

GROUND FISH ADVISORY SUBPANEL STATEMENT ON 2003 GROUND FISH MANAGEMENT MEASURES

The Groundfish Advisory Subpanel (GAP) has spent several days considering groundfish management measures. During that time, we have met with the Groundfish Management Team (GMT), received guidance from the Council, and listened to presentations from the California Department of Fish and Game, the Enforcement Consultants, and the Oregon Department of Fish and Wildlife. There has been substantial participation by the public and these comments reflect a wide variety of views.

Our comments are in two parts: a discussion of trip limits and other normal management measures based on information from the GMT and state agencies, followed by comments on specific issues that are under consideration by the Council.

TRIP LIMITS AND NORMAL MANAGEMENT MEASURES

The GAP supports the trip limits presented by the GMT as reflected on Tables **** (Exhibit ****). The GAP understands that, as more data on bycatch is available from the observer program and other sources later in the year, these limits are subject to change through the in-season management process. We expect the Council and NMFS to be as reactive to good news - i.e., data that shows less than expected bycatch - as they have been to bad news. We recognize why the limits are low - or non-existent - in many cases, but we expect the Council and NMFS to recognize that there will be a significant economic impact on local communities on the west coast. The Council has already received testimony on the economic and social affects being experienced under existing harvest levels. We can only expect it to get worse.

The GAP does need clarification on the yellowtail allowance in landings with flatfish. Fishermen have reported different interpretations used by enforcement in determining which situation - yellowtail as bycatch or yellowtail harvested as a target - applies. A clear interpretation for both fishermen and enforcement would be helpful.

The GAP also supports the State recreational options as presented in Exhibit C.3.i, Supplemental WDFW Report (as modified); Exhibit C.3.w, Supplemental ODFW Report; and Exhibit C.3.w, Supplemental CDFG Report 2.

SPECIFIC ISSUES

"CAPPING" FISHERIES - Both the California Department of Fish and Game and the Oregon Department of Fish and Wildlife presented proposals to "cap" nearshore fisheries at certain levels. Although the management proposals made at the Council meeting in June indicated a possibility of fisheries being capped, concern has been expressed that overall caps are being accompanied by allocation proposals. Council procedure and the Pacific groundfish FMP provide that allocation issues must be handled in a 3 meeting process. As a point of procedure, the GAP notes that the 3 meeting requirement is not being met.

VESSEL MONITORING SYSTEM - While the GAP recognizes that VMS may be a good tool in certain situations, there are still several questions that remain unanswered. In that regard the GAP suggests the following:

1. Enforcement should establish an advisory committee of knowledgeable and representative vessel operators to help design and implement the system.
2. Before full implementation occurs, Enforcement should establish a pilot program to weed out potential problems.
3. Equipment manufacturers should be invited to meet with fishermen, as there are many technical questions which cannot be answered by Enforcement.
4. When implementing a program, Enforcement needs to maintain flexibility, recognizing the wide diversity of vessels and the constantly changing management system.
5. As has been done in other areas of the country, VMS equipment should be provided by the

government without cost.

SABLEFISH PERMIT STACKING - The GAP held a brief discussion on the issue of increasing to 6 the number of permits that can be stacked by a fixed gear sablefish vessel. Proponents pointed to efficiency and economy as benefits that would accrue as a result of increased stacking. Others questioned whether sufficient data was available to determine the impacts, both on vessels that stack permits and those that don't.

Because there was only limited attendance at the GAP during this discussion and views appear evenly divided, the GAP neither endorses nor opposes a regulatory amendment on sablefish permit stacking at this time.

CALIFORNIA ROCKFISH CONSERVATION AREA - The GAP spent several hours in discussion of the CRCA paper that was provided by the California Department of Fish and Game. The GAP unanimously opposes the proposal as presented.

The GAP notes that the CRCA has a double standard on bocaccio savings. Under two exemptions, gear use is prohibited when bocaccio impact levels are reached, while under another set of exemptions fisheries can continue even though bocaccio impacts are exceeded. The proposal contemplates a trigger mechanism for revising catch levels, but that mechanism appears inconsistent with rebuilding requirements.

The GAP was greatly concerned about the process used to develop and bring forward this proposal. The CRCA has impacts on fishermen from other states, yet they had no opportunity to participate in its design. Even California fishermen had no real opportunity to be deeply involved in the process. This proposal should have been made in June and the public given full opportunity to comment.

Finally, the GAP notes that the Council has already taken action to promote conservation in the waters off California and sees no reason to push through a new proposal at this time.

TRAWL LIMITS IN CALIFORNIA - This issue is being raised as a separate topic as it surfaced early this afternoon. The GAP had a discussion with Mr. Bill Robinson on the subject of reducing or eliminating the trawl fishery inside of 50 fathoms south of Cape Mendocino. It is our understanding that NMFS does not intend to raise the issue at this meeting and that no direction has come from NMFS headquarters to eliminate trawling in this area.

The GAP notes that eliminating trawling as suggested would be a case of guilty until proven innocent. There is no data to indicate that trawl impacts are exceptional, and the scarcity of data which has been noted as an item of concern applies equally to all fisheries. Indeed, it even applies to NMFS stock assessments. If we are to take no action when data is scarce, then we probably need to start shutting fisheries down now along the entire coast.

Further, if the intent were to use a limited EFP system to gather data before allowing a fishery, how would NMFS choose the vessels? How would NMFS determine the different effects among the 9 ports where trawlers deliver in this area, and apply that data in a rational manner?

The GAP strongly opposes any action to remove the trawl fishery from inside the 50 fathom zone south of Cape Mendocino.