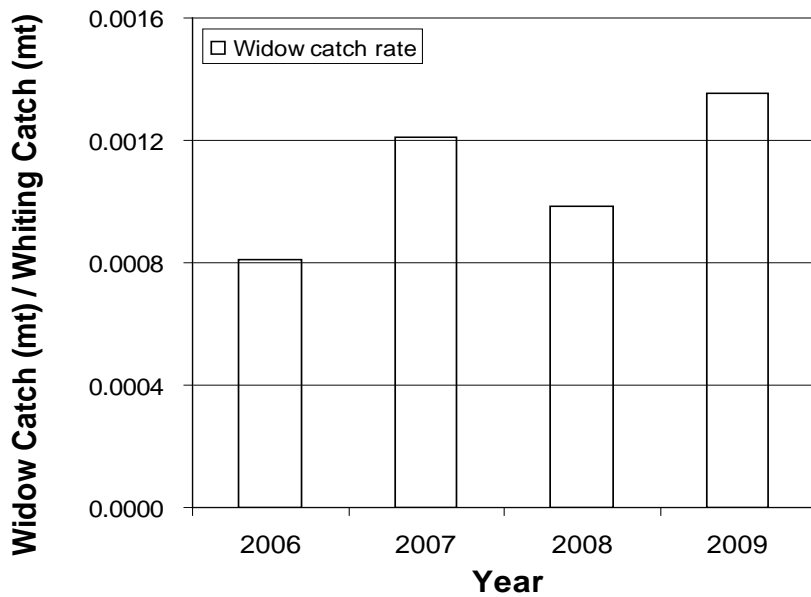


Figure 4. Total non-tribal fleet widow bycatch rates by year.

Limited Entry Fixed Gear

The GMT received an updated set of bycatch data from the West Coast Groundfish Observer Program. Based on this data, the projected catch of overfished species in the limited entry sablefish fishery was revised. These updates are shown in the scorecard.

Incidental Halibut in the Limited Entry Sablefish Primary Fishery

The final area 2A Pacific halibut Total Allowable Catch for 2010 is below 900,000 lbs, and according to the Council's Catch Sharing Plan on halibut, no halibut quota will be assigned to the sablefish primary fishery. Therefore in 2010 no retention of halibut will be allowed in the sablefish primary season north of Pt. Chehalis, WA. The GMT realizes that NMFS will be adjusting the groundfish regulations to reflect this change for May 1.

Limited Entry Fixed Gear Sablefish Daily Trip Limit (DTL) Fishery South of 36° N. lat.

The GMT received a request to remove the daily trip limit from the limited entry fixed gear sablefish DTL fishery south of 36° N lat. Currently the trip limit is "400 lb/day, or 1 landing per week of up to 1,500 lb". At the September 2009 meeting (Agenda Item E.4.b, Revised Supplemental GMT Report) the Council recommended removing the daily limit through the end of the year because the data available at that time indicated Conception Area sablefish landings were tracking well within the OY and since the limited entry fishery is more stable, a daily limit was unnecessary to control effort shifts. Also in its November 2009 inseason statement (Agenda Item G.4.B, Supp. GMT Report) the GMT stated it was "supportive of removing the daily limit for the LE sector beginning period 2" of 2010.

The GMT recommends removing the daily limit from the LEFG sablefish fishery south of 36° N lat. The resulting trip limit would be a cumulative weekly limit of 1,500 lb. The Team will continue to monitor this fishery and can take corrective measures in the future if they perceive a risk of exceeding the Conception Area OY.

Open Access Sablefish Daily Trip Limit (DTL) Fishery North of 36° N. lat.

The GMT received a request to examine an increase in the trip limits for sablefish in the DTL north of 36° N lat from "300 lb/day, or 1 landing per week up to 800 lb, not to exceed 2,400 lb/2 months" to "300 lb/day, or 1 landing per week up to 1,000 lb, not to exceed 3,000 lb/2 months". Model results indicate that the fishery is currently projected to attain the OY. **The GMT does not recommend increasing trip limits at this time.** The GMT will continue to monitor this fishery and could make adjustments later in the year.

Open Access Sablefish south of 36° N lat.

The GMT received a request to examine an increase in the bi-monthly trip limit for sablefish in the DTL south of 36° N lat from "400 lb/day, or 1 landing per week up to 1,500 lb, not to exceed 8,000 lb/2 months" to "400 lb/day, or 1 landing per week up to 1,500 lb, not to exceed 9,000 lb/2 months". At this time the GMT does not know the effect of the trip limit modifications taken at the September 2009 meeting where the weekly limit was increased and the bi-monthly limit was eliminated. **The GMT does not recommend increasing the weekly or bi-monthly limit at this time.** The GMT will continue to monitor this fishery and may make recommendations for adjustments later in the year.

Nearshore Fishery

The GMT received an updated set of bycatch data from the west Coast Groundfish Observer Program. Based on this data, the projected impacts to overfished species in the nearshore fishery was revised. These updates are shown in the scorecard.

The GMT received a request in November 2009 to remove the 20 fm depth restriction between 40°10' N lat and 43° N lat for the nearshore fishery that was put in place in 2009 to reduce yelloweye impacts. If this fishery is moved back to 30 fm, overfished species impacts would increase from 1.3 mt to 2.0 mt for yelloweye and 3.6 mt to 4.1 mt for canary rockfish. Due to the limited amount of yelloweye rockfish available in the scorecard, **the GMT does not recommend modifying the 20 fm restriction at this time.**

GMT Recommendations:

1. Adopt trip limits for the shorebased whiting fishery in the 2010 EFP.
 - Lingcod: 600 lb per calendar month
 - Minor slope rockfish, including darkblotched rockfish: 1,000 lb per calendar month
 - Pacific ocean perch: 600 lb per calendar month
 - Pacific cod: 600 lb per calendar month
 - Sablefish: 1,000 lb per calendar month
2. Lower the canary bycatch limit for the non-tribal whiting fishery considering stock status and the increasing bycatch rate.
3. Increase the widow bycatch limit for the non-tribal whiting fishery based on the increasing bycatch rate.
4. Remove the daily limit for the limited entry fixed-gear sablefish fishery south of 36° N latitude.

Projected mortality impacts (mt) of overfished groundfish species for 2010 updated with most recent EFP caps and 2008 WCGOP data for the nearshore and non-nearshore fixed gear fisheries and estimates of tribal whiting impacts.

Fishery	Bocaccio b/	Canary	Cowcod	Dkbl	POP	Widow	Yelloweye
Limited Entry Trawl - Non-whiting	16.1	21.3	1.5	230.6	100.8	21.6	0.6
Limited Entry Trawl - Whiting							
At-sea w hiting motherships a/		4.3		6.0	0.5	60.0	0.0
At-sea w hiting cat-proc a/		6.1		8.5	0.5	85.0	0.0
Shoreside w hiting a/		7.6		10.5	4.7	105.0	0.0
Tribal w hiting		4.3		0.0	7.2	5.0	0.0
Tribal							
Midwater Trawl		3.6		0.0	0.0	40.0	0.0
Bottom Trawl		0.8		0.0	3.7	0.0	0.0
Troll		0.5		0.0	0.0		0.0
Fixed gear		0.3		0.0	0.0	0.0	2.3
Fixed Gear Sablefish	0.0	2.5	0.0	4.5	0.4	0.0	0.9
Fixed Gear Nearshore	0.3	3.6	0.0	0.0	0.0	0.3	1.3
Fixed Gear Other	5.0	0.0	0.0	9.0	0.0	0.7	0.0
Open Access: Incidental Groundfish	2.0	0.9	0.0	0.0	0.0	4.0	0.3
Recreational Groundfish e/							
WA		20.9					5.1
OR						1.0	
CA	67.3	22.9	0.3			6.2	2.8
EFPs	11.0	1.3	0.2	1.5	0.1	11.0	0.4
Research: Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs.							
	2.0	4.5	0.2	2.0	2.0	5.7	3.3
TOTAL	103.7	105.4	2.2	272.6	119.9	345.5	17.0
2010 OY f/	288	105	4.0	291	200	509	17
Difference	184.3	-0.4	1.8	18.4	80.1	163.5	0.0
Percent of OY	36.0%	100.4%	55.0%	93.7%	60.0%	67.9%	100.0%
Key	= either not applicable; trace amount (<0.01 mt); or not reported in available						
a/ Non-tribal whiting values for canary, darkblotched, and widow reflect bycatch limits for the non-tribal whiting sectors. All other species' impacts are projected from the GMT's whiting impact projection model. The Council may elect to change these bycatch limits when setting final whiting management measures in March 2010 or under any inseason action at any of their future meetings.							
b/ South of 40°10' N. lat.							
e/ Values in scorecard represent projected impacts for all species except canary and yellow eye rockfish, which are the prescribed harvest guidelines.							
f/ 2009 and 2010 OYs are the same except for darkblotched (291 mt in 2010), POP (200 mt in 2010), and widow (509 mt in 2010).							