

IMPLEMENTATION OF THE GROUNDFISH FISHERY STRATEGIC PLAN – PROGRESS REPORT

The Groundfish Fishery Strategic Plan was adopted by the Pacific Fishery Management Council (Council) in September 2000. The Strategic Plan was developed to provide a foundation for future management of the West Coast groundfish fishery. It is intended to be a resource for Council efforts to rebuild depleted stocks and maintain biologically sustainable, healthy stocks, and guide efforts to reduce the size of the fishing fleet to a level that is economically sustainable for the fishing fleet.

The Strategic Plan envisions several changes in the future groundfish fishery, including stocks that are healthy and resilient, fishing capacity in balance with resource availability, and an efficient, understandable management and regulatory process. To achieve this vision the Strategic Plan sets goals and recommendations for fishery management; science, monitoring, and analysis; and the Council process. The goals and recommendations for these general topics are summarized in Appendix A (attached).

To build upon the foundation established by the Strategic Plan, the Council formed the Ad Hoc Groundfish Strategic Plan Implementation Oversight Committee (SPOC). The SPOC met several times in 2001 to consider implementation issues. In April 2001, based on the recommendations of the SPOC, the Council adopted a list of 15 Strategic Plan implementation priorities (see Appendix B). The highest priority items included the categories of:

- capacity reduction (five individual prioritized elements)
- a comprehensive observer program
- improvement of the groundfish management process
- marine reserves
- harvest policies
- allocation (five individual prioritized elements)
- science matters
- improvements in the Council process

Since adoption of the Strategic Plan, several events have caused major changes in the groundfish fishery and the management process. These events have overwhelmed Council workload and hindered substantial progress in Strategic Plan implementation.

- In August 2001, the Ninth Circuit Court ruled that federal notice and comment rulemaking procedures are required prior to implementation of annual management specifications. This rulemaking process can take up to five months to complete, which means for the fishing year to start January 1, the Council is required to take final action on management specifications at the September Council meeting. This requirement prevents the Council from using the improved three-meeting process adopted in April 2001.
- Continued declines in certain groundfish stocks caused dramatic changes to the management of recreational and commercial fisheries. Responding to these stock declines, fishery impacts, and socioeconomic effects has dominated Council workload.
- In 2002, because of the significance of environmental and economic impacts, the Council undertook development of a comprehensive Environmental Impact Statement to comparatively analyze the various impacts and inform Council decision making in setting 2003 management specifications.

In an effort to reduce this year-to-year strain and provide for the court ordered notice and comment period, the Council developed a proposal for multi-year management of the groundfish fishery (Amendment 17, Agendum G.5). A multi-year management process is expected to provide an "off-year" and help facilitate Strategic Plan implementation.

A summary of the progress toward implementation of the Strategic Plan priorities follows.

Capacity Reduction

Groundfish limited entry permit buyback is a high priority. The Council has supported industry-led efforts to develop a buyback program for the West Coast groundfish fishery. Congressional support (through either direct appropriation or loan program) for the buyback program is pending. For about one year, trawl permit stacking efforts were not emphasized while Congressional processes were underway.

The SPOC recommended formation of development teams to initiate work on permit stacking programs for the limited entry trawl and permitting in open access fisheries. These development teams met several times in early 2002 to work on their respective issues and reported to the Council in April 2002. Because of other workload priorities, additional work on trawl permit stacking and permitting in the open access fishery was delayed. Work products from these two development teams are reviewed in Exhibit G.9, Attachment 2 (November 2002). Permit stacking in the limited entry fixed gear sablefish fishery was implemented August 7, 2001 (66FR41152) through Amendment 14 to the groundfish fishery management plan (FMP).

Council staff has also responded to congressional inquiries for Council input about legislation that would provide for fishing quota programs. These responses have emphasized the Council's strong support for the ability to use fishing quota programs in the West Coast groundfish fishery.

Observer Program

The Council has worked closely with National Marine Fisheries Service in the development and implementation of the West Coast groundfish observer program. It is anticipated that observer data will be available for management in 2003.

Management Process

The Council initially addressed improving the annual groundfish management process through the formation of an Ad Hoc Groundfish Management Process Committee which met several times to develop recommendations in 2001. In response, in April 2001, the Council adopted a three-meeting process (June, September, November). However, changes to the notice and comment period resulting from litigation required the Council to consider changing the groundfish management process to a multi-year schedule. At the September 2002 meeting, the Council reviewed Amendment 17 to the Groundfish FMP.

The new management system would change the process for developing groundfish specifications and management measures so that measures could be established for two years, rather than one year. This would provide more time for the Council and NMFS to work on other critical groundfish issues, such as strategic plan implementation. In addition, a revised management schedule would provide enough time for NMFS to publish a proposed rule in the *Federal Register* and take public comment before its final decision on whether to approve the Council recommendations. Amendment 17 is scheduled for final adoption in November 2002.

Marine Reserves

The Council has adopted marine reserves as a management tool (recommendation #1 in Appendix A) and developed a cost estimate for optimal implementation of the remaining marine reserves recommendations (#2 through #5 in Appendix A) which suggested the need for an additional \$4.7 million in funding and resources over the course of three years. No success was had in seeking this funding from Congress over the past two fiscal years.

Over the past 18 months, the Council and its advisory bodies have worked closely with the Channel Islands National Marine Sanctuary (CINMS), California Department of Fish and Game, and California Fish and Game Commission (CFG) staff in considering marine reserves in the Channel Islands area. The Council's role in this matter was based on the effect the state action would have in limiting the reasonable range of alternatives available to the Council for the implementation of complementary reserves in federal waters of the CINMS, a role designated for the Council under the National Marine Sanctuaries Act (NMSA). The Council spent considerable time and resources reviewing the basis for marine reserve alternatives and the California Environmental Quality Act (CEQA) impact analysis document and provided final comments to the CFGC on October 8, 2002.

Harvest Policies

Generally, Strategic Plan harvest policy recommendations are embodied in current groundfish management policy. For example, in 2002, fishery and area closures were employed inseason to protect depleted stocks. For 2003, most groundfish fisheries will be severely constrained, principally as a precautionary measure to protect weak stocks.

Allocation

The allocation principles defined by the Strategic Plan are formulated to ensure all groundfish sectors are treated equally. Envisioned in this philosophy is that no sector would be held harmless when stock declines necessitate constraining fishing opportunity. This philosophy has been followed in crafting recent groundfish management measures. For example, economic impacts on communities and geographic stock structure were used in designing 2003 management measures. The fishery priorities defined by the Strategic Plan (Allocation Recommendation 11), generally, dictate Council management allocations among the various sectors.

Science

The Council has discussed the need for a workshop to address bycatch issues in the West Coast groundfish fishery. The Council has also discussed the need for a workshop to explore the concepts of virgin biomass (B_0) and maximum sustainable yield (MSY). At the November 2002 meeting, the Council is scheduled to consider the need for these workshops and whether to proceed with logistical arrangements.

Council Process Improvements

Improvements to administrative aspects of the Council process were a major Strategic Plan theme and actions have been taken in this area which especially address process improvement recommendations #4 and #5. A communications staff person was hired to improve Council communication with the fishing community and making Council documents more "user friendly." In this same vein, the Council website was redesigned to make it easier to use and provide access to a greater number of Council documents. Document distribution has also been streamlined. Recently, a toll free number was acquired to make it easier for the public to contact the Council office. To track adherence to the Strategic Plan and provide context to agenda items, a Groundfish Consistency Analysis box was added to groundfish-related briefing book situation summaries.

Summary

In sum, some progress has been made on many Strategic Plan topics: capacity reduction, management process, marine reserves, observer program, and administration. Work is beginning on efforts to improve estimates of bycatch in the West Coast groundfish fishery and to better understand fundamental stock parameters to improve stock assessments and fishery management.

However, several important areas have not been worked on. The need for an implementation plan for capacity reduction is strongly recommended in the Strategic Plan, but a comprehensive plan has not been implemented. Allocation is also noted as critical to several Strategic Plan initiatives. However, formal work on specific allocations of the groundfish quota has not begun. Consideration of establishing marine reserves, including siting and design criteria, (i.e., Phase II) has not been initiated. There has been limited progress on Strategic Plan habitat-related recommendations; although, an essential fish habitat environmental impact statement process is underway.

This progress report indicates that efforts are underway to implement the Strategic Plan, but several areas might need more attention. Council workload (the combination of groundfish issues, other Council-managed fisheries, and other exogenous factors) has hindered progress. As the Council moves into 2003 and a revised

management regime, the Council may want to undertake a formal review of the Strategic Plan, which could include re-consideration of the goals and recommendations. The Council may also want to review the SPOC priority list and determine if certain areas should be re-emphasized, and determine if there are initiatives that should proceed immediately.

APPENDIX A

Goals and Recommendations

1. Fishery Management

Management Policy Goal

To adopt understandable, enforceable, and stable regulations that, to the greatest extent possible, meet the FMP's goals and objectives and the requirements of the Magnuson-Stevens Act.

Management Policy Recommendations

1. Develop a plan to reduce capacity.
2. Explore the use of incentives to encourage fisherman to modify practices to reduce bycatch.
3. Make allocation decisions.
4. Consider delegating or deferring management nearshore species to the States.
5. Commercial fisheries should be limited through state and/or federal license or permit programs.

Harvest Policy Goal

To establish an allowable level of catch that prevents overfishing while achieving optimum yield based on best available science.

Harvest Policy Recommendations

1. Given the uncertainty in the estimating ABCs, set optimum yields (OYs) lower than the ABC, manage to a fixed OY(s), and close fisheries when OY is reached.
2. Harvest levels must be increasingly precautionary when less biological information is available.
3. For unassessed stocks, set precautionary harvest levels.
4. To protect weak stocks harvested in multi-species fisheries, adopt a policy requiring closure of the fishery when the ABC or OY of the weak stock has been taken.
5. Without an international agreement on setting and sharing the total allowable catch for trans-boundary stocks, the Council should conserve that portion of the stock within the geographic range of its authority.

Capacity Reduction Goal

To have a level of harvest capacity in the fishery that is appropriate for a sustainable harvest and low discard rates, and which results in a fishery that is diverse, stable, and profitable.

Capacity Reduction Recommendations

The highest priority for reducing capacity is Recommendation #1 from the Management Policy section. These recommendations include short-term, long-term, and transitional elements.

Short to Intermediate Term

1. Separate the open access fishery into two sectors, one that targets groundfish and a second that lands groundfish incidental to non-groundfish fisheries. This involves development of "B" and "C" permit systems.
2. Divide the open access allocation into separate allocations for "B" and "C" permit holders.
3. Consider using historical landings only from 1994-1999 and participation from either 1998 or 1999 for initially qualifying B permit holders.
4. For the limited entry fixed gear fishery, develop and implement a voluntary permit stacking program.

5. For the limited entry trawl fleet, develop and implement a voluntary permit-stacking program.
6. Consider developing and implementing a whiting species endorsement that restricts future participation in the whiting fishery to vessels registered to a permit with a whiting endorsement.
7. Pursue a buyback program to remove latent capacity.

Intermediate to Long Term

8. Develop a comprehensive IFQ program for the limited entry trawl fishery, or in the alternative, a mandatory permit-stacking program.
9. Consider establishing a rockfish endorsement for the limited entry fixed gear fleet and open access (B permit) fleet.
10. Consider access limitation for commercial passenger fishing vessels.

Allocation Goal

To distribute the harvestable surplus among competing interests in a way that resolves allocation issues on a long-term basis.

Allocation Recommendations

General Allocation Principles

1. All fishing sectors and gear types will contribute to achieving conservation goals.
2. Non-groundfish fisheries that take groundfish incidentally should receive only the minimal groundfish allocations needed to efficiently harvest their target (non-groundfish) species.
3. Modify directed rockfish gears, as needed, to improve their ability to target healthy groundfish species and avoid or reduce mortality of weak groundfish species.
4. When information on total removals by gear type becomes available, consider discards in all allocations between sectors and/or gear types. Each sector will then receive adjustments for discard before allocation shares are distributed.
5. Fairly distribute community economic impacts and the benefits and costs of allocation coast-wide.
6. Consider impacts to habitat and recovery of overfished stocks or endangered species (dependent on affected habitats) when making allocation changes.
7. Allocation decisions should consider and attempt to minimize transfer of effort into other fishery sectors, particularly for state managed fisheries.
8. Allocation decisions will: (a) consider ability to meet increased administrative or management costs; and (b) be made if reasonably accurate in-season quota monitoring or annual catch accounting has been established or can be assured to be established and be effective.
9. As the tribe(s) expand their participation in groundfish fisheries, allocations of certain groundfish species may have to be specified for tribal use.

Area Management as Related to Allocation

10. Structure allocations considering both the north-south geographic and nearshore, shelf and slope distributions of species and their accessibility by various sectors and gears.
11. In addressing recreational/commercial rockfish allocation issues, use the following fishery priorities by species group: for nearshore rockfish, states may recommend a recreational preference, with any excess to be made available for commercial use; for shelf rockfish, the Council may set a recreational preference only on a species-by-species basis; and for slope rockfish, commercial allocation.
12. Licenses, endorsements or quotas established through management or capacity reduction measures may be limited to specific areas through exclusive area registrations and consider port landing requirements.

Observer Program Goal

To quantify the amount and species of fish caught by the various gears in the groundfish fishery and account for total fishery-related removals.

Observer Program Recommendations

1. Immediately implement an at-sea observer program, total catch determination is the priority.
2. Consider the following options to fund an observer program:
 - a) Seek federal/state funding;
 - b) Continue to support legislative change to provide authority to collect fees from the fishing fleet to support the observer program;
 - c) If federal/state or industry funding is not available, make individual vessels responsible for providing some level of observer coverage as a condition of participation in the fishery.
3. Trawl and non-trawl fleets should have some meaningful level of observer coverage.
4. Consider alternative monitoring approaches, including logbooks and video.
5. After observer program established, a full retention strategy may be considered.
6. As a secondary priority, an observer program should collect additional data for stock assessments.

Marine Reserves Goal

To use marine reserves as a fishery management tool that contributes to groundfish conservation and management goals, has measurable effects, and is integrated with other fishery management approaches.

Marine Reserves Recommendations

1. Adopt marine reserves as a fishery management tool.
2. Identify the specific objectives that marine reserves are expected to meet.
3. Develop siting and design criteria.
4. Adopt final siting criteria, including reserve size and location, and proceed with implementation and evaluation as quickly as possible, to ensure compatibility with other management changes.
5. Direct the Scientific and Statistical Committee to recommend new methodologies for continued stock assessments and for establishing harvest levels outside the reserves following the implementation of reserves.

Groundfish Habitat Goal

To protect, maintain, and/or recover those habitats necessary for healthy fish populations and the productivity of those habitats.

Groundfish Habitat Recommendations

1. Consider regulatory changes (including incentive systems) that result in modification or elimination of fishing gears or fishing practices that are determined to adversely affect EFH areas of concern such as nearshore and shelf rock-reef habitats.
2. Develop and implement gear performance standards.
3. Promote scientific research on the effects of fishing gear on various habitats.
4. Promote research to modify existing gear and practices.
5. Identify habitats necessary for healthy fish populations and identify locations of those habitats.

2. Science, Monitoring, and Analysis

Science, Data Collection, Monitoring, and Analysis Goal

To provide comprehensive, objective, reproducible, and credible information in an understandable and timely manner to meet our conservation and management objectives.

Science Recommendations

1. Prioritize stock assessments for suspected “weak stocks” in mixed-stock fisheries.
2. Create cooperative, scientific partnerships between state, federal, tribal, and private entities.
3. Promote increased communication and collaboration between the fishing industry and scientists.
4. Develop ways to incorporate fisher observations into stock assessment and monitoring programs.
5. Implement the Council’s draft West Coast Fisheries Economic Data Plan.
6. Ensure that economists and social scientists are included in the Council process.
7. Hold an annual or bi-annual meeting of U.S./Canada and/or U.S./Mexico stock assessment scientists.
8. Meet annually with National Marine Fisheries Service’s Northwest and Southwest Regions and Science Centers and the Pacific States Marine Fisheries Commission to integrate the Council’s data and research needs into NOAA’s budget process.
9. Meet with the states and NMFS to develop a joint research and data collection/analysis plan.
10. Direct scientific efforts to measure changes in productivity due to ocean environmental changes.
11. Obtain a dedicated research vessel(s) to perform annual surveys and collect other data needed to manage the coastwide groundfish under Council jurisdiction.

3. Council Process

Council Process Goals

To establish and maintain a management process that is transparent, participatory, understandable, accessible, consistent, effective, credible, and adaptable; to provide a public forum that can respond in a timely way to the needs of the resource and to the communities and individuals who depend on them; and to establish a long-term view with clear, measurable goals and objectives.

Council Process Recommendations

1. Encourage long term thinking.
2. Establish a performance evaluation committee.
3. Update goals and objectives in the FMP to incorporate the strategic plan’s vision and goals.
4. Routinely update Council mailing lists.
5. Use newsletters, website, public fora, news releases, and public service announcements to improve public participation in Council activities and decisions.
6. Make draft agendas available earlier to the local media from fishing communities.
7. Sponsor workshops to explain the Council process.

Implementation and Measuring Success

Implementation Recommendations

1. At the September 2000 Council meeting, the Council adopts the Final Groundfish Strategic Plan document (per revisions incorporated after the summer public comment phase).
2. The Council directs the formation of a “Groundfish Strategic Plan Implementation Oversight Committee” which should be composed of Council members, some of which will have been members of the Strategic Plan Development Committee, to ensure continuity and an effective transition to implementation.
3. At its discretion, the Implementation Oversight Committee may establish small implementation development teams to develop specific alternative(s) for implementing elements of the Strategic Plan. Implementation development teams will be comprised of Council subpanel, management team, and committee members from the GMT, GAP, SSC, EC, and members of the public as deemed necessary by the Implementation Oversight Committee.
4. The Implementation Oversight Committee works at direction of the Council and is tasked with making recommendations regarding implementation of the strategic plan.

5. The Implementation Oversight Committee goals should include: (a) effective transition to the implementation phase, (b) ensuring the plan is implemented in a timely fashion, and (c) whenever possible, doing so in a fashion that provides for constituent acceptance and buy-in.
6. At the direction of the Council, the Implementation Oversight Committee will develop recommended schedules for carrying out all components of the strategic plan.
7. The Implementation Oversight Committee will develop recommendations for all components of the strategic plan that can be developed further: (a) directly by the Council, (b) via advisory entity assignments, or (c) through formation and use of a implementation development team approach, e.g., capacity reduction implementation development team(s), which would handle all of the complexities of addressing the implementation of capacity reduction. For example, there might be four teams – with industry representatives from trawl, fixed gear, open access with groundfish target, and open access with non-groundfish target. Each of these teams will also have a representative from the Implementation Oversight Committee, with a charge to develop a plan and product by “x” date. The Implementation Oversight Committee considers the work of the implementation development teams and develops the final recommendations for the Council. Clarification, input, and technical support will be available to all teams with “on-call” availability from Council staff, states, NMFS staff and General Counsel, etc.
8. It will be important to consider current conditions in the groundfish fishery, including the effects of recent changes in resource status, fishery management, and the environment, as part of the strategic plan implementation process.

Measuring Success

The Council should schedule a routine review every five years. If a Council member determines that a review should occur more frequently, the member could seek to have the review placed on the Council agenda in the same manner that other actions are placed on the agenda. When the review takes place, the Council should follow the standard Council meeting process and take written and oral public comment, and involve the appropriate advisory entities.

APPENDIX B - Groundfish Fishery Strategic Plan Implementation Oversight Committee – Recommended List of Priorities

Item	Staffing Cost (states/NMFS/Council/tribal)	\$ cost	Rank	Development Team Needed
Buyback – all gears	med/med/low ^{5/}	very high	1.a ^{7/}	
Trawl permit stacking ^{1/}	low - high		1.b ^{7/}	yes
Observers -- develop full program ^{2/}	med/high/low	high	2	no ^{8/}
Review and improve groundfish management process	low/low/low	low	3	no ^{8/}
Fixed gear permit stacking -- sablefish ^{1/}	low/high/med		4	no ^{8/}
Open access limited entry	high/high/high	high	5	yes
Allocation*	high/high/high	high	6*	yes
Marine reserves ^{3/}	high/high/high/yes	high	7	yes
Nearshore rockfish delegation	high/med/med/yes		8	yes
Implement harvest policy recommendations	low/low/low	low	9	no ^{8/}
Fixed gear spp endorsements & stacking – non-sablefish	high/high/high	high	10	yes
Explore regulations to (1) reduce bycatch and (2) access allocations	med/med/med	high	11	yes
Explore regulatory incentives (regs/gear) to minimize impacts on habitat	high/high/high	high	11	yes
Implement Strategic Plan science recommendations ^{4/}	high/high/high	very high		
Implement Strategic Plan Council process recommendations ^{4/}				
*Elements of Allocation Category	Rank w/in 6			
"A" v "B" v "C" v Sport permits (overfished species)	6.a			
Sport v Commercial	6.b			
Limited entry trawl v Fixed gear (rockfish, lingcod)	6.c			
"B" v "C" permits (selected species)	Part of 5 above ^{6/}			

1/ As first step toward IFQ

2/ \$2.25 million -- federal base funding (annual). "Full" means a comprehensive program with an adequate annual budget

3/ Tool within the larger context of the Strategic Plan. Adopted as a tool, but no use of the tool scheduled.

4/ Critical element, not accorded rank -- overrides other topics. Include comment to this effect in introduction.

5/ Currently, industry lobbying for. Near-term low workload NMFS/Council. If Congress authorizes, NMFS/Council workload will be large.

6/ Allocation will occur as part of O/A to L/E

7/ Priority may change depending on Congressional action.

8/ Program in place, under development, or under review – no development team needed.