NATIONAL MARINE FISHERIES SERVICE REPORT ON FMP AMENDMENT 21 – INTERSECTOR ALLOCATION

Overview

This document provides preliminary NMFS comments on the DEIS for Amendment 21 to the Groundfish FMP. The GAC, at the urging of NMFS, recommended a new alternative for analysis that would shift a percentage of the allocation from trawl gear to non-trawl gear. This new alternative, alternative 4 in the DEIS, is consistent with public testimony to the Council that allocation is a potentially useful management tool in reducing bycatch and protecting EFH. For each of these goals, however, allocation among gears may have a positive or a negative influence depending on a complex array of spatial and temporal factors. It will be necessary, either in this EIS or through subsequent processes, to take a hard look at these factors in order to determine if allocation is an appropriate tool for the Council to use in addressing its conservation goals. The remainder of this document refers to the new GAC alternative to present a preliminary framework for considering the impacts of alternative allocation strategies relative to bycatch and EFH.

New GAC Alternative (Fixed gear increase)

The GAC recommended an alternative for Council consideration that proportionally increases the non-trawl percentage under intersector allocation alternative 1 by 10% for the following species: lingcod (coastwide), Pacific cod, sablefish (north and south), widow rockfish, chilipepper rockfish, yellowtail rockfish, shortspine thornyhead (north and south), minor slope rockfish (north and south), and starry flounder (Table 2-8in the Preliminary DEIS and below). These species were chosen because they are important to and amenable to capture by the non-trawl fleet.

Essential Fish Habitat

The new GAC alternative may have an overall positive or negative impact on EFH, depending on where the fishery resulting from the proposed allocation percentages would occur. In general, the Risk Assessment developed to support Amendment 19 concludes that bottom trawling has a greater impact than fixed gear on benthic habitats, and, habitat impacted by bottom trawls take longer to return to its pre-impact condition (Risk Assessment for the Pacific Groundfish FMP, Appendix 10, 2004). The Risk Assessment similarly ranks the sensitivity of benthic habitats to fishing impacts and concludes that biogenic habitat (e.g. coral and sponge) is the most sensitive, followed by hard (e.g. rocky reef) and then soft (e.g. sand and mud bottom). The authors of the Risk Assessment advised the Council to interpret the ranking of gear and habitats carefully due to a relative lack of information, particularly about the impacts of fixed gear on these habitats. The Council responded by taking a precautionary approach and implementing EFH protection measures over a broad range of habitat and gear types. Amendment 19 provides protection to a substantial amount of hard, soft, and biogenic benthic habitats; some areas are protected from trawl gear, and others are protected from all bottom tending fishing gears.

Because of the differential in impacts by gear type, allocation may be an innovative strategy for reducing impacts to EFH and improving on the protections provided by Amendment 19, however, it could also have the opposite effect. The information in Amendment 19 supports the supposition that, if properly developed and implemented, converting bottom trawl effort to fixed gear effort could reduce habitat impacts and have incremental positive effects on EFH. For example, replacing bottom trawl effort with fixed gear effort within an isolated geographic area of soft bottom habitat (not deploying fixed gear effort to other habitats) would likely have a positive effect on EFH by reducing the overall level of impacts within that area. Conversely, if a gear switching program is not well-designed, it could increase habitat impacts and have a negative effect on EFH. For example, replacing trawl effort with fixed gear, and moving the effort from soft bottom to rocky and biogenic habitat, particularly habitat that is currently un-trawled, may increase overall impacts. Untrawled rocky and biogenic habitats in particular, likely in a recovery stage since the implementation of Amendment 19, are vulnerable to fixed gear impacts.

In order to design an allocation strategy that reduces impacts to EFH by decreasing trawl effort and increasing fixed gear effort, it is essential to consider where additional fixed gear effort would be deployed. This would require close review of potential habitat effects from any increase of fishing effort on rocky or biogenic areas, regardless of gear type.

Bycatch

The new GAC alternative may have an overall positive or negative impact on bycatch, depending on which species are selected under the allocation percentages. In order to make an informed decision on the effects of potentially allocating additional fish to the non-trawl fleet, it will be necessary to evaluate the costs and benefits for each gear type currently used in the groundfish fishery, and to evaluate potential changes for their effects on bycatch. Currently, the gears used in the groundfish fishery include: bottom trawl; longline; trap/pot; and hook and line. Each of these gear types has different bycatch issues and impacts. Public testimony has suggested that fixed gear is a more "environmentally friendly" gear type in regards to bycatch. While this statement may be true in some circumstances, it cannot be so broadly applied as to encompass all the gear types used and species affected.

For example, under this alternative the 10% increase in the lingcod non-trawl sector allocation would be close to a 60% decrease in the trawl allocation. This has the potential to limit trawl access to target species such as English sole where lingcod is taken as incidental catch. Increasing the non-trawl sector allocation for lingcod may result in significantly increased harvests in the recreational fishery. Expanded targeting of lingcod in the non-trawl sectors has a strong probability of increasing the bycatch of yelloweye and canary rockfish because these species are more vulnerable to hook and line gear. Additionally, since monitoring of harvests in these sectors of the fishery is not as thorough as in the trawl sector, there could be increased concerns regarding actual impacts on lingcod, as well as yelloweye and canary rockfish.

In order to design an allocation strategy that reduces impacts associated with bycatch through decreasing trawl effort and increasing fixed gear effort, it is essential to consider which species would be selected for changes in allocation patterns and the projected bycatch rates for non-target and overfished species associated with those changes. A key consideration would be to ensure overall fishing effort would not result in negative impacts on overfished species

Another factor that must be considered is the impact of a changed allocation on protected resources such as sea turtles, sea birds, and marine mammals. Although information specific to the west coast groundfish fishery is sparse, in general, fixed gear has been associated with higher encounter rates for sea turtles, sea birds, and marine mammals. Although there are methods and gear changes that can reduce interactions with protected resources, particularly with respect to sea birds, it is possible that increasing effort in the fixed gear fleet could result in greater impacts to protected resources.

In conclusion, NMFS believes that the potential use of allocation among gear types to promote conservation goals is worthy of further exploration and urges the Council to do so. However, without additional information, NMFS believes that it would be premature to make a long-term allocation decision based on this factor alone. In making this recommendation, NMFS is not suggesting that this additional analysis should, by itself, be a reason for delaying action on Amendment 21. The potential conservation benefits of a trawl rationalization program, which are contingent on the timely implementation of this intersector allocation amendment, are substantial and outweigh any of our concerns raised in this document. At a minimum, the analysis should be prepared before the 5 year review of the TIQ program, and be available for review and use during that review.

PFMC
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