

GROUND FISH ADVISORY SUBPANEL STATEMENT ON ADOPTION  
OF A PROPOSED RANGE OF 2004 GROUND FISH MANAGEMENT MEASURES

The Groundfish Advisory Subpanel (GAP) reviewed the preliminary 2004 harvest levels adopted by the Council and developed a range of management measures designed to be used within those harvest levels. The GAP also discussed several management options suggested by the Ad Hoc Allocation Committee. In some cases, these management alternatives were rejected.

As has been the practice in the past, the GAP broke into working groups based on fisheries/areas to develop initial recommendations. These were then compiled into a single document and discussed by the entire GAP. The GAP also discussed the alternatives with the Groundfish Management Team. The result of this series of meetings is the comments we are presenting today.

The GAP has attempted to fully describe a range of alternatives where possible; to provide a rationale for the alternatives; to identify preferred alternatives where it can; and to identify alternatives that were rejected and the reasons for the rejection.

For ease of Council and public consideration of the GAP alternatives, this report lists them on separate pages.

PFMC  
06/20/03

## **LIMITED ENTRY TRAWL**

The trawl options are identical in structure, but the numerical values (i.e. cumulative limits) will vary based on the OY values adopted by the Council.

1. Follow the basic structure used in 2003 of adopting depth-based management and two month cumulative trip limits throughout the year. This includes continuing establishment of the Rockfish Conservation Area (RCA).
2. Modify the boundaries of the RCA to minimize the area closed and maximize the area fished, while minimizing the impacts of species of concern. Where appropriate the inside (eastern) boundary of the RCA should be move deeper (west) and the outside (western) boundary moved shallower (east). The GAP believes that such boundary changes would be most applicable in the area south of 40°10'.
3. If possible, better identify areas that produce the highest catch of species of concern and structure the RCA boundaries around these areas so that a greater amount of area with low impacts may be made available for fishing.
4. If the outside boundary of the RCA is set deeper than 150 fathoms, identify petrale harvest zones beginning at 150 fathoms and moving deeper which will be open during periods 1 and 6.
5. Under all OY values, establish a mid-water fishery and consider a bottom-trawl fishery for chilipepper rockfish south of 40°10' for some periods of the year.
6. Other general management measures, including the establishment of A and B platoons should remain in place.
7. Assuming that positive results continue through the end of the EFP analysis, the GAP recommends Council consideration of allowing a selective flatfish trawl design as an option for appropriate 2004 management measures, including allowances for increased trip limits and/or access to areas that would otherwise be closed.
8. The GAP recommends that the Council adopt as an option creating a trawl opportunity for arrowtooth flounder that would require vessel-funded observer coverage for compliance monitoring, bycatch caps specific to that trawl opportunity, and full retention of rockfish regardless of size or condition.

The GAP believes that given current data and legal constraints, maintaining the basic structure of the trawl fishery as identified will best meet the requirements of National Standard #1 to achieve optimum yield while preventing overfishing. The harvesting and processing sectors of the industry have adapted to this general management structure and can best plan - given the uncertainties of harvest levels and in-season adjustments - their operations if radical changes are not made. By continuing the basic structure, the Council and the industry can better analyze the long-term effects of that structure.

In regard to maintaining the A & B platoons, the GAP understands that there may be some minor additional cost and inconvenience with the dual platoon structure. However, it is the experience of both fishermen and processors who are involved with the dual platoon system that having the ability to better spread deliveries - even of smaller amounts of fish - produces a better product and more economic efficiency. Vessels also have more opportunities to take advantage of weather breaks, thereby promoting vessel safety, a key component of Magnuson-Stevens Act requirements and an issue often raised by the Coast Guard member of the Council. Use of a dual platoon system does not detract from conservation but does promote the economic welfare of coastal communities. In sum the dual platoon system directly embodies National Standards 8 and 10.

In regard to selective flatfish trawls, research conducted in 2001-2 demonstrated that a selective flatfish

cutback trawl design results in a bycatch rate for rockfish species, including canary and yelloweye, that result in rates that are significantly lower than existing trawl rates. During 2003, this trawl net design is being examined at different depths under an EFP. Although the research is still under way, preliminary results verify lower rockfish bycatch rates which are similar to the earlier research results from 150 fathoms to shore. In regard to arrowtooth trawl opportunities, the GAP notes that the exempted fishing permit studies on arrowtooth that have been conducted by Washington have shown a low bycatch rate and have enabled vessels to access fish that otherwise would be unavailable. Sufficient data now exists to provide this heretofore limited opportunity to a greater number of vessels, subject to appropriate conditions and restrictions. Any such opportunity must remain within the overall mortality numbers assumed for rockfish and not serve to redistribute scarce rockfish to from other gears or trawl fleet sectors.

#### *RESPONSE TO THE ALLOCATION COMMITTEE REPORT*

The GAP reviewed trawl management alternatives discussed by the Allocation Committee and concluded that they were not appropriate for action in 2004.

Bycatch caps - Individual caps would constitute an IFQ and would not be permitted without a plan amendment. If the caps were to be separate for each sector, then this would constitute an allocation and would need to follow the allocation procedure specified in the Pacific Groundfish Fishery Management Plan. The lack of data precision and the fact that most data - including observer and fish ticket data - is several months old by the time it is ready for use could lead to caps being exceeded before any action could be taken. If the states and / or the federal government develop the infrastructure - such as electronic reporting or "swipe cards" - that is used in other fisheries around the world, then caps might be an option for the future.

Discrete open trawl areas - The data does not currently exist for the RCA to be limited to discrete areas of identified habitat. The GAP notes that NMFS and the Council are developing a more extensive essential fish habitat (EFH) analysis. Once this analysis has been completed, the Council could re-examine the establishment of discrete open trawl areas.

Landing trawl limits with limited entry fixed gear - To allow trawl vessels to begin landing groundfish with longline or pot gear would require a plan amendment. While there is some interest in exploring this option in the future, it is very unlikely that such an amendment could be completed in time for the 2004 season.

Bycatch caps in the whiting fishery - Although bycatch is a very small proportion of total catch in the whiting fishery, all sectors are sensitive to the need to reduce bycatch to the lowest level attainable, a standard more strict than required by law, especially for widow rockfish, salmon, and other rebuilding species.

The at-sea sectors of the whiting fishery monitor catch daily through Sea-State, a contract service that compiles NMFS observer catch reports of target and bycatch species. Sea-State notifies vessels of catch trends and alerts vessels if bycatch levels become a problem.

For 2004, the at-sea sector plans to avoid areas of known widow rockfish concentration; establish daily catch reporting and bycatch monitoring; voluntarily leave areas with high bycatch; communicate bycatch information among vessels; and continue bycatch reduction research.

The shoreside sector participates in the Pacific Whiting Shoreside Observation Project which was established in 1992. The Project relies on fishermen obtaining permits to land unsorted catch. Permit conditions and restrictions include requirements to sign bycatch control agreements with fishermen and processors which involve establishing action plans to avoid high bycatch areas and restrictions on individual vessels which don't comply.

Because bycatch caps would have to be imposed on sectors, rather than individual vessels for reasons noted above, a single disaster haul could result in an entire fishery sector being shut down prematurely. As data precision increases in future years, opportunities for individual vessel caps and trade-able bycatch limits may become feasible. However, these alternatives would require extensive analysis and fishery

management plan amendments that could not be completed in time for the 2004 season.

## **LIMITED ENTRY AND OPEN ACCESS FIXED GEAR**

In general, as with trawl, the fixed gear options are identical in structure, but the numerical values (i.e. cumulative limits) will vary based on the OY values adopted by the Council. The table for northern fixed gear open access limits is based on the median OY values adopted by the Council.

1. Follow the basic structure used in 2003 of adopting depth-based management and two month cumulative trip limits throughout the year for species other than sablefish. This includes continuing establishment of the Rockfish Conservation Area (RCA).
2. Modify the boundaries of the RCA to minimize the area closed and maximize the area fished, while minimizing the impacts of species of concern.
3. If possible, better identify areas that produce the highest catch of species of concern and structure the RCA boundaries around these areas so that a greater amount of area with low impacts may be made available for fishing.
4. For sablefish, continue the daily trip limit (DTL) fishery and sablefish tier fishery as in 2003, with catch limits appropriate to the optimum yield value adopted by the Council. The DTL fishery should maintain options of daily and weekly limits within a two-month cumulative limit.
5. All other general management measures including tier limits and permit stacking will continue to apply.

The GAP believes that given current data and legal constraints, maintaining the basic structure of the fixed gear and sablefish fisheries as identified will best meet the requirements of National Standard #1 to achieve optimum yield while preventing overfishing. The harvesting and processing sectors of the industry have adapted to this general management structure and can best plan - given the uncertainties of harvest levels and in-season adjustments - their operations if radical changes are not made. By continuing the basic structure, the Council and the industry can better analyze the long-term effects of the basic structure.

### **2004 Management Measures for the Northern Open Access Fisheries**

Option 1. - A range of minor nearshore rockfish species harvest between 3,000 and 8,000 lbs / 2 mos, with a sub-limit of 900 to 1,250 lbs of species other than black or blue rockfish.

Option 2. - If the northern open access fishery is projected to attain or exceed catch levels for overfished species, restrict the fishery inside depth lines structured to avoid that incidental catch.

Option 3. - Restrict the catch of minor nearshore rockfish species, including blue and black rockfish, to the same level of harvest as the 2002 fishery.

From the results of the 2003 Black rockfish assessment, it is apparent that the austerity measures being applied to the commercial near shore fishery are now unnecessary. The state of California has closed entry into its nearshore fishery. Oregon has a permit bill pending to do the same thing. These management measures in 2002 produced a combined commercial landed catch of 192 MTs of black rockfish for both states. There were also no overages in the "other nearshore rockfish" species category. Thus the expected commercial 2004 catch in both states will not exceed any proposed division of black rockfish stock now being considered between states. This buffer should be viewed as a guard against over-harvest by either user group between scheduled opportunities for mid season adjustments.

## **BLACK ROCKFISH CATCH SHARING**

The GAP suggests the following Harvest Guideline proposals for 2004 to address split of increases in the Black Rock fish OY between Oregon and California. (Values In Metric Tons)

1. Split the increase in catch from recent (e.g. 2002 or 2003) catch levels 50/50 between states, and add to the historic catch for each state, within the bounds of this year's OY.

Ratio:            OR = 60%      CA = 40%

2. Use the area of coastline in each state's affected area as a percentage of catch for year 2004 HGs.

Ratio:            OR = 56%   CA = 44%

3. Subtract 2003 caps from 2004 OY, and then split the left over amount of 2004 OY 50/50 between the states.

Ratio:            OR = 77%   CA = 23%

4. Ratio based on catch history: Average catch from 1985 through 2002

Ratio:            OR = 60%   CA = 40%

5. Ratio based on catch history: Average catch from 1990 through 2002

Ratio:            OR = 62%   CA = 38%

## **EXEMPTED TRAWL GEAR & OTHER GEARS**

1. The management measures applicable to exempted trawl gear in 2003 will continue to apply in 2004. The amount of groundfish catch available to exempted gear will vary depending on the OY levels adopted by the Council.
2. North of 40°10', salmon troll vessels may continue to incidentally retain and land up to 1 lb of yellowtail rockfish for every 2 lbs of salmon, with a cumulative landed limit of 200 lbs / month, both within and outside the RCA. Other catch of groundfish by salmon troll vessels coastwide will be subject to the same seasons and restrictions as apply to open access vessels.
3. Commercial Ridgeback Prawn Trawl Fishery: Require use of bycatch reduction devices (BRDs) for the ridgeback prawn trawl fishery. The types of BRDs appropriate for the ridgeback prawn trawl fishery will be identified by CDFG.

Groundfish is harvested at incidental levels by a variety of gear types in fisheries that are not directly regulated by the Pacific Groundfish FMP. Harvest of groundfish at minimal levels in these fisheries has a negligible impact on the total catch and avoids increasing discards.

### *Alternatives Rejected*

The GAP rejected the alternative of disallowing the incidental take of Pacific groundfish in exempted trawl gear and by salmon troll vessels. Some incidental take in these other fisheries is unavoidable and prohibiting landing will simply increase the amount of fish being discarded. Since all landings are accounted for, the impact of incidental take is minimal.

## **WASHINGTON RECREATIONAL**

### Option 1

A recreational groundfish bag limit of 15 groundfish, including rockfish and lingcod, open year-round (except lingcod). The following sublimits apply: 10 aggregate rockfish which includes a sublimit of 1 canary and no retention of yelloweye rockfish; 2 lingcod with 24-inch minimum size limit, lingcod season open Mar 16-Oct 15.

### Option 2

Same as Option 1, except the rockfish sublimits would be changed to: 10 aggregate rockfish with no retention of canary rockfish and no retention of yelloweye rockfish.

### Option 3

To be combined with either Option 1 or 2: Change the lingcod season to be open from the Saturday closest to March 15 through the Sunday closest to October 15.

### Option 4

Continue the "C"-shaped closed area in WDFW Marine Catch Area 3 (La Push) to protect yelloweye rockfish; this area would be closed to recreational bottomfish and halibut fishing. This area is defined by the following coordinates:

48°18'00" 125°18'00"  
48°18'00" 124°59'00"  
48°11'00" 125°11'00"  
48°11'00" 124°59'00"  
48°04'00" 125°11'00"  
48°04'00" 124°59'00"  
48°00'00" 125°18'00"  
48°00'00" 124°59'00"

The preferred option is a combination of options 1, 3, and 4.

## **OREGON RECREATIONAL**

Option I: Status quo for the 2004 season including:

- \* Daily bag limits: 10 marine fish bag (including rockfish, greenling, cabezon and other species, not including salmon, lingcod, perch sp., sturgeon, sand dabs, striped bass, tuna and bait fish (herring, smelt, anchovies and sardines), with a sublimit of one yelloweye and one canary rockfish).
- \* One Pacific halibut during authorized seasons (32" min. length)
- \* Two lingcod (24" or 26" min. length)
- \* No canary or yelloweye rockfish retention if Pacific halibut on board vessel during all-depth season

This option continues to give opportunity to all ports up and down the Oregon coast, and allows flexibility in fisheries strategies, so as not to force recreational boats into a limited area, which could cause management-induced overfishing of nearshore areas. This option also keeps Oregon recreational fisheries inside the guidelines and limits currently set by PFMC and NMFS.

Option II: Same as Option I except closed to bottom fishing outside of 50 fathoms for the month of July.

This option would create some savings on canary but the closure would occur during the more liberal coho salmon season Oregon has been experiencing in recent years.

Option III: Same as option I or II except close offshore bottom fishing 2-4 months from either 30, 40, or 50 fathoms.

This option would create additional reductions in catch on lingcod, canary, yelloweye, and widow rockfish.

### **Potential for all options**

- \* Separate harvest guidelines for Oregon for black rockfish, other nearshore rockfish, cabezon, and greenling. Guideline for other nearshore rockfish equal to modified 2003 harvest guidelines. Greenling and cabezon modified harvest guideline equal to or a 10 to 20% increase over 2003 harvest guideline.

[NOTE: modified nearshore rockfish harvest guidelines now include shore and estuary catch in addition to ocean boat catch]

- \* Greenling minimum length of 10-12 inches.
- \* Cabezon minimum length 16 inches

## **CALIFORNIA NEAR-SHORE AND RECREATIONAL**

1. Establish new management lines for recreational and commercial fixed gear fisheries:
  - A) Pedro Point (between San Francisco and Half Moon Bay)
  - B) Oregon / California border
2. Modify the RCA boundary for commercial fixed gear and recreational fisheries:
  - A) Move deep line in from 200 fathoms to 150 fathoms coastwide.
  - B) South of Pt. Conception: Consider moving the shallow line from 20 fathoms deeper in increments of 10 fathoms to as far as 80 fathoms. This will need to be balanced with considerations of season lengths. Cowcod Conservation Area (CCA): Consider outside lines in 10 fathom increments from 160 to 200 fathoms depending on estimated impacts.
    - C) *Pt. Conception to Lopez Pt.*: Consider moving the shallow line from 20 fathoms deeper in increments of 10 fathoms to as far as 60 fathoms. This will need to be balanced with considerations of season lengths.
    - D) *Lopez Pt. to Pedro Point*: Consider moving the shallow line out from 20 fathoms deeper in increments of 10 fathoms to as far as 40 fathoms, and consider moving the deep line in from 150 fathoms by 10 fathom increments as shallow as 70 fathoms.
    - E) *Pedro Point to Cape Mendocino (40°10' N. lat.)*: Consider moving the shallow line from 20 fathoms deeper in increments of 10 fathoms to as far as to 40 fathoms for the *mainland coast only*.
    - F) *North of Cape Mendocino (40°10' N. lat.)*: no changes proposed at this time.

### **Size Limit and Retention Changes:**

Cabazon (commercial and recreational): Establish a cabazon slot limit of 15 to 21 inches for recreational and commercial fisheries.

- 1 Greenling (commercial): Increase the greenling minimum size for commercial fisheries.
- 2 Lingcod (commercial & recreational): Consider increasing minimum lingcod size from 24 inches to 26 inches for recreational fisheries as a means of slowing the catch and rebuilding more quickly.
- 3 Bocaccio (recreational): Consider a bocaccio recreational bag sub-limit of zero to two bocaccio.
- 4 Bocaccio (commercial): Consider providing for bocaccio retention in shelf fisheries in a range of 50 to 150 lbs.
- 5 Ocean Whitefish (Recreational): Consider allowing retention of ocean whitefish year-round south of Pt. Conception (34°27' N. lat.).
- 6 Nearshore rockfish (commercial): South of 40°10' to Point Conception, for periods 1 - 3 and 5 - 6, establish a trip limit of 400 lbs / 2 mos, of which no more than 200 lbs may be species other than blue or black rockfish; for period 4, a trip limit of 800 lbs / 2 mos, of which no more than 200 lbs may be species other than blue or black rockfish.
- 7 Minor shelf rockfish (commercial): South of 40°10' coastwide, increase trip limits to a range of 100 to 1,500 lbs / month.
- 8 Chilipepper (commercial): South of 40°10' coastwide, establish a trip limit in the range of 550 to 2,000 lbs / 2 mos, depending on depth limits allowed.

## **Bocaccio split, commercial and recreational**

Share bocaccio between commercial and recreational fisheries in a range of 50% - 50% to 56% recreational - 44% commercial.

### **Seasons:**

1. Recreational: Consider the 2002 recreational season structure including a 6- to 10-month season south of 40°10' N. lat.
2. If possible, maintain the same recreational and commercial open periods within each area.