

UPDATE ON REVISION OF AMENDMENT 12 - REBUILDING PLANS

Situation: An August 2001 decision in NRDC v. Evans ruled that rebuilding plans for overfished West Coast groundfish species are to be Pacific Coast Groundfish Fishery Management Plan (FMP) amendments or regulations to comply with Magnuson-Stevens Act rebuilding provisions.

At the November 2001 Council meeting, the National Marine Fisheries Service (NMFS) recommended the Council revise Amendment 12 of the FMP and develop rebuilding plans as part of an FMP amendment for bocaccio, canary rockfish, cowcod, darkblotched rockfish, lingcod, Pacific ocean perch, and widow rockfish in a two-meeting process for April and June 2002. A rebuilding plan for yelloweye rockfish, which NMFS declared overfished in January 2002, could follow on a separate FMP amendment track, because a rebuilding plan would not be required for that species until January 2003.

The proposed development schedule for the first rebuilding amendment (Amendment 16) would be a draft for Council consideration in April and final Council adoption in June 2002. Some of the provisions in Amendment 12 that frameworked rebuilding plans will be revised in proposed Amendment 16, and it would include rebuilding plans for at least five and possibly up to seven species (all except yelloweye). The proposed second rebuilding amendment, Amendment 18 (Amendment 17 is proposed for frameworking a multi-year management process), would contain the yelloweye rockfish rebuilding plan and any other species not covered in Amendment 16. The Council would consider approving Draft Amendment 18 for public review at its September meeting and take final action in November. The NMFS will brief the Council on the recommended content and development schedule of rebuilding amendments and plans.

Based on discussions at its February 4-7, 2002 meeting, the Groundfish Management Team (GMT) recommends the Council consider including rebuilding plans for bocaccio and canary rockfish in the later rebuilding amendment (proposed Amendment 18) (Exhibit F.3.b, GMT Report on Rebuilding Plans). Revised rebuilding analyses for bocaccio and canary rockfish are expected later this year following new stock assessments. The Stock Assessment Review (STAR) Panel process for 2002 assessments and development of rebuilding analyses has been accelerated this year to be available for Council consideration in June. A rockfish STAR Panel will convene in April to review the new bocaccio and canary rockfish assessments. Therefore, the new stock assessments and revised rebuilding analyses for these two species will be available at the June Council meeting. Given the GMT expectation of significant changes in the bocaccio and canary rockfish outlook from these new assessments, there may be consideration for including these two species' rebuilding plans in Amendment 18 proposed for adoption late in 2002.

Council Task:

- 1. Provide guidance to NMFS and Council staff on completing rebuilding plans and associated FMP amendments.**

Reference Materials:

1. GMT Report and Recommendations for Revising Rebuilding Plans and FMP Amendments (Exhibit F.3.b, GMT Report on Rebuilding Plans).

Agenda Order:

- a. Agendum Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Guidance on Completing Rebuilding Plan Amendments

John DeVore

Groundfish Fishery Strategic Plan (GFSP) Consistency Analysis

Rebuilding overfished species, as mandated by the Magnuson-Stevens Fishery Conservation and Management Act, was a primary motive for developing and implementing the GFSP. Many sections of the GFSP describe how rebuilding plans factor into short- and long-term Council priorities for conducting groundfish conservation and management. GFSP objectives such as developing sustainable and effective harvest policies (Sec. II.A.2), achieving fleet capacity reduction (Sec. II.A.3.(b)), allocating groundfish resources (Sec. II.A.4), developing an effective Observer Program (Sec. II.A.5), and development of marine reserves as a groundfish management tool (Sec. II.A.6) are grounded by the need to accomplish the goal of rebuilding overfished groundfish stocks.

PFMC
02/27/02