

DRAFT SUMMARY MINUTES
Ad Hoc Groundfish Strategic Plan
Implementation Oversight Committee
Pacific Fishery Management Council
Teleconference

August 30, 2001

Call to Order

The Strategic Plan Implementation Oversight Committee (SPOC) meeting was called to order by Dr. Don McIsaac. He provided introductory comments and discussed the objectives of the meeting. The SPOC reviewed and amended the agenda (see Attachment). Opportunity for public comment was provided during each agenda item.

Members in Attendance

Mr. Robert Alverson, Fishing Vessel Owners Association
Mr. Phil Anderson, Washington Department of Fish and Wildlife
Mr. LB Boydston, California Department of Fish and Game
Mr. Ralph Brown, Pacific Fishery Management Council
Mr. Jim Golden, Oregon Department of Fish and Wildlife
Mr. Bill Robinson, National Marine Fisheries Service

Others in Attendance

Mr. Greg Bargman, Washington Department of Fish and Wildlife
Mr. Steve Bodnar, Coos Bay Trawler's Association
Mr. Burnell Bohn, Oregon Department of Fish and Wildlife
Ms. Eileen Cooney, National Oceanographic and Atmospheric Administration - General Counsel
Lt. Brian Corrigan, US Coast Guard
Mr. Brian Culver, Washington Department of Fish and Wildlife
Mr. John DeVore, staff, Pacific Fishery Management Council
Mr. Steve Freese, National Marine Fisheries Service
Mr. Jim Glock
Mr. Gerald Gunneri, Coos Bay Trawler's Association
Mr. Peter Huhtala, Pacific Marine Conservation Council
Mr. Jim Lone, Chair, Pacific Fishery Management Council
Ms. Michelle Longo Eder
Dr. Donald McIsaac, Executive Director, Pacific Fishery Management Council
Ms. Michele Robinson, Washington Department of Fish and Wildlife
Mr. Jim Seger, staff, Pacific Fishery Management Council
Ms. Cyreis Schmitt, National Marine Fisheries Service
Mr. Chuck Tracy, staff, Pacific Fishery Management Council
Mr. Dan Waldeck, staff, Pacific Fishery Management Council
Mr. Mike Waltrip, Coos Bay Trawler's Association
Mr. Jack Whitmore, Coos Bay Trawler's Association

Meeting Summary

Recent Court Decision

Ms. Cooney reviewed the recent court decision in the lawsuit brought by the Natural Resources Defense Council (NRDC) against National Marine Fisheries Service (NMFS). The lawsuit focused on the assumed discard rates for bocaccio and lingcod, public review of the annual groundfish management specifications, appropriateness of Amendment 12 to the groundfish fishery management plan, the mixed-stock exception,

and National Environmental Policy Act (NEPA) compliance. The court ruled in NRDC's favor on most claims except for the "ripeness" of NRDC's argument against the mixed-stock exception, noting the exception has not been used in management of the fishery.

NMFS is formulating their response to the court's decision, and will provide additional guidance to the Council prior to the October/November Council meeting. For the near term, NMFS and the Council will need to reconsider and provide better documentation for how bycatch estimates are determined; provide prior notice and public comment opportunity on the annual management specifications; and ensure that rebuilding plans comply with the statutory requirement (i.e., rebuilding plans will be either a fishery management plan, plan amendment, or regulations).

The SPOC discussed the ramifications of the court decision, notably what it meant for development of 2002 management provisions. The SPOC asked if the Council would need to simply consider more than two alternatives, versus consideration of all reasonable alternatives as required by NEPA. Ms. Cooney emphasized that a thorough record of decision making is needed that demonstrates how the annual management specifications (including bycatch/discard estimates) are developed. This would include discussion of the alternatives considered and why recommended alternatives are preferred over others.

Public Comment – none

Capacity Reduction

Permitting in the Open Access Fishery

Mr. Boydston provided the following report to the SPOC:

The third meeting of the Open Access Permitting Committee (OAPC) took place by teleconference on July 31 between 2 and 4:30 p.m.

This third meeting was for the purpose of: 1) reviewing our work to date and 2) deciding what to do next.

Thus far, the subcommittee has produced 1) a report of our thoughts and recommendations stemming from our first two meetings, 2) a draft problem statement, and 3) a draft history of the Open Access (OA) fishery. In addition, Dr. Hastie has produced an analysis of various fishery qualification criteria for directed fishery vessels (non-trawl). Our work through May was reviewed at the June Pacific Fishery Management Council (PFMC) meeting. Our main recommendations presented at that meeting were: 1) the OA initiative should be considered for formal plan development following the permit stacking initiative, and 2) the OAPC should continue to meet and address issues peripheral to the formal plan development process, which we do not expect to commence until next April, at the earliest.

In our third meeting, we again reviewed discussed Dr. Hastie's analysis and discussed the inclusion of additional qualification criteria.

We next discussed further describing the histories of the respective OA sectors. In that regard, it was agreed that we need to bring together an historical record of groundfish catches by the respective OA sectors and including target species catches in the case of fisheries that incidentally harvest groundfish. This record should be stratified by time and area. Species stratification will be important, but it must be recognized that catch records for many critical or key species are not available except for recent years. We discussed completing this analysis by next April but that we will need to put this item on the back burner until after the November PFMC meeting. Dr. Hastie suggested that when we do get together that we come prepared to direct him, as a group, how we would like to have the data generated. This would be preferable to each state developing its own data set.

Mr. Jim Seger suggested, and the group concurred, that B and C permits should hereafter be referred to as O and I permits, respectively. Also under this agenda item the group discussed limiting vessels

to one or the other permit type and restricting vessels to the use of specific gear types. However, the group agreed there is a myriad of options in this regard.

Under the allocation agenda item, it was agreed OA allocation can proceed without OA permitting, but that OA permitting will require allocation. How we go about allocating between gear types and sectors may be the most important yet difficult part of this initiative.

Near the end of our agenda Mr. Anderson, Mr. Bohn and I gave a summaries of where the respective states are with regard to recent and planned future management of their states' groundfish fisheries. I refer you to the meeting minutes for these reports. The meeting minutes also provide summaries of the public comments.

Finally, Dr. McIsaac reminded the group of our budgetary constraints and that we need to discuss how we plan to fund our strategic plan initiatives. He suggested we have that discussion at the next PFMC meeting.

The SPOC discussed the meeting summary of the OA subcommittee. It was noted that the Strategic Plan enjoins that OA fisheries targeting groundfish and those incidentally taking groundfish fisheries be limited. For directed OA fisheries, this could be accomplished through license limitation. However, for fisheries that take groundfish incidentally (e.g., pink shrimp fishery, salmon troll, halibut longline, exempted trawl), catch would be limited through allocation rather than license limitation.

Public Comment – The Washington Troller's Association noted their opposition to a "C" permit for groundfish incidentally caught in other fisheries. They do not see a need for the permit as it does not limit entry.

The SPOC deliberated on their advice to the Council. It was stressed that allocation will be a critical step in developing license limitation for OA fisheries. To that end, it was suggested that development of a historical analysis of participation and harvest in OA fisheries is needed. It was also stressed, that while development of a permit for incidental take of groundfish in other fisheries will be complicated, this option should not be foreclosed as the Strategic Plan specifically calls for its consideration.

The SPOC endorses the OAPC report and recommends the following to the Council:

- *Dr. McIsaac should provide a report on funds available for Strategic Plan implementation at the October/November Council meeting;*
- *As the Council determines workload priorities, they should consider a meeting of the OA subcommittee after the October/November Council meeting;*
- *Contingent on workload, Dr. Hastie should continue development of an historical analysis of participation and catch in OA fisheries using guidance provided by the OA subcommittee;*
- *Consideration of "C" permit will be revisited after development of historical analysis.*

The SPOC notes that, while workload priorities and staff resources limit time available for development of OA license limitation, increasing constraints on available harvest and increasing pressure on nearshore fisheries (i.e., as shelf fisheries are constrained) necessitate that capacity reduction of the OA fishery should remain a priority for the Council.

Buyback Legislation

Mr. Brown reviewed congressional activity on the West Coast groundfish fishery buyback legislation. He noted progress on the House bill, which may pass this session. The outlook is less promising on the Senate side, West Coast groundfish interests are seeking support for the Senate bill.

Public Comment – none.

Trawl Permit Stacking

It was noted that in June the Council affirmed the SPOC recommendation to form a trawl permit stacking development team. However, due to workload, the development team did not meet between June and September 2001. The SPOC noted that, while it had been placed "below the line" in terms of workload priority, trawl permit stacking remains a very critical Strategic Plan issue. Several members of the SPOC stressed that trawl permit stacking should receive high priority and move forward as soon as possible. For the next several months, NMFS and Council staff will be focused on annual specifications for the groundfish fishery. However, it may be possible for the development team to meet for initially scoping what it would take to develop a trawl permit stacking program. Progress on trawl permit stacking will require the Council to balance the suite of Council workload items (both groundfish and non-groundfish fisheries).

Public Comment – Several members of the public strongly recommended that trawl permit stacking go forward, noting that the development team should begin scoping the issues.

The SPOC recommends that trawl permit stacking be strongly emphasized as a high priority. Moreover, work on development of the trawl permit stacking program should be given due consideration as the Council sets its workload priorities at the September meeting.

Marine Reserves

Mr. Seger reviewed the status of several marine reserves initiatives. He named the individuals recommended by each Council advisory body for the a newly formed marine reserves steering group. The steering group is charged with aiding the Council and its advisory bodies in reacting to external marine reserve proposals. The steering group will be formalized at the September Council meeting and is scheduled to meet prior to the October/November Council meeting.

Public Comment – One member of the public stressed that, relative to other Strategic Plan initiatives, marine reserves should be a low priority. He noted that the SPOC had prioritized marine reserves lower than other initiatives that are not being worked on (e.g., trawl permit stacking).

The SPOC has no specific recommendations on substantive marine reserve issues. However, to ensure full participation and representation for each advisory body, the SPOC recommends the Council provide each steering group representative the ability to designate an alternate (from their respective advisory body). The number of times a representative could designate an alternate should not be limited.

For reference, the SPOC reminds the Council of the Strategic Plan implementation priorities adopted by the Council, noting that the marine reserves item is lower in priority than several other key items:

Rank	Item (section in Strategic Plan)
1.a	Buyback – all gears (C. 3.g)
1.b	Trawl permit stacking (A.3.e)
2	Observers – develop full program (A.5)
3	Review and improve groundfish management process (C.8)
4	Fixed gear permit stacking – sablefish (A.3.d)
5	Open access limited entry (A., C. 3.a,b,c)
6	Allocation
7	Marine reserves (A.6.)
8	Nearshore rockfish delegation (A.1.d)
9	Implement harvest policy recommendations (A.2.a-e)
10	Fixed gear spp endorsements & stacking – non-sablefish
11	Explore regulations to (1) reduce bycatch and (2) access allocations
11	Explore regulatory incentives (regs/gear) to minimize impacts on habitat

Allocation

Mr. Anderson reviewed the Ad Hoc Allocation Committee meeting summary, focusing on their recommendations for 2002. He also noted that several of this year's fisheries have gone faster than anticipated (e.g., canary rockfish). New assessment information prompted the Groundfish Management Team to recommend lower 2002 optimum yields for several species; sablefish, Dover sole, widow rockfish, darkblotched rockfish, and yelloweye rockfish. Yelloweye rockfish will be very constraining.

The recommendations of the Ad Hoc Allocation Committee include:

A. Management Principles

1. Management measures must have a high probability of keeping total mortalities within the harvest ceiling.
2. When making a trip adjustment for a specific species, adjust the trip limits for each species taken in the complex as required to minimize discard mortality.
3. Consider and adjust, if appropriate, the bycatch assumptions for each of the species taken in commercial and recreational fishing strategies.

B. Data Quality

1. Analyze and, if appropriate, incorporate estimates derived from the new California/MRFSS CPFV Effort Program ASAP.
2. Reconcile and incorporate the Oregon Sampling Program data into the RecFIN database by 2002.

C. Allocation

1. The Committee endorses the current (2001) set asides of species taken in both commercial and recreational fisheries.
2. Recreational set asides:
 - lingcod: 320
 - canary: 44 (including 22 Mendocino south)
 - bocaccio: 52 (Mendocino south)
 - yelloweye: total (recreational plus commercial) 4-11
 - Manage commercial fisheries for discard mortality (2 mt)
 - Manage recreational fisheries for minimal incidental catch (2-9 mt).
 - nearshore rockfish:
 - North: 575 (2001), 800 (2002)
 - South: 550 (2001), 400 (2002)

D. Alternate Management Strategies

1. Consider shorter timeframes for each fishing sector (e.g., longline, trawl, OA) that results in an increase in the economic benefit to the fishing industry and that minimizes bycatch mortalities.
2. Consider additional EFPs that provide individual fishers opportunities to harvest higher quantities of healthy species while staying within specified bycatch limits of depressed species with an observer on board.

E. Major Management Challenges

1. Keeping recreational harvests within harvest guidelines (e.g., bocaccio, yelloweye).
2. Managing the yellowtail and widow rockfish complex.
3. Accounting for effort shifts in recreational and commercial fisheries from the shelf to nearshore species.

4. Managing the shelf line fishery, including the DTL fishery, to stay within rockfish harvest levels (e.g., yelloweye, sablefish allocation [primary v. DTL]).
5. Providing economically viable trip limits while maintaining a year round fishery.
6. Document rationale used to support discard rates (e.g., 16% for bocaccio).
7. Reducing harvest capacity.

Public Comment – none.

Mr. Brown reported on an industry meeting to discuss allocation issues. He noted the major issues identified at their meeting are very similar to the Ad Hoc Allocation Committee findings. A report of this meeting will be provided to the Council in September.

The SPOC discussed their recommendation to the Council. *The SPOC believes the Ad Hoc Allocation Committee recommendations are consistent with the Strategic Plan.*

Multi-Year Management

Dr. McIsaac discussed the possibility of reinitiating development of a multi-year management cycle. He noted that several other Council use multi-year management, and it may address concerns raised in the recent NRDC lawsuit. The SPOC discussed the feasibility of multi-year management given the current stock assessment cycle and complexity added by the review of rebuilding plans.

Public Comment – none.

The SPOC recommends a subcommittee of the SPOC be formed to reinitiate discussions of multi-year management. Given current workload, this meeting could not occur until after the October/November meeting. It was noted that a revolutionary approach to groundfish management may be necessary to reduce current strain and provide for future improvements.

Adjournment

The SPOC meeting adjourned at approximately 12 P.M., Thursday, August 30, 2001.

PFMC
09/11/01

AMENDED AGENDA
Ad Hoc Groundfish Strategic Plan
Implementation Oversight Committee

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220
(503) 326-6352
August 30, 2001

Public comment will be accepted during each agenda item at a time determined by the chair.

THURSDAY, AUGUST 30, 2001 – 9 A.M.

- A. *Introductory Remarks*** Don McIsaac
- B. *Review and Approve Agenda*** Don McIsaac
- C. *Recent Court Decision*** Eileen Cooney
- D. *Capacity Reduction***
 - 1. Permitting in the Open Access Fishery LB Boydston
 - 2. Other Initiatives (Buyback Legislation, Trawl Permit Stacking)
- D. *Marine Reserves*** Jim Seger
- E. *Allocation***
 - 1. Ad Hoc Allocation Committee Recommendations Phil Anderson
 - 2. Report of Industry Meeting Ralph Brown
 - 3. SPOC Consideration of Allocation Issues
- F. *Other Business***
 - 1. Multi-Year Management Don McIsaac
- G. *Report to Council***

ADJOURN

PFMC
08/30/01

