

GROUND FISH ADVISORY SUBPANEL STATEMENT ON FURTHER REFINEMENT OF  
AMENDMENT 16 - REBUILDING PLANS

The Groundfish Advisory Subpanel (GAP) reviewed the options being considered for Amendment 16 to the Groundfish fishery management plan (FMP) and makes the following recommendations. Our comments are made in reference to Exhibit G.10, Attachment 1.

In regard to Issue 1, Form and Required Elements; the GAP recommends adopting Option 1C. This option provides the Council with the greatest amount of flexibility in dealing with potential changes to rebuilding plans and schedules. The GAP notes that some species designated as "overfished", such as Pacific whiting, have the potential to reach rebuilding targets more quickly than anticipated. Further, additional data during a rebuilding period may require more or less severe rebuilding measures than might be called for in the initial rebuilding plan. Using a regulatory rather than an amendment approach will give the Council greater ability to deal with these unforeseen fluctuations in abundance.

In regard to Issue 2, Periodic Review; the GAP recommends adopting Option 2A. The GAP believes the law is clear in requiring a two-year review. As more data becomes available with the increase in stock surveys, it is imperative that a full review be conducted at the legally required intervals in order to ensure that rebuilding targets are being met and to take account of changes in stock abundance. Again, this approach, while cumbersome, will actually provide greater flexibility to the Council in dealing with species designated as "overfished".

In regard to Issue 3, Amending Plans and Adequacy of Progress; the GAP recommends adopting a combination of Options 3D and 3E. Again, flexibility in dealing with stocks that fluctuate and with varying data quality is the key. Adequacy standards can best be set for individual stocks rather than using a "one size fits all" approach. Further, this will allow changes in plans as rebuilding parameters change. The GAP is concerned, however, the term "significant change" in Option 3D is undefined. Significance, like beauty, can be in the eye of the beholder. The term would benefit from a definition.

In regard to Issue 4, Endangered Species Act (ESA) Listed Species; the GAP recommends adoption of Option 4A. In other fisheries outside the jurisdiction of the Pacific Council, the courts have given precedence to ESA listed species, regardless of Magnuson-Stevens Act provisions. The GAP believes this option will be sufficient to protect ESA listed species and that no special efforts need to be made within the context of the groundfish FMP.

PFMC  
10/30/02