

Agenda C.3. j

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2 September 2002

Dr. Donald McIsaac, Executive Director  
Pacific Fishery Management Council  
7700 N.E. Ambassador Place, Suite 200  
Portland, Oregon 97220-1384

Dear Dr. McIsaac,

Please enter the following letter into the council record for the September 9-13, 2002 council meeting for the issue of 2003 Groundfish Mngmnt Measure: Tentative Adoption for Analysis.

Original Sin

This depth mngmnt may work to get the fleet out fishing in 2003. But, what are you going to do in 2004 when china or quillback hit the list? What will you do in 2005 when red-banded hit the list? What will you do in 2006 when rougheye or shortraker hit the list? It might not be these particular species, but you can't tell me that more species won't hit the list because all I have to do is look at the history of your mngmnt to know they will. Within three years you will have no more depths to close. What will you do then? What should be done today. This depth mngmnt does not function towards long-term permanent sustainability. It does not actively reduce capacity and it does not reduce discards. It is business as usual as far as I can tell. This depth mngmnt functions only to eek out one more year of fishing. Why and when would you use depth closure mngmnt? You would close a depth to: 1) protect a juvenile/nursery ground 2) during spawning periods 3) for less desirable marketable fish like soft dover and jelly black cod coming out of the deep (My processor doesn't want these fish. He wants the firm white bellies we catch up shallow in Aug.). These are conservation reasons to use depth mngmnt. These are proper reasons.

The west coast fishery currently takes from both ends: juveniles and mature adults. This is a quick and sure way to kill a resource. I believe this is the primary cause of the CA boccacio decline (coupled with erroneous total mortality figures and a poor ocean regime and you have what you have: zero). I fear this depth closure mngmnt will increase the catch of juveniles and exacerbate this problem. This mngmnt and almost all your mngmnt does not address the problem.

The problem was, "What fleet do you need and want to harvest the resource?" The biological and economic information was never obtained, and you could never have made this decision based on those two principles. But, you never made that decision based on anything. By not answering that question, you created all the other problems we have today. You focused exclusively on managing people, and more people, and more people, and what you would allow them to catch.

The problem now is very different. You have shifted from what we can catch to what we can't catch. This requires completely different mngmnt, but all I am hearing from you is business as usual: cumulative limits coupled with OYs, not enough observers to quantify total mortality, the rest of the usual restrictions and now depth closures.

### Lies Men in Suits Have Told

1. "We manage and fish within our OYs." Please. OTC ran an observer program to prove how clean they fish under cumulative mngmnt. These were not randomly drawn boats. They were hand picked, the best of the best, I imagine. In the raw data I saw discards of 30-70% sablefish. Yes, I remember that data can't be used because it wasn't statistically analyzed, and/or the sample size wasn't statistically valid. Does that mean this discarding never happened? Does it mean it is still not happening? I bet you have never or rarely stayed within your OYs. I have pitched as many dead sablefish overboard as I have kept while fishing those DTLs. I have been telling you this for years. These small DTLs are a waste of the resource. But, you won't get rid of them.

2. "Individual quotas create property rights and the fish in the ocean are a public resource." When you create a limited entry program, you "recognize the fleet." Once you recognize the fleet, you create the illusion of ownership: For fishermen, a limited entry permit instills a feeling of property rights. So do trip limits. Certainly the "fishers" in open access feel this property right, even without a permit, and express it as such: "It has always bothered me that the Open Access blackcod allocation is viewed to be a bycatch fishery by those involved in the political process. Last year, while none of us were paying attention, huge portion of the Open Access blackcod allocation was given to the shrimp trawlers..."(Don Standley, PFMC Public Comment, June 1998). Although destructive, you can't get rid of them because you'll get sued.

3. "Cumulative/Trip limits control the catch." They do not. They control landings. The continued use and expansion of cumulative limits and particularly the small poundage DTLs have helped over-drive the over-capacity problem. A glaring example of this can be seen in the spike in FG yelloweye landings for 1999 and 2000 seasons (Attached Graph). This catch increase corresponds directly to the 500-pound Jan-May limit followed by an increase to 1500 pounds for May-Sept. Yet, three years ago, when the council instituted this trip limit they knew that yelloweye rockfish were in trouble. This trip limit drove catch up. Don Standley, an open access "fisher" poignantly expresses this driving the overcapacity problem when he states, "Only when the 300 lb. Blackcod trip limit breathed life into the Open Access fishery, did the allocation get met and monthly cumulative limit was imposed." (PFMC, Public Comment F. 10. June 1998).

4. "Maintaining year-round harvesting and processing opportunity remains the councils highest priority." This year-round goal also drives the decline. Cumulative limits and DTLs create target species discards. They also do not control capacity: "Although licenses and trip limits together may appear to reach the root of the excess capacity problem, they do not." (Amend. 6, PFMC, Sept. 1991). In addition to carrying capacity and natural population density cycles, there is a season for harvest, and it is almost never, in nature, year round. This goal must be modified to match the current trends. "Clarence Birdseye had perfected and patented a process for quick-freezing foods in 1923. Frozen foods wrought great and good changes in the American diet."(Schremp, Kitchen Culture, 1991). Well frozen quality fish, vacuumed-packed, is a lovely year-round product. It is

also clear that the year-round opportunity created a proliferation in the number of buyers that mirrors the proliferation in the number of boats. The data show that there were a total of 1780 buyers on the west coast in the year 2000. 1234 of them had expenditures of less than \$20,000. (Option Analysis, Background Tables, Table 3.3.3-1. 8/28/02). I believe these buyers are creating an economic loss by spreading the resource too thin.

I have come to learn that it was not the naked emperor, and that it doesn't matter that he is naked. He will always be naked. It was the men in suits who had the control. But, you men in suits blew it. You wanted to include everybody, now you will get nobody. It is over. No More. You should not be allowed to destroy the last that is left. There can be no more lies.

### Other Random Thoughts

1. The individual states must be granted increased authority off their respective coasts beyond the 3/12-mile limit. If you have to, do it as emergency rule for 2003. At the 29 Aug. Ad-Hoc committee meeting, if I understood correctly, I heard that NMFS is working their butts off to get out from under a zero bocaccio catch. They are going to try and scrounge 20 MT for CA. But, LB wasn't satisfied: more, more, more was what I heard him say. I have to wonder, where is his gratitude? I am sick of you people (most of the voting members of the PFMC) managing my life. Do you know what Chuck and I did this year? We put in 340,000 pounds of an underutilized specie of fish. This was on a longline snap gear boat with a crew of 2 (3 total). Your 300 pounds are an insult to our abilities as fishermen. I am tired of being drug down to the lowest common denominator. I choose Phil to manage my life because he is the only one who makes sense to me now. He speaks towards rational and sustainable mngmnt.
2. A comprehensive IQ program is no longer feasible. I could not support the expansion of IQ's on the west coast anymore. You don't have enough of the we "can't catch fish" to do a comprehensive IQ program with the LE fleet you have built. OA is an impossible dilemma.
3. What is ecosystem mngmnt? In Dr. Seuss's words, "You are trying to ascertain who swims with who, how many of who swims with how many of who, where and why they swim where they do and doing all this by catching them too." In science words, I guess this would mean something like gaining the knowledge of the natural spp. compositions within assemblages, depth and water column range, feeding patterns, spawning periods, the effects of current, terrain preferences, and ??? You then build and structure the harvest and fleet around that knowledge (The IPHC has done this and we have what we have: too many!). But, you had better define this term quick before someone else does.
4. This might be a low estimate both in time and number, but 12 months from now you will have a hundred Shindler's Lists on the west coast. They are called EFPs. So, you had better define what an EFP is, too. An EFP should be an experiment to gain the data necessary to move the fleet to ecosystem mngmnt. EFPs are not another method to keep the fleet fishing. They cannot be conducted like business as usual. Remember, the E stands for experimental, not usual and accustom practices. The best I can see at this point, is that you need to shut almost everything down, run your EFPs, gain the knowledge you lack and then build the

fleet back in. Exactly opposite of what you have been doing. This would be the best use of the we "can't catch fish."

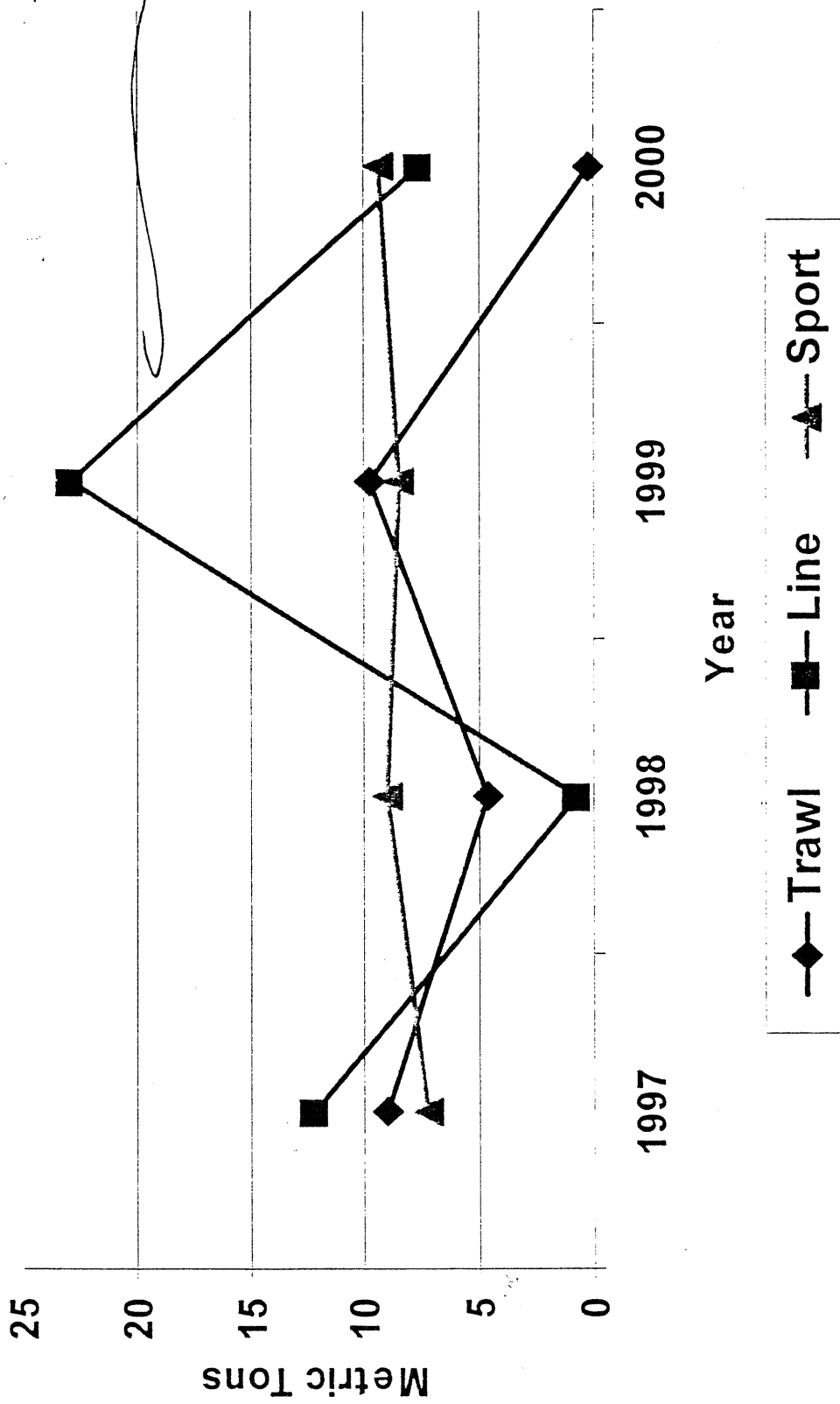
5. I have no rationale for this other than my gut feeling, but I think you put back in salmon troll, crab pot, FG 3-tier (the only rational groundfish mngmnt on this coast), the EFPs the states choose to run (with NMFS approval) and then depending on how much fish you can spread: shrimp trawl, whiting, trawl DTS.
6. If we fish under depth mngmnt in 2003, I don't think you will be able to salvage this much by 2005. That REALLY scares me. Then, it's not just over, it's all over. That can't be allowed to happen, do you know this?
7. Optimal fleet size is a dynamic number that changes in balance with/ according to the stock level, ocean conditions, individual vessel fishing pressure, mngmnt choices, and a multitude of other variables. IQs are the only tool I see that can maintain the dynamic part: constant change within the fleet without constant change in management.

That would be all, Thank You,



Laura Deach

# Washington Yelloweye Rockfish Landings by Gear



WDFW 7/02