

GROUND FISH ADVISORY SUBPANEL REPORT ON  
FINAL HARVEST LEVELS AND OTHER SPECIFICATIONS FOR 2003

The Groundfish Advisory Subpanel (GAP) conducted a lengthy discussion with Council staff on proposed optimum yield (OY) levels for 2003. Because the Groundfish Management Team (GMT) was simultaneously reviewing the same subject, there was only brief opportunity for interaction between the GMT and the GAP. However, we did have the opportunity to meet with staff of the California Department of Fish and Game to consider a proposal on a new OY for southern nearshore rockfish.

Many members of the GAP had strong concerns with the data that is being used to establish OYs. The GAP notes that observer data is still not being incorporated into the process, although we appreciate the assurances from the GMT that they intend to use that data for inseason management when the data becomes available. Logbook data from 1999 continues to be used even though the fisheries changed considerably starting in 2000. There was general frustration that harvest levels and stock assessments do not reflect the reality of what is happening in the ocean.

Several members of the GAP also raised questions about the role of the Council's Ad Hoc Allocation Committee in setting OY levels. The Ad Hoc Allocation Committee was originally established to examine harvest allocations between commercial and recreational fisheries. GAP members questioned why that committee has consistently taken upon itself the role of recommending OY levels, since these numbers are presumably based on scientific, rather than management considerations.

In considering recommendations for 2003 OY levels, the GAP used as a template Revised Table 2.1-1, which is a revision to the table found in the Addendum to the Annual Specifications EIS (Exhibit C.3). Even though the revised table contains some additional errors, it was the only comprehensive document the GAP had to work from.

The GAP recommendations reflect - as much as possible, given the complexity of the subject - only the scientific issues of ABC/OY levels. The GAP chose to treat management issues separately under agenda item C.3. The GAP concentrated its efforts on those species for which ranges had been specified in the table. For the other species and species groups with no ranges indicated, the GAP supported the single figure shown. The following are our recommendations; please note that bocaccio rockfish is discussed separately at the end of our report:

**Lingcod** - The majority of the GAP recommends an OY level of **725 mt**, which represents a 50% probability of rebuilding. The GAP supported this less risk averse probability, because of overwhelming testimony - from GAP members and the public - that lingcod are present along the entire coast in large numbers. The GAP notes that lingcod are voracious predators on rockfish - including overfished species such as bocaccio and yelloweye - and are concerned that heavy predation will offset gains in rebuilding plans for these more sensitive species. Given the large amount of lingcod present, the GAP believes that using a lower OY will have the additional effect of increasing discards, contrary to the goal of minimizing bycatch (including discards) to the extent practicable.

A minority of the GAP supports an OY level of 651 mt, suggesting that if we are seeing such gains as a result of rebuilding, we should not respond too quickly, but rather should maintain our current course of action.

**Pacific whiting** - The majority of the GAP recommends an OY level of **173,600 mt**, which corresponds to an  $F_{40\%}$  harvest policy applied to projected stock size at the beginning of 2003, the policy which has been adopted by the Council for this species, and which the Scientific and Statistical Committee noted in March, represents a risk-neutral harvest policy for whiting. Again, both GAP and public testimony noted the tremendous size of the whiting resource present this year, along with evidence of another reasonably-sized year class recruiting to the fishery in 2003. As with lingcod, concerns were also expressed about the effect of whiting predation on more sensitive species. Some GAP members noted that increased availability of whiting could maintain the economic viability of some fishing operations during a time of

significant cutbacks in other harvest levels.

A minority of the GAP recommended an OY of 148,200 mt, which represents an F<sub>45%</sub> harvest policy applied to the biomass at the beginning of 2002. The Scientific and Statistical Committee has identified this policy as being risk-averse.

**Sablefish** - The GAP recommends an OY level of **8,187 mt** and a Conception area OY of **346 mt**, with the understanding the ABC level shown in Revised Table 2.1-1 was calculated incorrectly and should be higher. The OY level proposed represents a harvest policy of F<sub>45%</sub> (the Council's default harvest policy for this species) applied to an assumption of a stock whose recruitment was affected primarily by environmental - rather than density - factors. The GAP notes there is strong evidence of a regime shift occurring which has affected numerous species, including salmon. Using an assessment based on environmental factors rather than density makes more sense. The GAP also rejected suggestions made at the Ad Hoc Allocation Committee meeting that harvest should be reduced due to the large number of small fish. The GAP pointed out the fixed gear fleet has a low encounter rate of small fish, the pot fishery has developed larger escape rings to avoid bycatch of small fish, and the trawl fleet - under the management scenarios being contemplated - will be fishing in areas outside of where small sablefish are present. Finally, some members of the GAP noted the economic importance of sablefish to the fishery at a time when other groundfish options will be limited.

A minority of the GAP recommended a lower OY value be adopted.

**Pacific Ocean Perch** - The GAP recommends an OY level of **377 mt**, which represents a 60% probability of rebuilding. This is consistent with previous GAP recommendations for this species. Maintaining the medium level OY will also reduce targeting on Pacific ocean perch and thus associated bycatch of darkblotched rockfish.

**Widow Rockfish** - The GAP recommends an OY level of **832 mt**, which represents a 60% probability of rebuilding. Again, this is consistent with previous GAP recommendations for this species.

**Canary Rockfish** - OY recommendations for this species are confounded by the different OY values that are derived depending on the assumptions made about recreational, commercial, and scientific harvest. Consistent with the GAP's intent to avoid making management recommendations under this agenda item, the GAP recommends an OY **reflecting a 60% probability of rebuilding**, with whatever distribution of recreational, commercial, and scientific harvest derives from those numbers. The GAP has not had an opportunity to meet with the GMT on various options and is reluctant to recommend a specific number at this time that may have distribution or management consequences.

During the course of the discussion, several GAP members raised concerns about the data that was used to develop the OY ranges. GAP members noted a significant increase in canary rockfish population that may not be adequately reflected in the stock assessment and the rebuilding plan.

**Darkblotched Rockfish** - The majority of the GAP recommends an OY level of **198 mt** which represents a 60% probability of rebuilding. This is consistent with GAP rebuilding recommendations for this species.

A minority of the GAP recommends an OY of 172 mt, which reflects an 80% probability of rebuilding in the T<sub>MID</sub> time frame.

**Yelloweye Rockfish** - The majority of the GAP recommends an OY level of **26 mt**, consistent with other GAP recommendations of a 60% rebuilding probability. The GAP notes that the differences in tonnage between various rebuilding probabilities are so small that they cannot rationally be measured.

A minority of the GAP recommends an OY level of 22 mt.

**California Proposal to Establish an OY for Southern Nearshore Rockfish** - The GAP recommends this proposal be rejected, and the OY values for Minor, Remaining, and Other Rockfish in the South as reflected in Revised Table 2.1-1 be adopted.

This issue came as a complete surprise to most members of the GAP and the public who were present at the meeting. No figures showing the effect of this proposal on rockfish OYs were made available to the GAP, and inquiries to the GMT indicated that none existed. It would have been helpful to be able to review the data and analysis used by California in support of the OY figure they presented to the GAP. Several of the species that would be added to this category appear to be found both on the shelf and in the nearshore area. Others are found both inside and outside California state waters, leading to questions of who is responsible for science and management. GAP members were particularly concerned about the use of cabezon as a proxy to estimate commercial rockfish catches in the early "base year" period, pointing out there was no significant commercial fishery for cabezon at that time, and cabezon which might have been harvested commercially were generically labeled as rockfish on fishtickets.

There were also significant concerns about the process being followed in bringing this proposal forward. GAP members pointed out that the Council was prevented from recommending depth-based management under normal procedures at the June Council meeting, because such management proposals had not been analyzed under the 2002 Groundfish EIS, even though those measures were specifically designed to meet the legal mandate to minimize bycatch to the extent practicable. In this case, a new management measure and accompanying modification of OY levels is being brought forth without adequate opportunity for public comment on the measures and whatever analysis may have been conducted, simply because it meets a policy goal established under state - not federal - law.

Given all of these concerns and the fact California is delaying its request for a fishery management plan amendment to alter state management authority over nearshore rockfish, the GAP believes this proposal should be rejected for 2003. If California wishes to pursue this proposal, it should follow the regular process in time for the 2004 season.

**Bocaccio Rockfish** - Of all of the OY levels considered by the GAP, this was the most difficult to deal with. Any of the OY levels within the range specified are effectively the equivalent of zero. Even continuing with the status quo of 100 mt - a number far beyond the range of the rebuilding analysis - is problematic, given the evident over-harvest that has occurred during the last two years.

The GAP found it difficult to believe the modeling effort for the assessment and the rebuilding analysis reflected reality, in spite of the diligent efforts of Dr. Alec MacCall. As GAP members pointed out, if bocaccio existed at such low numbers as suggested by the assessment, there should be little evidence of their existence in the fishery. This is obviously not the case. Further, given the large number of young bocaccio appearing in shallow water and also as prey in salmon and albacore, older spawning fish must exist in greater numbers than are assumed.

The GAP debated for some time on several different proposals for OY levels, ranging from zero to 100 mt. At the end of the debate, there was unanimous agreement among GAP members, supported by a majority of the members of the public present, that the GAP would not make a recommendation that could be no more than an artificial number chosen from a list. The GAP, therefore, declines to make a recommendation on an OY level for bocaccio rockfish for 2003.

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