

GROUND FISH MANAGEMENT TEAM (GMT) REPORT ON CONSIDERATION OF INSEASON ADJUSTMENTS

The GMT considered the most recent information on the status of ongoing fisheries and provides the following considerations and recommendations.

RESEARCH UPDATE

Canary Rockfish

The GMT June scorecard listed a value of 7.5 mt for total research take of canary rockfish, with a majority of this tonnage coming from the Northwest Fisheries Science Center (NWFS) trawl survey. The NWFS recently provided the GMT with updated projections of canary rockfish take in the 2007 survey based on catches through September 10, 2007. At that time, the NWFS had completed the second leg in the second pass of the survey, meaning all surveying off of Washington's coast has been completed and only two areas of potentially high canary catch remain to be surveyed (southern Oregon and Cape Mendocino). The current status of the survey, with no extremely high catches of canary thus far, has reduced the canary rockfish catch estimates. The updated value in the scorecard includes expected catches of ongoing research projects, including the NMFS trawl survey.

Yelloweye Rockfish

The total research take of yelloweye rockfish was reduced by 0.1 mt to 1.9 mt in response to new 2007 catch estimates that were updated with actual 2006 catch data recently submitted to NMFS NWR.

RECREATIONAL

California

California Department of Fish and Game (CDFG) staff reviewed California Recreational Fishery Survey (CRFS) estimates available through July 2007 and projected total mortalities through the end of the year. Current projections are higher than projections developed in 2006. Under the existing regulations, California's 2007 recreational catches for canary, yelloweye, and minor nearshore rockfish south of 40°10' N lat. are projected to exceed harvest guidelines. Without inseason action the California recreational catch of yelloweye rockfish in combination with all other fishery impacts in the scorecard, would exceed the coastwide optimum yield (OY) (Agenda Item G.3.b Attachment 1).

A number of factors have contributed to the increased catch projections for the 2007 season:

- Several changes have been made to the CRFS catch and effort estimation methodologies and were applied to the 2005 and 2006 data used in the 2007 inseason catch projections. The 2004 and 2005 data were used to derive 2007 and 2008 management measures and 2004 data had relatively lower groundfish catch than the 2006 data. As a result, the inseason catch projections predict higher than anticipated catches for remaining months in 2007.
- Based on CRFS data, the combined preliminary catch estimates for yelloweye rockfish were greater than projected for May and June. High catches also occurred in July 2007 for yelloweye rockfish in the Northern Management Region and Shelter Cove in the North

Central Management Region (37°11' N lat. to 42°00' N lat.). This may have resulted from increased fishing activity on bottom fish due to poor salmon catches.

- Although progress has been made towards implementing a discard mortality estimation methodology similar to Oregon and Washington, there are still several outstanding issues that could not be resolved in time for the September Council meeting. Consequently, discard mortality was estimated in the same manner as that reviewed by the GMT at the November 2006 Council meeting (applying a 42% mortality rate to fish reported to be released alive (B2) fish).

CDFG analyzed various management options to determine the best possible strategy for minimizing impacts to overfished species while providing fishing opportunities. Because of the higher encounters with yelloweye rockfish in the management regions north of Pigeon Point (37°11' N lat.), CDFG considered actions to limit fishing opportunities from Pigeon Point to the California-Oregon (CA-OR) border. Increased depth restrictions from 30 fm to 20 fm from Pt. Conception to the CA-OR border did not result in appreciable catch savings. Closure of the North and North-Central Groundfish Management Areas provides the fewest impacts to yelloweye rockfish. This option reduces fishing opportunities in the Northern Management Region by three months and the North-Central Management Region by two months and closes boat-based fishing for lingcod, rockfish, cabezon, greenlings, and other federal groundfish species subject to bag limits. State action would close fishing for other associated species not included in the FMP such as sheephead and ocean whitefish.

California will take action to close the above recreational fisheries in North and North Central Management Areas effective October 1 (Agenda Item G.3.c CDFG Supplemental Report). The GMT reviewed the projected impacts, taking into consideration the outcome of proposed management options relative to the projected catch for all sectors, and concurs with California's recommendation.

Oregon

The Oregon Department of Fish and Wildlife (ODFW) requested that the **Council take action, concurrent with the state, to prohibit the retention of cabezon in Oregon's recreational ocean boat fishery** (Agenda Item G.3.c ODFW report). The GMT concurs with this inseason action.

COMMERCIAL

Open Access

Conception Area sablefish

At the June 2007 meeting, the GMT recommended increasing the open access sablefish trip limit for the area south of 36°N lat. (Conception area) to 350 lbs per day or one landing of 1,050 lbs per week because current catches were tracking well below the OY. The GMT revisited catches relative to the OY in September to consider whether a decrease in these limits would be necessary. **As current catches are tracking well below the OY, the GMT recommends maintaining the trip limits adopted by the Council in June 2007 (350 lbs per day or one landing of 1,050 lbs per week).**

Sablefish Daily Trip Limit (DTL) 36° - 40°10' deg. N Lat.

The GMT received a request to increase open access DTL limits between 36° and 40°10' N. lat. The GMT notes that while there are limited yelloweye interactions south of 40°10' and at the depths of the currently specified RCA (Rockfish Conservation Area) (150 fm), the scorecard that includes the California recreational action (Agenda G.3.b Supplemental GMT report Attachment 2) results in a remainder of only 0.1 mt of yelloweye rockfish. In addition, the sablefish catches in this fishery are close to what was expected for this time of year; therefore any increase in sablefish opportunity would be relatively minor. **The GMT, therefore, does not recommend increasing the sablefish limit at this time.**

Limited Entry (LE) Fixed Gear

Shortspine Thornyheads South of 34° 27' N Lat.

At the June 2007 meeting, the GMT was asked to analyze an increase in the LE fixed gear limits for shortspine thornyhead south of 34°27' N. lat. The trip limit in this area was 2,000 lbs per two months. Catches for the area south of 34°27' N. lat. were tracking lower than projected in June. The GMT was concerned that increasing the trip limit would increase effort, resulting in higher sablefish catch and higher catches of other species and a premature closure of other fishing opportunities. Therefore, in June 2007 the GMT recommended adopting a measured approach with limits of 3,000 lbs per two months in period 4, reverting to 2,000 lbs per two months for period 5.

Current data indicates shortspine catches south of 34°27' N. lat. are well within the allowable OY and the inseason increases made in June slightly increased the catch rate in that area. Additionally, data indicate that a significant effort shift did not occur. **Therefore, the GMT recommends that the LE fixed gear shortspine limit south of Point Conception be increased to 3,000 lbs per two months through the end of the year.**

Limited Entry Trawl Non-Whiting

Lingcod Shoreward of the RCA

The GAP requested that the GMT examine increasing retention of lingcod in the LE trawl fishery in areas shoreward of the RCA. This proposal was discussed at the June 2007 Council meeting and the GMT did not recommend increasing lingcod limits due to concerns of increased targeting which would result in increased yelloweye and canary impacts. Based on the updated scorecard, there is limited availability for increased yelloweye impacts. **Therefore, the GMT does not recommend increasing the lingcod limit during this time.**

Slope Rockfish South of 40°10' N Lat.

The GMT received a request to increase trip limits for slope rockfish south of 40°10' N lat. **The GMT will analyze this request further and report back to the Council during the final inseason session.**

Dover Sole Coastwide

The GAP requested that the GMT examining increasing coastwide limits of Dover sole. **The GMT will analyze this request further and report back to the Council during the final inseason session.**

Shoreward Adjustments of RCA boundaries – North of Cape Alava and Humbug Mountain to Cape Arago

The team reviewed the public comments that were received in June and in September regarding the impacts of these closures and acknowledges the adverse impacts these closures have on the affected communities. The GMT will analyze the possibility of re-opening the areas north of Cape Alava and Humbug Mountain to Cape Arago based on the Council decision relative inseason action taken under this agenda item and the associated balance of canary rockfish in the scorecard.

Limited Entry Trawl -Whiting

The GMT received a request to consider re-opening the whiting fishery based on available bycatch limits and protected species impacts. The GMT reviewed Agenda Item G.3.a Attachment 1, which includes a request to increase the widow bycatch cap to 50 mt and implement a 150 fm depth restriction.

Implementation of 150 fm Depth Restriction

The GMT explored the possibility of implementing the 150 fm seaward RCA boundary. Implementation of a RCA for the whiting fishery was not analyzed during the 2007-2008 spex EIS, therefore, it is not an available inseason RCA boundary for the whiting fishery. However, the GMT explored other methods to implement this depth restriction. For the shoreside sector, the 150 fm depth restriction could be implemented as a condition of the EFP. If the whiting fishery were to re-open then NMFS could re-issue EFPs with this restriction. Since 2004, the at-sea fleet has voluntarily operated in depths deeper than 150 fm during the fall season to reduce canary impacts. It may be reasonable to assume they could continue this practice if the whiting fishery were re-opened for the remainder of 2007.

Uncertainties in Bycatch

When the Council chose to manage the whiting fishery with bycatch limits, the intent was to close the fishery when the bycatch limit is reached. This methodology was chosen because projecting bycatch estimates can be difficult and could result in premature closure of the fishery. This year, the whiting fishery was closed when the widow bycatch limit of 220 mt was estimated to have been reached. Calculations post-season estimate the final widow catch as 241.6 mt. If the bycatch limit is increased by 50 mt to 270 mt, 28.4 mt of widow will be available to re-open the fishery. The current canary bycatch limit in the whiting fishery is 4.7 mt, therefore, 0.7 mt remains if the fishery is re-opened. For darkblotched rockfish, 12.8 mt out of the 25.0 mt bycatch cap has been taken. Therefore approximately 12.2 mt would be available to re-open the fishery. As evidenced in 2007, additional bycatch will occur subsequent to the bycatch limit being reached and the fishery closure. The GMT recommends that any Council action take into account the magnitude of bycatch limits in light the remaining bycatch limits and the current bycatch limit management structure.

One potential consequence of reopening the fishery could be the expectation of a short season as a result of the modest remaining bycatch limits, potentially replicating many of the conditions that followed the announcement that the fishery was closing in July of this year. In the last week of the 2007 fishery, canary bycatch rates were the highest compared to previous weeks. Widow bycatch rates followed a similar pattern and were the second highest compared to previous weeks. The GMT also had concerns with the relative lack of data to inform an autumn (i.e., October/November) whiting fishery. There is limited catch data available for at-sea sectors in

fall months during years in which bycatch limits were in place, but what limited data are available show decreases in bycatch of overfished species during those months. Likewise the risk of large canary hauls (i.e., disaster tows) greatly decreases outside of 150 fm as shown in Table 1 and Figure 1. This information shows that inside 150 fm there are fewer occurrences of canary rockfish in at-sea whiting fishery activity, and the magnitude of relatively large tows is larger inside 150 fm compared to outside 150 fm. This suggests that the number of canary encounters and the risk of a large canary haul in the whiting fishery is less if the fishery is operating outside 150 fm.

The GMT also noted that recent stock assessments have shown many of the rebuilding stocks increasing in recent years, some substantially, while the whiting population continues to decline. Such conditions could increase the likelihood of large bycatch events in 2007 and beyond.

Discussion on Enforcement Briefing

The GMT received information from state and federal Enforcement Consultants (EC) on bycatch reporting issues associated with the 2007 shoreside whiting fishery. They specifically referenced two attempts to dispose of rockfish bycatch and bypass the mechanisms that have been put in place for full bycatch accounting: one by a vessel that disabled their camera and dumped catch at sea, and one by a processing plant attempting to grind rockfish without recording them on a fish ticket. While enforcement detected both of these violations and the associated rockfish bycatch has been accounted for in the scorecard, they also reported that other investigations are still underway, and expressed some concern relative to our overall bycatch monitoring capability in the whiting fishery.

The GMT struggled with whether we should consider the violations described by EC as isolated events, or whether these issues might affect the confidence in the bycatch amounts currently in the scorecard. The GMT also discussed how any uncertainty associated with whiting bycatch numbers might be quantified. For example, EC reported that they have recorded instances where cameras were inoperable during fishing events, one of which was the rockfish discard event referenced above. One avenue to set confidence bounds around discard estimates might be to assume that some, or all, of the other “camera-off” events had similar illegal discard to the event that was detected. However, due to the lack of information, as well as the assumptions inherent in this approach, the GMT did not pursue this further.

GMT Recommendations:

1. Close the California recreational fishery in North and North-Central management areas as specified in GMT statement.
2. Adopt concurrent actions to prohibit the retention of cabezon in Oregon’s recreational ocean boat fishery.
3. Maintain trip limits adopted by the Council in June 2007 (350 lbs per day or one landing of 1,050 lbs per week) for the Conception area open access sablefish south of 36° N Lat.
4. Increase limited entry fixed gear shortspine thornyheads limit south of 34° 27’ N Lat. to 3,000 lb per two months cumulative trip limit through the end of the year.
5. Consider re-opening the areas north of Cape Alava and from Humbug Mountain to Cape Arago to the limited entry non-whiting trawl fishery and provide guidance to the GMT.
6. Consider re-opening of the whiting fishery and provide guidance to the GMT.

Table 1. Occurrence of Relatively Large Overfished Species Tows in the At-Sea Whiting Fishery by Species and Depth from 2004-2007

	Tows Less than 150 fm	Tows Greater than 150 fm
Canary	1 out of 412	0 out of 69
Darkblotched	0 out of 728	1 out of 547
Widow	3 out of 1,747	5 out of 2,925

Note: A relatively large canary tow is assumed to be 0.5 mt
 A relatively large darkblotched tow is assumed to be 0.5 mt
 A relatively large widow tow assumed to be 5 mt

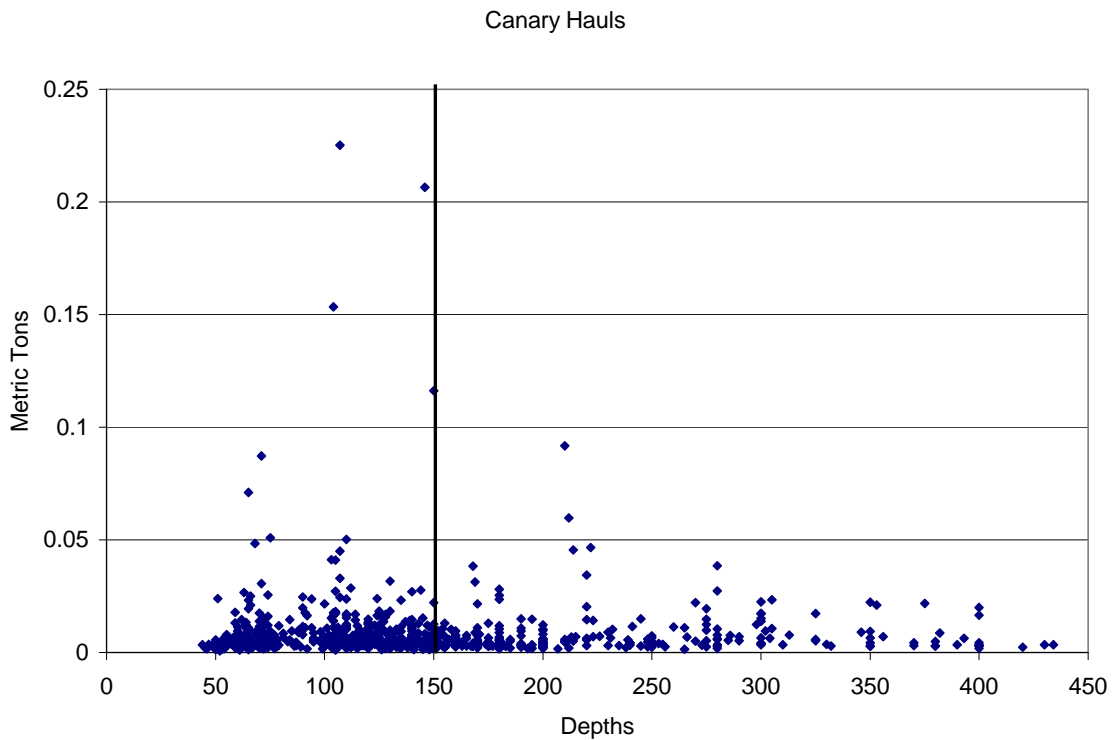


Figure 1. Occurrence of At-Sea Whiting Hauls with Canary Rockfish by Depth and Magnitude from 2004-2007 (one data point excluded)

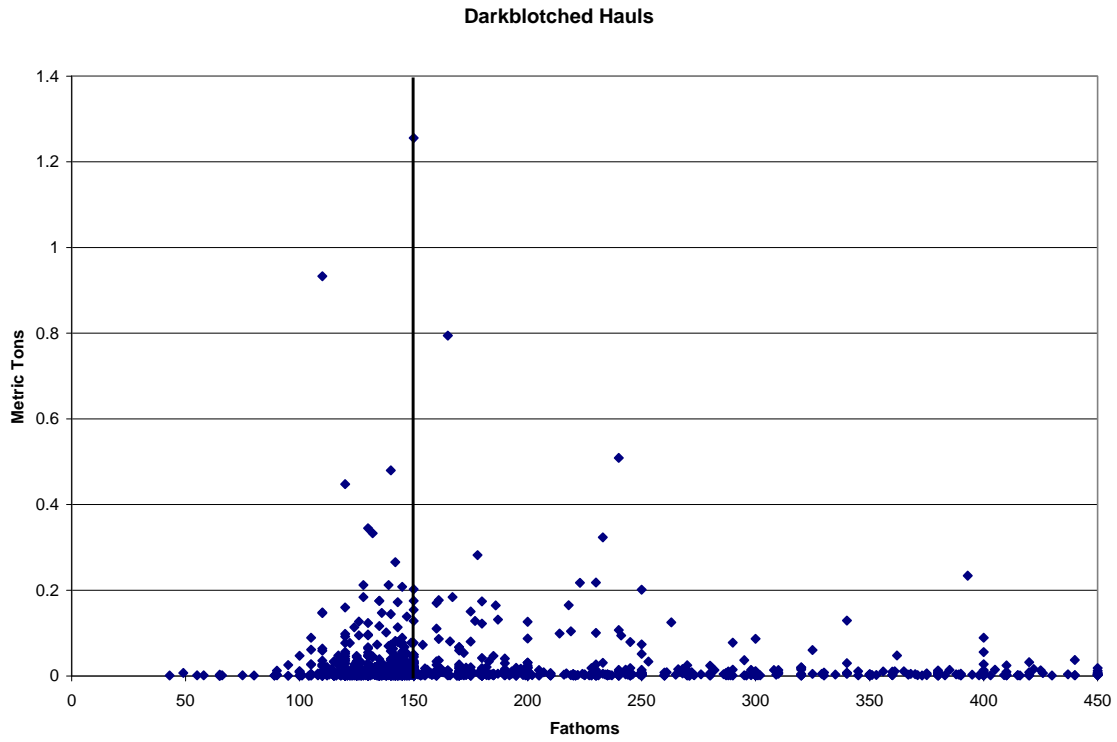


Figure 2. Occurrence of At-Sea Whiting Hauls with Darkblotched Rockfish by Depth and Magnitude from 2004-2007

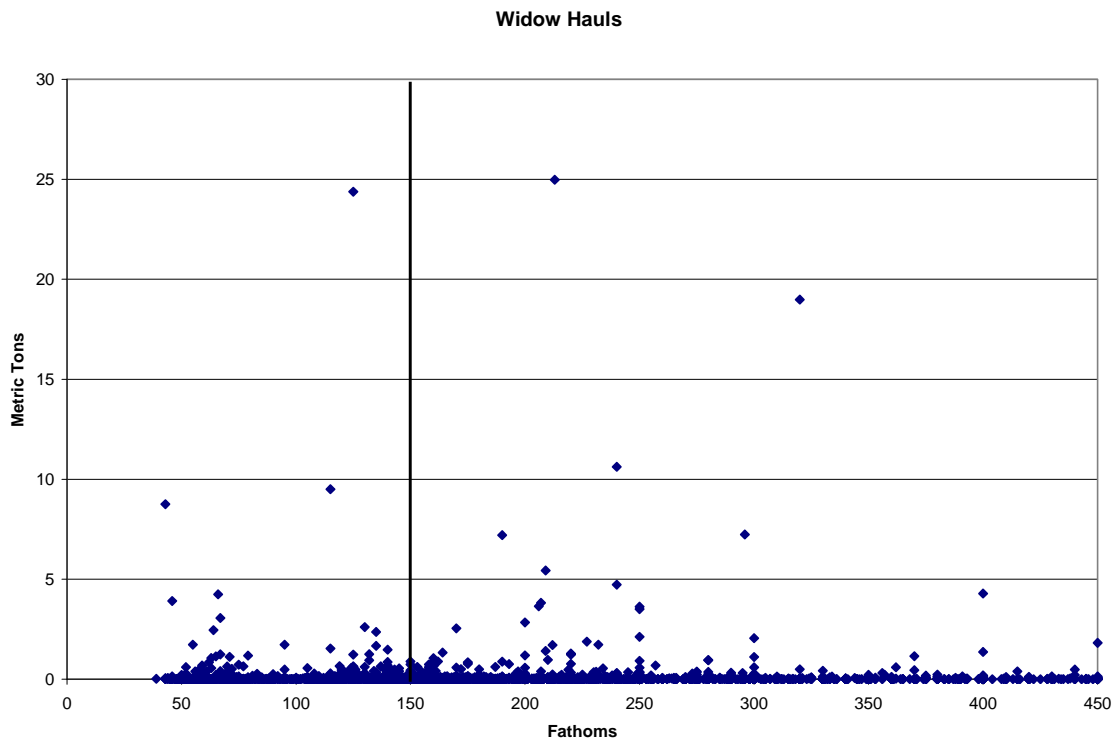


Figure 3. Occurrence of At-Sea Whiting Hauls with Widow Rockfish by Depth and Magnitude from 2004-2007

Agenda Item G.3.b
Supplemental GMT Report Attachment 1
September 12, 2007 9:30 AM

2007 Projected mortality impacts (mt) of overfished groundfish species prior to inseason adjustments

9/11/07

Fishery	Bocaccio b/	Canary	Cowcod	Dkbl	POP	Widow	Yelloweye
Limited Entry Trawl- Non-whiting	23.9	8.1	1.4	222.0	73.2	1.6	0.4
Limited Entry Trawl- Whiting							
At-sea whiting motherships a/					1.9		0.0
At-sea whiting cat-proc a/		4.0		12.8		241.6	0.0
Shoreside whiting a/					0.0		0.0
Tribal whiting		0.7		0.0	0.6	6.1	0.0
Tribal							
Midwater Trawl		1.8		0.0	0.0	40.0	0.0
Bottom Trawl		0.8		0.0	3.7	0.0	0.0
Troll		0.5		0.0	0.0		0.0
Fixed gear		0.3		0.0	0.0	0.0	2.3
Limited Entry Fixed Gear		1.1		1.3	0.4		2.8
Sablefish	13.4		0.0			0.0	
Non-Sablefish			0.1			0.5	
Open Access: Directed Groundfish		1.0					
Sablefish DTL	0.0			0.2	0.1	0.0	0.3
Nearshore (North of 40°10' N. lat.)	0.0	1.7	0.1	0.0	0.0	0.5	1.5
Nearshore (South of 40°10' N. lat.)	0.0			0.0	0.0		
Other	10.6			0.0	0.0	0.0	0.1
Open Access: Incidental Groundfish							
CA Halibut	0.1	0.0		0.0	0.0		
CA Gillnet c/	0.5			0.0	0.0	0.0	
CA Sheephead c/				0.0	0.0	0.0	0.0
CPS- wetfish c/	0.3						
CPS- squid d/							
Dungeness crab c/	0.0		0.0	0.0	0.0		
HMS b/		0.0	0.0	0.0			
Pacific Halibut c/	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Pink shrimp	0.1	0.1	0.0	0.0	0.0	0.1	0.1
Ridgeback prawn	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Salmon troll	0.2	0.8	0.0	0.0	0.0	0.3	0.2
Sea Cucumber	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Spot Prawn (trap)							
Recreational Groundfish e/							
WA		5.7					6.0
OR						1.4	
CA	53.2	12.3	0.4			8.0	8.4
Research: Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs. f/							
	2.0	3.7	0.2	3.8	3.6	0.9	1.9
TOTAL	104.4	42.6	2.2	240.1	83.5	300.9	24.1
2007 OY	218	44.0	4.0	290	150	368	23
Difference	113.6	1.4	1.8	49.9	66.5	67.1	-1.1
Percent of OY	47.9%	96.8%	55.0%	82.8%	55.7%	81.8%	104.6%
Key	= either not applicable; trace amount (<0.01 mt); or not reported in available data						

a/ Non-tribal whiting numbers reflect actual catches through July 26 based on September 7, 2007 NMFS report

b/ South of 40°10' N. lat.

c/ Mortality estimates are not hard numbers; based on the GMT's best professional judgment.

d/ Bycatch amounts by species unavailable, but bocaccio occurred in 0.1% of all port samples and other rockfish in another 0.1% of all port samples (and squid fisheries usually land their whole catch).

e/ Values in scorecard represent projected impacts. However, harvest guidelines for 2007 are as follows: canary in WA and OR combined = 8.2 mt and in CA = 9.0 mt; yelloweye in WA and OR combined = 6.8 mt and in CA = 2.1 mt.

f/ Research projections updated August 2007. Canary and yelloweye updated Sept. 10, 2007. Estimate based on combination of actual 2006 catches and projected 2007 catch.

Agenda Item G.3.b
Supplemental GMT Report Attachment 2
September 12, 2007 9:30 am

2007 Projected mortality impacts (mt) of overfished groundfish species with proposed California inseason changes.

9/11/07

Fishery	Bocaccio b/	Canary	Cowcod	Dkbl	POP	Widow	Yelloweye
Limited Entry Trawl- Non-whiting	23.9	8.1	1.4	222.0	73.2	1.6	0.4
Limited Entry Trawl- Whiting							
At-sea whiting motherships a/					1.9		0.0
At-sea whiting cat-proc a/		4.0		12.8		241.6	0.0
Shoreside whiting a/					0.0		0.0
Tribal whiting		0.7		0.0	0.6	6.1	0.0
Tribal							
Midwater Trawl		1.8		0.0	0.0	40.0	0.0
Bottom Trawl		0.8		0.0	3.7	0.0	0.0
Troll		0.5		0.0	0.0		0.0
Fixed gear		0.3		0.0	0.0	0.0	2.3
Limited Entry Fixed Gear		1.1		1.3	0.4		2.8
Sablefish	13.4		0.0			0.0	
Non-Sablefish			0.1			0.5	
Open Access: Directed Groundfish		1.0					
Sablefish DTL	0.0			0.2	0.1	0.0	0.3
Nearshore (North of 40°10' N. lat.)	0.0	1.7	0.1	0.0	0.0	0.5	1.5
Nearshore (South of 40°10' N. lat.)	0.0			0.0	0.0		
Other	10.6			0.0	0.0	0.0	0.1
Open Access: Incidental Groundfish							
CA Halibut	0.1	0.0		0.0	0.0		
CA Gillnet c/	0.5			0.0	0.0	0.0	
CA Sheephead c/				0.0	0.0	0.0	0.0
CPS- wetfish c/	0.3						
CPS- squid d/							
Dungeness crab c/	0.0		0.0	0.0	0.0		
HMS b/		0.0	0.0	0.0			
Pacific Halibut c/	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Pink shrimp	0.1	0.1	0.0	0.0	0.0	0.1	0.1
Ridgeback prawn	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Salmon troll	0.2	0.8	0.0	0.0	0.0	0.3	0.2
Sea Cucumber	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Spot Prawn (trap)							
Recreational Groundfish e/							
WA		5.7					6.0
OR						1.4	
CA	53.2	10.1	0.1			9.0	7.2
Research: Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs. f/							
	2.0	3.7	0.2	3.8	3.6	0.9	1.9
TOTAL	104.4	40.4	1.9	240.1	83.5	301.9	22.9
2007 OY	218	44.0	4.0	290	150	368	23
Difference	113.6	3.6	2.1	49.9	66.5	66.1	0.1
Percent of OY	47.9%	91.8%	47.5%	82.8%	55.7%	82.0%	99.4%
Key	= either not applicable; trace amount (<0.01 mt); or not reported in available data						

a/ Non-tribal whiting numbers reflect actual catches through July 26 based on September 7, 2007 NMFS report

b/ South of 40°10' N. lat.

c/ Mortality estimates are not hard numbers; based on the GMT's best professional judgment.

d/ Bycatch amounts by species unavailable, but bocaccio occurred in 0.1% of all port samples and other rockfish in another 0.1% of all port samples (and squid fisheries usually land their whole catch).

e/ Values in scorecard represent projected impacts. However, harvest guidelines for 2007 are as follows: canary in WA and OR combined = 8.2 mt and in CA = 9.0 mt; yelloweye in WA and OR combined = 6.8 mt and in CA = 2.1 mt.

f/ Research projections updated August 2007. Canary and yelloweye updated Sept. 10, 2007. Estimate based on combination of actual 2006 catches and projected 2007 catch.