

2003 GROUND FISH MANAGEMENT MEASURES

Situation: Management measures adopted during the Council process are designed to implement new and existing rebuilding programs, achieve bycatch reduction mandates, keep total catch within the proposed harvest levels, and achieve optimum benefits to the various user groups and fishing communities. In the last three years the Council has implemented a substantial restructuring of the groundfish fishery that includes gear restrictions, seasons, and dramatically lower harvest levels consistent with previously-approved rebuilding programs for overfished species. However, new assessments and rebuilding analyses for bocaccio, canary rockfish, and yelloweye rockfish indicate a worsening crisis in West Coast groundfish management for 2003.

The Council is scheduled to adopt a preferred suite of harvest levels for groundfish species and complexes to recommend for 2003 management in the previous agenda. *The Initial Draft Environmental Impact Statement/Regulatory Impact Review/Initial Regulatory Flexibility Analysis For Proposed Groundfish Acceptable Biological Catch and Optimum Yield Specifications and Management Measures For The 2003 Pacific Coast Groundfish Fishery* (Annual Specifications EIS; Exhibit C.3, Attachment 1) provides analyses of the potential consequences of management measures estimated to conform to the considered range of harvest levels. The Annual Specifications EIS indicates that rebuilding these species, especially the overfished shelf rockfish species, could require a cessation of most, if not all, on-bottom fishing on the continental shelf with anticipated impacts especially severe in California. Bocaccio rebuilding may require a Mixed Stock Exception designation to allow research or limited fishing opportunities within the depth zones south of Cape Mendocino where bocaccio are encountered. Rebuilding canary and yelloweye rockfish will also significantly impact fishers north of Cape Mendocino.

Allowing access to species in shallower or deeper zones may require new approaches, such as depth-based restrictions and reduced limits for nearshore species. Effort shifts to nearshore and slope areas are likely to exacerbate overcapacity problems in these fisheries. This will create greater challenges for prosecuting sustainable nearshore fishery management and successful rebuilding of darkblotched rockfish and Pacific ocean perch on the slope. The expected economic consequences will be severe for all segments of the commercial and recreational fishing and support industries. There are also significant safety concerns associated with more vessels fishing close to nearshore hazards and in deeper waters farther offshore.

Public outreach to discuss the implications of potential changes to West Coast marine fisheries has been done this summer as part of scoping for the Annual Specifications EIS. All the coastal state agencies sponsored public hearings. The coastal state agency representatives are expected to summarize these comments; the California public hearing comments are summarized in Exhibit C.3.b, CDFG Public Hearing Reports 1, 2, and 3. Written public comments submitted to the Council office since the June meeting are included in Exhibit C.3.j, Public Comment 1 and Supplemental Public Comment 2). The Ad Hoc Allocation Committee (Committee) met in a two day meeting on August 28-29 to further address some of these 2003 West Coast groundfish management challenges (Exhibit C.3.f, Supplemental Ad Hoc Allocation Committee Report). There was also a public scoping session for the Annual Specifications EIS on August 28 at the Committee meeting. A summary of public comments received during that session are found in Exhibit C.2.c, Supplemental Scoping Session Comments.

The Committee is expected to propose a range of management alternatives including allocation alternatives for 2003. Additionally, the Groundfish Management Team (GMT), Groundfish Advisory Subpanel (GAP), and interested public are expected to provide recommendations and alternatives for 2003 management. The severity of the situation for shelf rockfish and the expected effort shifts from the shelf to nearshore and slope fisheries necessitates consideration of major adjustments to all sectors of the groundfish fishery.

The Council needs to adopt final management measures for the 2003 West Coast groundfish fishery by the end of the week. Allocation specifications consistent with adopted management measures should also be approved by the Council at this time. All of the adopted management measures and specifications for next year's fishery will be noted as the preferred alternative in the final draft of the Annual Specifications EIS. Analysis of the preferred alternative and any other considerations judged lacking in the initial draft Annual Specifications EIS (Exhibit C.3, Attachment 1), which are discussed at this Council meeting, will be included by Council staff in the final draft prior to its submission to NOAA Fisheries, currently scheduled for October 4.

This agendum is spread throughout the week to facilitate continuous narrowing of alternatives to a single set of management measures. Council deliberations of 2003 management measures are scheduled to begin on Tuesday, with checkpoints on Wednesday and Thursday before a final decision on Friday. This strategy is designed to allow the Council opportunities to assign analyses to the GMT and GAP in order to consider potential permutations of management alternatives analyzed in the 2003 Annual Specifications EIS.

Council Action:

1. Adopt 2003 groundfish management measures.

Reference Materials:

1. The Initial Draft Environmental Impact Statement/Regulatory Impact Review/Initial Regulatory Flexibility Analysis For Proposed Groundfish Acceptable Biological Catch and Optimum Yield Specifications and Management Measures For The 2003 Pacific Coast Groundfish Fishery (Exhibit C.3, Attachment 1).
2. California Department of Fish and Game Public Hearing Reports (3) (Exhibit C.3.b, CDFG Public Hearing Reports 1, 2, and 3).
3. August 19 letter from Michele Longo-Eder to Dr. Donald McIsaac requesting consideration for a regulatory amendment to allow stacking of more than three sablefish permits (Exhibit C.3.c, Regulatory Amendment Request).
4. Summary of comments received at the August 28 public scoping session for the Annual Specifications EIS (Exhibit C.3.c, Supplemental Scoping Session Comments). *DO NOT HAVE A STAND ALONE - see*
- ✓ 5. Report of the Enforcement Consultants (EC) on the Vessel Monitoring System (Exhibit C.3.e, Supplemental Enforcement Consultants Report). *received 9-6-02*
- ✓ 6. Draft minutes of the August 28-29 Ad Hoc Allocation Committee meeting (Exhibit C.3.f, Supplemental Ad Hoc Allocation Committee Report). *received 9-6-02*
7. July 22, 2002 letter from Rear Admiral Erroll Brown, U.S. Coast Guard to Dr. Donald McIsaac regarding safety concerns of considered groundfish management measures (Exhibit C.3.i, U.S. Coast Guard Comment).
8. July 25, 2002 letter from Representative William M. Thomas to Dr. William Hogarth regarding concerns of potential actions affecting the spiny dogfish fishery (Exhibit C.3.i, Congressional Comment).
9. Written public comments (Exhibit C.3.j, Public Comment 1).
- ✓ 10. Supplemental written public comments (Exhibit C.3.j, Supplemental Public Comment 2). *received 9-6-02*

Agenda Order:

NOTE: The following order of events is for Tuesday September, 10 2003, the first day this agendum is scheduled for Council action. The Council will readdress groundfish management measures daily thereafter to further refine management measures before final adoption on Friday, September 13 (see above and Council agenda).

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| a. Agendum Overview | John DeVore |
| b. Summary of State Hearings | Phil Anderson/Burnie Bohn/LB Boydston |
| c. Summary of Written Public Comments and Environmental Impact Statement (EIS) Scoping Meeting | Kit Dahl/John DeVore |
| d. Report of the GMT | Jim Hastie |
| e. Report of the Enforcement Consultants (EC) on the Vessel Monitoring System | Dave Cleary/Steve Springer |
| f. Report of the Ad Hoc Allocation Committee | |
| g. Reports and Comments of Advisory Bodies | |
| h. Tribal Comments and Recommendations | Jim Harp |
| i. Agency Comments and Recommendations | Phil Anderson/Burnie Bohn/LB Boydston |
| j. Public Comments | |
| k. Council Action: Tentatively Adopt 2003 Groundfish Management Measures | |

Groundfish Fishery Strategic Plan (GFSP) Consistency Analysis

The GFSP supports making the necessary allocation decisions, so fishery participants can plan on a specific share of future optimum yields (Sec. II.A.1(3)) and establishing an allowable level of catch that prevents overfishing while achieving OY based on best available science (Sec. II.A.2). The GFSP envisions choices made by the Council on 2003 management measures at this stage in the process would be consistent with these criteria.

The GFSP also supports establishing and maintaining a management process that is transparent, participatory, understandable, accessible, consistent, effective, and adaptable (Sec. II.C). The Council process of adopting specific proposed management measures at this September meeting would be consistent with these GFSP principles.

PFMC
08/22/02

Supplemental Reference Materials

11. Draft Minutes GMT/SSC GF Subcommittee meeting, Exhibit C.3.g,
Supplemental GMT/SSC GF Subcommittee Report.
12. Exhibit C.3.j, Supplemental Public Comment 3.
13. Exhibit C.3.i, Supplemental CDFG Report.
14. Exhibit C.3.b, Supplemental ODFW State Hearings Report.
15. Exhibit C.3, Supplemental 2003 Annual Specifications
EIS Package.
16. Exhibit C.3, Supplemental EC Report 2.
17. C.3.b, Supplemental WDFW State Hearings Report.
18. Exhibit C.3.g, Supplemental CPSAs Report.
19. Exhibit C.3.i, Supplemental WDFW Report.
20. Exhibit C.3.g, Supplemental HMSAs Report.
21. Exhibit C.3.g, Supplemental SSC Report.
22. Exhibit C.3.i, Supplemental ODFW Report.
23. Exhibit C.3.d, Supplemental GMT Report.
24. Exhibit C.3.g, Supplemental SAS Report
25. C.3.i, Supplemental CDFG Report 2.
26. C.3.i, Supplemental CDFG Report 3.
27. Exhibit C.3.i, Supplemental ODFW Report 2.
28. Exhibit C.3.h, proposed Treaty Indian Management Measures

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Supplemental Materials <continued>

29. Exhibit C.3.h, Supplemental Proposed Treaty Indian Management Measures 2.
30. Exhibit C.3.i, Supplemental ODFW Report 2 Revised Table
31. Agenda C.3.h, Revised Proposed Treaty Indian Management Measures.
32. Agenda C.3.j, Letter from Laura Deach.
33. Agenda C.3.y, Supplemental Treaty Indian Harvest Levels.
34. Exhibit C.3.w, Supplemental ODFW Report.
35. Exhibit C.3.w, Supplemental CDFG Report.
36. Exhibit C.3.v, Supplemental GMT Report.
37. Exhibit C.3.v, Supplemental GAP Report.
38. Exhibit C.3.v, Supplemental EC Report.
39. Exhibit C.3.w, Supplemental CDFG Report 2.