

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON FISHERY
MANAGEMENT PLAN AMENDMENT 22 – OPEN ACCESS LICENSE LIMITATION

The Oregon Department of Fish and Wildlife (ODFW) reviewed the Preliminary Draft Environmental Assessment (EA) for Pacific Coast Groundfish Fishery Management Plan Amendment 22: Conversion of the Open Access Fishery to Federal Permit Management and offers the following considerations. Additionally, public comment received regarding initial qualification criteria is summarized.

Appendix I of the EA analyzes the effect of implementing sablefish and/or lingcod endorsements on the proposed B permit for the open access fisheries. As shown in Tables I-3a and I-3b (page 240), under the qualification requirements contained in the preliminary preferred alternative (PPA), 1,003 vessels would qualify for the B permit; 324 of those vessels currently reside in Oregon. At its September 2008 meeting, the Council requested analysis to show the impacts of 1, 100, and 500 pound landings of lingcod and/or sablefish in any one year during the window period to qualify for those species endorsements. At the January 2009 Groundfish Allocation Committee (GAC) meeting, the Committee refined the Council's preliminary preferred option to include a 100-pound criteria to qualify for a lingcod endorsement and a 500 pound criteria to qualify for a sablefish endorsement. Under the various lingcod endorsement criteria, 134 to 236 Oregon vessels would be eligible for a lingcod endorsement. The absence of a lingcod endorsement could result in an additional 88 to 190 Oregon vessels targeting lingcod in the waters off Oregon. Since the permits and associated endorsements are coastwide, the potential increase of effort on lingcod is even greater when looking at the entire fleet.

Increased effort on lingcod relative to status quo will likely increase interaction and associated impacts on overfished species such as yelloweye rockfish as well as minor nearshore rockfish, stocks that are not currently assessed. Further, this increased effort on lingcod in nearshore waters would result in negative impacts to the Oregon state permitted fishery. The state nearshore fishery permits 126 vessels to target and land black and blue rockfish. Of those 126 vessels, 70 are further endorsed to land target amounts of 21 nearshore species (e.g., other nearshore rockfish, cabezon, and greenling); the remaining vessels may land incidental amounts (15 pounds per day) of nearshore species. Vessels without state black/blue permits are allowed to land up to 15 pounds per day of nearshore species and black rockfish and blue rockfish combined; fish in excess of this incidental limit have to be discarded. This fishery is subject to precautionary state landing limits (i.e., more restrictive than those adopted federally) since the stock status of many of the nearshore species is unknown. Increased targeting of lingcod at the levels detailed above, with increased associated bycatch of nearshore species, even at very low allowances could result in disastrous consequences to the state nearshore fishery such as greatly reduced trip limits for the directed fishery and premature fishery closure. Additionally, increases in impacts to overfished species, such as yelloweye rockfish, would likely result in severe curtailment of not only the nearshore fisheries, but nearly all groundfish fisheries.

Public Comment

ODFW held public meetings in August, 2008 to gather input on the alternatives for limiting the open access fishery. As expected, input varied widely and was dependent upon which open access fisheries, both directed and incidental, that individuals participated in. This resulted in a lack of consensus on most issues and alternatives discussed, with the exception of two: required separation of sablefish and lingcod fisheries when considering a B permit qualification and transferability of permits. Overall, most meeting participants were not comfortable making a specific recommendation, as they lacked information on what doing so means to them and where they “fell out” of the alternatives.

After the September Council meeting, ODFW presented the PPA to members of the Oregon commercial nearshore fishery at additional public meetings. During these meetings many fishers voiced a preference of status quo (i.e., no B permit). When asked what criteria they prefer if the Council was to implement a B permit, industry confirmed that they still preferred sablefish and lingcod endorsements attached to a B permit, but were unsure about qualifying criteria for initial B permit issuance, as well as poundage criteria for endorsements.

Since these public meetings, additional analysis has become available and ODFW contacted members of industry again with questions of qualification criteria preference. Of the 26 fishers contacted some still prefer status quo (no permit). However, when asked which landing requirement they prefer if the Council decision is to implement a B permit, 17 (a mix of sablefish and nearshore fishers) prefer modifying the PPA (as defined on page 129 of the EA) by increasing the cumulative landing criteria from 100 pounds to 1,000 pounds of B species during the window period. They stated that this amount shows a meaningful amount of catch, showing that the person was “serious” about fishing for these species. They also said that 1,000 pounds is not so high that “serious” fishermen would be eliminated from the fishery. The remaining nine nearshore fishers contacted preferred the PPA with the 100 pound cumulative landing criteria, stating either that they do not want to eliminate lingcod vessels at a higher rate than sablefish vessels or that they started fishing late in 2006 and believe that they did not land 1,000 pounds before the end of the window period, but would qualify with the 100 pound criteria. All fishers contacted were in support of retaining the lingcod and sablefish endorsement.

PFMC
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