

STATUS OF FEDERAL GROUND FISH ACTIVITIES

Situation: The National Marine Fisheries Service (NMFS) will report on its management and research activities since the April Council meeting. Among the activities are approval of Council recommendations made at the June 2000 meeting relating to the fixed gear sablefish season and inseason trip limit adjustments (see Attachments 1 and 2 of Exhibit G.11). In addition, NMFS may report on the status of the 2000 whiting fishery.

Council Action: Information only.

Reference Materials:

1. NMFS Public Notice: Changes to Groundfish Landings Limits off Washington, Oregon, and California, Effective July 17, 2000 (Exhibit G.11, Attachment 1).
2. NMFS Public Notice: Limited Entry, Three-Tier Sablefish Cumulative Limit Season off Washington, Oregon, and California Announced; All Groundfish Fixed Gear out of Water 48 Hours Before (Exhibit G.11, Attachment 2).

PPMC
08/17/00



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Sustainable Fisheries Division
7600 Sand Point Way N.E., Building. 1, Bin C15700
Seattle, WA 98115-0070

DATE: September 7, 2000
TO: DISTRIBUTION
FROM: F/NWR2 - Katherine King
SUBJECT: PRELIMINARY Report #6 -- 2000 Pacific Whiting Fishery

This report consolidates preliminary state, federal, and tribal data for the 2000 Pacific whiting fishery off Washington, Oregon, and California. The catcher/processor and non-tribal mothership fisheries started on May 15. The mothership fishery was projected to reach its allocation and was closed on June 9. The catcher/processor fishery resumed on August 16, following an inactive period that occurred when the processing vessels moved to the Alaskan pollock fishery. The tribal fishery began on June 10 and continued until July 18. Fishing was suspended while the tribal processor participated in the Alaskan pollock fishery. On August 29, the tribal fishery resumed. The shore-based season in most of the Eureka area (between 42°- 40°30' N. lat.) began on April 1, and the fishery south of 40° 30' N. lat. opened April 15. The shore-based whiting fishery south of 42° N. lat. reached its allocation and was temporarily "closed" (a 20,000 lb per trip limit applied) from June 8 until June 15 when the shore-based fishery north of 42° N. lat. began. The shore-based sector is expected to reach its allocation during the second week of September, if the previous week's catch rates continue.

	Allocation		Catch (mt)	Thru [date]	Status	Percent of allocation taken
	Percentages	Metric Tons				
California (south of 42 N lat.)	(5% shore alloc'n; included in WOC shore-based allocation)	4,190	4,985 (4,109)	9/2 (6/8)	started 0001 hours April 1; 5% alloc'n taken 6/8/00. Temp. "closure" noon 6/8/00 to 0001 hours 6/15/00	98.1%
Oregon	--	NA	55,261	9/2	started 0001 hours 6/15 (37 mt taken under 20,000 lb per trip limit)	
Washington	--	NA	10,801	9/2	started 0001 hours 6/15	
WOC shoreside	42% commercial OY	83,790	71,047			84.8%
Mothership (n. of 42 N. lat.)	24% commercial OY	47,880	46,876	6/9	started 0001 hours 5/15/00, closed 1600 6/9/00	97.9%
Catcher/processor (n. of 42 N. lat.)	34% commercial OY	67,830	54,067	9/5	started 0001 hours 5/15/00	79.7%
Total nontribal	commercial OY (86% OY)	199,500	171,990	--	--	86.2%
Tribal (Makah)	14% OY	32,500	5,507	9/5	started 6/10	16.9%
Total	OY=optimum yeild	232,000	177,497	--	--	76.5%

* Catch includes discards from at-sea processors; weigh-backs from shore-based catcher vessels; and small amounts landed under the 20,000-pound trip limit between the seasons. The data for at-sea processing (catcher/processors and motherships) are preliminary and are based on reports from NMFS-trained observers. Data for shoreside processors also are preliminary and are provided by each State to NMFS for the purpose of monitoring the fishery. If you have questions on shoreside landings, please contact the appropriate state fishery management agency. Preliminary data for the Makah fishery will be from a NMFS-trained observer (s). All weights are round weight (the weight of the whole fish before processing) or round-weight equivalents. One metric ton is 2,204.62 pounds.



GROUND FISH STRATEGIC PLAN

Situation: At the June 2000 Council meeting, the Ad-Hoc Groundfish Strategic Plan Development Committee (GSPDC) presented its initial draft strategic plan for Council review. The Council adopted the draft plan and executive summary for public review, and the states of Washington, Oregon, and California conducted nine public hearings. The draft plan offers a vision of a diverse, profitable, and stable groundfish industry; an improved, collaborative, and highly credible science program; and an open, responsive Council process. The draft plan proposes specific goals and objectives to achieve the long term vision. A major feature of the plan is a substantial restructuring of the industry, reducing the number of commercial fishing vessels by at least 50%. The draft plan addresses an observer program, marine protected areas, bycatch reduction, allocation, habitat protection, and other important issues that will be resolved in the process of achieving the goals of the strategic plan.

The GSPDC met August 24-25 to compile the public comments received at the hearings and to develop final recommendations for Council consideration. The Council is scheduled to take final action to adopt the draft plan at this meeting. If the Council adopts the plan, it will also need to adopt an implementation approach. The plan would be implemented through a series of fishery management plan amendments, regulations, and other mechanisms.

Council Action:

1. Adopt Strategic Plan Document.

Reference Materials:

1. Draft Groundfish Strategic Plan, September 2000 (Exhibit G.2, Attachment 1).
2. Groundfish Strategic Plan Public Hearing Summaries (Exhibit G.2.c, Hearing Summaries).
3. Scientific and Statistical Committee Comments on the Draft Groundfish Strategic Plan (Exhibit G.2.d, SSC Report).
4. Groundfish Strategic Plan Public Comments (Exhibit G.2.e, Public Comments).
5. Groundfish Strategic Plan Development Committee Meeting Summary (Exhibit G.2, Supplemental GSPDC Summary).

PPMC
08/29/00

**Pacific Fishery Management Council
Draft West Coast Groundfish Strategic Plan
Public Meeting**

July 31, 2000 - Seattle, Washington

ATTENDEES

WDFW: Phil Anderson, Brian Culver, Michele Robinson, and Deb Kuttel

PFMC: Jim Lone, Bill Robinson, Bob Alverson

NMFS: Kevin Ford, Trish Farrell, Robert Schamacher, Yvonne deReynier, Stephen Freese, Kate King, Eileen Cooney

US Coast Guard: Jane Dong, Brian Corrigan

Public: Ron Baehner, Don Green, Mike Deach, Laura Deach, Gerald Gunnari, Jim Hearn, Jack Crowley, Art Hodgins, Janice Jardstrom, Arnold Jardstrom, John W. Sceeles, Art Bogen, Gary Bogen, John Haram, Marion J. Larkin, Darby Dickerson, Eric Olsen, Don Jester

PRESENTATION

Phil Anderson presented background information on the Pacific Fishery Management Council's Draft West Coast Groundfish Strategic Plan. He discussed why the plan was developed, how it was developed, the specific recommendations contained within the plan relative to harvest policies, options for addressing overcapitalization, and implementation of the plan.

PUBLIC COMMENT

Laura Deach: Provided written testimony (attached).

Darby Dickerson: Expressed concern over the exploitation of canary rockfish, especially if Canadian effort on this species increases. General dissatisfaction and distrust with government management efforts.

Marion Larkin: The plan needs to be prioritized. Then, as an item on the list of priorities is achieved, examine how that affects the rest of the list. That is, subsequent priorities may be substantially changed as elements of the plan are achieved. It is difficult to consider the elements independently; we need to "integrate all parts." Stacking is not equitable to those who cannot afford to stack. Marion will be providing written comments.

- Art Hodgins: Supports stackable permits, but as a last resort. A buyback program is no good. We need an observer program. "Habitat is everything."
- Ron Baehner: Need to evaluate what happens with stackable permits. Establish the value of a stacked permit, e.g., 70 percent of a trip limit quota. We need some kind of reduction of a full trip limit for each stacked permit to control effort. Would still be interested in stacked permits as long as there were at least 50 percent of a trip limit with the stacked permit.
- Jack Crowley: Supports permit stacking, observers, ITQs. Does not support buyback.
- Eric Olsen: Supported the testimony of Crowley and Hodgins. We need a longer sablefish season. (Written testimony attached.)
- Don Jester: Favors permit stacking; does not favor reducing poundage on the stacked permit. Concern over a longline rockfish permit causing discard in the sablefish fishery, i.e., a sablefish fishery without an endorsement would have to discard their incidental rockfish. We should remove the gear endorsement on fixed-gear limited entry permits, i.e., no distinction between pot and longline. Should not restrict geographic areas.
- Gerald Gunnari: Does not support a mandatory permit stacking program. Use the current length/point system for LE permits to scale the value of stacked permits.
- Mike Deach: Favors stacking, but does not support mandatory stacking. Would like to see a longer sablefish season. Spent considerable time addressing the need for more informed management of the Washington dogfish fishery, including the need for a formal stock assessment. Use disaster relief funds to promote research. Establish a minimum landing requirement of dogfish to control the current expansion of fishing effort.
- Arnold Jarstrom: Supports ITQs. Supports the current 3-tier system as a way to get there. Supports permit stacking and observers.

**Pacific Fishery Management Council
Draft West Coast Groundfish Strategic Plan
Public Hearing**

August 1, 2000 - Montesano, WA

ATTENDEES

WDFW: Phil Anderson, Brian Culver, Michele Robinson, and Farron Wallace

U.S. Coast Guard: Tom Sparks

Public: Mark Cedergreen, Ryan Beckwith, Mark Fauser, Don Laakso, Gary Fletcher, Denny Stopsen, and Bob Eaton

PRESENTATION

Phil Anderson presented background information on the Pacific Council's Draft Strategic Plan for West Coast Groundfish. He discussed why the plan was developed, how it was developed, the specific recommendations contained within the plan relative to harvest policies and options for addressing overcapitalization, and implementation of the plan.

PUBLIC COMMENT

Denny Stopsen: Concerned about where the money is going to come from to buy the permits to stack; he indicated that a lot of people (including himself) did not want to sell their permits. Regarding current groundfish regulations, he did not think that fishing should be allowed for petrale and Dover sole during the winter months on the spawning grounds. He believes that there are far more Dover around now than before (from 40 fm out) because of restrictive trip limits.

Gary Fletcher: He fishes for sablefish in the open access fishery before the limited entry fishery begins and is concerned about having to stack two sets of permits to continue fishing. He was interested in when the moratorium on individual quota systems would be lifted by Congress. *(Phil Anderson indicated that he was currently working with our Congressional Delegation to get an exemption for the West Coast; otherwise the moratorium would not likely be lifted until next year.)*

Mark Fauser: Concerned about geographic limitation in fixed gear sablefish as an option. *(Phil Anderson indicated that while geographic limitation was an option identified in the plan, the committee is not recommending it as a course of action to the Council.)*

Mark Cedergreen: Concerned about black rockfish being managed by the states and what that would mean in terms of allocation among the states; wanted to know if lingcod would be considered nearshore or shelf species. *(Phil Anderson indicated that he thought management of lingcod would be maintained by PFMC; black rockfish and blue rockfish are considered nearshore species.)*

Regarding limited entry for salmon charter boats--wanted to know if there were many non-salmon charter boats in Washington (which are not limited). His concern was that Washington may get a smaller allocation because the size of the charter fleet is smaller compared to Oregon and California. *(Phil Anderson indicated that there were not many non-salmon charter boats in Washington and that the amount of historical catch would more likely be the determining factor in allocation decisions.)*

Bob Eaton: Reviewed the Draft Strategic Plan and wanted to know if the committee considered establishing gear standards and if the committee had discussed gear/species compatibility. *(Phil Anderson stated that the committee addressed exploring gears which were "friendly" to bycatch and habitat and in using that information in allocation decisions.)*

Discussed the possibility of the Magnuson-Stevens Act allowing the Pacific Council to levy a landing tax--the idea being that a portion of the TAC could be set aside and the funds from that portion could be used for research purposes; this would allow industry members to have more control over monies to be used for groundfish research.

Bob also indicated that the Pacific Marine Conservation Council is tracking the development of this plan carefully. He is glad that the Council took this effort on and thanked the state agencies for hosting these public hearings. He stated he would be providing more detailed written comments on the plan to the Council prior to August 18 so that the committee could consider them at its August 24-25 meeting.

Draft Groundfish Strategic Plan Meeting
Brookings, OR - July 25, 2000
Attendance Estimate = 55 public + 13 government

Meeting Notes by Subject Heading:

1. Capacity Reduction:

1. (Fixed Gear) - He said that a 50% reduction in the fleet will not provide a doubling of the catch per boat.
2. (Open Access) - Regarding the cut off date, what if you were in the process of building an OA vessel prior to November 5, 1999. Could you qualify for a permit if open access was changed to a permit fishery?
3. (Open Access) - With reference to page 35 (Full Strategic Plan), what would be the qualifications to get a permit if you were an open access fisher?
4. (Open Access) - He asked if the Council would want a 50% reduction in OA.
5. (General Public ?) - If trip limits are in place will we still need a 50% reduction?
6. (Open Access) - He asked how OA permitted fishery would effect him since he bought a boat this spring and started fishing.

2. Permit Stacking:

1. (Trawler) - Wanted to know why permit stacking was considered a conservation move.
2. (Fixed Gear) - He asked under permit stacking, if a fixed gear boat could buy a drag permit?
3. (LE Fixed Gear with Sablefish Endorsement) - He said that voluntary permit stacking was okay, but mandatory would lead to fleet problems

3. IFQ's:

1. (LE Fixed Gear with Sablefish Endorsement) - He had a concern with page 31 of the full Plan Draft.
2. (Public comment) - Apparently favored IFQ's and asked how long would our hands be tied regarding getting IFQ's?

4. Area Endorsements:

1. (Open Access) - He favored the concept of area permits and wanted to know if the Council was ready to accept such permits.

5. Allocation Preference:

1. (Open Access?) - A nearshore preference should be given to commercial fishers where there is now little sport presence.
2. (Open Access) - PFMC should be reminded that commercial fishers obtain fish for the public that don't fish.

6. Buy-Back:

1. (LE Sablefish) - CDFG made the mistake of taking permits but allowing boats to switch to other fisheries.
2. (Open Access?) - What has the council done or could do to help get funding for buy-back?

7. Marine Reserves:

1. (General Public ?) - What benefits would be gained for migratory species by marine reserves. I think he wanted these species excluded?
2. (General Public ?) - Who will determine where nearshore reserves will be placed, the states or Feds.? Will such reserves be just for fish or other resources?
3. (Public comment) - What will the configuration of marine reserves would be like?

8. Deferring Management of Nearshore GF to States:

1. (LE Groundfish and Buyer) - Referring to slide #14, he asked what the state thought about having authority, and if it had the needed information.
2. (Fixed Gear) - If the states take control on nearshore, will they receive any funding?
3. (Open Access) - He asked if Federal funding always required 25% state match?

9. General Questions & Statements:

1. (Fixed Gear) - He asked if there were more species overfished that haven't been studied?
2. (LE Fixed Gear with Sablefish Endorsement) - He stated that many boats with sablefish endorsements do not try to target other groundfish and should be kept separate.
3. (LE Fixed Gear with Sablefish Endorsement) - He gave a statement of mistrust, because materials were not out with enough time for study prior to the public meeting.
4. (Open Access) - He asked if Council would consider increasing the daily limit for sablefish?
5. (Public comment) - Is the Strategic Plan was just a structured fleet reduction?
6. (Public comment) - He said that Senator Dukes said that the county had jurisdiction from 1 to 3 miles.
7. (Open Access) - stated that he thought participants needed to take their comments to PFMC.
8. (Fisher) - Many have yet to read the Plan, so with this in mind, he asked what is the time line on implementation of the Strategic Plan and where and when to get comments to.
9. (Public comment) - How accountable is the Council to the process and public comments?
10. (Public comment) - What is being done on the East Coast for fishermen?

11. (Fixed Gear) - He had problems downloading information on the PFMC Web site.
12. (Public comment) - How long will the plan take, that is, 3 to 5 years?
13. (Public comment) - Status of the Science: What if the lingcod stocks were better than managers/science thinks?
14. (Open Access) - He asked what limits and regulations would be like in the near future?
15. (CA inland sport fisher) - Funding: He spoke on CalFed funding and getting organized to work together to get funding.
16. (Public comment) - Is there was any foreign fishing off our coast?

whb 8-8-00

Draft Groundfish Strategic Plan Meeting
Brookings, OR - July 25, 2000

Notes from participants comments:

1. Trawler -
Permit Stacking: Wanted to know why permit stacking was considered a conservation move.
2. Fixed Gear -
 - a. Capacity Reduction: He said that a 50% reduction in the fleet will not provide a doubling of the catch per boat.
 - b. He asked if there were more species overfished that haven't been studied?
 - c. Permit Stacking: He asked under permit stacking, if a fixed gear boat could buy a drag permit?
3. Fixed Gear with Sablefish Permit -
 - a. Permit Stacking: He said that voluntary permit stacking was okay, but mandatory would lead to fleet problems.
 - b. He stated that many boats with sablefish endorsements do not try to target other groundfish and should be kept separate.
 - c. IFO's: He had a concern with page 31 of the full Plan Draft
 - d. He gave a statement of mistrust, because materials were not out with enough time for study prior to the public meeting.
4. Open Access #1 -
Open Access Cut-off Date: Regarding the cut off date, what if you were in the process of building an OA vessel prior to November 5, 1999. Could you qualify for a permit if open access was changed to a permit fishery?
5. Open Access - Capacity Reduction - OA Permits: With reference to page 35, what would be the qualifications to get a permit if you were an open access fisher?
6. Open Access - Area Endorsements on Permits: He favored the concept of area permits and wanted to know if the Council was ready to accept such permits.
7. Open Access - Capacity Reduction: He asked if the Council would want a 50% reduction in OA.
8. Public comment -
 - a. Marine Reserves: What benefits would be gained for migratory species by

marine reserves. I think he wanted these species excluded?

- b. Capacity Reduction: If trip limits are in place will we still need a 50% reduction?

Notes from participants comments (cont'd)

- 9. Open Access - He asked if Council would consider increasing the daily limit for sablefish?
- 10. Public comment - if the Strategic Plan was just a structured fleet reduction?
- 11. Public comment -
 - a. Marine Reserves: He asked who will determine where nearshore reserves will be placed, the states or Feds.? Will such reserves be just for fish or other resources?
 - b. He said that Senator Dukes said that the county had jurisdiction from 1 to 3 miles. (Ralph Brown said that this was not the case as the state had authority).
- 12. Open Access - stated that he thought participants needed to take their comments to PFMC.
- 13. LE Groundfish and Buyer - Deferring Management of Nearshore GF to States: Referring to slide #14, he asked what the state thought about having authority, and if it had the needed information.
- 14. There was a general discussion regarding allocation preferences especially in nearshore waters.
- 15. Open Access? - Allocation Preference: A nearshore preference should be given to commercial fishers where there is now little sport presence.
- 16. Open Access - Allocation Preferences: PFMC should be reminded that commercial fishers obtain fish for the public that don't fish.
- 17. LE Sable - Buy-back: CDFG made the mistake of taking permits but allowing boats to switch to other fisheries.
- 18. Fisher - Many have yet to read the Plan, so with this in mind, he asked what is the time line on implementation of the Strategic Plan and where and when to get comments to.
- 19. A person - Accountability of PFMC: How accountable is the Council to the process and public comments?

20. A person - What is being done on the East Coast for fishermen?

Notes from participants comments (cont'd)

21. Fixed Gear -

- a. Defering Nearshore Manageament to States: If the states take control on nearshore, will they receive any funding?
- b. He had problems downloading information on the PFMC Web site.

22. Public comment: How long will the plan take, that is, 3 to 5 years?

23. Public comment - Marine Reserves: What will the configuration of marine reserves would be like?

24. Public comment - Status of the Science: What if the lingcod stocks were better than managers/science thinks?

24. Open Access - Future Regulations: He asked what limits and regulations would be like in the near future?

25. Public comment - IOF's: Apparently favored IFQ's and asked how long would our hands be ties regarding getting IFQ's?

26. Open Access? - Buy-back: He asked what the council has done or could do to help get funding for buy-back?

27. Open Access - Funding: He asked if Federal funding always required 25% state match?

28. CA inland sport fisher - Funding: He spoke on CalFed funding and getting organized to work together to get funding.

29. Open Access - New Open Access Permit: He asked how OA permitted fishery would effect him since he bought a boat this spring and started fishing.

30. Public comment: Is there was any foreign fishing off our coast?

whb 8-03-00

Draft Groundfish Strategic Plan Meeting

Newport, OR - July 27, 2000

Attendance = 62 public + 13 government

Meeting Notes by Subject Heading:

1. Capacity Reduction:

1. (Trawler) -
 - a. With reference to marine reserves, the drag fleet has already set aside about 30% of the grounds.
 - b. He wanted statement in Plan that Federal programs in the 1970's caused the over capacity of the fishing industry (point blame). He believed that Federal funding should be available to solve the problems they caused.
 - c. He made a statement on the need for a law change regarding buying boat permits.
2. (Trawler) - If a boat sinks, it should loose its permits.
3. (Trawler) - Didn't like slide #22 with 50% fleet reduction.
 - a. Government shouldn't manage people.
4. (LE Sablefish Pot) - Reference to slide #24 - Minimum landing requirements that change make it difficult for a fisherman to plan, that is, "a moving target is hard to hit".

2. Permit Stacking:

1. (Salmon Troller) - He asked that if there were permit stacking, would there be a guarantee that with more permits a vessel could get more fish. He said that vessels need to be able to depend on a return for their investment if they stack permits.
2. (Trawler) - The number of months a boat could be fish could be controlled with the same effect. You could raise the limits for a vessel if you limited the number of months it could fish in a year.
3. (LE Sablefish Pot)
 - a. Recommends that the maximum number of permits stacked on a single boat be set at three.
 - b. Permits should be owner fished and not corporation owned.

3. Area Endorsements:

1. (LE Sablefish Pot) - Reference to slide #25 - Area limitations restricting opportunity are questionable. Fishers need the ability to move to get the best price for their product.

4. Year Round Fishery:

1. (Trawler) - Regarding Slide #13 and reference to plan's year-round fishery preference.... fishers need to be combination vessels having more than one

fishery to make it.

5. Buy-Back:

1. (Trawler) -
 - a. Fleet reduction will be a hardship unless there is a buy-back program.
 - b. Buy-back will only work if permits are taken and the vessel is removed from ALL fisheries.
 - c. If Federal government wants fleet reduction, then it should fund buy-back.
 - d. The environmental community should support buy-back.
2. (OCZMA) - Unhappy that the Plan was neutral regarding Buy-back. He feels that we need congress to start capacity reduction through buy-back, and that any efforts by PFMC will not work without buy-back.

6. Marine Reserves:

1. (Salmon Troller) -
 - a. Wanted to know if it was already determined which types of habitats would be reserves.
 - b. Hard spots (rocky reefs) are important fishery areas for trollers who catch tuna and salmon, and their fishing activity is not harmful to habitat. They should not be restricted from Stonewall Bank and Heceta Bank even if they became reserves.

7. Trans-boundary Stocks:

1. (Trawler) - He said we need to address the trans-boundary stock issue. He felt it was not fair that U.S. fishers could face lower limits to conserve fish because boundary nations (Canada & Mexico) were increasing their catch of trans-boundary stocks.

8. Deferring Management of Nearshore GF to States:

1. (State Senator) - He was concerned that "feds" may shift responsibility to the states without providing funding for the states to get necessary information. This would increase state liability.

9. Harvest Policies:

1. (State Senator) - He had problems with slide #16. He saw a possibility of a conservative spiral with a little information making things more conservative.
2. (Trawler) - He wanted "discards" to be saved and landed with the value of the fish to go to fishery research. He recommended a Full Retention Program. He noted that Alaska does not allow discards

10. General Questions & Statements:

1. (Trawler) - Lobbying Congress: He felt our council should be able to lobby

congress just like the Eastern Council did.

2. (Trawler) -
 - a. He did not like the idea (side # 16) of having cautious ABC's because biological information was lacking.
 - b. He wanted a note about the effects of international trade policy on fisheries.
3. (State Senator) - He asked if effort would be shifted if the tribes expanded into groundfish.
4. (Trawler) - He made the point that Good Science is not the same as "the Best Science".
5. (Pacific Ocean Conservation Network) - See printed statement. Special points made on allocation, and support for securing funding for science and data collection.
6. (COMES) - Will the goals and objectives of the Strategic Plan overshadow or "trump" the present Fishery Management Plan?

whb 8/8/00

Draft Groundfish Strategic Plan Meeting
Newport, OR - July 27, 2000

Notes from participants comments:

1. Trawler & State Rep.-

a. Capacity Reduction:

- 1) With reference to marine reserves, the drag fleet has already set aside ~30% of the grounds.
- 2) He wanted statement in Plan that Federal programs in the 1970's caused the over capacity of the fishing industry (point blame). He believed that Federal funding should be available to solve the problems they caused.
- 3) He made a statement on the need for a law change regarding buying boat permits.

b. Trans-boundary Stock: He said we need to address the trans-boundary stock issue. He felt it was not fair that U.S. fishers could face lower limits to conserve fish because boundary nations (Canada & Mexico) were increasing their catch of trans-boundary stocks.

c. Lobbying Congress: He felt our council should be able to lobby congress just like the Eastern Council did.

2. Salmon Troller -

a. Reserves:

- 1) Wanted to know if it was already determined which types of habitats would be reserves.
- 2) Hard spots (rocky reefs) are important fishery areas for trollers who catch tuna and salmon, and their fishing activity is not harmful to habitat. They should not be restricted from Stonewall Bank and Heceta Bank even if they became reserves.

b. Permit Stacking: He asked that if there were permit stacking, would there be a guarantee that with more permits a vessel could get more fish. He said that vessels need to be able to depend on a return for their investment if they stack permits.

3. Trawler -

a. Harvest Policies (precautionary): He did not like the idea (side # 16) of having cautious ABC's because biological information was lacking.

b. Management Policies (year round harvest preference: Regarding Slide #13 and reference to plan's year-round fishery preference.... fishers need to be combination vessels having more than one fishery to make it.

c. Permit Stacking: the number of months that a boat could be fish could be controlled with the same effect. You could raise the limits for a vessel if you limited the number of months it could fish in a year.

d. Limited Entry Permits: If a boat sinks, it should loose its permits.

Notes from participants comments (cont'd):

- e. Addition for Plan: He wanted a note about the effects of international trade policy on fisheries.
- 4. State Senator -
 - a. Harvest Policies: He had problems with slide #16. He saw a possibility of a conservative spiral with a little information making things more conservative.
 - b. Management Policies-Deferring Nearshore to States: He was concerned that "feds" may shift responsibility to the states without providing funding for the states to get necessary information. This would increase state liability.
 - c. Tribes: He asked if effort would be shifted if the tribes expanded into groundfish.
- 5. Trawler -
 - a. Best Science: He made the point that Good Science is not the same as "the Best Science".
 - b. Full Retention: He wanted "discards" to be saved and landed with the value of the fish to go to fishery research. He recommended a Full Retention Program. He noted that Alaska does not allow discards.
- 6. Trawler - Capacity Reduction: Didn't like slide #22 with 50% fleet reduction.
 - a. Government shouldn't manage people.
 - b. Fleet reduction will be a hardship unless there is a buy-back program.
 - c. Buy-back will only work if permits are taken and the vessel is removed from ALL fisheries.
 - d. If Federal government wants fleet reduction, then it should fund buy-back.
 - e. The environmental community should support buy-back.
- 7. Pot fisher & LE Sablefish - Options to Reduce Capacity
 - a. Permit Stacking:
 - 1) Recommends that the maximum number of permits stacked on a single boat be set at three.
 - 2) Permits should be owner fished and not corporation owned.
 - c. Geographic Area Limitations: Reference to slide #25 - Area limitations restricting opportunity are questionable. Fishers need the ability to move to get the best price for their product.
 - d. Landing Requirements: Reference to slide #24 - Minimum landing requirements that change make it difficult for a fisherman to plan, that is, "a moving target is hard to hit".
- 8. Pacific Ocean Conservation Network Rep. = Pacific Ocean Conservation Network
..... see prepared statement.

Notes from participants comments (cont'd):

9. COMES - Question = Will the goals and objectives of the Strategic Plan overshadow or "trump" the present Fishery Management Plan?

10. OCZMA - Buy-back

He was unhappy that the Plan was neutral regarding Buy-back. He feels that we need congress to start capacity reduction through buy-back, and that any efforts by PFMC will not work without buy-back.

whb 7-28-00

PACIFIC OCEAN CONSERVATION NETWORK



Groundfish Strategic Plan Comments

7/27/00

As one of the member organizations in the Pacific Ocean Conservation Network, we respectfully submit comments regarding the Pacific Fishery Management Council's Draft Groundfish Strategic Plan. Although our member organizations have not had a chance to complete a detailed review of the strategic plan, we would like to provide some general comments for the Ad-Hoc Pacific Groundfish Fishery Strategic Plan Development Committee.

1. The Strategic Plan is a well thought out, logical vision of what the groundfish fishery needs to look like in the future.
2. We commend the Strategic Plan Development Committee for the work product produced. We believe that the management requirements and recommendations for management policies, harvest policies, capacity reduction, an observer program, marine reserves, and groundfish habitat are comprehensive, and if implemented, will lead to a sustainable fishery.
3. We have identified two areas of the plan which we believe need an additional step in order to transition to sustainability.
 4. Allocation - Before the allocation provisions are put into place, we would like to see the implementation of gear performance standards which would create incentives for clean fishing with options such as extra allocations for fishers with lower bycatch rates.
 5. Science and Data Collection - Securing funding for science and data collection has always been, and will continue to be a challenge for the Pacific Council. Therefore, the POCN requests that the Strategic Plan Development Committee adds a recommendation to set aside part of the Total Allowable Catch (TAC) for data collection.

Thank you for giving me the opportunity to speak this evening. Our member organizations plan to take a harder look at the details of the plan and submit formal comments to the Council before it's September meeting in Sacramento.

Draft Groundfish Strategic Plan Meeting

Charleston, OR - August 1, 2000

Attendance Estimate = about 80 public + 9 government

Meeting Notes by Subject Heading:

1. Capacity Reduction:

1. (Coos Bay Trawlers) -

- a. Why doesn't proposed monitoring address all the issues listed in the Plan?
- b. The Plan does not emphasize the need for federal assistance in obtaining capacity reduction. No federal buy-back program is addressed.
- c. Vessels may be unfairly excluded from the whiting fishery (p.32). In Coos Bay area there is not enough whiting for a plant to process, and fish were scattered this year. This could exclude Coos Bay fishers from obtaining whiting permits.

2. (Processor-Pacific Seafood Group) -

- a. By limiting opportunity and permits, the industry will stagnate. Over the last 20 years, there has already been a 50% reduction in capacity. When people finish in their seasonal fisheries, they leave for Alaska or somewhere else; economic growth is lost. We need competition and healthy vessels.
- b. The mainstay of processing plants is groundfish. It has allowed plants to keep going after seasonal fisheries end. Permit stacking and IFQs will take that away. Plants in Coos Bay area have already consolidated, but can they continue to exist after reductions? Who will process the fish if all the plants fold?

3. (Trawler) -

- a. Right now we have _ of the boats in _ of the shape they were once in. How can there still be over capitalization. If so, why has the Council made exceptions to the rules such as permit stacking for whiting vessels, and Exempted Fishing Permits?
- b. No socioeconomic impacts to fishermen are included in the Plan. No compensation to fishers for fleet reduction.

2. IFQ's:

1. (Coos Bay Trawlers) - Unclear action plan: IFQs, other management options are offered for development later.
2. (Open Access) - Greatly opposed to instituting IFQs here after dealing with them in Alaska fisheries. He asked why the moratorium was put on IFQs in the first place. He says he was put out of business once before in Alaska, and "the rich man puts the poor man out of business." Thinks presenters of the Plan have a "cavalier attitude" about IFQs, not realizing the consequences.
3. (Processor - Pacific Seafood Group) - Look at social and economic impacts.
 - a. We will have fishery "ghost towns. The Plan represents potential

opportunity to some, but for the most, opportunity will be taken away.
The "rich get richer."

- b. Fishery participants are more than vessels. IFQs would be more difficult for processors.
4. (18. LE Fixed Gear; Alaska IFQ fisher) - Not convinced IFQs are a good idea. They may increase bycatch and are expensive to implement.

3. Area Endorsements:

1. (Charter Boat Operator) - If offshore fishery is taken away, he foresees more pressure on nearshore stocks and gear conflicts with recreational boats.

4. Allocation Preference:

1. (Coos Bay Trawlers) - Open Access/Limited Entry: Non-target fisheries should be closed when their portion of the quota is reached.
2. (Salmon Troller) - Trawl allocation: Why are stern trawlers still fishing off our shores when they can fish 200 miles out?
3. (Open access fisher: Sardine fishery) - Against allowing a sardine fishery because it is a food source for rockfish, lingcod and salmon, and he believes purse seining could also negatively affect those stocks

5. Observers:

1. (18. LE Fixed Gear; Alaska IFQ fisher) - Expensive program to implement as witnessed in Alaskan fisheries.

6. Marine Reserves:

1. (Coos Bay Trawlers) -
 - a) How can the scientists remove the quantity of ABC from a reserve?
Movement out of and into reserves is not known.
 - b) How will evaluation be conducted? This is not mentioned in the Plan.
2. Trawler) -Why is the OY taken off for reserves? No negative points are included about reserves in the Plan, only positives.

7. Deferring Management of Nearshore GF to States:

- 1.

8. Trans-boundary Stocks:

1. Trans-boundary Stocks: Are we to be accountable for the actions of other nations?
2. (Candidate for County Commissioner, writer, sport fisher) - Trans-boundary stocks: Foreign governments are called on to accept policies of our government. He doesn't see that happening.

9. Full Retention:

1. (Coos Bay Trawlers) - Discard: The Plan does not address discard. Fishers are forced to throw back fish, and now they are being put out of business.

2. (Open Access/Developmental fisheries fisher) - Full Retention: Get rid of quotas so you don't have to throw fish away just to meet the quota. Full retention should be mandatory, in order to determine what is being caught.
3. (Salmon trawler #4) - Discard: Stop throwing fish away. Start managing from there, because everything else is meaningless.

10. General Questions & Statements:

1. (Trawler wife) -
 - a. Magnuson Act: Has not been implemented by NOAA (NMFS) the way it was laid out. The Plan will put the industry out of business. When NMFS does not like something in the Magnuson Act, they go to Congress to change it.
 - b. Science: She was upset that biologists from the Scientific and Statistical Committee are not using fishermen's data, listing Rick Methot as an example. Mentioned that she was at a meeting where Paul Crone asked Rick Methot for more data to do a stock assessment. "You all should be fired."
 - c. Fishermen's vote: Let the fishermen vote on fisheries issues.
 - d. Council Meetings: They are a waste of time and resources. Representatives have not carried out ideas and suggestions.
 - e. Checks and Balances: Need to get someone from outside the industry and government to look at data.
 - f. Timeline: Plan discusses implementation. The industry does not have time to wait for implementation. They need action now.
2. (Coos Bay Trawlers) -
 - a. Science lacking in Strategic Plan:
 - 1) Lack of observers is offered as a scapegoat for accountability; science is not addressed.
 - 2) NMFS is not able to scientifically assess localized fishery stocks. Why not?
 - 3) There is no mention of fisher-assisted scientific data collection in the Plan.
 - b. Unclear action plan: IFQs, other management options are offered for development later.
 - c. Harvest policy: (p. 15, b.1)
 - 1) Appropriate MSY, why are the data so uncertain? If data is uncertain remove uncertainty. Science is not imprecise, so reduce error and uncertainty.
 - 2) Mortality rates, etc. should not be assumed. Council has not taken steps to reduce mortality. He does not agree that there has been little or no opportunity to measure mortality.
 - 3) Shore-side sampling should have more weight
 - 4) Why can't smaller recruit relationships be established?
 - 5) Why should industry flounder because of the inability of marine scientists? The industry should not have to prove that fish are there.

- Scientists should have to prove the fish are not there.
- 6) Why is it not a priority to get an appropriate exploitation rate? (Not an estimate.)
 - 7) Why is spawner-recruit data not being collected?
- d. Biomass estimates: (p.18)
- 1) Taken from catch information only? He doesn't think so.
 - 2) Why are sampled fish numbers decreasing? If need be, increase coverage from 2% to 10% (for example)
 - 3) The Council should assess each stock harvested.
- e. Supply/Demand: functions of supply and demand are not factored into the Plan. It impinges on market conditions to get fishers out of their Depression.
3. (Open Access) - Science and Management: Why are species declining when management is implemented? There are too many managers and not enough workers. Stock assessment authors are using extremely flawed information to count fish. Fisheries got along fine for 400 years without management.
 4. (Salmon troller #1) - He was upset that there was no NMFS representative at the meeting, and that Plan information was not distributed prior to the meeting. He believes that decisions have already been made prior to the meeting.
 - a. Factory Trawlers: Get them off US waters.
 - b. Tribal allocation: Thinks allocating to tribes increases separation and promotes unequals rights among US citizens.
 - c. Fishermen's vote: fisheries need a right to vote on fisheries issues. Use fisher data as factual information.
 5. (Candidate for Coos County Commissioner; sport fisher, free-lance writer.) Sees many problems with the Plan. It contains lots of "buzz words", but does not reassert PFMC's position. "The Plan is green as broccoli."
 - a. Plan Committee representation: Is concerned that five members of the Plan development committee were government agency people vs. three members of industry.
 - b. Sustainable Fisheries Act: There was sustainable fishing before the Sustainable Fisheries Act. That legislation has guaranteed tighter and tighter management.
 6. (Salmon troller #2) - Future of fisheries: agrees (with processor #1) that reduction in harvest will stagnate the industry. Fewer and fewer young people are entering the fishery because it isn't viable.
 7. (Processor) - Underutilized or Developmental Fisheries: Fishermen will say, "why bother?" The decline in quotas has spread effort to other groundfish species (e.g. skates). With permit stacking, who will fish on those species?
 8. (Trawl Net Builder) - Future of the industry
 - a. There are few net builders because it is a failing industry; you almost can't buy web in the U.S. because of the decline. No one is interested in entering the industry; they can't make a living.

- b. How long can businesses carry inventory and supply fishers in a scaled-down market?
9. (Trawler #1) - Plan cost
He looks at the Plan like he would look at a business plan. He would research it and determine cost. What is the cost? Where is the money coming from? Where is the money for capacity reduction? The Council is asking the public to accept the Plan without cost attached. Need to lay out where the money is coming from.
10. (Plant worker/salmon troller family) - Crisis management
Commented that the managers are the people in crisis and are trying to blame fishermen.
11. (Trawler #2) - Optimum Yield
How often have the draggers bumped up against the OY? Why is OY going down every year? He sees no solutions for this in the Plan.
12. (Open Access/Developmental fisheries fisher) -
Industry/Management Interactions: He worked for years in the cattle industry. Sees similar things happening to the groundfish industry. For example, rules were instituted to manage and the US imports more meat than it produces. He suggests that managers work with the industry and learn more about the industry.
13. (Salmon troller #3) - Inherited a boat from his father and now he is out of business. "You people make me sick."
14. (Charter boat operator #2) -
a. Science: He didn't see a problem with the fishery until the managers and biologists showed up. Data taken by dock-side samplers is more appropriate than chartered at-sea research because it notes what is actually being caught.
b. Reduced sport bag limits: When 3-fish bag limit on canary was introduced, he lost a lucrative fishery. That is difficult to manage on a charter vessel, because fishers will continue to fish after three canaries are caught. This only encourages discard and high grading.
15. (Trawler) - a. Uncertainty: In order to gain trust, you have to add accountability to the Plan. The uncertainty is never in the fishermen's behalf. He sees uncertainty as a justification for any management action undertaken by the Council.
16. (LE Fixed Gear; Alaska IFQ fisher) - Research: Testing and research should be conducted by hired fishing vessels instead of government research vessels in order to put money back into the industry.

Draft Groundfish Strategic Plan Meeting Coos Bay, OR August 1, 2000

Notes on Public Comment:

1. Trawler family member

- a. Magnuson Act: Has not been implemented by NOAA (NMFS) the way it was laid out. The Plan will put the industry out of business. When NMFS does not like something in the Magnuson Act, they go to Congress to change it.
- b. Science: She was upset that biologists from the Scientific and Statistical Committee are not using fishermen's data, listing Rick Methot as an example. Mentioned that she was at a meeting where Paul Crone asked Rick Methot for more data to do a stock assessment. "You all should be fired."
- c. Fishermen's vote: Let the fishermen vote on fisheries issues.
- d. Council Meetings: They are a waste of time and resources. Representatives have not carried out ideas and suggestions.
- e. Checks and Balances: Need to get someone from outside the industry and government to look at data.
- f. Timeline: Plan discusses implementation. The industry does not have time to wait for implementation. They need action now.

2. Coos Bay Trawlers Assn.

He noted that he had read the Plan four times and found it lacking in many areas.

a. Science lacking

- 1) Lack of observers is offered as a scapegoat for accountability; science is not addressed
- 2) NMFS is not able to scientifically assess localized fishery stocks. Why not?
- 3) There is no mention of fisher-assisted scientific data collection in the Plan.

b. Unclear action plan: IFQs, other management options are offered for development later.

c. Harvest policy: (p. 15, b.1)

- 1) Appropriate MSY, why are the data so uncertain? If data is uncertain remove uncertainty. Science is not imprecise, so reduce error and uncertainty.
- 2) Mortality rates, etc. should not be assumed. Council has not taken steps to reduce mortality. He does not agree that there has been little or no opportunity to measure mortality.
- 3) Shore-side sampling should have more weight
- 4) Why can't smaller recruit relationships be established?
- 5) Why should industry flounder because of the inability of marine scientists? The industry should not have to prove that fish are there. Scientists should have to prove the fish are not there.
- 6) Why is it not a priority to get an appropriate exploitation rate? (Not an

estimate.)

- 7) Why is spawner-recruit data not being collected?
 - d. Biomass estimates: (p.18)
 - 1) Taken from catch information only? He doesn't think so.
 - 2) Why are sampled fish numbers decreasing? If need be, increase coverage from 2% to 10% (for example)
 - 3) The Council should assess each stock harvested.
 - e. Trans-boundary Stocks: Are we to be accountable for the actions of other nations?
 - f. Reserves:
 - 1) How can the scientists remove the quantity of ABC from a reserve?
Movement out of and into reserves is not known.
 - 2) How will evaluation be conducted? This is not mentioned in the Plan.
 - g. Supply/Demand: functions of supply and demand are not factored into the Plan. It impinges on market conditions to get fishers out of their Depression.
 - h. Capacity Reduction:
 - 1) Why doesn't proposed monitoring address all the issues listed in the Plan?
 - 2) The Plan does not emphasize the need for federal assistance in obtaining capacity reduction. No federal buy-back program is addressed.
 - 3) Vessels may be unfairly excluded from the whiting fishery (p.32). In Coos Bay area there is not enough whiting for a plant to process, and fish were scattered this year. This could exclude Coos Bay fishers from obtaining whiting permits.
 - i. Open Access/Limited Entry: Non-target fisheries should be closed when their portion of the quota is reached.
 - j. Discard: The Plan does not address discard. Fishers are forced to throw back fish, and now they are being put out of business.
3. Open Access Longline fisher
- a. IFQs: Greatly opposed to instituting IFQs here after dealing with them in Alaska fisheries. He asked why the moratorium was put on IFQs in the first place. He says he was put out of business once before in Alaska, and "the rich man puts the poor man out of business." Thinks presenters of the Plan have a "cavalier attitude" about IFQs, not realizing the consequences.
 - b. Science and Management: Why are species declining when management is implemented? There are too many managers and not enough workers. Stock assessment authors are using extremely flawed information to count fish. Fisheries got along fine for 400 years without management.

4. Salmon troller #1

He was upset that there was no NMFS representative at the meeting, and that Plan information was not distributed prior to the meeting. He believes that decisions have already been made prior to the meeting.

- a. Factory Trawlers: Get them off US waters.
- b. Tribal allocation: Thinks allocating to tribes increases separation and promotes

unequals rights among US citizens.

- c. Fishermen's vote: fisheries need a right to vote on fisheries issues. Use fisher data as factual information.

5. John Griffith; nominee for Coos County Commissioner; sport fisher, free-lance writer. Sees many problems with the Plan. It contains lots of "buzz words", but does not reassert PFMC's position. "The Plan is green as broccoli."

- a. Trans-boundary stocks: Foreign governments are called on to accept policies of our government. He doesn't see that happening.
- b. Plan Committee representation: Is concerned that five members of the Plan development committee were government agency people vs. three members of industry.
- c. Sustainable Fisheries Act: There was sustainable fishing before the Sustainable Fisheries Act. That legislation has guaranteed tighter and tighter management.

6. Salmon troller #2

- a. Trawl allocation: Why are stern trawlers still fishing off our shores when they can fish 200 miles out?
- b. Future of fisheries: agrees (with processor #1) that reduction in harvest will stagnate the industry. Fewer and fewer young people are entering the fishery because it isn't viable.

7. Processor-Pacific Seafood Group

- a. Capacity Reduction:
 - 1) By limiting opportunity and permits, the industry will stagnate. Over the last 20 years, there has already been a 50% reduction in capacity. When people finish in their seasonal fisheries, they leave for Alaska or somewhere else; economic growth is lost. We need competition and healthy vessels.
 - 2) The mainstay of processing plants is groundfish. It has allowed plants to keep going after seasonal fisheries end. Permit stacking and IFQs will take that away. Plants in Coos Bay area have already consolidated, but can they continue to exist after reductions? Who will process the fish if all the plants fold?
- b. IFQs: Look at social and economic impacts.
 - 1) We will have fishery "ghost towns. The Plan represents potential opportunity to some, but for the most, opportunity will be taken away. The "rich get richer."
 - 2) Fishery participants are more than vessels. IFQs would be more difficult for processors.
- c. Underutilized or Developmental Fisheries: Fishermen will say, "why bother?" The decline in quotas has spread effort to other groundfish species (e.g. skates). With permit stacking, who will fish on those species?

8. Trawl Net Builder: Future of the industry
 - a. There are few net builders because it is a failing industry; you almost can't buy web in the U.S. because of the decline. No one is interested in entering the industry; they can't make a living.
 - b. How long can businesses carry inventory and supply fishers in a scaled-down market?
9. Charter boat operator #1: Science

He sees only biologists and enforcement personnel on the docks. Every fish gets documented, making him believe that more money is spent on that than he makes from his customers.
10. Trawler #1: Plan cost

He looks at the Plan like he would look at a business plan. He would research it and determine cost. What is the cost? Where is the money coming from? Where is the money for capacity reduction? The Council is asking the public to accept the Plan without cost attached. Need to lay out where the money is coming from.
11. Plant worker/salmon troller family: Crisis management

Commented that the managers are the people in crisis and are trying to blame fishermen.
12. Trawler #2: Optimum Yield

How often have the draggers bumped up against the OY? Why is OY going down every year? He sees no solutions for this in the Plan.
13. Open Access/Developmental fisheries fisher:
 - a. Industry/Management Interactions: He worked for years in the cattle industry. Sees similar things happening to the groundfish industry. For example, rules were instituted to manage and the US imports more meat than it produces. He suggests that managers work with the industry and learn more about the industry.
 - b. Full Retention: Get rid of quotas so you don't have to throw fish away just to meet the quota. Full retention should be mandatory, in order to determine what is being caught.
14. Salmon troller #3: Inherited a boat from his father and now he is out of business. "You people make me sick."
15. Salmon troller #4: Discard

Stop throwing fish away. Start managing from there, because everything else is meaningless.
16. Charter boat operator #2
 - a. Science: He didn't see a problem with the fishery until the managers and

biologists showed up. Data taken by dock-side samplers is more appropriate than chartered at-sea research because it notes what is actually being caught.

- b. Reduced sport bag limits: When 3-fish bag limit on canary was introduced, he lost a lucrative fishery. That is difficult to manage on a charter vessel, because fishers will continue to fish after three canaries are caught. This only encourages discard and high grading.
- c. Capacity reduction: If offshore fishery is taken away, he foresees more pressure on nearshore stocks and gear conflicts with recreational boats.

17. Trawler #3:

- a. Uncertainty: In order to gain trust, you have to add accountability to the Plan. The uncertainty is never in the fishermen's behalf. He sees uncertainty as a justification for any management action undertaken by the Council.
- b. Capacity Reduction:
 - 1) Right now we have _ of the boats in _ of the shape they were once in. How can there still be over capitalization. If so, why has the Council made exceptions to the rules such as permit stacking for whiting vessels, and Exempted Fishing Permits?
 - 2) No socioeconomic impacts to fishermen are included in the Plan. No compensation to fishers for fleet reduction.
- c. Reserves: Why is the OY taken off for reserves? No negative points are included about reserves in the Plan, only positives.

18. LE Fixed Gear; Alaska IFQ fisher:

- a. IFQs: Not convinced IFQs are a good idea. They may increase bycatch and are expensive to implement.
- b. Observers: Expensive program to implement as witnessed in Alaskan fisheries.
- c. Research: Testing and research should be conducted by hired fishing vessels instead of government research vessels in order to put money back into the industry.

19. Open access fisher: Sardine fishery

Against allowing a sardine fishery because it is a food source for rockfish, lingcod and salmon, and he believes purse seining could also negatively affect those stocks.

dmk 8-3-00

Draft Groundfish Strategic Plan Meeting

Astoria, OR - August 2, 2000

Attendance = 40 public + 8 government

Meeting Notes by Subject Heading:

1. Capacity Reduction:

1. (Fish Plant Manager) - Does the Capacity Reduction goal of 50% reflect active fishers or permit holders?
2. (Fish Plant Manager) - Help Requested for Support Industries in Capacity Reduction: Processors and support industries are not part of Magnuson Act Considerations. Both regulations and capacity reduction effect processor operations. Down time has a high cost. Capacity reduction will have big economic challenges for communities. Consolidation of plants is a common way of of processors dealing with a smaller volume of fish.
3. (Trawler) - He was concerned that in September the PFMC process would start towards capacity reduction when industry was without the ability to respond.
4. (Trawler) - If things really improve, how can you bring people back into the fishery?
5. (Trawler) - How good is the SSC's analysis of calculated capital utilization rates (LE Fixed Gear - 9 to 10%, etc.)?
6. (Support Business - (gear or net shop): effects on Support Industries:
 - a. PFMC must consider coastal communities and support businesses.
 - b. If fleet is cut by 50% it will be difficult to hold inventory and businesses will have to consolidate.
 - c. Support businesses need to be in the information loop to plan, and recommend that business be informed about changes that will effect them economically.
 - d. Businesses need help, and since they are taxed on their inventory, they should receive Federal Tax Credits or exemptions so they can transition to reduced capacity.
7. (Oregon Trawl Commission) -
 - a. With new conservative HG estimates, how so you factor in 50% capacity reduction? Now this could be a fleet reduction of 70% Why are we not telling the public the whole picture?
 - b. The whiting fleet is now over capitalized.

2. Permit Stacking:

1. (LE Fixed Gear Fisher) - Favors keeping size limitations on permits. Does not want radical change in permit qualifications.
2. (LE Fixed Gear Fisher) - Endorsements on Permits: General question if PFMC would consider:
 - a. Species endorsements on permits?

- b. A nearshore or shelf of slope endorsement on permits?
 - c. Depth or area endorsement on permits?
 - 3. (Trawler) - Permit stacking looks like an industry funded program, so is there any guarantee that a person will be able to get enough fish with his stacked permits? Fishers need a guaranteed share of the quota. People with money will be favored in permit stacking.
 - 4. (Trawler) - Permit stacking is a nightmare. It creates insurance headaches. If a permit is part of a vessel's worth, what happens when a boat sinks?
 - 5. (Trawler?) - Stacking would put more pressure on certain areas creating a big problem.
 - 6. (Fisher- unknown gear) - He favors the ability to sell a portion of his permit, such as, certain depth areas or species of fish.
 - 7. (Fixed Gear) - Permit Leasing: It costs a small vessel less to fish. If a boat catches more than it's limit there could be the ability to use a portion of another boats quota rather than discard.
3. IFQ's:
- 1. (Commercial Fisher #1) - He favored transferable IFQ over permit stacking.
 - 2. (Commercial Fisher #2) - He favors elimination of the moratorium on IFQ's. He wanted to know how he could support ending of the moratorium.
4. Area Endorsements:
- 1. (LE Fixed Gear Fisher) - Not in favor of stated sport or commercial preference on areas (nearshore, shelf and slope), because there are even nearshore species that sports don't catch while commercial fishers catch and want. He has used traps nearshore to take fish sports don't take.
 - 2. (Fixed Gear) - Geographical limitations do not work on highly migratory fish.
5. Year Round Fishery:
- 1. (LE Fixed Gear Fisher) - Don't need a year round fishery, because he and others fish crab for 1/2 their year.
 - 2. (Trawler) - How do processors feel is there is no stability in product flow?
6. Buy-Back:
- 1. (Trawler) - Why can't we do buy-back on the West Coast when it has been done on the East Coast and in Alaska?
7. Observer Program:
- 1. (Trawler) - The average cost of an observer in Alaska is \$7,000 per month. (note regarding high cost to vessels)
 - 2. (Fixed Gear Fisher) - Alaska program exempts vessels under 60 feet. This is not fair to large boats, and small boats must absorb part of the cost on an observer program.
 - 3. (Fixed Gear Fisher) - Supports only enough observer coverage to estimate

discard....so keep the coverage to a percentage of the fleet and don't keep the program going when you have a good estimate.

4. (Shrimper) -
 - a. Not in favor of observer program. The cost is too high for boats to pay. Observers cause hardships for vessels, such as delays.
 - b. Recommends using a fixed video recorder showing vessel deck rather than observers.

8. Marine Reserves:

1. (Trawler) - Fishers use a very small part of the ocean, so don't need reserves. Regulations have now moved trawlers out of the rocks. Cables limit fishing areas.
2. (Shrimper) - How can exclusion zones or sanctuaries be enforced?

9. General Questions & Statements:

1. (Trawler) - What happens if a strategic Plan is not adopted?
2. (Trawler) - It is best to spend money on science to narrow variance estimates.
3. (Support Business- gear or net shop) - Improved communication with support industries is requested, and it could come in the form of conference calls.
4. (Commercial Fisher) - Congress recently authorized 5-million for the west coast fisheries. Where did that money go?
5. (Pacific Marine Conservation Consortium) -
 - a. Recommends a financing plan or business plan to accommodate the support industry, including tax incentives and funding for research.
 - b. Thanks the committee for staying the course on a hard job. Thanks the states for holding the 9-coastwide meetings.

whb 8-8-00

Draft Groundfish Strategic Plan Meeting
Astoria - August 2, 2000

Notes from participants comments:

1. Fish Plant Manager -
 - a. Capacity Reduction: Does the Capacity Reduction goal of 50% reflect active fishers or permit holders?
 - b. Help Requested for Support Industries in Capacity Reduction: Processors and support industries are not part of Magnuson Act Considerations. Both regulations and capacity reduction effect processor operations. Down time has a high cost. Capacity reduction will have big economic challenges for communities. Consolidation of plants is a common way of of processors dealing with a smaller volume of fish.
2. L E Fixed Gear -
 - a. Year Round Fishery: Don't need a year round fishery, because he and others fish crab for 1/2 their year.
 - b. Stacked Permits: Favors keeping size limitations on permits. Does not want radical change in permit qualifications.
 - c. Endorsements on Permits: General question if PFMC would consider:
 - 1) Species endorsements on permits?
 - 2) A nearshore or shelf of slope endorsement on permits?
 - 3) Depth or area endorsement on permits?
 - e. Preferences: Not in favor of stated sport or commercial preference on areas (nearshore, shelf and slope), because there are even nearshore species that sports don't catch while commercial fishers catch and want. He has used traps nearshore to take fish sports don't take.
3. LE Trawler & Insurance:
 - a. Permit Stacking: Permit stacking looks like an industry funded program, so is there any guarantee that a person will be able to get enough fish with his stacked permits? Fishers need a guaranteed share of the quota. People with money will be favored in permit stacking.
 - b. Capacity Reduction: He was concerned that in September the PFMC process would start towards capacity reduction when industry was without the ability to respond.
 - c. Permit Stacking: Permit stacking is a nightmare. It creates insurance headaches. If a permit is part of a vessel's worth, what happens when a boat sinks?
 - d. Buy-back: Why can't we do buy-back on the West Coast when it has been done on the East Coast and in Alaska?
 - e. Observer Program: The average cost of an observer in Alaska is \$7,000 per month. (note regarding high cost to vessels)

Notes from participants comments (cont'd)

4. LE Trawler -
 - a. What happens if a strategic Plan is not adopted?
 - b. Capacity Reduction: If things really improve, how can you bring people back into the fishery?
 - c. Processors: How do processors feel is there is no stability in product flow?
 - d. Marine Reserves: Fishers use a very small part of the ocean, so don't need reserves. Regulations have now moved trawlers out of the rocks. Cables limit fishing areas.
5. LE Trawler? -
 - a. Capacity Reduction: How good is the SSC's analysis of calculated capital utilization rates (LE Fixed Gear - 9 to 10%, etc.)?
 - b. Best Science: It is best to spend money on science to narrow variance of estimates.
6. LE Trawler? -

Permit Stacking: Stacking would put more pressure on certain areas creating a big problem.
8. Fixed Gear -
 - a. Permit Leasing: It costs a small vessel less to fish. If a boat catches more than it's limit there could be the ability to use a portion of another boats quota rather than discard.
 - b. Area Limitations: Geographical limitations do not work on highly migratory fish.
 - c. Observer Programs:
 - 1) Alaska program exempts vessels under 60 feet. This is not fair to large boats, and small boats must absorb part of the cost on an observer program.
 - 2) Supports only enough observer coverage to estimate discard....so keep the coverage to a percentage of the fleet and don't keep the program going when you have a good estimate.
9. Commercial Fisher -

Permit Stacking: He favored transferable IFQ over permit stacking.
10. Support Business- (gear or net shop):
 - a. Capacity Reduction - effects on Support Industries:
 - 1) PFMC must consider coastal communities and support businesses.
 - 2) If fleet is cut by 50% it will be difficult to hold inventory and businesses will have to consolidate.

Notes from participants comments (cont'd)

- 3) Support businesses need to be in the information loop to plan, and recommend that business be informed about changes that will effect them

economically.

- 4) Businesses need help, and since they are taxed on their inventory, they should receive Federal Tax Credits or exemptions so they can transition to reduced capacity.
- 5) Improved communication with support industries is requested, and it could come in the form of conference calls.

11. Commercial Fisher -

- a. Funding: Congress recently authorized 5-million for the west coast fisheries. Where did that money go?
- b. IFQ's: He favors elimination of the moratorium on IFQ's. He wanted to know how he could support ending of the moratorium.

12. Shrimper -

- a. Observer Program:
 - 1) Not in favor of observer program. The cost is too high for boats to pay. Observers cause hardships for vessels, such as delays.
 - 2) Recommends using a fixed video recorder showing vessel deck rather than observers.
- b. Marine Reserves: How can exclusion zones or sanctuaries be enforced?

13. Oregon Trawl Commission -

- a. Capacity Reduction:
 - 1) With new conservative HG estimates, how so you factor in 50% capacity reduction? Now this could be a fleet reduction of 70% Why are we not telling the public the whole picture?
 - 2) The whiting fleet is now over capitalized.

14. PMCC -

- a. Funding: Recommends a financing plan or business plan to accommodate the support industry, including tax incentives and funding for research.
- c. Thank You: Thanks the committee for staying the course on a hard job. Thanks the states for holding the 9-coastwide meetings.

whb 8-3-00

Draft Groundfish Strategic Plan

Comments Given Over Phone Following Public Meetings

1. Doug Morrison (fishes the LE sablefish with F/V Paso 2) made the following statements on 7/28/00:
 - a. Capacity Reduction: The present tiered system works for longline.
 - b. Buy-back: Buy-back favors large vessels, and he is a small boat not liking buy-back..
 - c. Capacity Reduction: Why not let 100-small vessels with little bycatch catch fish instead of a few large boats with permits?
2. Ken Martinson a Newport Shrimper called on 7/28/00 and made the following comments:
 - a. Full Retention: Supports Jim Seavers comment at the Newport meeting regarding wanting "discard" to be landed.
 - b. Full retention: He would support using the ex-vessel value of shrimp discard to be used or dedicated for fishery research.
 - c. Buy-back: When reducing capacity in one fishery and removing a vessel's fishing permit, the vessel should be eliminated from all types of fishing or it could enter and impact another fishery.
3. Kenyon Hensel (speaking for a Crescent City, CA Open Access Group) on 8/1/00 stated that he is in favor of:
 - a. Capacity: Freezing effort and freezing changes to new gear (not allowing open access vessels to switch to new gear that they have not fished in the past).
 - b. Area endorsements: Area endorsements are favored.
4. Newport Combination Fisher - (GF Trawl, Shrimp Trawl, Crab, LE Longline Sable) on 8/3/00 stated the following comments to Rod Kaiser:
 - a. Permit Stacking: Does not want mandatory permit stacking because it would be very costly. Voluntary permit stacking would be okay.
 - b. Fleet diversity is important including types and sizes of vessels along with the availability of ports along the coast.
 - c. Recommends that the state of Oregon review its permits for crab and shrimp in light of the new strategic Plan.

whb 8/3/00

Pacific Fishery Management Council
Draft Groundfish Fishery Strategic Plan Public Hearing
Santa Rosa, California
July 27, 2000

Summary of Participant Comments

When will the observer program be implemented and how will it be funded? The sooner the program is in place, the sooner we can resolve the discard and bycatch issues. The plan also calls for more research and improved data collection techniques. Where is the funding going to come from to support these programs, and how long will it take from the time the data is collected to analysis to final recommendations?

The current plan recommends marine reserves as a management option, but the PFMC committee responsible for policy issues as they relate to marine reserves is unaware of this recommendation. Therefore, this recommendation should be struck from the plan until the Marine Reserve Committee comes to a consensus on this issue. In addition, the plan needs to have a glossary appended to it.

The Council needs to address the socioeconomic impacts of the plan. Small vessel owners are concerned that they will be eliminated from the groundfish fishery because they cannot compete with the minority of a larger processor/fishing vessels. They deliver a unique high quality, low volume product to the fresh fish markets, whereas the large processor/fishing vessels provide a low grade, high quantity product. Additionally, their gear has a minimal impact on the ocean bottom when compared to the larger processor/fishing vessels and should be regulated separately. Capacity reduction should be applied equally to small, medium, and large vessels.

The plan needs to be more specific regarding the issue of allocation. Groundfish are harvested by a wide variety of gears that are deployed from boats of various sizes. The current plan supports the elimination of the small scale trawler fleet and advocates the monopolization of the groundfish fishery by factory boats. Capacity reduction should apply equally to small, medium, and large length class vessels.

The bycatch and discard issue needs to be seriously considered during the allocation process. Non-discriminate gear (trawl gear) should be penalized in the allocation process. Develop an index that profiles the *least* destructive to the *most* destructive groundfish gears. Values obtained from the index should be integrated into an allocation formula.

When considering catch limits, the council should increase the time period from one to two months. Also, catch limits should be increased during the winter months when less fishing effort is being conducted because of foul weather.

The discarding of fish at sea should be illegal, but the council should consider a *10%* retention policy for fish taken on the shelf or slope.

How does the Council plan to deal with state-managed groundfish species?

There was concern that the Council may not be receptive to criticism of the strategic plan because the committee consisted of Council members. Individual fishing quotas (IFQ) will not work under the current and recommended management policies.

Current landing quotas are so low, only those boats with the highest catch volume will profit from IFQs.

Some fishermen would like to see more flexibility in their longline permit endorsement. Originally, these permits had no minimum landing requirements, but according to your plan, these permits will be void if we have not made landings recently.

Small vessels are able to fill specialty markets with high quality, high value product. This fishery has little discard and maximizes the value of the resource. Because of the high prices, some fishermen can get by with current low trip limits. This fisher should be protected.

There was concern that needed funds for research are not available. The observer program needs to be implemented as a top priority.

Pacific Fishery Management Council
Draft Groundfish Fishery Strategic Plan Public Hearing
Santa Rosa, California
July 27, 2000

Attendance*

Name

Affiliation

Richard Charter Environmental Defense	
John Stephenson	USCG Pac Area TRA-Team
Doirrs Robinson	USCG Marine Safety Division
Edward Paasch	Fisherman
Josh Churchman	Fisherman
Jesse Langley	Fisherman
William Smith	Fisherman
Tom Elliott	Fisherman
Curtis Degler	AMRC
Robert Ingles	Fisherman
Duncan Maclean	HMBFMA
Mike Malone	United Anglers
Larry Moore	Fisherman
Lisa Wertz	CDFG-PSMFC

*Total attendance 24 people

Pacific Fishery Management Council
Draft Groundfish Fishery Strategic Plan Public Hearing
Eureka, California
July 26, 2000

Summary of Participant Comments

To what extent has the Council examined the socioeconomic ramifications of this plan? All aspects of the industry will be harshly impacted. Small operations are just as important as big ones. Fish processing plants are currently overcapitalized, and they cannot remain operational for a minimal amount of groundfish and seasonal crab landings. Plant operators are concerned that lending institutions will not loan them money to down size their facilities because of uncertainties of the industry. Not only will those people from the service sector be impacted but the consumers will be as well.

When defining participants, it needs to go beyond fishermen and include participants. Capacity reduction without respect to geographic area has the potential to close ports, especially small ones. Movement of permits can result in no vessels to deliver to some ports. Processors have made substantial investments, and need to service debt load. If groundfish is forced out of some ports, other fisheries in those ports could be affected. Closure of processors could eliminate opportunity to unload shrimp, crab, etc. Processors have already gone through substantial consolidation, so that is not an option.

The Council needs to look at the economic impact of IQ systems. Some people will be forced out, and capital will dry up without expectation of ability to access catch. The domino effect of smaller fleet size will have serious impacts on communities, because a large fleet supports numerous other businesses.

Historically we feel the Council has done a very poor job of informing us about the severity of these issues, and the scheduling of meetings. For example, this meeting was scheduled during the blackcod opening. In addition, small vessel owners have no voice at the Council meetings because of the location and the cost to attend. Therefore, the Council dictates to us how, when and where we can fish. How many commercial fishermen sit on the Council?

We are concerned that the Council's plan will cause a shift in fishing effort from the groundfish fishery to other fisheries, resulting in overcapitalization of the existing and emerging fisheries. There was concern specifically about transfer of effort to the salmon fishery. How do you plan to deal with this shift in effort? Great effort shift can affect other businesses than fishermen.

The Council makes its decisions based on the best available data which is poor at best. What is being done to collect more reliable data to support your findings? It's going to cost a lot of money to collect reliable data and to implement your strategic plan. Where is the money going to come from?

What does a 50% reduction in capacity mean? Will there be 50% across the board for all vessels and gear types or will the reduction be specific only to certain gear types? Is sportfishing included? Tier 1,2 and 3 should each be reduced 50%.

Some of the meeting participants indicated that indiscriminate fishing gear such as trawl gear should be heavily regulated when compared to the hook-and-line fishery.

What about the following options: IFQs by species or multiple species; allow operators to transfer quotas; regional management to prohibit a shift in fishing effort from one region to the next.

In terms of management, will there be parity between the open and limited access fisheries? Fish market and restaurant owners expressed concern that closure of the open access nearshore fishery will put them out of business. A majority of their customers rely on premium live fish.

There was concern that additional landing requirements under a future capacity reduction program for A permits would cause unneeded hardship and financial loss. Under that proposal, it is important to provide a ranked list of vessels so that current participants would not invest in improving vessels that will ultimately be eliminated from the fishery. Under permit stacking, will length endorsements be applied to vessels that choose to stack? For example, will a 60-foot vessel need to obtain another 60-foot permit to stack? Mandatory stacking for trawl vessels may not be affordable for small boats.

Credibility is low, and some other neutral body is needed other than the current managers and the Council.

If a comprehensive approach is going to work, it is important to accurately anticipate the effects of future or longterm measures such as reserves, before going forward with other measures that will be taken first. Otherwise the economic impacts will not be balanced when all measures are finally put in place.

Quit managing fish businesses and start managing fish. Let economic and individuals decide whether it is in their best interest to stick it out. Otherwise, the little guys always get hurt the most.

Need to add regional management to the plan, otherwise big ports will dominate and cause localized depletion, i.e. Newport. Also, without regional management, southern nearshore catches may cause closure of healthy northern nearshore fishery.

Reduced capacity will stagnate the industry and stifle development of new fisheries. Once participation is limited, what is the provision to allow an increase when the resource recovers?

For the trawl fisheries, establish a series of species or species complex endorsements that are transferable. This could circumvent the IQ provision, while achieving similar results. If someone wants more Dover or widow, they could go out and get it.

What was the result of the buyback program on the east coast? Can we learn anything from it?

Local markets have been developed based on landings by the OA fleet. If that allocation is given to the recreational fishery, local people will not have access to fresh fish. The OA fleet represents those people who like to eat fresh fish.

Years of participation should count as much as catch volume in determining who is included under capacity reduction.

Pacific Fishery Management Council
Draft Groundfish Fishery Strategic Plan Public Hearing
Eureka, California
July 26, 2000

Attendance*

Name

Affiliation

Herb Holm
Lynne McLaughlin
Phil Dunger
Kirk Younker
Tim Broadman
Emanuel Silveira
Noel Silveira
Denver Nelson
Jonathan Ramsey
Keith Olson
Jim Allen
Chris Bingham
Paul Pelligrini
Ronnie Pelligrini
Susan Cooledge
Liam Massey
Martie Massey
Suzy Wooden

NMFS Enforcement
Commercial Fisherman
Commercial Fisherman

*Total Attendance 31 people

Comments at June Council meeting on Strategic Plan

Mark Cedergreene -

Bob Eaton - the Council will need to prepare itself and the public for the hard decisions that will be necessary to achieve the vision and goals of the plan. For the public hearings, the two messages to the public should be "help us improve the plan" and "keep focused on the plan as a whole, rather than little pieces of it."

Kenyon Hensel - supports reduction of the open access sector and suggests a vertical hook-and-line permit be established. Vertical gear is clean, with minimal bycatch, and has no impact on essential fish habitat. He suggested qualifying criteria for this "V" permit be that the fisher was active in 1994 (and earlier) and is still participating in the fishery.

Denny Burke - he was surprised and shocked when he read the strategic plan; "All I've heard is 'reduction.'" His shock turned to fear as he thought about what it means. His is a small boat enterprise that supports three families. How do we provide an exit with equity? How are we going to make the necessary changes?

Mike Pettis - expressed concern about new minimum landings requirements (MLRs). He wants a longer sablefish season, and believes it can be done through a permit stacking program. [Phil Anderson replied that MLRs were considered for both open access and limited entry sectors, but the committee recommendation is to provide permit stacking for the limited entry fleet and then move to individual quotas. MLRs would be used only for the open access fleet at this time. Hans Radtke asked Mike what would happen to permit prices; Pettis replied "it's a crap shoot."]

Jack Crowley - appreciated the vision of IQs, based on his Alaska experience. He said they make management easier, provide the public of benefits such as fresh fish all year. An IFQ program is essentially an industry funded buy-out, and fishers get compensation.

Peter Leipzig - wants to be constructive in this process, but believed the plan hasn't brought forward anything new. This will be an official document that will be a tool (and a club) for talking to Congress and the states. He said the vision statement is the good dream. He suggested the alternative "nightmare vision" should also be provided, that is, what will happen if we don't do anything?

In the management section, he suggested the preferred option be right up front. We need buy back or ITQs right now, but neither is available to the Council right now. Responding to Dave Hanson's question about the benefits of permit stacking, he responded that no one has the money to acquire additional permits right now, and the full cost would have to be paid up front. He also questioned where will the vessels go that lose their permits?

Mark Powell - echoed Bob Eaton's comments. He had expected a "warm and fuzzy" plan, and was stunned by the transition message.

John Crowley - said this is the first step in the rest of the history of the west coast groundfish fishery. We need to move forward with permit stacking as quickly as possible.

Joe Easley - said that "sometimes stating the obvious is pretty hard to swallow." He believes permit stacking won't reduce capacity enough, and doesn't believe a 50% reduction is enough. The whiting fishery is also overcapitalized. He suggested the goal not be 100% capacity utilization; also, before moving to reduce capacity, the Council needs to establish the program infrastructure (such as allocation). He also stressed the need to involve the communities and not just the industry. He suggested the Council identify all the data it needs to manage this fishery and send the package to the Secretary of Commerce. The Magnuson-Stevens Act requires the Secretary to implement the data collection programs the Council says are essential for management of the fishery, unless the Secretary determines the information is not necessary. With

respect to the plan document, it's important in the plan to name the committee members and say why they were chosen.

Michele Eder - endorsed releasing the draft document immediately for public review, stressing the need to get the word out as quickly and broadly as possible. She suggested the need to develop more "exit strategies" for the 50% that are eliminated, including such ideas as transferal of Capital Construction Funds to individual retirement accounts; permit stacking; "B" and "C" permits. With respect to geographic registration of permits, she said this is a wild idea that should be dropped.

SSC COMMENTS ON THE DRAFT GROUND FISH FISHERY STRATEGIC PLAN

August 16, 2000

VISION, GOALS AND OBJECTIVES

Plan: The Plan contains a number of references to management strategies that create incentives for fishermen to behave in ways that are consistent with Council objectives. For instance:

“Continue to explore the use of higher landings limits as an incentive to fish with bycatch friendly fishing gear or to fish in areas where bycatch is reduced (Recommendation 2, p. 14).

“Under this approach harvest rules would require increased levels of conservatism for stocks where little or no information existed from which to base a harvest level. Such a strategy may encourage acquisition of more detailed information if fishers believe significant quantities of harvest was being lost. The burden to generate that information could be shared between the fishing industry and the government” (last para, p. 16).

“Harvesters should be encouraged to conduct experimental fisheries with alternative gears that selectively harvest the desired productive species while minimizing bycatch of the weak stock.” (last para, p. 17).

SSC: Incentive-based strategies, such as those described above, are generally more amenable to enforcement and more conducive to achieving long term objectives and creating partnerships between industry and managers than command-and-control strategies. The SSC recommends that the importance of developing incentive-based strategies be highlighted in the Plan. One way to do this would be to add another paragraph to the vision statement (Section I.B.1, p. 7) that reads something like the following:

“Whenever possible, management approaches will be designed to create incentives for fishermen to behave in ways that are consistent with management goals and objectives.”

ALLOCATION

Plan: The Plan’s goal for allocation is “To distribute the harvestable surplus among competing interests in a way that resolves allocation issues on a long-term basis” (top, p. 35). The Plan also states that “To the extent that the Council is willing to allow quota transfers across gear types and geographic areas, the Council would have fewer allocation issues to contend with over the long term, since adjustments in allocation will instead be accomplished by transfers of quota in the market” (2nd para, p. 29).

SSC: Although the Plan identifies long term resolution of allocation issues as a goal (p. 35) and identifies transferable IFQs (that is, ITQs) as a potential way to resolve such issues (p. 29), the allocation recommendations on pp. 40-42 focus on “command-and-control” techniques to achieve stability and diversity, with no mention of market-based systems (such as ITQs) to provide flexibility and adaptability. The SSC recommends that market-based systems be included among the management approaches that could be considered to address allocation issues.

Plan: “...pressuring economic viability of the open access fishery vessels participating” (3rd para, p. 37).

SSC: For clarity, replace with something like “...threatening the economic viability of both limited entry and open access participants”.

Plan: “...the economic benefits and values of the recreational fishery exceed the loss to the commercial fisheries affected” (p. 43).

SSC: Replace “the economic benefits and values of” with “the economic gains to”.

CAPACITY REDUCTION

Plan: “Many of these permits were later transferred to vessels that actively participated in the fishery, resulting in overcapitalization, which has been exacerbated by acute harvest restrictions of recent years” (3rd para, p. 4).

SSC: For clarity, replace with “The gap between harvest capacity and groundfish OYs has been exacerbated by acute harvest restrictions in recent years.”

Plan: “If the reduction methods rely primarily on market-based consolidation of permits or IFQs, then the optimum balance of capacity to available resource will occur naturally” (2nd to last para, p. 24).

SSC: Change “will occur naturally” to “will, if properly designed, occur naturally”.

Plan: “...a fleet reduction goal of at least 50% of the current number of vessels is necessary. Depending on the methods of reduction chosen, it may not be possible to achieve a full 50% reduction. In addition, eliminating 50% of lower producing vessels may not sufficiently reduce the capacity of the fleet. That should not discourage the Council from moving forward with capacity reduction under the assumption that any reduction is better than none” (last para, p. 24).

SSC: It is important that intermediate steps toward capacity reduction not divert the Council from pressing forward to achieve the amount of capacity reduction consistent with the vision expressed in Section I.B.1 (p. 7) of the Plan. We therefore recommend that the following be appended to the end of the above paragraph:

“However, capacity reduction will not be deemed fully successful until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly.”

OBSERVER PROGRAM

Plan: “Given the likelihood of limited funding, focus the observer program on specific tasks. The Council may need to prioritize coverages, i.e., focus on collecting total mortality data for overfished groundfish stocks as an initial observer program priority” (Recommendation 3, p. 45).

SSC: An important factor that will affect how much an observer program can accomplish with limited funding is the amount of statistical error in the total removal estimates that the Council is willing to accept. We therefore suggest that the above statement be slightly modified by replacing “Given the likelihood of limited funding...” with “Given the likelihood of limited funding and the sampling costs associated with achieving targeted levels of precision in the total removal estimates...”.

MARINE RESERVES

Plan: “Marine reserves can be used to guard against management uncertainty and enhance productivity, but should be considered on their own broader merits rather than solely as a function of the Council’s harvest policy” (Recommendation 7, p. 22).

SSC: It would be helpful if the Plan provided some elaboration of the “broader merits” of reserves. Also, does this recommendation mean that the Council should consider reserves on the basis of these broader merits?

Plan: Recommendations include “(1) Adopt marine reserves as a fishery management tool for Pacific groundfish and proceed with implementation. (2) Identify the specific objectives that marine reserves are expected to meet. (3) Develop siting and design criteria, including the size of reserves, which will meet these objectives. Analyze options for establishing reserves that set aside 5%, 10% and 20% of nearshore, shelf and slope habitat” (p. 49).

SSC: We agree, as indicated in recommendation (3), that siting and design criteria should be based on the objectives of reserves. However, we recommend that the second sentence of recommendation (3) be deleted, on the basis that it would be premature to decide what proportion of habitat to place in reserves before those objectives are defined. The wording of recommendation (1) appears to suggest that marine reserves will be adopted, regardless of their merits as a management tool. The SSC considers it premature to commit to adopting reserves until after management options are developed and evaluated relative to objectives. At the least, if the Strategic Plan Committee intends to retain recommendation (1) and if the rationale for that recommendation is based on the “broader merits” of reserves cited on p. 22 of the Plan, it would be helpful if those merits were mentioned on p. 49 in the context of recommendation (1).

Plan: It is not clear whether the Plan intends marine reserves to pertain only to permanent no-take areas or to a variety of types of reserves (e.g., long term temporary versus permanent closures, closures to some versus all sectors of the groundfish fishery).

SSC: A sentence or two that clarifies this point would be a useful addition to Section II.A.6 of the Plan.

Plan: “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” (Recommendation 5, p. 50).

SSC: The SSC would fully expect to play a role in recommending new stock assessment methodologies, should that be necessitated by marine reserves. However, harvest recommendations have customarily been provided to the Council from other advisory bodies (e.g., GMT) -- a practice that we continue to support in the interest of keeping science separate from management.

GROUNDFISH HABITAT

Plan: “The Council should consider either prohibiting or modifying any fishing gear or fishing practice determined to adversely impact EFH areas of concern such as nearshore and shelf rock-reef habitats” (Recommendation 1, p. 53).

SSC: Just as the Plan recommends that the Council “continue to explore the use of higher landings limits as an incentive to fish with bycatch friendly fishing gear or to fish in areas where bycatch is reduced” (p. 14), similar types of incentives may also be useful for encouraging fishermen to switch from gears and gear configurations that are more destructive of EFH to those that are less so. Therefore, we recommend that the above statement be modified as follows.

“The Council should consider regulatory changes (including incentive systems) that result in modification or elimination of fishing gears or fishing practices that are determined to adversely impact EFH areas of concern such as nearshore and shelf rock-reef habitats.”

SCIENCE

SSC: The SSC sees a need to develop comprehensive bioeconomic models for understanding and evaluating regulatory options. We therefore recommend that the following be added to the list of science recommendations contained in Section II.B. (pp. 55-62) the Plan:

“Promote cooperation and collaboration within the scientific community. Natural and social scientists should routinely work together to ensure that all dimensions of management issues, options and solutions are well reflected in their input to the Council.”

GENERAL ROLE OF ADVISORY BODIES

Plan: “Specific votes on issues, perhaps recorded by affiliation within the advisory body, could also be provided to the Council” (last para, p. 67).

SSC: This recommendation is not appropriate to the way the SSC operates. The SSC does not vote. Given the complexity of the technical analyses that we review, our discussions and conclusions regarding such analyses cannot be reduced to simple “yes” or “no” votes. SSC statements are typically finalized by consensus after extensive discussion and therefore do not represent the opinion of any particular individual. Moreover, it is standard practice for SSC members who may have a “vested interest” in a particular topic (e.g., a stock assessment author) to restrict their input on that topic to providing information but not their opinions. We go to great lengths to ensure that our statements are balanced and reflect the general opinion of the SSC; requiring that votes be recorded by affiliation would suggest otherwise.

Plan: “The SSC, whose job it is to insure that Council analyses are analytically correct and appropriately focused, can acknowledge for the record that analysts have made a sincere effort to utilize the correct data and methodologies, thus, underscoring the competence of the presenter” (last para, p. 68).

SSC: The SSC hesitates to make judgments regarding the intention of the analyst (i.e., whether someone has made a “sincere effort”). We are committed to improving the utility of our statements to the Council, and are concerned that personal judgments of the analyst would detract from the substance of our comments on the analysis itself.

PLAN IMPLEMENTATION

Plan: “What Additions or Changes to Laws and Regulations Would Assist the Council in Making Progress in Achieving Its Objectives?” (p. 65).

SSC: The Plan provides some sound suggestions with regard to changes in the Magnuson-Stevens Act and other federal legislation and codes. The SSC recommends that the response to the above question also include a statement indicating the Council’s intent to incorporate the vision and objectives of the Strategic Plan into the goals and objectives of the Groundfish FMP. Considering and reconciling potential ambiguities or contradictions that may exist between the Strategic Plan and the FMP (e.g., should year-round fishing continue to be an FMP objective?) will be important for ensuring that the Council family has a concrete and consistent basis from which to move forward in implementing the Strategic Plan.

Plan: “The Council should establish a performance evaluation committee to periodically and critically review progress being made toward Council goals and objectives. The committee should also analyze improvements needed in Council procedures to maintain efficiency” (Recommendation 4, p. 71).

“The Council directs the formation of a ‘Groundfish Strategic Plan Implementation Committee’...to ensure continuity and an effective transition to implementation (Recommendation 2, p. 74).

SSC: These are excellent ideas. To help monitor progress, the SSC also recommends that a set of annual performance indicators be developed and is willing to assist in the development of these indicators.

Plan: “This the option of placing plan review on its agenda if it determines it is necessary” (last para, p. 75).

SSC: This looks like a typo. Delete?

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
GROUND FISH STRATEGIC PLAN

The Groundfish Advisory Subpanel (GAP) received an update on the strategic plan from Ms. Debra Nudelman. After considerable discussion among GAP members and members of the public, the GAP arrived at the following recommendations.

The GAP believes the Council should move ahead with the strategic plan even though there is no consensus on implementation measures. However, this recommendation is made based on the assumption the plan is just that: a plan, which by definition is flexible and can and will be changed to meet drastically changing circumstances in the fisheries.

In regard to implementation, the GAP disagrees strongly with recommendation #2 in the proposed implementation process (page 14 of Exhibit G.2, Attachment 1 - Executive Summary). The GAP believes it is imperative any implementation committee include significant representation of the Council's advisory bodies and affected users. The GAP believes implementation is too serious a task to be left up to those with no direct stake in the welfare of the fishery.

Finally, the GAP observes that trying to decide where to go should require an analysis of where you are. There have been significant changes in law, policy, economics, fishery status, environmental conditions, and management systems in the past few years. The Council should not jump into a new management process without first fully examining the results of these changes.

PFGC
09/13/00

HABITAT STEERING GROUP COMMENTS ON GROUNDFISH STRATEGIC PLAN

The Habitat Steering Group (HSG) applauds the efforts of the Council's Ad Hoc Groundfish Strategic Plan Development Committee and strongly recommends the Council adopt the plan.

The HSG has the following comments:

Section II. A. Groundfish Fishery Management

6. Marine Reserves as a Groundfish Management Tool

- The HSG strongly supports the strategic plan goal for marine reserves and the recommendations identified in the plan.

7. Pacific Groundfish Habitat

- The HSG strongly supports the strategic plan goal for pacific groundfish habitat and the recommendations identified in the plan with the following changes:

Recommendation # 2. ~~“Review and revise~~ Develop and implement gear performance standards for hook and line, pot, set gillnet, and trawl to increase gear selectivity, protect habitat, and/or decrease ghost fishing by lost gear.”

Add recommendation # 5. Identify habitats necessary for healthy fish populations and identify locations of those habitats.

Section II B. Science, Data Collection, Monitoring and Analysis

- The HSG strongly supports the strategic plan goal for this section and the recommendations identified in the plan with the following changes:

Recommendation # 2. “Create cooperative partnerships between state, federal, private foundations, and other private entities to collect and analyze the scientific fishery dependent and independent data needed to manage groundfish.”

Add recommendation # 12. Promote research to identify habitats necessary for healthy fish populations and identify locations of those habitats.

William Diller Fishing Co.

Exhibit G.2.e
Public Comment
September 2000

3655 Maricopa Rd.
Atascadero, CA 93422-2425
USA

Phone 805-466-0516
Fax 805-466-0516

July 26, 2000

Pacific Fishery Management Council
re: Draft Groundfish Fishery Management Plan

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JUL 31 2000

PFMC

Dear Council Members,

The new management plan put forth has some very disturbing parts. The idea to lower the fleet size by instituting minimum landing requirements is quite amazing. Why would you reward a group that has done the most damage to the stocks by eliminating the less destructive members of the fishery? The fishery historically was conducted by boats that would be considered small by today's standards. The Federal government blew the fishery into the over-capitalized mess that it is now. When the NMFS started the Capital Construction Fund program and the Fishing Vessel Loan Obligation Guarantee program, the incentive was there to build larger and more powerful trawlers. Now because of this previous meddling in capitalism, the government must somehow clean up the mess that it made. It is not right for the government to step in and prop up top-heavy businesses that did not have the foresight to control their expansion. In the face of lowering groundfish stocks and their associated limits, I kept my operation small and diversified into various other trawl fisheries. During the last 24 months, I fished for shrimp rather than continue to hammer away on an already stressed fishery. Now I am facing the threat of elimination from the fishery because I didn't make landings for that period. How can this be construed as right?

The permit stacking option will also reward the larger operator. They are the only ones that will have the cash flow and associated borrowing power to purchase additional permits at the sure to be much inflated prices that they will hit if that plan goes into effect. Once more, the operations that do the most damage will come out on top at the expense of the small guy.

I have to wonder where I will come out in this mess. I have been involved in the groundfish trawl fishery since 1973. I have had three boats and therefore three fishing histories. My present boat and groundfish permit, I've had for about 24 months and like I said previously, I diversified into shrimp for about 16 months of that time. I make 100% of my living from trawl fishing. My boat is in the bottom 10% size wise for the limited entry groundfish trawl fleet. Now I'm hearing that by getting rid of me, the fishery problems will be solved!

I believe that you (the council) was finally on the right track with the footrope size restrictions and by allowing the normal course of capitalism to take effect on an over capitalized fleet. The buyback program would work if the government would cut loose with some real money to make it worth while for marginal operations to bow out. I'm sure that the first to go would be the boats that don't really have an interest in continuing in the fishery but after that, the fishery could be continued to be paired down as more fishermen reached retirement age and could be bought out. Just throwing out the low end of the business despite the fact that they had minimal cause in the problem hardly seems right.

William G. Diller.

7/26/00

Pacific Fishery Management Council
2130 SW Fifth Ave., Suite 224
Portland, Ore. 97201

RE: The Pacific Fishery Management Council Draft Groundfish Fishery
Strategic Plan. A Permit No. 125

My name is Edward Paasch. I've fished commercially for the majority of my working life and at 47 that has added up to many years. I've become increasingly fearful that stringent regulation in the groundfish fishery threatens to take away a livelihood I've cherished. After reviewing the "Strategic Plan" I feel more so, but have a greater understanding of the extremely difficult task at hand of reining in an industry that for the most part has gone unregulated for years. With the availability of ongoing higher technology, larger and larger vessels, the demise of our groundfish might likely have become a reality. It is to your credit that plans are in the works to turn this once magnificent fishery around and keep it healthy.

After reading the many proposals in the draft document it appears, in my understanding, that the Council seems determined to limit extensively the number of small fishers like myself to create a management tool consisting primarily of larger vessels with the majority of the available quota assigned to them. Stacking permits, elimination of what is described as "latent" fisherman capabilities, allotting higher IFQs to individuals with histories of large catches all point in the direction of a limited number of vessels garnering the lion's share of this fishery with little or no regard for the little guy.

What is distressing in my opinion is that smaller fishers who use less gear which inherently make it a cleaner fishery are being forced out to be replaced by the fishers that caused our dilemma in the first place. Eliminating a majority of small fishers and limiting the groundfish industry to a select few larger capability vessels is simply poor and unfair management.

The "Observer Program" is essential and in that regard it is commendable that the Council seems determined to begin this program. Before many of these proposals are to become law it would be prudent of the Council to make such important policy after the observer program is implemented so that we have a more realistic view of what is actually happening. Unfortunately this seems unlikely to happen because the Council appears determined to create the most restrictive policies at the soonest time possible.

In conclusion I would ask the Council to consider what is best and healthiest for the fishery as a whole. Reducing or eliminating the fishermen who have delivered smaller catches and creating a fishery where only a select few large capacity vessels remain is only good for the few fishermen left standing.

Our groundfish resource should be allocated in a way that rewards the cleanest methods of fishing. Shorter rather than longer gear produces less discard, less ghost fishing, and more specific targeting of a species. These things should be rewarded, not taken away.

Sincerely,

EDWARD PAASCH
318 Tunnel Ave.
Pt. Richmond, CA 94801
(510) 237-5030

Coos Bay Trawlers' Association, Inc.

PO Box 5050
7960 Kingfisher Dr.
Coos Bay, OR 97420
Phone (541)888-8012
Fax (541)888-6165
E-mail ctrawl@mail.coos.or.us
A Non-Profit Organization

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AUG 14 2000

PFMC

Pacific Fishery Management Council
2130 SW Fifth Ave Suite 224
Portland, OR 97201

Council members and staff,

We want to thank all of the committee members for working so hard on the "Strategic Plan". We know that it wasn't an easy task and that many man hours have gone into the development of concepts, options and alternatives. And then to convert those thoughts and concepts into a readable form was an incredible feat.

Why do we have the feeling that the Council is trying to railroad the "Strategic Plan" through as soon as possible? Why is the Council rushing the process? The public hearing process was conducted in the same manner! How can the Council conduct public hearings but not publish the meeting time and location in local newspapers? The Charleston "Strategic Plan" meeting was not announced in Coos Bay's The World newspaper, Bandon's Western World, Coquille's Sentinel or Myrtle Points' Herald. It would seem that if NMFS, the Council or ODF&W really wanted public comment at these hearing then attempts would have been made to announce the meeting location and time so that the general public and, more importantly, the recreational fishers, would have made plans to attend the meetings also.

There is so much to comment on the "Strategic Plan" that its hard to find the place to start. Many questions need to be asked and hopefully answers will be provided. But generally speaking, we find that the plan has no real vision to remove the uncertainty that now plagues the management process which will continue management without accountability. The plan has no real vision on how to best utilize the fleet to help gather the much needed data for management nor does it show how first hand fisher knowledge is to be incorporated into manager's data banks and used for management measures. There are many references in the plan addressing the fact that there has been a substantial lack of data in the past to adequately make management decisions yet no one has asked the fleet to collect that data. The manager's position has been no data is better than fisher collected data and yet the Magnuson Act calls us partners in the process. The implementation of the plan's components should not be dumped on the fleet all at once, as was suggested by the presenters in Charleston, but phased in, to assure that measures that may not be needed aren't introduce prematurely. Reserves should not be part of the plan but introduced after the plan has had time to be implemented and evaluated and then only if they are really needed to help obtain the plans end goal. We also feel that the plan does not emphasize THE ABSOLUTE NEED OF THE FEDERAL GOVERNMENT'S SUPPORT OF A BUY-BACK PROGRAM which is pivotal to obtain the goals of the plan. And we don't feel that the plan addresses the concept of full retention in any meaningful way to reduce by-catch.

II. "What will we do to get there?"

(c1) Issues/Options/Alternatives

Both options one and two mention reduce capacity, #1b and #2c. Reducing capacity should be number 1 with any option and a buy-back should be the only method considered in doing so. *Mandatory stacking is not an acceptable way to reduce the fleet unless it is accompanied with a buy-back program.* The government created incentives to assemble the fleet, they need to help provide a dignified way to disassemble the fleet.

Option #2a (page 12)

We favor the IFQ program if the moratorium is lifted but only if it can be designed in a way that would not eventually eliminate the small boat component of the fleet. However, full retention only with observer coverage is short sighted. We need to find a way for full retention to work whether an observer is on board or not. If observers were used as verifiers of data collected by fishers rather than the only collectors of at-sea data, than we could move towards full retention. We expound on this issue again in the observer section.

Option #2b (page 13)

We would favor this option if IFQs don't become a reality. However, if the capacity has been reduce by 50% through a buy-back program then there would probably be little need to stager fishing opportunity.

Option #2d (page 13)

Q1 **Who will determine what gear is friendly or not?** *While we agree with the incentive part, modifying gear to be more friendly is not as easy as it sounds.*

(c3) (page 13)

We agree that "the Council and NMFS are not well suited to assess the biological requirements of many of these local populations, to assess the social and economic issues associated with them, or monitor localized fisheries." But it doesn't stop there. NMFS and the Council have proven that they can't manage the fisheries in their jurisdiction efficiently either and maybe *both nearshore and shelf species management should be managed by the state as well (extend state jurisdiction).*

(d) Management Policies Recommendations

(d1) *We agree that fleet reduction should be the priority but only through a buy-back program. All sectors should be reduced either through a single buy-back program or through a gear sector buy-back program.*

(d2) *We agree that there should be further exploration of by-catch friendly gear but deploying such gear needs to be carefully studied before implemented. Just*

because someone or group believes that certain modifications make the gear more friendly doesn't make it so. Incorrect use of this modified gear is actually more damaging than tire gear.

Q2 (d3) How will "Upfront and permanent" allocations be made?

(d4) *We recommend getting as much off your plate as possible. Too bad there aren't other agencies that could take over other sections of the ocean for NMFS as well.*

2. Harvest Policies (pg 15)

b1. Appropriate F_{MSY}

Q3 Why are data inputs uncertain? If data are uncertain then everything should be done to remove that uncertainty.

Q4 Why will you measure the controlling variables imprecisely?
Errors in estimating allowable harvest in quantities of current biomass, long-term exploitation rate and total mortality.

Q5&6 Why? Why hasn't the Council taken steps to reduce the uncertainties of these components?

Q7 Scientists need the natural mortality rate, weight-at-age, fishery selectivity-at-age, proportion mature-at-age, and a fishing mortality rate (not assumed). How have they been doing MSY in the past without knowing these factors?

Q8 Why haven't measures been taken to obtain these crucial factors?

Q9 Why has there been little or no opportunity to measure natural mortality and fishery selectivity annually?

Q10 Instead of making assumptions of natural mortality and fishery selectivity why not find a way to remove the uncertainty? A lack of sampling data increases the opportunity for error yet the Council has done very little to increase the sampling data. **Why?** *We recommend increasing sampling data.*

Q11 Why is measuring biomass so imprecise?

Q12 Why can't the scientist find a way to measure biomass correctly? The discard factor is important in establishing MSY yet the Council has failed to require this information to be collected by anyone. **Why? Why can't a meaningful**

Q13 spawner-recruit relationship be established? Is this an immeasurable factor,

Q14 a factor that will always be imprecise? Can't the scientist figure out how to

Q15 measure the quantities of variables that are needed to manage the fisheries?

Q16 Why should the industry be made to flounder because the scientist can't put
Q17 a handle on how to measure what they need to know? *It should be the*
Q18 Council's goal to remove the uncertainties that have brought us to our knees not try to institutionalize the inability of the marine scientists.

2. Harvest policies in absence of science (Pg 16)

Hierarchical approach instead of good science is not acceptable. The Council should increase shore-side sampling to gather at-age information that is needed

instead of some scheme to compensate for the lack of data. The industry should not have to prove that the fish are there, the scientist should prove that they are not there. The industry is willing to participate in gathering data, taking scientists out for research but for the Council to consider increasing precaution instead of obtaining the needed information is wrong and will lead to law suits against the Council, NMFS and their scientists. “The single greatest bottleneck for improving demographic data is in the area of age determination, an information base that can be gathered shoreside.” **Why hasn’t the Council done something to remove the bottleneck and improve the demographic information?**

Q19

3. Multi-Species/Mixed Stocks (Pg17)

Weak stock management must keep the weak stock above FMP definition of overfishing and above threshold as defined by ESA. Experimental fisheries require observers. Monitoring is essential to close fishery down when/if weak stock ABC is reached. “Harvester should be encouraged to conduct experimental fisheries with alternative gears that selectively harvest the desired productive species while minimizing bycatch of the weak stock. Implementation of an experimental fishery requires observer coverage to validate the catch and bycatch of the fishery. Similarly, subsequent fisheries using selective fishing practices should continue to be monitored with observers to assure that bycatch of the weak stock remains within estimated levels.” **How will this monitoring requirement be met? How many observers will be needed to monitor a sector if most fishers in that sector participated with experimental gear?**

Q20 & 21

4. Estimates of biomass/lack of information on total mortalities (Pg 18)

Q22 Is biomass derived from catch information only? The plan states, “Improved precision in the abundance estimates requires substantial increases in the number of age samples drawn from the fishery, and/or improved measures of auxiliary data. This dilemma is exacerbated because as stocks decline and the need for precise abundance estimates is most acute, the opportunity to collect samples diminished.” **Q23 Why?** *The solution would seem to be to obtain more samples of age structure from dockside sampling and require logbook entries of discards.*

5. Unassessed stocks

If biomass estimates of assessed stocks are derived from some function of peak or median catch over some interval, there is little wonder that the present conditions of the fishery is in disarray. *All stocks are currently important and the Council should do everything that it can to assess each and every stock that is harvested.*

6. International Consideration (Pg 19)

Q24 Is the plan calling for the burden to not harvest to be assumed by one nation if that nation has recognized that the other nation’s landings have exceeded MSY? *We recommend that the Council work out agreements for conservation*

with other nations rather than place the burden for both nations only on U.S. fishermen. The Council should do their share but not assume conservation for the entire world.

7. Marine Reserves

- Q25** While the plan calls for a fishery to be constrained to a harvest guideline commensurate with the size of the accessible exploitable stocks and the exploitable biomass, a reserve's biomass should be removed from the ABC prior to allocations. How are the scientists going to measure the biomass of stocks within a reserve to remove the quantity from the ABC? Scientists
- Q26** can't seem to accurately measure the amount of fish now so what improvements in fish count technology are going to be employed to get accurate counts within the reserve?
- Q27** The scientists can't seem to agree on the amount of movement fish participate in now, how are they going to measure how many fish move in and out (mixing rate) of reserves? While many on the Council believe that the industry wants all the transitional changes to occur at the same time so we can get on with our lives, we do not share the same sentiments. *We recommend not introducing any reserves until the rest of the plan has had time to be implemented and made to work smoothly. After the fleet reduction, after more science is applied, after a handle has been place on the data situation, if reserves are still needed to help rebuild stocks, then fishers will gladly help select and maintain reserves.*

8. Overfished stocks/Rebuilding (Pg 20)

The Council must weigh the cost of forgone catch against the benefits of recovery assumes that the managers are familiar with the supply and demand functions affecting the value of the catch, and they can accurately predict prices into the future. Very few Council members have shown from their decision making history that very much is know about the supply and demand concept and practices.

C. Summary for Harvest Policies

- Q28** "There is no magic scientific formula that tells a manager precisely how many fish to allow in the catch even when the manager possesses perfect knowledge about the fished population." **Why not? Why isn't this a priority of the**
- Q29** **strategic plan so that precise measurements can be obtained?** "Let scientists advise the Council with their best estimates of the appropriate rate of exploitation, then fish at a lower level until you observe a steady increase in stock biomass." *"With their best estimates of the" should be removed from the plan. The plan should require the appropriate exploitation rate, not an estimate of it.*

D. HP Recommendations (Pg 21)

1. OY below ABC *Careful monitoring should be used to prevent any fishery closure and clean fishing should be encouraged.*

Q30 & 31

2. Why would the biological information base decrease? And why would the plan's main point, monitoring, fail to provide reliable information on total mortality? *We recommend that the Council gather the data that is needed regardless of the decrease in harvest levels instead of institutionalizing unaccountability. No hierarchal approach should be used instead of adequate science.*

3. Unassessed stocks

We recommend that eventually all stocks be assessed on a routine basis.

4. Closure of the fishery when TAC of weak stock has been taken

We recommend that careful monitoring be employed to prevent overages of the TAC in the first place even if it means allowing geographic allocations based on distribution of the stock and importance to those communities.

5. Monitoring program again

We recommend an observer system where observers are used as data verifiers and at-sea samplers, vessel crewmen collect data (trained by NMFS). Under the present circumstance it would be prudent of the Council to move towards obtaining as much data as possible. The only way to do so is to require complete data collection from the crew of every sector and observers used to verify that data. The industry is supposed to be partners in this management process not just pawns. The use of on-board video monitoring equipment would provide the most rapid data gathering system and could be deployed on every fishing vessel simultaneously.

6. International stocks must be conserved

We agree with this recommendation, without an international agreement each country should conserve the portion of stock in their waters only and not compensate for another country with the agreement.

7. Marine reserves

We agree with this statement that reserves should be considered on their own merits and not as part of a harvest plan. We further recommend that reserves not be introduced at the same time as everything else in the plan. Use caution not to introduce too much too soon to prevent industry strangulation.

3. CAPACITY REDUCTION (Pg22)

c. Issues/Options (Pg 24)

Capacity reduction is the key to any plan that has to address rebuilding stocks. It is the number one ingredient to rebuilding stocks. The Council needs to take the stance that this element is the key and must insist on federal assistance to accomplish this goal.

2. Adjust capacity and Regulate overcapacity (Pg 25)

“At a sub-fishery level, **capacity in certain sectors** of the groundfish fishery might be reduced or otherwise redistributed more in line with the distribution of harvestable fish stocks through limiting participation to either specific geographic areas or to certain species through species endorsements.” *We recommend that all sectors be reduced.*

a. Market based programs

The most common form of market-based capacity reduction is IFQs. Other forms include the consolidation of fishing permits (permit stacking), or some form of private cooperative. The cost of reduction is borne by fishery participants, the balance between resource and capacity is determined by market forces and those leaving receive fair compensation.

The industry nor the government can reduce the fleet by themselves, it must be a joint venture. The Council needs to consider the “spill-over” effect before endorsing just a permit reduction scheme. While the resiliency of fishermen receives accolades, preventive measure should be established to prevent spill-overs to effect other fisheries in the same manner that over-capacity has effected the groundfish industry. It would be unethical to pretend that the possibility could occur.

b. Regulatory Solutions

We do not recommend any regulatory solutions to over capacity.

c. Vessel or permit buy-back (Pg 26)

We recommend that a combination buy-back program be used to reduce capacity. Let industry buy the permits and the federal government buy some of the vessels.

3. Principle Objectives/Range of Options

1. “Redefine minimum landing requirements for LE may force elimination without compensation or if permit stacking is allowed compensation through permit sale.” *We do not recommend any plan that doesn’t compensate the fisher for their investment.*

2. Permit-stacking for LE fixed and trawl (Pg 27)

We recommend volunteer permit stacking even if it means that the second permit’s catch is slightly reduced from the allowable catch of the first permit. The permit stacking point system established for the factory fleet should be used to match points to vessel size in this permit stacking plan as well.

3. IFQ Program (Pg 28)

While IFQs seem to offer the best opportunity to complete the circle of ocean stewardism, IFQs will not reduce capacity, so the two must go hand-in-hand. The IFQ program must not be designed to eliminate the small boat component.

4. LE A permits to geographic areas (Pg 30)

We do not recommend geographic permits but would endorse (under rebuilding) an agreement to reserve a particular area for particular use by a particular group. For example, this year's dory fleet request for added blacks/blues because there is little else to fish for in that area and the inability to travel further from port.

5. Limit participation in sectors through specific species or strategy endorsement based on qualifying criteria.

Q32

Isn't this what we have going now except for the specie part? We have LE trawl, LE fixed gear, etc all under groundfish permits. *We do not recommend a specie by specie endorsement.*

b. Option to Reduce OA

No comment on this section because we feel comments on OA reduction should be primarily from the OA sector. *All sectors need to be reduced.*

4. Options for development/implementation of LE vessel and/or permit buy-back with disaster funding or other funding

It is unfortunate that the OA is not a permitted fishery so that all sectors of the groundfish industry could participate in a single buy back program. *We believe that the trawl industry could afford 25 to 50 % matching funds for federal requirement for a buy-back program as long as the payback period is long enough to give ample opportunity for rebounding stocks to contribute to the payback.*

d. Reduction Recommendations (Pg 32)

1. *We do not recommend mandatory permit stacking.*

2. *We favor voluntary permit stacking with additional permits receiving discounted limits.*

3. Some vessels have been excluded from the whiting fishery only because of where the plants are that process whiting. *If another separation of a groundfish specie is created by endorsement on a threshold level, those above the threshold should be excluded from other groundfish landings except to provide for incidental catch.*

4. *We agree that we should pursue a buy-back program and that the fixed-gear and OA should also be included in that program. However the IFQ program should be for everyone, not just the fixed-gear sector.*

Q33

5. **OA B and C permits scheme seems fair but how will it reduce capacity if**

Q34 **“There may be no limit on the number of permits”? How does the CAP on OA compliment no limit on the number of permits?**

*7. The trawl IFQ should be established with as much vigor as for the fixed-gear sector. Mandatory permit stacking is not favored while we want a volunteer permit stacking program and part of this long term goal should be to establish a **long term** fleet reduction loan program.*

4. ALLOCATION OF GROUND FISH RESOURCES (Pg 33)

With all the hype to reduce the fleet, it seems irresponsible to allow new comers into an already over exploited industry. If someone has no historical background in the commercial harvest of our current fisheries, they should not be given access to the fishery even if they are Indians. No special treatment should be extended to any group to enter a fishery where no history prevails.

d. Allocation Recommendations (Pg 41)

Q35 1. “The “Rebuilding Plan” plan amendment proposes to establish a provision for suspending the allocation shares between the limited entry and open access sectors.” **What would be the purpose of an allocation suspension? Under the suspension, what will the shares be?**

3. Closing down a directed fishery so another fishery can have incidental catch isn’t right. This does away with the main course and gets right to the desert.

Q36 4. **How will these gear modifications be discovered, tested and implemented?**
Q37 **Will inexperienced scientists or a panel of fishers determine these modifications?**

Q38 5. The plan doesn’t seem to be reducing or eliminating discards when it calls for adjustments in allocation based on observer information. While we understand that this adjustment would make discounting discards more equitable for each sector, we don’t understand **Why the plan doesn’t move towards full**
Q39 **retention? Why doesn’t the plan address regulatory discards more fully and how the plan will eliminate discards?**

Q40 8. Impacts to habitat will be considered when allocation changes are made. Unfortunately the Council has no real vision for all allocation issues in the “Plan”. **Who will determine habitat impacts that would create changes in**
Q41 **allocations? Will the ad-hoc allocation committee continue to make its**
Q42 **recommendations to the Council via the GMT? Has the Council loaded the ad-hoc allocation committee to control the vote and therefore the outcome?**
We recommend that an independent process be established to deal with allocation issues that is free of people with vested interests in the fishery.

13. With reduced capacity there would be little need to utilize licenses, endorsement or quotas limitation to specific areas or registration of exclusive areas or port landing requirements. *We do not recommend the use of these measures unless there is no reduction program and we feel that the reduction program must be showcased as irreplaceable.*

d Observer Program Recommendations (Pg 46)

Q43 No matter what level of observer coverage is finally implemented, there is no question on the importance of this data gathering task. **To help catch up on gathering this at-sea information that the plan many times has referenced as vital to sound management, wouldn't it be prudent to train crew members to gather this data and require every vessel to report this needed information on each trip they make?** *We recommend an observer program that does not eliminate the fisher as a vital observer of conditions at sea. Observers should be used as data verifiers until the gaps in vital data are closed and enough information is realized to remove the uncertainty in the management process. To do it any other way would drag out the process for too long. We need to gather this information as soon as possible in the quantities that would eliminate assumptions in data. A video monitoring system on each and every vessels would accomplish much more than having an observer on board.*

6. MARINE RESERVES AS MANAGEMENT TOOL (Pg46)

Q44 The draft plan says, "The first phase is a conceptual evaluation of reserves that will conclude with the Council's decision on whether marine reserves have a role in groundfish management." **Hasn't this phase been completed already even though the Council has not officially declared it's findings?** A complete study needs to be conducted about reserves. *We recommend that reserves should not be introduced as part of the "Plan" because so many other changes will be introduced at one time and the added burden of such an unstudied concept placed on the fleet may be too much. If reserves work for their intended purpose they can be introduced at a later date. Maybe one test reserve could be established after the "Plan" has had time to begin to run smoothly.*

D Marine Reserve Recommendations (Pg 50)

Q45 Out of these five points in this section there is only one brief mention of evaluation. **How will before and after evaluations be conducted? What**
Q46 **measurable objectives will be evaluated to determine success or failure?**
Q47 **What kind of funding is needed to conduct reserve evaluations?**
We recommend that the marine reserve segment of the "Plan" be eliminated from the plan and developed for implementation at a later date on its own merits. If the fleet is reduced by 50% then there will 50% less effort placed on habitat. Habitat and reserves are such a contentious issue that complete studies need to be conducted before implementation of any reserve or habitat protection occurs.

(e) Habitat recommendations

Nowhere in the “Plan” is the concept of artificial habitat addressed. Typical of management to only take and never give. Artificial habitats have been proven to be effective to even create habitat where none existed before. We recommend that the “Plan” include incentives to create habitat.

1. All gear has adverse impacts on habitat. The question is to what degree?

Q48

How will adverse impacts be calculated and by whom?

B Goal for Science

Q49

Scientists say they do not have enough data to manage the fisheries correctly yet no one has asked that this data be collected by the fleet. **Is no data better than biased data?** Fishery dependent data could be readily available if the scientists would find a way to incorporate crew collected data that could be gathered in their logbooks.

Q50

Q51

Q51

2. (Pg 58) “There are very few instances where a statistically accurate description of stock productivity has been achieved by analyzing spawner-recruit data.” The plan goes on to say, “The effect of inaccurate estimates of spawner-recruit parameters is the mis-specification of key management points, including F_{MSY} , the level of stock biomass that produces MSY (B_{MSY}), and the size of the stock in the absence of fishing (B_0). **Why is obtaining this information so difficult?** If it is as pivotal as described in the plan, **why aren’t the scientists being asked to find a way to measure these points correctly?** The industry deserves better than “The best that can be hoped for is that imprecise but unbiased estimates of spawner-recruit parameters can be acquired.” Most science is precise. **Is fishery science imprecise so that no one can be held accountable?**

3. Resources and Collaboration

The “Plan” mentions the need for a dedicated research vessel. While we understand that such a vessel would provide the space needed to conduct sampling and other activities, such a vessel would also act as a wedge between the scientists and the fishermen. *We recommend that all at-sea-research be conducted on active fishing vessels to 1.) Bridge the gap that exists between the scientists and the fishers; 2.) To develop a better understanding of fishery science by the fishers; 3.) To develop a better understanding of the industry by the scientists; and 4.) To promote a true partnership in the management process. The cost associated with purchase, maintenance and running such a vessel is astronomical and sharing the federal vessels make more sense.* Ride-a-longs are not collaborative research and will not accomplish gaining support that the data is credible. Industry will always feel that the data is incredible if the data is gathered outside of our sight on dedicated research vessels. The science, to be credible, must be conducted openly and with the industry’s assistance.

d Science Recommendations (pg 63)

This section does not have enough about fishers helping to collect the scientific data that is needed. A dedicated research vessel instead of collaborative projects is not acceptable. At-sea ride-a-longs are not research and forcing communication between scientists and fishers just to get to know each other better is a waste of time. Because this whole section does not require increased collaborative research projects, this section is an insult to the industry. Again we see the scientific side pointing to the Council as the culprits of mis-management while the Council points at the scientists. The whole science portion of the plan seems shallow, vague, secretive and still without accountability.

We would like to thank you for giving us the opportunity to respond to the plan and submit our comments. We have a hard task ahead of us but if an immediate reduction plan isn't started then the transition to the plan's strategy will be more difficult for the industry. Good concepts of the plan will be shadowed by financial hardships of the fleet and the industry will become resistant to the needed change.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Waldrop". The signature is fluid and cursive, with the first name "Mike" and last name "Waldrop" clearly distinguishable.

Mike Waldrop, Vice President

Pacific Fisheries Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

August 12, 2000

We wish to have the Conception Management zone managed separately from the rest of the coast. Our fish stocks are different. Our markets are different. It is a small boat fishery in Southern California. Our weather and the U.S. Navy eliminate a lot of fishing opportunity. There is a small number of permits in Southern California- maybe thirty.

The strategic plan does not adequately address habitat, or habitat infrastructure, or address it at all. This issue is of the utmost importance to ground fish stocks' present and future.

The roller gear with chaffing gear has eliminated the habitat and food sources necessary for juvenile fish to survive in the quantities necessary to sustain healthy fisheries stocks. Please see attachment for study results of effects of disturbance on hard bottom habitat. This study was done by the most prestigious people in the field at a cost of \$653,580.00.

If the rest of us are feeling the pain of the stocks rebuilding, the spot prawn trawlers should also get off the stocks and habitat. Traps fish clean. Please see enclosure.

We are against the IFQs in that it rewards those who shoveled the most (bycatch) overboard and have had the greatest negative impacts on the habitat. We have a thirty year continuous history in the fixed gear ground fishery, but without large year catches. We made a living and raised a family. We feel that with our history of conservative fishing, we would be unfairly treated by IFQs. We oppose IFQs and prefer quotas to remain with the boat. In Canada, New Zealand and Australia the IFQs have become corporate-owned, squeezing out the small fisherman. With the west coast situation, only the flexible, small fisherman appears to have a chance of surviving.

The ground fish strategic plan does not address any sort of "enhancement" or ways to immediately improve the depressed stocks.

AUG-14-2000 08:14 AM SCHENCK

Page two
PFMC
8-12-2000

We finally lost the fight with the California State Land Commission a few years ago and they pulled out 26 well heads and undersea steel structures. The point is that there were 300-500 tons of mixed rock fish on these structures that were virtually inaccessible to fishermen due to the shape and design, in effect, sanctuaries. The most important part is that these fish continued to spawn unmolested. I have a video tape of this for the unbelievers. We believe this would be a great help. The technology is here, and I believe the oil companies would provide the financing. Steel is better than stone by a 1000 to 1 margin. I would like to discuss this further with you and be involved. This appears to be the only viable method to jump start the regeneration. It is doable and easy to be monitored.

Finally, regarding fleet management, we feel the west coast ground fish situation was solely brought on by mismanagement. Management controlled gear type and SYs. The handwriting was on the wall during the brownie massacre in the 1980s; catch 60 tons, shovel back 30 tons. When the roller gear went from 2 ft. to 5 ft., you looked the other way. For the price of a few F-14s, you could *buy back* most all the boats and permits.

We feel you are responsible. Take it to the Dept. of Interior and fix it.

It is apparent that bottom trawling as we know it is no longer a viable way to harvest the resource. The future must be selective and clean and habitat-friendly.

Respectfully,

Phil Schenck
Owner/Operator F/V Terri's Gale
14212 Alta Street
Westminster, CA 92683
714-898-7825 (also FAX)



Disturbance of Deep-Water Reef Communities by Exploratory Oil and Gas Operations in the Santa Maria Basin and Santa Barbara Channel

FINAL REPORT

Submitted by:

MEC Analytical Systems, Inc.
2433 Impala Drive
Carlsbad, California 92008

For:

U.S. Department of the Interior
Minerals Management Service
Pacific OCS Region
770 Paseo Camarillo
Camarillo, CA 93010

Under Contract No. 14-35-0001-30601

Minerals Management Service
Pacific OCS Region

September 1995

PROJECT ORGANIZATION

PROJECT MANAGER/PRINCIPAL INVESTIGATOR

Dr. Douglas Diener
MEC Analytical Systems, Inc.
2433 Impala Drive
Carlsbad, CA 92008

PROJECT TECHNICAL OFFICER

Mr. Frank J. Manago
U.S. Department of the Interior
Minerals Management Service, Pacific OCS Region
770 Paseo Camarillo
Camarillo, California 93010

PRINCIPAL AUTHORS

Ms. Suzanne V. Benech-BBA-Site Selection
Mr. Maximilliano Busnardo-MEC-Analyses and Interpretation
Dr. Noel Davis-CGI-Historical Review
Mr. John Evans-SAIC-Drill Cuttings Study
Mr. A.J. Field-AJFC-Historical Review
Dr. Andrew Lissner-SAIC-Drill Cuttings Study

CONTRIBUTING AUTHORS

Dr. Edward Marks-M&A-Stratigraphic Studies
Mr. John Rietman-NCS-Sidescan Survey
Mr. David Cannon-MEC-Introduction and Recommendations
Ms. Lin Craft-MEC-Non-Linear Features

QUALITY REVIEW BOARD

Dr. Paul Dayton-Scripps Institution of Oceanography
Dr. Roger Green-University of Western Ontario
Dr. Ronald Kolpack-Marine Processes Research

TECHNICAL SUMMARY

STUDY TITLE: Disturbance of Deep-Water Reef Communities by Exploratory Oil and Gas Operations in the Santa Maria Basin and Santa Barbara Channel.

REPORT TITLE: Disturbance of Deep-Water Reef Communities by Exploratory Oil and Gas Operations in the Santa Maria Basin and Santa Barbara Channel, Final Report.

CONTRACT NUMBER(S): 14-35-0001-30601.

SPONSORING OCS REGION: Pacific.

APPLICABLE PLANNING AREA(S): Southern California.

FISCAL YEARS OF PROJECT FUNDING: 1992-1995.

COMPLETION DATE OF REPORT: September 1995.

COST(S): FY 93 \$166,273; FY 94 \$300,698; FY 95 \$186,609.

CUMULATIVE PROJECT COST(S): \$653,580.

PROJECT MANAGER(S): Douglas Diener.

AFFILIATION: MEC Analytical Systems, Inc.

ADDRESS: 2433 Impala Drive, Carlsbad, California 92008.

PRINCIPAL INVESTIGATOR(S): Douglas Diener, Andrew Lissner, Suzanne Benech, Noel Davis, and A.J. Field.

QUALITY REVIEW BOARD (QRB): Paul Dayton, Roger Green, and Ronald Kolpack.

KEY WORDS: Hard-bottom epifaunal communities, disturbance, recovery, anchor scars, Santa Maria Basin, Santa Barbara Channel, benthic epifauna.

BACKGROUND: Based mostly on Minerals Management Service (MMS) biosurveys, it is known that deep-water, hard-bottom areas on the Outer Continental Shelf (OCS) are populated by a fascinating diversity of epifaunal invertebrates and numerous fish species. Many of these species are long-lived and slow growing organisms (Lissner et al., 1991). Because of the scarcity, value, and potential sensitivity to disturbances of deep-water, hard-bottom habitat on the OCS, the regulatory agencies, fishing industry, and interested public have expressed concern about the disturbances of offshore oil and gas exploration activities on this habitat. To address these concerns, the MMS organized a two-day workshop in November 1989 that led to the formation of a subcommittee known as the Hard Bottom Committee (HBC). The HBC was given the task of developing guidance to resolve the issues concerning the disturbances of exploratory drilling activities on hard-bottom habitat of the Santa Maria Basin and Santa Barbara Channel.

OBJECTIVES: The objectives of the exploratory oil and gas operations disturbances study targeted by the HBC were: (1) to document the extent of physical damage to reef communities from anchoring operations; (2) to quantify the recovery period of reef communities from disturbances due

to anchoring events associated with exploration operations; (3) to make recommendations to minimize anchor disturbances to reef communities during exploration activities; (4) to identify and, if possible, quantify disturbances associated with drill muds and cuttings; and (5) to provide information on the composition and natural history of the hard-bottom, benthic communities of the Santa Maria Basin and Santa Barbara Channel.

DESCRIPTION: The study area consisted of a portion of the Pacific OCS off the coast of California between Point Arguello and Santa Barbara. The area of interest lies in water depths between approximately 65 and 400 m (210 and 1,300 ft) (fig. TS-1).

The study consisted of the following five tasks:

Task 1 involved an extensive literature review to obtain existing information on anchoring-related disturbances.

Task 2 involved the development of a logical, carefully documented procedure for selection of the study sites.

Task 3 was to conduct a remotely-operated vehicle (ROV) field survey at the selected sites to assess and document disturbances related to anchoring operations and discharge of drill muds and cuttings on deep-water, reef communities.

Task 4 involved the analysis of sediments collected around the wellsites to determine if drill muds and cuttings were still present.

Task 5 involved the preparation of a report and videotape to summarize the study methodology, results, conclusions, and recommendations.

SIGNIFICANT CONCLUSIONS: Hard-bottom habitats can be severely impacted by anchoring operations resulting in physical alteration of the substrate size and amount of exposed hard bottom. Hard-bottom communities will not recover to pre-disturbed conditions where substrate has been altered. A different hard-bottom community more appropriate for the disturbed substrate will develop.

Hard-bottom communities do recover from disturbances depending upon the size and frequency of disturbance, the natural history of the biota, and water depth. Deeper communities appear to recover more slowly than shallow water communities.

Recovery takes years to decades depending upon the complexity of the community. Low relief communities tend to be less diverse than high relief communities.

Since exploratory anchoring operations are infrequent and impact less than 1% of hard-bottom habitat within the mooring system, exclusive of other cumulative impacts, this level of disturbance does not represent a threat to the maintenance of a diverse and abundant epifaunal community.

There was no conclusive evidence for the persistence of drilling muds or cuttings near wellsites investigated for this study.

STUDY RESULTS: The deep-water (> 65 m [210 ft]) seafloor of the project area was predominantly soft bottom and contained a relatively small portion (< 10%) of hard-bottom substrate.

Of the 274 exploratory wellsites identified in water depths greater than 65 m (210 ft), only 60 were reported on or near hard-bottom substrate. After reviewing all available information, nine wellsites were identified that had a high potential for containing anchoring-related disturbances. Of these nine sites only four provided good evidence for disturbances on hard-bottom communities.

The epifaunal communities were significantly altered in scar areas having fewer species and lower density of organisms. These community changes were largely due to alteration of the physical habitat by anchoring operations.

Anchoring disturbances altered the substrate composition by decreasing substrate size and by increasing or decreasing the amount of exposed, hard-bottom habitat. The physical damage (e.g., crushing) to hard-bottom habitat caused by anchoring operations is long-lasting (e.g., 26 years or greater).

Because hard-bottom epifauna have preferences for relief height, size of substrate, and different tolerances to sediment fluxes, communities will not recover to pre-disturbed conditions where the substrate has been altered. Where the hard-bottom substrate was disturbed by anchoring operations but not crushed or removed, complete recovery of the dominant, hard-bottom invertebrate groups can occur within 26 years. Certain long-lived taxa that are rare on hard-bottom, such as various sponge species, may require longer than 26 years to completely recover. For fast growing opportunistic species recovery was complete within 12 years. Motile species probably recover much faster due to immigration.

Sediment samples collected near wellsites could not be conclusively demonstrated to contain drilling muds or cuttings. Impacts associated with drilling muds and cuttings appear to be less severe than those associated with anchoring impacts.

STUDY PRODUCT(S): MEC Analytical Systems, Inc. 1995. Disturbance of Deep-Water Reef Communities by Exploratory Oil and Gas Operations in the Santa Maria Basin and Santa Barbara Channel. Final Report. Prepared for U.S. Department of the Interior, Minerals Management Service, Pacific OCS Region, Camarillo, CA. Contract No. 14-35-0001-30601, OCS Study MMS 95-0030.

*P.I.'s affiliation may be different from that listed for the Project Manager.

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15. Supplementary Notes Contributing authors: Edward Marks and John Rietman Quality Review Board: Paul Dayton, Roger Green, and Ronald Kolpack				
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17. Document Analysis				
a. Descriptors Marine invertebrates, California, Santa Maria Basin, Santa Barbara Channel, continental shelf, anchoring impacts, exploratory drilling, drill cuttings.				
b. Identifiers/Open-Ended Terms				
c. COSATI Field/Group				
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15. Supplementary Notes

Contributing authors: Edward Marks and John Rietman
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There was no conclusive evidence for the persistence of drilling muds or cuttings near wellsites investigated for this study.

STUDY RESULTS: The deep-water (> 65 m [210 ft]) seafloor of the project

RECEIVED

AUG 10 2000

PPMC

PACIFIC FISHERY MANAGEMENT COUNCIL


Regarding the recent issues of the groundfish fishery strategic plan. I am a trawl vessel owner and am very concerned with the drastic lowering of our quotas in recent years. It has become apparent that the council is likely to recommend some change in the ability to stack permits, either voluntarily or mandatory. This is the issue I want to address in this letter. As you know, it is becoming almost impossible to survive in the trawl fishery with the low quotas that we are now presented with. It is imperative that vessels be allowed to stack permits to gain a larger portion of the available fishing quota so that the vessels that remain in the fishery have a chance of economic survival. There seems to be a lot of discussion about how much a gain of a quota share would be granted with a stacked permit.

I think the best plan would be to tie the second permit to the points system that is already established regarding transfer of permits. If a vessel has a value of 100 points and has a chance to stack a permit with a value of 100 points, the vessel could gain a full quota share. If the value of the added permit were something less than the original vessel's points, then there would be a lesser gain as a percentage of quota share. In other words, if the second permit had a value of 50 points, there would be a gain of 50% of a single quota. Under this plan, under no circumstances would the gain of quota share be more than 100%. Adding 150 points in the above example would bring the same gain as the original scenario of 100% increase.

I sincerely hope that the Council will consider this recommendation. It would go along with the plan to reduce the number of vessels in the trawl fleet and give some economic stability to the remaining ones in the fleet. If a lesser gain is given to a stacked permit, there would be much less incentive to make the financial commitment to buy or lease the second permit, and therefore less likelihood of this fleet financed vessel reduction program to make an impact. Also the stacked permit should have the same transferrability as current permits, that is, the option of being transferred once a year only.

Thank you for your consideration in this matter.

Ron Baehner



F/V Amy Lynn, Westport, WA

AMY LYNN FISHERIES INC.

P. O. Box 447

Westport, WA 98595

I issue 3 commets to P.F.M.C., Page 1
From Dan Yeakam - Commercial Fisherm
43 yrs of age, 27 yrs. Comm. experience
100% income from Comm. fish
"Adviser" ^{5th} of Dan From Herring Roe of Hopsfisher

As I read through and completed the 100 page Strategic plan I came to the conclusion that this plan had been influenced by an greed driven adviser.

Which is the opinion of many fishermen. I have discussed this matter with.

The 50% designed plan leaves 50% winners of fishery real estate saying Yes good idea win and motivated to speak out. The other 50% I say No I loose bad idea & less motivated to speak out. What a sneaky plan this is. Take the present 3 tier sablefish fishery for instance. The adviser being one of the big winners of top tier 80,000 lb catch in order to establish that taking a piece

page 2

of every body else's piece of pie of quota
I don't know ~~a~~ exact numbers but
20 permits high tier 80 \$120,000 gross catch
30 - permits middle tier 37 \$60,000 gross catch
the rest lower tier and the A permits
~~and~~ they took the sablefish endorsement from
in order to feed the greed driven adviser.

The lower tier permits long line A with sablefish
endorsement selling (trading) for \$40 to \$60 thousand
dollars, Middle tier \$100 to \$20 thousand, upper tier
I don't know of one that moved but I'm guessing
about \$250,000 dollars if not more. If there
is a tier system created for ground fish of
other species ~~that~~ this high tier could
easily ~~be~~ sold for \$500,000, Middle 250,000
lower 100,000 with endorsement. What
youthful fisherman has that kind of Money.
Most of the people holding these permits
in ten years will hardly be able to
climb on to the boat because they'll be
to Old and are already

I use this sabbfish fishery as example ^{page 3} because there are many Comm. fisherman outraged with the outcome. From those with lower tier to those with endorsement taken away to those that had high tier qualifying but not in Window period receiving nothing. ~~I'm guessing this decision~~ hasn't been challenged in court yet. If one permittee takes this to court and wins. What a Giant Mass you'll have on your hands after permits have been bought and sold. Thousands, ~~of~~ no Millions of dollars transferred and spent by fisherman and rulings overturned because of their unfair nature.

Well known Attorney Elson New stands poised ready for this law suite read his add in the fishermans News.

The Strategic plan as reads Reaks of Greed, Monopolization, Unfair, split of a public resource.

May 23 98 03:11P User 707 337100
Sitting like a duck waiting for page 4
a lawyer with a 12 ga. full choke to blow
the fetters & skin and guts to pieces.

Hasnt the council made enough mistakes
by letting a resorce get as damage as
it is ~~during~~ this day & age of Ecallagee.

Good Fiar Plan

- even fiar split bettween all involved
- allowence for young recruit in fishery
- quotas set by biological standards
- no giant holes for law suite
- government spends money on biological reaseach
- fishermans decision to sell out if nessasary
- the use of ~~being~~ envirmment friendly gear

Greed driven Plan

- let me have alot because I caught alot
on this particular yr.
- the rest of the guys that used envirmmentaly
disateress gear and got alot agree with me
- those guys that didn't catch much should give
thier share to me because I need more to be a bigger asshole
- I can't beleave the councils falling for this
but I ll take it to the bank

issues 1

page 3

- ① Everyone keeps their existing permit
(landing requirement of 10-20% over 2 yr.
(with accumulating requirement
(no leasing of permits, permittee to be
(~~no~~ on vessel at all times fishing
(medical excuse with review board limited)
- ② No tier groups
trawl (drag) gear aloud to change to hook
& line with incentive in quota for
change to bycatch friendly gear
- ③ (No reserves) too much headache
putting all fisherman in tighter Area
- ④ bycatch of Salmon be deemed
unacceptable (trawl for groundfish)
(trawl for whiting)
- ⑤ Permit stacking
2-3 permits per vessel
(Single person aloud only to own 2 permits)
(third permit owned by other person)
(permits remain separate identities)

issue 2

page 36

- 6) current calif. reg's will eliminate many open access permits, so no need to eliminate permits other wise
- 7) disband current blackcod tier system and distribute back to all longline A permittee evenly.
- (Also Allow Open access to catch their Quota more cost effective by more pounds per day
- 8) Reason for reg. in this manner because as the reg. are \$ if they continue to set them in this manner they are Wide Open for Lao Suite that ties everything up and possibly end up with these suggested reg's anyway
- (Miss reputation of Mag. acts & several other Acts that apply to this issue

issues 3

page 37

9) Get rid of Greed driven
adviser so the council can think
with a clear mind on environmental
issues and not a dollar influenced
plan of attack. Adviser is misrepresenting
fishing community as a hole & becoming
well hated amongst many ports of call
San Diego to West Port

10) Spend governmental funded monies on
biological estimates & observer program
so council members have an idea what
thier really dealing with

If you would like me to
elaborate on any of these issues feel
free to call

Dan Yoakum
P.O. box 583

Elbion Ca. 95410

singed Dan Yoakum

tel 707-937-1404

fax 707 937-1405

RECEIVED

AUG 15 2000

PFMC

no charge for miss spelling

8

Proposed Reasons

These ^{proposed} Methods of Management
Are designed to be good for all
(a every body wins situation).

Permit holder are reimbursed by
the selling of their permit if desired.
Government doesn't supply any
cash for buyout. Permit are
made affordable by having no
leasing and permittee aboard vessel.
Mag Act is followed mainly the
fairly B accuitably clause that
is in several of the other Acts.
The fishery is open ~~the~~ to
young recruitment if you don't
have that down the road
Law Suite.

As ~~the~~ Strategic plan reads,
it is all designed around Monopoly.
Monopolization of a public resource
Giant Mistake

The Council ~~has~~ as Management
has failed in a big Environmental
disaster. What makes them think
this totally Stupid Plan isn't
just another Giant Mistake

B & G SEAFOODS, INC.

Phone/fax: (805) 569-3099
217 Calle Manzanita
Santa Barbara, California 93105

RECEIVED

AUG 14 2000

PFMC

August 13, 2000

PACIFIC FISHERY MANAGEMENT COUNCIL
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Sent via fax (503) 326-6831

RE: GROUND FISH FISHERY STRATEGIC PLAN

Mr. Chair and Council Members:

My name is Gerry Richter, and I am president of B & G Seafoods, Inc. I am a holder of a Fixed Gear "A" permit. I specialize in all facets of hook and line fishing. I have been fishing rockfish commercially since 1979, and it makes up at least 95% of my gross sales.

I am writing today as a member of the Point Conception Groundfishermen's association.

I attended the Groundfish Fishery Strategic Plan (PLAN) public hearing on Wednesday, August 9, 2000, in Long Beach, California. Let me first say "thank you" for scheduling the meeting in southern California. I thought attendance was substantial in relation to the smaller size of our fleet. Open Access and Limited Entry fishermen were equally represented.

It was good to see that the Council has a long range plan for the groundfish industry. An important statement within the PLAN *envisioned that fishery management decisions be based on sound scientific data and analysis with an open and fair council process*. This is so critical to the Conception Management Area (CMA - south of 36°).

The CMA is a totally unique fishery compared to other sections of the coast. The fishermen are bound by the size of their boats, the species available to be harvested, the amount landed, and the length of time at sea. Geographic conditions and water temperatures also vary considerably from the north.

The CMA has approximately 30 "A" Fixed Gear permit holders south of Morro Bay. Probably no more than a dozen of these permit holders actively working a 350 mile area of coastline. Many of these are very small fishing vessels (less than 26'), and are one man operations. There is no trawl fishery south of Point Conception.

Yet, many decisions affecting the CMA have been made based on fishing activities and data collected from areas far north.

The following are comments I have regarding the PLAN for the CMA:

- Any kind of IFQ or mandatory permit stacking for the CMA would probably be catastrophic to the fishing economy of the CMA permit holders. Our landings are small in relation to the northern fixed gear fleet, and microscopic in relation to the trawl fleet. Yet our fleet fills an important niche by supplying the public and local fish markets with the freshest product possible. Personally, weather permitting, I make one landing a week from a 3 – 5 day trip. I may be one of the largest catchers south of Point Conception, yet one trawl tow will net more than I do in an entire year. This is where regional management will be so important. What's good for Eureka isn't necessarily good for Los Angeles.
- A barely mentioned option within the PLAN was *limiting the participation by "A" permit holders to specific geographic areas*. I fully support the idea of an *exclusive area registration concept requiring a vessel operator to choose its area of operation preseason*. This may only reduce the fleet by a few boats, but it's more important to us to protect our resources from new entrants.
- The PLAN needs to address the Commercial Passenger Fishing Vessel (CPFV) situation more thoroughly. CPFV is barely even mentioned in the PLAN, yet they may already be the largest groundfish producers south of Point Conception. They must be equally involved in any kind of future conservation goals.
- I support the idea of creating a "C" permit for non-groundfish fishermen. It is sheer insanity that by-catch allowances are much higher than those for target fishery fishermen. Hold the non-groundfish fishermen accountable, and close their related fisheries if they don't comply.
- I support the idea of observers. For small operators it will be a problem. Cost being a major problem, since many of the fishermen gross \$200-\$400 a day. Another concern would be safety, although, several of the fishermen do make day trips in local waters. Other options are available. Video taping might work.
- Currently the PLAN includes a suggestion to allocate nearshore sectors to recreational interests. This concept follows logic, since most of the fleet is unable to venture much further, and it is only right that they have some access to the groundfish fishery. Permit holders, with their limited allocations can share the shelf sectors with the CPFV. The slope should be for commercial interests only.
- I am in favor of marine reserves. However, I think that the creation of marine reserves should be approached cautiously. Further, there should be

some coordination between presidential executive orders, the federal government and state agencies.

- Habitat destruction is a concern for our fishery. However it isn't as big of an issue as it is in the north. Here, the trawl fleet consists of open access prawn fishermen, and they fish way off shore. Still, we would like to know what their gear is doing to the ocean floor.
- The open access issue must be addressed! The fleet is huge, and never should have been allowed to exist. I support the idea of "B" and "C" limited entry permits. It is very important that former limited entry "A" permit holders should NOT be allowed to qualify for open access permits. I believe that once they sold their permits, they gave up their rights to the fishery. There are several fishermen that sold their permits, and continue to fish open access. If allowed, these fishermen will try to get another permit.

I hope the council will take my suggestions seriously. The implementation of these suggestions could greatly improve the management of the Pacific ground fishery, enhance the ability to gather reliable data regarding the groundfish population, and facilitate enforcement of the groundfish regulations.

Thank you for allowing me the opportunity to have input on this very important guide for the future of Pacific ground fisheries. I look forward to seeing you in September.

If you have any questions, please feel free to call.

Sincerely,

Gerry Richter

RECEIVED

JUL 26 2000

JULY 20TH, 2000

PFMC

IN RESPONSE TO YOUR LETTER OF JULY 13, 2000 REGARDING THE
PACIFIC FISHERY MANAGEMENT COUNCIL DRAFT GROUND FISH FISHERY
STRATEGIC PLAN.

I FEEL IT WOULD BE UNFAIR TO THE LONGLINERS TO CUT THEIR
QUOTA. IT SEEMS TO ME THE STOCKS ARE BEING DEPLETED BECAUSE
OF THE DRAGGERS. IT IS THEIR NETS AND DOORS THAT RAKE
THE BOTTOM OF THE OCEAN KILLING EVERYTHING IN THEIR PATH.

I GUESS THEIR MONEY TALKS.

I ALSO FEEL IT IS UNFAIR TO THE WASHINGTON LONGLINERS TO LET
THE SEATTLE, OREGON ETC. (BIG BOATS) TO FISH IN THE ALASKA WATERS
AND THEN COME DOWN HERE AFTER A GOOD SEASON AND PUSH OUR
SMALLER BOATS OFF THE GROUNDS. LOOKS LIKE THE SABLEFISH
SEASON DOWN HERE IN WASHINGTON IS SET AFTER THE ALASKA SEASON
SO THE BIG BOATS CAN COME DOWN AND GET THE WASHINGTON SEASON
ALSO.

IF YOU CUT ALL THESE PERMITS I AM SURE IT WILL ONLY EFFECT
THE SMALL BOAT OWNER AND THE TIER 3 PERMITS. HOW DO YOU
EXPECT THEM TO SUPPORT THEIR FAMILIES AND MAKE A LIVING.
IT SEEMS TO ME THERE SHOULD BE A BETTER AND MORE FAIR WAY
OF DOING THE CUTS.

SMALL BOAT OWNER

DONNA SVARTHUMLE



Donna Svarthumle
6540 NE Sid Price Rd.
Poulsbo, WA 98370-6714

John E. Law
Commercial Fisherman
3964 Kendall Street
San Diego, CA. 92109
(858) 272-6958

CDFG license # L02989
F/V "Call of the West" # 37983

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AUG 1 0 2000

PFMC

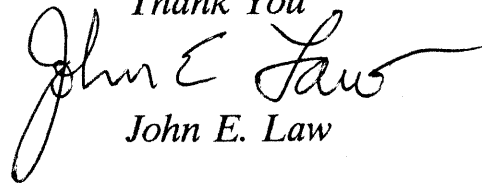
July 28, 2000

To: PACIFIC FISHERY MANAGEMENT COUNCIL

Please review and consider the following written testimony prior to the September council meeting in Sacramento, California.

The statements contained in this document provide information about the specific fishery that I am involved in and do not represent the views of other fisherman or user groups unless otherwise noted.

Thank You

A handwritten signature in black ink that reads "John E. Law". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

John E. Law

Council Members,

I am an open access, state licensed, commercial fisherman, operating from Mission Bay in San Diego, CA. My vessel is an eighteen foot skiff that I operate without the help of crew. I have fished this vessel since August 1991, and fished another open skiff for three years prior. Before becoming a full-time commercial fisherman, I worked as a crewman and captain in the commercial passenger sportfishing fleet operating out of Mission Bay, beginning in 1976. Currently, at the age of forty, I have fished the waters adjacent to Mission Bay Harbor for one-quarter of a century. I hope that my experiences and observations will be of some help to the council when it makes final decisions regarding the take of rockfish in this area.

After speaking with Mr. Tom Barnes of the CA. DFG-LaJolla, the reality of the current rockfish restrictions began to hit me. His comments about the future of the rockfish fishery were disturbing and led me to believe that I would never be able to earn my living as I have in the past. After six months of season closures and virtual no-take quotas, I was surprised and happy to receive a call from Mr. Barnes, informing me of the up-coming public hearings for the PFMC STRATEGIC PLAN. Although I would like to speak at the August 9, 2000 meeting in Long Beach, CA., I feel that I can better and more fully express my thoughts in writing.

After receiving and reviewing a copy of the Pacific Fishery Management Council Draft Groundfish Fishery Strategic Plan sent to me by Mr. Barnes, I have come to the conclusion that there is hope for those individuals who desire to continue to fish for rockfish in the San Diego area. The major issues (fleet reduction, by-catch, gear, habitat) should be easily addressed in this region.

I will try to describe the local rockfish fishery in detail on the following pages, plus present my comments on each area of the STRATEGIC PLAN that apply to my operation. In addition I will present opinions and facts that may not have been explored before.

Description Of Fishery.

Vessel.

Eighteen foot, gasoline powered, open skiff.

Area.

In general the area fished for rockfish is a fifteen mile (+/-) arc centered at Mission Bay, San Diego, CA. The Mexican border is the southern boundary and the deep ocean trench, seaward of the Nine-mile bank, the western boundary. Fishing grounds to the north toward Oceanside, CA. may exceed fifteen miles, but time restrictions do not allow this area to be fished often.

Rockfish are fished in waters of thirty fathoms or deeper along the coastal shelf, with most fish being taken in waters forty fathoms or deeper. On the Nine-mile bank, rockfish are found from fifty to one hundred or more fathoms. Because of small vessel size, relative to local sea conditions, most fish are taken along the coast in waters of forty to sixty fathoms.

Species.

Vermilion rockfish, Speckled rockfish, Bocaccio rockfish, Greenspotted rockfish, Greenblotched rockfish, Flag rockfish, Starry rockfish, and Copper rockfish are the most commonly taken fish. Cow Cod and Ling Cod are occasionally taken, but gear design and methods greatly limit the take. Chilipepper rockfish are found in deep waters of the Nine-mile bank, but are not targeted due to deep water, except on occasion. Only rarely is an individual Canary rockfish or Mexican rockfish taken.

Vermilion rockfish are the primary fish taken due to the high market demand and value (\$1.50-\$2.00 LB. for whole, day-caught fish). Speckled rockfish are not available every year, but are directly fished when they appear in local waters, and have high value. Bocaccio rockfish are taken, but are not a highly desired market fish, and have low value. Although available, Bocaccio are not taken in large numbers due to gear design and intentional non-targeting. All other species are incidental catches and make up a very small percentage of the catch.

Gear.

Rockfish are taken by a hand-held hook and line rig connected to a rod and reel. The most common line contains thirty hooks, however, under different sea conditions lines may range from ten to fifty hooks. No lines are left un-attended

and the line is constantly held by hand. The combination of hook design and size, along with spacing of the hooks, and bait selection, make this gear very species select.

Methods Of Take.

Rockfish are found using a modern color fathometer (fish-finder) to locate schools of fish. When a school of fish is found, the line is dropped to the bottom in hopes that the fish will bite. Often schools of rockfish (especially Vermilion and Speckled) will be found in open water, over soft bottom.

By-Catch.

Because of the limited amount of time each day to actually fish, and the effects of local weather on days available to fish, the by-catch issue has been solved by fine-tuning the fishing gear to the target species. Hook and bait size eliminate the chance for catching small, unwanted rockfish, and greatly reduces the possibility of catching small specimens of the desired fish.

By holding the rod and reel in hand and directly attempting to intercept a specific school of fish, the line does not have time to catch non-desirables. The school either bites or the boat is moved to another school. It is very rare that another type of fish is caught with these methods, except for limited catches of Pacific Mackerel, which are kept as part of the days catch.

Southern California offers the opportunity for fishermen to encounter many types of fish on any given day. On some trips for rockfish other types of fish (Barracuda, Bonito) are intentionally taken, using alternate methods of take, however, these fish should not be considered to be by-catch.

Effects On Habitat.

Fishing gear has been designed to reduce loss. Each hook is individually connected to the main line with line of reduced breaking strength. If a hook does snag on the bottom it should break free from the main line without fear of losing the entire line. Sinkers are made of steel (not lead) and are also connected to the main line with a break-away line, if the sinker snags it will break off without hook loss. The entire line is fished in vertical fashion and never lies on the bottom. Although some sinkers are lost, it is very rare to lose an entire line.

History Of Fishery.

Small skiffs have fished the coast of San Diego for rockfish during my entire fishing career. In most years there were a few fishermen that fished on a regular basis and several that fished for a while and departed. Prior to the early 1980's, the majority of rockfish caught off San Diego were taken in the set gill net fishery.

Current Status Of Fishery.

The limits currently imposed on rockfish have clearly eliminated all but the serious commercial fisherman. I can count only eleven individuals who may qualify for the limited entry program, as I understand the qualifications. Of the eleven, only six earn thier entire living from fishing. The other five have taken full time jobs, but keep thier permits active.

Breakdown Of Landings.

After reviewing my fish receipts from 1994-1999 I found that my catch consisted of the same species each year in roughly the same percentages. With the exception of the El Nino cycle (which greatly reduced the catch and effort) landings have stayed level or improved.

<i>Example:</i>	<i>1994</i>	<i>1999</i>
<i>Vermilion (Reds)</i>	<i>1069.5 lbs.</i>	<i>1583 lbs.</i>
<i>Bocaccio</i>	<i>275.3 lbs.</i>	<i>263 lbs.</i>
<i>Rockfish (unspecified*)</i>	<i>984.2 lbs.</i>	<i>1844 lbs.</i>
<i>Cow Cod</i>	<i>29.3 lbs.</i>	<i>30 lbs.</i>
<i>Ling Cod</i>	<i>0 lbs.</i>	<i>46 lbs.</i>
<i>Totals</i>	<i>2358.4 lbs.</i>	<i>3766 lbs.</i>

** California DFG landing receipts did not require a breakdown of species on all receipts. Rockfish landed as unspecified contain Vermilion rockfish also. Additional rockfish landed as unspecified would be Speckled, Flag, Starry, etc.*

Personal Opinion.

I believe that the current health of the local rockfish fishery is good. Any additional reduction in effort by all user groups can only help to improve the income of those who target rockfish commercially in this region. Reducing the commercial fleet to those fishermen who have a history in the fishery and reductions in the future take by the sportfishing fleet can only help.

User Groups.

If, as stated , the intent of the council is to hold all user groups accountable for the decline of rockfish stocks, the following ideas should be considered for the commercial passenger fleet and the private sportfishing fleet. Also other commercial groups should be addressed.

Fish trap.

The take of near shore rockfish off the San Diego coast by commercial fish-trappers is currently under review by the CA.DFG. There are proposals for additional limited entry requirements and species additions. Near shore rockfish are not a big part of the fish-trap fishery off the San Diego coast as most fishermen target Sheephead.

Incidental Commercial Take.

Spot Prawn traps and Halibut gillnets may take rockfish also. Current council proposals should address these fisheries correctly.

Commercial Passenger Vessels.

The Council should acknowledge the commercial intent of the passenger fleet. These boats operate for profit and rely heavily on catch for repeat business. Reports are published daily to inform the public of the number of fish taken. The need for continued fish abundance is as important to this fleet as it is to the fishermen who harvest fish for public consumption. The bottom line is "no fish-no people-no people-no job".

With the exception of a commercial boat permit required by the state, the commercial passenger fleet is allowed to operate without crew permit requirements. No state or federal fishing licenses are required to interact with passengers taking fish. Captains, crews, and owners must be held accountable when a commercial passenger vessel is found to be in violation of rockfish limits or seasons. Without some sort of revocable permit there is no threat to a Captain to ensure passenger compliance with the law.

Captains and crew members working under the authority of a commercial fishing permit should not be allowed to take fish while engaged in thier duties. If the Captain of a passenger vessel were to work five days per week and land his limit of Vermilion rockfish each day, he would land one hundred twenty five pounds per week, if the fish wieghed two and one-half pounds each. Over a one month period the total could reach FIVE HUNDRED POUNDS, or two and one-half times the allowable take for an open access commercial vessel. The commercial passenger fleet should be a commercial fishing operation with only the passengers allowed to take or possess rockfish.

When enacting any future restrictions to the take of rockfish on San Diego based passenger vessels the regional benefits of operating in Southern California must be considered. Rockfish are almost absent from summer landings as boats target warm water species. Local coastal boats fish the kelp beds and nearshore areas for Kelp bass, Sand Bass, Bonito, Barracuda, Yellowtail, White Seabass and Halibut. In addition, the fleet travels to Mexican waters to catch fish. Kelp bass and Sand bass are popular gamefish and reserved for sportsmen. Sculpin are available to the fleet year-round and are not included in the Jan-Feb closure imposed on commercial fishermen.

Consideration should be given to allowing the passenger fleet to access rockfish on a limited basis during Jan-Feb. Even allowing for fishing on Saturday would allow a few operations to survive the winter months. Low passenger counts and tourist activity would make the impact minimal but provide some income for operators.

Size limits are not new to the passenger fleet and should be considered for Vermilion rockfish. A modest size limit of ten inches would encourage operators to stay clear of known areas where small fish are abundant.

I assume that most of these proposals will be met with opposition from the passenger fleet, however, each idea should be considered.

Private Boat Fleet.

The fleet of private sportfishing boats has grown each year and may take much more fish than previously thought. Commercial fishing vessels and commercial passenger vessels can be regulated with log books and observers, but no such system is in place for the private fleet. Without accurate data the take of the private fleet should be the most heavily regulated of all the fisheries.

One very disturbing situation has begun to surface among the recreational fleet. Small skiff operators are finding illegal markets to sell fish in an effort to pay for fuel and help pay for the boat cost. Local Game Wardens are spread too thin to actually catch someone in the act of selling sport-caught fish and can only act on a public complaint. This trend appears to be growing and must be dealt with. Recently, I was told of a sportfisherman who fishes for rockfish three days per week. He takes two friends along and keeps the fish that they catch. His boat is equipped with the best electronics and his ability to catch fish is as good as any commercial boat captain. Assuming the trio keeps thirty Vermilion rockfish per day (10 per) and the fish weigh two and one-half pounds each, they would sell nine hundred pounds per month. This total would be four and one-half times the amount allowed by a open access hook & line vessel. At \$1.50 LB. he would earn \$1350 per month tax free, but face a maximum fine of only \$2000. This low risk, high gain situation is not enough to deter the continuation of the problem.

Some method of halting the sale of sport-caught rockfish must be enacted. If these fishermen were subject to severe Federal penalties it would help. A real threat of having a boat confiscated and the possibility of fines might help to stop this situation.

Prohibiting the take or creating a per boat bag limit during the summer months could help to reduce the take of the private fleet. During summer a large variety of fish are available to the private fleet, some fish are even reserved for sportsmen. The loss of rockfish to the private fleet would not cause a significant problem for legitimate sportsmen, and might help to stop illegal rockfish sales.

The percentage of the private fleet that does not fish during the winter and spring is very high and cannot be compared to the huge volume of boats fishing during the summer.

Comments On Council Proposals.

Need For A Groundfish Strategic Plan.

The need to remove latent capacity from the open access fishery should be dealt with as soon as possible in order for the remaining fishermen to be able to plan the future. Be specific, and inform fishermen as soon as decisions are made. The council website (www.pcouncil.org) needs to be up-dated with a section that is easily accessed and written in plain language. Decisions made by the Council in November should allow fishermen to make personal choices regarding thier ability to remain in the fishery

The year 2000 has been a terrible year financially for me because of the commercial rockfish restrictions. In order to plan my future I need as much real information as soon as possible. My desire is to remain an active participant if it is possible. I have spent many years of my life learning my trade and I do not wish to start over. Writing letters, making phone calls, and contributing pro-active input, are the only things that I can do to help. It is my hope that the Council will see the genuine desire of some fishermen to continue to target rockfish and reward them for thier attempts to contribute to the ongoing management process.

Options / Alternatives

Abandon Year Round Fishery

The idea of a spring/summer fishery would not be ideal but would be better than monthly quotas. Market demand is higher because there are more tourist, and restaurants and small markets do more buisiness. During summer these markets would be hurt most by lack of product. This is also the time of year when sportfishing pressure on rockfish is low. Large fish processers would not be hurt by any break in the flow of rockfish due to thier complete reliance on product imported from Mexico.

Individual Fishing Quotas

This is the best alternative for my fishery. It would allow for me to project my maximum income potential each season. The idea of high-grading fish would not be an issue because this fishery is species select and all fish are marketed at the same price.

Devide Year Into Segments

This would serve the same purpose as an IFQ but might help another fisherman who has different needs.

Stacking Permits

I found this concept to be very confusing. Purchasing a permit from another fishermen in order to have two permits on board seems unfair and costly. Open access fishermen should not be forced into additional costs of operation.

Strategies For Stability

Individual Fishing Quotas are the best option if quotas are high enough to allow a fishermen to improve his catches when fishing improves. The cost of the permit should not be a factor in an individuals decision to continue fishing.

Enforcement Effectiveness

If the small skiff fleet is reduced to specific fishermen, local Game Wardens could easily establish a who's who list and enforce regulations without having to deal with the entire open access fleet. Logbooks should be mandatory to prevent illegal sales of rockfish. The need to manage nearshore stocks can be passed to the state which has a limited entry plan in place.

Transferable Permit

A transferable permit will encourage fishermen to be honest and will prevent violations. Older fishermen may leave the fishery early if they can sell the permit.

Species Endorsements

For many years rockfish were reported as unspecified on California fish receipts. This could cause problems when trying to determine which fish were caught. The idea of species endorsements is good if it keeps fishermen from targeting fish in previously unfished areas.

Limited Areas

The area that a vessel is licensed for should be fairly liberal and not unfairly restrict the waters it fishes. Vessels could be limited to operating from one region or port. San Diego could include both San Diego Bay and Mission Bay. The size of the vessel should determine where the vessel could travel.

Closed Areas

Complete closures of areas will drive vessels to other regions. If an offshore bank is closed it may cause a vessel to fish closer to home and directly alter the income of local fishermen.

Qualifications For Open Access B-Permit

The local skiff rockfish fishery has had a history of many fishermen who get into the fishery for a while and depart. Instead of 1000 LBS. in any season from 1994-1999, I would like to see a requirement of 1000 LBS. in any two seasons, with one of the 1000 LB. landings in 1998 or 1999. This adjustment to the qualifications would eliminate a past participant who only fished in one season from starting to fish again. This minor difference would greatly reduce the number of fishermen who would qualify with a one-time 1000 LB. landing.

Permit Cost

The cost of a B-Permit (if there is a cost) should not cause more of a financial burden on fishermen who have suffered during the 2000 closures.

Community Well Being.

The price per pound of whole day-caught rockfish is currently between \$1.50 - \$2.00 LB. Limited landing quotas have forced me to make personal decisions on where I sell my catch. I continue to sell fish at \$1.50 LB. when other markets will pay \$2.00. This market loyalty is because of the small volume of fish available. The markets that I deal with use Vermilion rockfish for fillets and pay top dollar for other species that I catch. Other markets may pay more for rockfish, but do not purchase other species. In order to continue my long standing relationship with these markets, I elect to take a price reduction on my catch. If quotas were higher I could sell some fish for \$1.50 LB. and the remainder for the premium price of \$2.00 LB.

Even by paying these prices for fillet fish, local markets can gain by having fish with longer shelf life and can advertise the benefits of "fresh, local Red Snapper" In addition, Oriental markets that distribute whole fish to restaurants benefit from having quality fish to sell in advance of the weekend rush. Imported rockfish from Mexico is often many days old and is not as desirable. The current rockfish situation has hurt small markets in San Diego. Large restaurants continue to purchase imported fish and large processors continue to rely on Mexican imports.

Area Management

Vermilion Rockfish are the primary fish in my fishery. Catches have remained consistant and available stock seems to be good. Area closures in such a small region seem unnecessary. A size limit on Vermilion rockfish would keep boats from fishing in areas that contain small fish. All size limits should be shared by all users.

Observers

I have no complaints or fears of having observers onboard my vessel. My fishery is clean and free of by-catch. If an observer was required, I would take them along. Fishing alone in a small skiff is tough. The idea of having another person in the boat is not a good one. The cost of an observer (\$300-\$400???) seems very high in a fishery that may only gross \$100 day. Observer cost should not keep a fishermen off the water. This issue needs more consideration.

Mexico.

It is my opinion that stocks of Vermilion rockfish along the coast of Baja California Norte , Mexico are huge. I believe that this stock of fish is the main supply of fish into Southern California waters. During spring and summer when currents shift along the coast, these fish filter northward along with the food supply that brings gamefish north. During periods of extended current changes, (hurricane swell) the abundance of Vermilion rockfish is greatly increased. I am a frequent visitor to the Baja coast and I have visited many fish camps where Vermilion rockfish are caught. Without any modern electronics or other fish finding equipment, local fishermen make catches of Vermilion rockfish that equal or exceed San Diego catches. In addition, my experiences as a charter boat captain allowed me to travel these waters. Vermilion rockfish were found in numbers far exceeding those found near San Diego, except during conditions of prolonged north currents.

Mexican fishermen are currently increasing the pressure on Vermilion rockfish because of high demand in California. In addition, they are purchasing gear from San Diego fishermen, who have abandoned the fishery. Without rules to prohibit fishing areas or gear restrictions, it can be assumed that Mexican rockfish stocks will be under the kind of pressure seen by U.S. boats in recent years. This increased effort can only mean decreased landings off San Diego.

I would like to see maximum import levels imposed on Mexican caught rockfish. These levels would serve the same purpose as the other restrictions placed on rockfish. If the importation of Mexican caught rockfish can be kept at current levels, the escalation of effort will be ended before it starts. Any delay will lead to increased effort, and drastic increases in the take of rockfish by Mexican fishermen. In addition, these restrictions would protect the jobs of U.S. fishermen and keep prices stable within the region.

When loads of Mexican rockfish are imported, the fish should be marked to show the point of origin. By marking Mexican fish, a market cannot mix illegal U.S. fish into the catch. This practice would help to eliminate sport-caught fish from being sold and would eliminate the possibility of a commercial fisherman from exceeding an established quota.

Closing Comments.

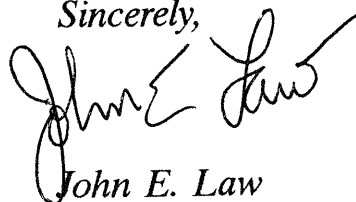
I hope that some of my comments have been of use to the Council and will be of help when considering my fishery in the overall plan. I know that the job ahead is an involved process that will take time. As I prepared this letter for review, I realized how much time is involved in drafting a document as large as the STRATEGIC PLAN guidelines sent to me by Mr. Barnes. To each member of the Council I can only say "good luck, we're all countin' on you!"

Fishery Highlights.

- * FEW PARTICIPANTS*
- * CLEAN METHODS*
- * NO BY-CATCH*
- * HIGH PRICES*
- * STEADY CATCHES*
- * CAN MEET ALL OBJECTIVES*

Please contact me if I can be of ANY help. Thank You again for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Law". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John E. Law

RECEIVED

AUG 10 2000

PFMC

Groundfish plan revisions

I have read the draft groundfish plan and I am afraid that if the plan goes forward the resources of our coast will be owned by a few large vessels and the small fishing villages along our coastline will suffer greatly and needlessly.

The plan calls for a reduction by half of the current fleet, mandatory "permit stacking" and upping landing requirements. Put those together and only the biggest boats will qualify. The first of my three suggestions is to make it clear that a percentage of the fleet remain small. The small boat fleet fills an important niche in the market and will help the coastal economy in ways that large processors cannot. My recommendation would be one third of the boats must be under thirty feet, one third can not exceed fifty feet and no more than one third can be over fifty. I am not convinced that a reduction in fleet size is a necessary means to the goal of a self sustaining fishery. But I do know that handing the whole groundfish resource to a few large processors would be a crime.

The plan uses the words "fair and equitable distribution" many times and at the same time sets the stage for a processor takeover. this deserves a closer look.

The second area I see as vague and dangerous is in the "Implementing Strategic Plan". Here it clearly says that the fisheries that impact habitat and fish least will be rewarded with the highest quotas, but the plan does not list the five ways Groundfish are taken in order of most to least harmful. without a list the words are meaningless. Trawl must be at the top of the list for habitat disturbance and for discard with hooks being at the bottom and gill net running a close second behind trawl. The trawl association will not want to see this list included in the plan. but why say the words of protect and rebuild if you do not mean to back them up with actions that might work to the benefit of future generations.

The third area I see as strangely absent in the plan is the most simple solution with the most complicated aspects. I refer to the area of fish discards. All of the 'Bank

and slope" fish are dead when they are caught, with few exceptions. The only morally correct way to manage a fishery like this is to have a total retention policy, making discard illegal. The way the law stands now discard is mandatory. This is backwards management as well as being morally indefensible. The idea of a "total retention" limit is not even mentioned in the plan. Why?

There are problems with total retention, like targeting fish that are on the mend, but I think it should be a future goal of any final plan.

Josh Churchman
166 ocean parkway
Bollinas Ca. 94924
415 868 0982

PFMC
2130 SW Fifth Avenue,
Suite # 224
Portland, Oregon 97201

RECEIVED

AUG 4 2000

Subject: Pacific Fisheries Management Council / Trawl Fisheries Fleet Reduction

Dear Sir or Madam,

I attended a public meeting on Aug. 2, 2000 in Astoria concerning the proposed reduction of fleet size in the Groundfishery. I was ask by my Father who passed away (liver cancer) a year ago the Fourth of July (he was a real Patriot) in 1999 to manage the Groundfish Trawl vessel Miss Joanie for my Mother whom is now a widow living in Coos Bay Oregon. It was his last request of me before he died, as he was concerned about how my mother would make ends meet and he was confident that I was the only one he could depend on. I was in the fishing industry myself for almost 25 years, although I have changed occupations only because I "saw the handwriting on the wall" as to the future of the fishing industry. I am now a USCG licensed Captain for Crowley Marine Services and operate their Oil Spill Response Vessel "CP Columbia" out of the Columbia River / Astir area.

I must admit that some of the proposals for the industry are frankly quite extreme and simply are not a workable solution. After listening to some of the proposals I kept remembering my Fathers funeral and how similar the gatherings were. It was like the eulogy of the Miss Joanie, which is my Mothers Trawl vessel.

In my opinion / recommendation the only "logical" and "rational" solution is a **BUYOUT OR BUYBACK** of the Vessels **AND** Permits. Now, I want to emphasize and separate the two because in some situations owners of vessels **lease a permit**, so a buyout would need to involve not only the permit but also the vessel. This is our particular situation in that we lease a permit. If only permits were involved then my Mother would be left eventually with a rusting hulk at a moorage facility somewhere with the pending bills / expenses and no way of paying for them. If and only if you include **VESSEL/PERMIT COMBINATION buyout** will it work for some individuals. Believe me when I say we would like to be first in line to be bought out. Simply said the Miss Joanie Inc. is my Mothers retirement plan as my parents were never able to get far enough ahead to afford anything else as far as a retirement plan. My Mothers Social Security Check is a little over \$500.00 per month. She recently has had to liquidate many personal assets and sell the home that they wanted to retire in. The Miss Joanie catches all the presently imposed limits every time they go fishing, which in our situation only keeps the creditors happy. "Personal income" take for living expenses since January 1998 has only been about \$10,000.00 and the rest goes for expenses.

The PFMC & NMFS are to blame for "mismanagement of a system that has been broken for some time.

Over-capitalization, high fuel cost, high insurance rates..... The list could go on and on.... Are just a few of the many challenges that occupy a fishing family's time. In addition to that the government imposes unrealistic and unworkable solutions. **Stacking permits are a one way ticket to bankruptcy.** It is simply more debt service on an already over-burdened business.

Please, for once, use sensible and logical solutions to this dying industry. **The only answer is VESSEL/PERMIT COMBINATION BUYOUT IS THE ONLY SOLUTION. If the state of Alaska can make a buyout program of large Super-Trawlers work why can't we?**

Sincerely yours,

Timothy J Pugh
33674 Westshore Lane
Warrenton, Oregon 97146

Vessel Manager



RECEIVED

AUG 09 2000

PFMC

August 5, 2000

D.O. McIsaac (PFMC Executive Director)
Mr. Jim Glock (PFMC Groundfish Team)
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Dear Mr Glock and Mr McIsaac;

The United Anglers of California (UAC) fights for the conservation of California's fishery resources and the rights of sport fishers. We have thousands of members and represent the interests of tens of thousands of marine sport anglers.

We are extremely concerned about the current state of our groundfish fishery including cabezon, sculpins, greenlings, lingcod and various species of rockfish (Sebastes). These fish provide a major portion of northern California's marine sportfishing opportunities. This fishery has suffered through a long history of commercial abuse including unrestrained coastal gillnets in the 1980's, nearshore longlines, and bottom trawls (outside 3 miles) which are becoming recognized as one of the most notoriously wasteful, non-selective fishing gear types used anywhere in the world. Scientists are beginning to recognize that bottom trawls not only produce unimaginable volumes of discarded and wasted fish, but that they also alter and destroy the ocean floor by scraping and destroying rocky reef habitat. For years the PFMC has been unwilling to take a strong position demanding an effective onboard observer program to document discards and mortality associated with various commercial fishing operations. Through the early and mid 1990's, even as bocaccio and other rockfish were being depleted, the PFMC unbelievably created an incentive program to encourage bottom trawls from north of Point Mendocino to travel south to specifically target bocaccio and other rockfish, the very fish which are now, a few short years later, seriously depleted. This outrageous overfishing, performed under PFMC management is now threatening the existence of California's recreational bottomfishery. To compound the problems for recreational fishing, many commercial fishers have been displaced into the nearshore area, fueling the explosive growth of the nearshore live-fish fishery. This new commercial fishery is not only preempting the traditional nearshore sport fishery including spearfishers, shorecasters and small skiff/kayak anglers, but is threatening to deplete nearshore groundfish stocks. Both PFMC and CDFG seem uninterested in the reducing the commercial catch of these nearshore fish in the panic to shift pressure away from depleted offshore stocks.

In a recent meeting in Mill Valley, California, L.B. Boydston of the California Department of Fish and Game gave charterboat businesses a heads up on looming cutbacks in the sport bottom fishery. Mr Boydston seemed to be operating on what seemed thin, inaccurate and possibly biased data which singled out recreational anglers while ignoring trawl discards and commercial hook-and-line mortalities. At a recent meeting to discuss the PFMC Groundfish Fishery Strategic Plan, several small-scale hook-and-line commercial fishers stated that they routinely discard several hundred pounds of bocaccio on a single day-trip. Who is documenting this? In the face of the looming recreational closures several of the commercial fisheries are actually having their monthly

rockfish quotas increased with no attempt by PFMC to verify discard levels or by CDFG to verify adherence to the PFMC quotas.

UAC is very alarmed by what we see as continuing missteps by the PFMC and CDFG around the issue of overfishing and discards. UAC strongly urges the PFMC to conserve this resource and cease singling out recreational fishers. It is only because recreational vessels voluntarily provide access to charter boats for observers that CDFG can estimate recreational catches. Further, we believe the PFMC has no sound basis for the current low bycatch rates applied to commercial fishing operations. We believe commercial groundfish vessels and non-groundfish vessels with significant rockfish bycatch (flatfish, pink shrimp, spot prawn trawls) should cease operating on the shelf area until an effective onboard observer program is operating. At the very least PFMC should be using higher bycatch rates for trawl gear rather than the very accommodating 16% discard rate. Finally, we urge the PFMC to insist that the California DFG be required to implement a management system which is capable of verifying commercial landings to ensure conformance to the PFMC nearshore quotas. Without a system to verify landings a quota is meaningless. We await your response to our concerns.

Respectfully,



Bob Strickland, President - United Anglers of California

cc:

California Assemblyman Fred Keeley
Congressman Tom Campbell - District 15
Bob Hight - Director CDFG
L.B. Boystun - CDFG
Governor Gray Davis
Mr. Don Hansen - PFMC
Senator Diane Feinstein
Senator Barbara Boxer
Assemblymember Jim Cunneen - District 24
State Senator Byron Sher - Senate District 11

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AUG 9 2000

PFMC

August 8, 2000

To: Donald O. McIsaac/ Executive Director -Pacific Fishery Management Council

From: Steven Edwards

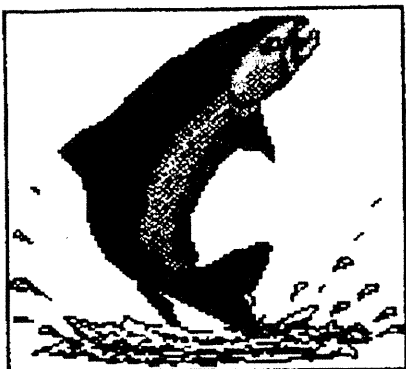
After reading the report entitled "Transition to Sustainability", I would like to congratulate the authors on a well crafted document that contributes mightily to the apparent ultimate goal of "The Council", and apparently the nation, which is the termination of any commercial fishing industry in this country. The recommendations proposed in this report go very far in accomplishing the goal. However, these proposals only address the production side of the equation but shouldn't there be some effort to address consumption issues?

The magazine SEAFOOD BUSINESS and the Wall Street Journal recently reported that the U.S. is experiencing a growing balance of payments deficit with regard to seafood. Apparently, despite governmental effort, citizens of the U.S. still enjoy seafood. Obviously, unless we can put a stop to it, demand in this country and the absence of production in this country will increase production in foreign countries where there is substantially less concern for issues raised in "Transition." I have to think that would be a situation unacceptable to the authors of this report.

My suggestion would be that we outlaw the consumption of seafood in the United States and that we form a new Federal agency entitled Fish Enforcement Agency (or FEA) whose mission would be to interdict seafood before it could enter the U.S. Perhaps it would be wise to start a program at the elementary school level that would teach kids at an early age to "just say no to seafood."

Finally, I think it is important that we as a nation and Pacific Fishery Management Council in particular should honestly admit that the fishing industry is not important to this country and that elimination of the industry was the goal all along. Should you care to comment on the above observations I can be reached at 805-985-6677.

Steven Edwards
1308 Ocean Drive
Oxnard, California 93035



Duncan F. MacLean
California Troll Advisor
Pacific Fisheries Management Council
P.O. Box 1942
El Granada, California 94018
(650) 726-1373
fax (650) 712-8744

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AUG 7 2000

PFMC

July 24, 2000

Comments on draft Strategic Plan for Groundfish

I will direct my comments to the executive summary as that was all the literature available to me at the time I wrote this review:

* For starters I would like to see a clear definition for the meaning of the phrase "fair and equitable". It is used in the discussion on allocation. Will it be traditional split under a full fishing scenario, distribution with priority given to those who target certain species effectively and cause the least amount of impact on habitat, or possibly ensuring that those who can't control their by-catch will get what they need to prosecute a fishery, or will it be in the eyes of the beholder or "as long as I have mine", whichever, I suggest you call it what it is and leave the glorified notion of the true meaning of the words out of this text. Also how economic comparisons are made between user groups needs to be outlined clearly so that there aren't several different formulas used for the same compared value.

* The goal of fleet capacity reduction is far too counter productive. Why aren't we looking to manage the fisheries in ways that put more people back to work. It is a fairly straight forward concept. The council has failed to recognize how these stock depressions were generated and by what means. We need to promote operations that bring a high net value (not a pun), generate little discard, and do not cause ir-repairable harm to habitat. In the past as appears to be the direction of this document, there has been too much attention and priority given to those that have generated the problems. It might take rolling back the clocks, limiting ones ability to destroy habitat, prevent fishing during spawning periods, promote activities that produce higher quality product, and support styles that provide nature with the opportunity to rebuild itself. It is not going to happen by only limiting the amount one can catch. Over capacity seems to have a different meaning for each individual approach to a given situation. For instance over capacity in a building might mean too many people. Where as over capacity in a fishery may refer more to effort. But effort can refer to number of participants or the capacity to produce excessive amounts of product without any control over it. It has to be done by limiting ones ability to overcatch and eliminating ones capability to move mountains. You see, we have created the perfect mouse trap. It is not much of an exaggeration to say that you could reduce capacity to a fleet of one and it won't be enough.

* Marine reserves: this one is a particular favorite of mine. Reserves have been used as a management tool in the fisheries for as long as I can remember. The term used to describe them is much less socially acceptable though, ever heard of a "time, area closure". Why the council would like to cast in stone the closing of an area for the protection of certain stocks with what scantily available data there is on migration patterns and distribution is beyond me. And if it is as most describe, that a Marine Reserve is synonymous with a NO-TAKE zone how do you justify to the Salmon fleet that there will be more closed area? And for what purpose, to protect something that the salmon fleet has little or no control over. I'm satisfied being a displaced Salmon fisherman. As such I spent the early part of my career learning how to avoid rock cod. Now I should accept being closed out of an area because of them is pointless. And talk about uncertainty, the appearances are that uncertainty is all that a Reserve can definitely provide. The "time, area" closure can be

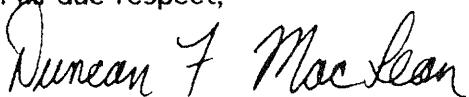
made for indefinite periods but still would give the council the flexibility to modify or change it if they were no longer necessary or didn't produce the results that were expected or any results at all without having to penalize the innocent or develop a new FMP. There is so much attention given to "uncertainties" in this document that it seems to have eluded everyone that the ocean environment revolves around a state of constant chaos. In order for any management program to work it must remain adaptive and flexible and not rigid or fixed. And it must focus on limiting or eliminating the assumed practices that have created the problems without penalizing all other sectors of the fishery. And all for what, I have yet to see the proof that fishing is the sole cause for these stock depressions. If it turned out to be pollution or microwaves or sonic testing was the cause then just how does a reserve promote rebuilding?

* Permit stacking and/or IFQ's offer very little as far as by-catch, discard mortality or sustainable fishing practices are concerned. If you create a fishery designed around vessels that have no limitations (I'm speaking here to natural limitations and not resource ones) then little will be accomplished to prevent waste. The resource and the environment simply can not take the pressure of some of these killing machines that have been constructed in the last 15 or so years. IFQ's may work fine for a specie that can be targeted effectively like black cod but for trawling sebastes it has little merit. Oh and let me interject a brief comment on limiting entry on the open access hook and line fishery. That would have to go down as the greatest oxymoron of all time. Think of it : limiting effort on a fishery that has a daminimus impact. And about limited entry in the Charter fleet. Is it now the intent of the council to limit the publics access to a public resource ?

* I understand that the council has important work to do but time is limited. You want to make the process transparent. Well the first thing you have to do is learn how to really listen. Because believe me none of what you do is more important than my families security is to me. If I drive two hours to speak my mind at a council meeting and I do not get compensated for my time there then don't stick an intimidating little light in front of my face and don't interrupt me because you think I talk too much, because I won't be involved with this process if you don't have the time to hear me out. The average guy is not practiced at public speaking but has just as important of things to say as someone who knows the ropes and probably more times than not its more important and more from the heart. Another case in point. I was a member of the Marine Reserve Committee for the council whose charge it was to investigate marine reserves and advise the council as to their potential as a management tool and to develop alternatives that would accomplish the same thing. It turns out this is another Amendment 14 debacle. Amendment 13 was developed but there was no language in the process that allowed the full implementation so the language was developed and inserted into Amendment 14. The groundfish strategic plan committee met the week prior to the marine reserve committee and determined marine reserves to be an integral part of the rebuilding plan. Is that the way the process is supposed to work? And I challenge any one of you to show me the science and how it applies to Sebastes.

You know it all boils down to how you view something as simple as a partially filled glass of water. In all if the council wishes to continue it's direction of managing fisheries instead of managing fish then it seems clear to me any way that it would have to be done through small scale target fisheries and fisheries that are tailored to have low by-catch rates. Ones that promote quality not quantity. Any net fishery conducted would have to do so with the capability to move mountains or the ability to over harvest regulated out of it, and by doing so capacity would no longer be an issue. It would be a tragedy to limit or reduce participants in any field of endeavor in these times and this plan seems to be taking aim at the participants that have caused the least impact with the lowest catch and the smallest discard rate. What is necessary in todays world is creative ways of increasing job opportunities, promoting higher economic yield, and fostering higher net profits without increasing or even possibly reducing resource extractions. I'm sorry to have to say this but this plan provides me with a half empty glass.

With all due respect,



Duncan F MacLean
Fisherman

PACIFIC FISHERY MANAGEMENT COUNCIL;

5-4-2000

SIRS, I HAVE READ AND STUDIED THE "DRAFT GROUND FISH FISHERY STRATEGIC PLAN" FROM COVER TO COVER.

I HAVE DISTILLED MY COMMENTS DOWN TO THIS.

ONE: MAINTAIN A OPEN ACCESS INCIDENTAL TAKE PROVISION FOR THE HALIBUT/SEABASS GILL NET FISHERY AND THE CALIF. HALIBUT HOOK+LINE TROLL FISHERY. A DAY OR TRIP LIMIT OF 100-200 LBS OF ROCK FISH WOULD SURFICE TO ELIMINATE ANY WASTED BY-CATCH WITHOUT PROVIDING ENOUGH FINACIAL INCENTIVE FOR DIRECTED TAKE, DIRECTED TAKE CAN ALSO BE AVOIDED BY HAVING A REGULATORY PROVISION AGAINST HAVING MORE ROCK FISH THAN THE TARGET SPECIES IN ANY LANDING. THIS INCIDENTAL TAKE OF ROCK FISH TAKEN IN SMALL NUMBERS RANDOMLY OVER LARGE NEARSHORE (10-50 F. AREAS) HAVE LITTLE AFFECT ON THE ROCKFISH POPULATION DYNAMICS. THE FISHERMAN'S ABILITY TO SELL THIS INCIDENTAL TAKE IS A POSITIVE FOR BOTH THE FISH CONSUMING PUBLIC AND THE FISHERMAN, A POSITIVE THAT IN HALF THE CASES WOULD OTHERWISE BE RETURNED TO THE SEA DEAD.

TWO: FAR TO LITTLE SIGNIFICANCE IS PLACED ON THE IMPACTS OF FISHERMAN DISPLACED FROM THERE NORMAL FISHING GROUND BY MARINE RESERVES. THESE IMPACTS WILL BE LARGE AND MULTIPLICATIVE ON BOTH THE NON-RESERVE FISHING AREAS AND IN REGARDS TO SOCIO-ECONOMIC IMPACTS TO FISHERMAN ENCRCHED UPON BY DISPLACED FISHERMAN. IT IS IMPERATIVE THAT THESE EFFECTS BE QUANTIFIED AND FULLY MITIGATED BEFORE ANY ^{NEW} MARINE RESERVES BE ESTABLISHED.

PHILIP BEGUTH
COMM. FISHERMAN REP.
SANTA BARBARA CO. FISH+GAME COMMISSION
#1 LASSEN DR.
SANTA BARBARA, CA. 93111

FALLURE TO MITIGATE THESE EFFECT WILL NEGATE ANY POSSIBLE BENEFITS OF MARINE RESERVES CAUSING MORE OVERALL ENVIRONMENTAL HARM THAN IF NO RESERVES WERE ESTABLISHED AND THE STATUS WERE PRESERVED. ONLY WITH A HOLISTIC COMPREHENSIVE ANALYSIS OF MARINE RESERVES CAN A CREDIBLE DECISION ON THEIR ESTABLISHMENT BE MADE. BEYOND THE ENVIRONMENTAL ^{IMPACTS} THE SOCIO-ECONOMIC IMPACTS OF RESERVES IS HUGE AND SHOULD BE MITIGATED WITH BUY OUTS AND COMPENSATION FOR IMPACTED FISHERMAN. I COULD GO ON FOR PAGES MORE AS TO WHY THIS IS FAIR AND EQUITABLE AS ECONOMIC MITIGATION.

FINALLY: AS OF THE WRITING OF THIS LETTER THE OCEANOGRAPHIC CONDITION ALONG THE CALIFORNIA COAST HAVE TURNED COLDER AND MORE FAVORABLE TO ROCK FISH PRODUCTIVITY THAN ANY TIME IN THE LAST 17 YEARS. THERE IS A HUGE POPULATION OF YOUNG OF THE YEAR ROCK FISH IN THE FORM OF VERMILION ROCK FISH, BROWN ROCK FISH, COPPER/CHUCKLE HEADS, ETC.. THIS CONDITION MAY NOT LAST BUT THE NEARSHORE POPULATION STILL HAS TREMENDOUS RESILIENCY IF THE CONDITIONS ARE RIGHT.

I WOULD ALSO SUGGEST A "D" OPEN ACCESS PERMIT TO ALLOWING THE SMALL MULTI SPECIES FISHERMAN ACCESS TO THE HOOK + LINE ROCK FISH RESERVE ONLY TWO YEARS OUT OF ANY 10 YEAR PERIOD. TO BRIDGE ^(BRIDGE) THE GAP BETWEEN 300 YEARS IN OTHER SMALL VESSEL FISHERIES, I.E. ROCK CRAB OBSTER, SEA UCHIN, HALIBUT TROLL. EVEN WHEN. DEPENDANCY ON ROCK FISH AS SHOWN BY 1,000 LB + LANDING HAS NOT BEEN SHOWN IN THE RECENT PAST. MAYBE A 1,000 LB LANDING IN THE LAST 30 YEARS TO SHOW THE NEED FOR THIS DEPENDENT BRIDGE PERMIT "D"

Sincerely Philip Beggs

Lloyd Reeves
P.O.Box 6908
Los Osos, Ca. 93402
Tel# (805)534-1640

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AUG 7 2000

PFMC

August 4th, 2000

Dear Pacific Fishery Management Council;

Re: Groundfish Fishery Strategic Plan

I agree that it is time for significant change. I believe the only fair way is large permanently closed marine reserves. Many groundfish, cowcod for example take up to 25 years to reach maturity so rotating reserves should not be considered. Plus these fish can live very long with many laying 500,000 live larvae a year.

When I say large I mean at least 25% closed. These areas could be 15 miles north - south and out the full 200 miles east - west. This would be very simple to obey as for example: There would be no fishing between 36:00.00' & 36:14.99' and no fishing between 37:00.00' & 37:14.00' and so on. If you are not familiar with charts there are 60 miles (called minutes) in each degree. You could have a lottery to pick which minutes are shut down. You could choose a different % as long as it divides into 60 evenly. All you have to do is look at your GPS and make sure you are not fishing in the closed minutes (miles).

These reserves will be a hard sell in that they hit everyone. But 5-10 years down the road the benefit would be immense to every one. The other advantage is that fishermen that could be eliminated in your other possible programs might get the chance to remain fishermen. Simple economics may then become the decision maker on who continues to fish.

Sincerely,



Lloyd Reeves - owner groundfish permit #0005

ps. Even the suggestion of "*Consideration of redefining eligibility in current limited-entry fisheries with new, higher minimum landing requirements.*" sounds like a bad idea and a way to insure that permits get used to their maximum.

To:
Pacific Fishery Management Council
2130 SW Fifth Ave. Suite #224
Portland, Oregon 97201

8/3/00

From:
David L. Woodel
Unique Gifts & T's
389 M Street
Crescent City, Ca. 95531

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AUG 7 2000

PFMC


To Whom It May Concern;

I recently read an article in our local paper about new ground fish restrictions that are being considered by the PFM Council. The article states that a 50% reduction is being requested on ground fish catches based on "fears the number of fish may be dwindling", Is this true? Is there scientific data to establish this? May I get a copy?

I am writing to share my concerns for fellow small business owners who fish for a living. I am a retail merchant. I own a specialty store selling clothing, coffee, jewelry and collectibles. Owning your own business these days is hard. You must love what you are doing. I have been in business for over 30 years. The hype about the "economic recovery" does not touch most Americans. Yet, politicians keep mouthing it and talk about a kinder America. Then every year they add some new type of tax, put more restrictions on business, or give more in foreign aid. What has happen to compassion and empathy for the American worker, and small business people? The net affect of government seems to always end up with less disposable income for most Americans making our lives harder.

I am very concerned about the well being of our ocean and its' eco-system, but I also very concerned about the thousands of peoples lives affected by drastic changes to fishing limits. Fishermen are already facing record high fuel prices and increasing costs for engine parts. It is not fair to add a major reductions in fish catches all at one time. Additionally, such a change would cause consumers to face unfair price increases in the price of fish, and small business people will also see lost revenue. Empathy for all the needs represented must be considered I understand, however should not this matter be weighted most heavily in favor of the jobs and the overall economic well being of California coastal communities, like Crescent City?

Changes should be well planned controls which gradually change the existing limits over several years, if scientific studies prove reductions are warranted, not next year its' only 50% ground fish limits. Please be sensitive to the financial impact your decisions have on us all.

Sincerely,

David Woodel

WESTPORT CHARTERBOAT ASSOCIATION

P. O. BOX 654 • WESTPORT, WASHINGTON 98595

August 1, 2000

**Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201**

Re: Groundfish Strategic Plan

Dear Council members,

My name is Mark Cedergreen. I'm the Executive Director of the Westport Charterboat Association.

Let me begin by complementing the members of the ad-hoc committee of the Council who put this plan together. Although it's not completely finished, the bulk of the work ahead of you relates to implementation, not vision.

Furthermore, the Westport Charterboat Association (WCBA) supports and joins the Pacific Marine Conservation Council in its testimony on this issue.

WCBA has worked with State and Federal fishery managers for over a decade to help develop a recreational groundfish management regime in our area that provides for a sustainable fishery. We have consistently responded to the need for fishery reductions in our fishery when the resource condition required it, even though our impacts are relatively very low on the stocks that are presently in the most critical condition.

I believe there are two major hurdles that need to be overcome in order to implement the plan in an effective manner. The first is financial. Congress, with the help of industry and the private sector, is going to have to provide the funding for essentials such as observer programs and buyback. The second involves will power. The Council cannot operate in a "business-as-usual" mode. Hard decisions have to be made and upheld.

It's very late in time for many once-healthy stocks. For some it may be too late. But, better now than never. The survival of our industry and the economic health of our coastal communities depend upon it. Our membership urges you to begin implementation of this plan for the 2001 fishing season.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Mark Cedergreen', with a long horizontal line extending to the right.

**Mark Cedergreen
Executive Director**

CARROLL JOHNSON
F/V HIGH SEA
1505 15th ST
EUREKA, CA 95501

August 1, 2000

Mr. Jim Lone, Chair
Pacific Fishery Management Council
2130 SW Fifth Ave., Suite 224
Portland, OR 97201

Dear Mr. Lone:

My name is Carroll Johnson. I am the owner and operator of the trawler High Sea based in Eureka, California. I have owned and operated a number of vessels in the groundfish fishery since 1977, mostly in the Southern Oregon and Northern California area.

I attended the PPMC's Strategic Plan public hearing in Eureka on July 26th. I have witnessed the increasing dramatic changes that have occurred in the groundfish fishery, and like most fishermen, I am concerned about my future in this business. I believe that bold steps are necessary to improve this situation. A buy back program would reduce the fleet size quickly and permanently. A smaller fleet would allow the implementation of an ITQ system in the future without the acrimony that has plagued the establishment of other quota share systems.

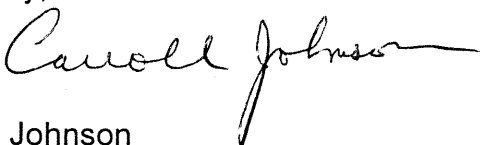
However, in the mean time, I believe that moving forward with a mandatory permit-stacking system makes the most sense. Such a system should be point-based. That is the additional permits should be endorsed with a length that is sufficient to be used on the vessel. Permits once stacked should be allowed to be un-stacked and the stacking of leased permits should not be allowed.

Through a permit stacking system the allowable trip limit would increase and thus reduce the level of regulatory induced discards.

Additionally, I support the imposition of a regulation that would increase the minimum size of web from 4 ½ to 5 inches throughout the net. I believe that this passive regulation would further reduce the retention of small fish and ultimately result in an increase in the amount of larger fish.

Thank you for the opportunity to provide you with these comments.

Sincerely,

A handwritten signature in black ink that reads "Carroll Johnson". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

Carroll Johnson

To the Pacific Fisheries Management Council;

I have been a trawl fisherman out of port san luis for the last 20yrs. I feel that I have a fair amount of knowledge about the fish stocks in my area and I'm more than willing to share this knowledge with your biologists to help us come up with a reasonable plan to save our fisheries. The plan you have come forward with to reduce the whole fleet by 50% is something we do agree on but how do you propose to do this with no funding? There is no way that I can see the remaining fleet paying for this! How are you going to determine who will go and who will stay and at what cost do you propose to buy out the boats, because that is the only way you will make this work is buying both boat and permit! Or do you plan to keep trying to starve us out as you have been doing? For myself I will not go quietly into the night! You could buy out 50% of the fleet in a matter of a few years by taking 50% of your pay and your staffs and buying out boats with it. But you probably don't like that idea do you! Well I don't like the waste you have created buy your management rules it sickens me to throw good edible fish over the side because of what you have done. Is there one person among you who is not afraid to admit that you really don't know what is going on with the fish stocks? We need biologists at every port to work hand in hand with the fisherman try going out into the field with the local boats instead of sitting in front of your computers in your ivory towers worrying about your 401k and what percentage you will retire at with your full health benefits all of which none of us have .I know I must sound angry well you are right ,I had a boat that was worth \$350,000.00 to 400,000.00 before you came along and now after only a few years who would like to buy it and for what price? I guess I should start eating a little dry dog food with every meal than when I have to eat it full time it won't come as much as a shock to my system. I hope you think long and hard about what you intend to do because we are talking about thousands of people being affected by your plans. You already have over 100-law suits filed against you how many more will there be with this next phase of your solution for to the fish stocks of the pacific coast? I pray you do this in a manner that does not starve people out of house and home.

John P. Doherty
F/V Jonathan
Port San Luis Calif.

Doherty
1985 Grive Cyn. rd
San Luis Obispo, CA
92401

**FISHING VESSEL OWNERS' ASSOCIATION
INCOPORATED**

ROOM 232, WEST WALL BUILDING • 4005 20TH AVE. W.
SEATTLE, WASHINGTON 98199-1290
PHONE (206) 284-4720 • FAX (206) 283-3341

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AUG 4 2000

PFFAC

July 24, 2000

Dr. Donald McIsaac, Executive Director
Pacific Fishery Management Council
2130 S.W. Fifth Avenue, Suite 224
Portland, OR 97201

RE: **Hearing on Strategic Plan**

Dear Dr. McIsaac:

The members of the Fishing Vessel Owners' Association appreciate the opportunity to testify on the Pacific Council's Strategic Plan for groundfish. The Association's comments will primarily address the Strategic Plans number one recommendation, specific to the fixed-gear sablefish fishery. As we understand, the Council may take action on this item in the near future.

The members of FVOA recommend the following preference options relative to the fixed-gear sablefish fishery.

- (1) FVOA supports a multiple-month fishery in order to harvest the given tier trip limits assigned by the Council for each fixed gear permit. An April 1 to October 1 season would accommodate the albacore fleet boat owners that would prefer to fish sablefish earlier in the year. The late summer months and early fall months are usually very good for weather and produce larger sized fish for the market. From a safety standpoint, a multiple month season would eliminate much of the danger that the current nine-day derby generates.
- (2) The Association's members support the stacking of permits of up to a maximum of three permits per vessel. At least one of the permits should meet the length and gear restrictions, but the additional stacked permits would not

need to meet the current length and gear requirements. The limitation of permits per vessel will help prevent undue consolidation of resources and provide for more quality crew and vessel owner opportunities.

The Association does not support mandatory stacking, as this would require a forced industry buyout of permits at a time when incomes have been very low. In addition to this, the Association supports the ability of the permits to be unstackable as well as stackable. If the permits become unstackable, this will essentially require a forced sell-out by the person stacking their permit and create a potential large combination tier that will be difficult for crew or new vessel owners to buy into as the existing fleet participants retire.

- (3) The Association supports a three-permit ownership restriction per person and/or entity. FVOA believes this would adequately address the excess shares issue that Congress has been discussing.
- (4) The members of FVOA are willing to concede the privilege of being able to freeze at sea in order to maintain the current processing jobs shoreside and provide the buyers with the same amount of saleable raw product that is available in the current derby program.

With regards to a rockfish endorsement for fixed gear "A" permit holders, the Association supports an analysis of a minimum landing requirement (MLR) to establish a rockfish endorsement calculated to assist the harvesters who can show a financial dependence on the sale of rockfish. Should the Council support some level of a MLR, the Association requests that these endorsements be stackable. Each stacked permit should be equal in poundage.

The Association supports the Strategic Plan recommendation such that, where there are allocations between gear-types, the respective gears be accountable for their own wastage and discards. In fact, this situation currently exists for sablefish. There is an allocation between trawl and fixed gear for sablefish. The wastage for the two gear types currently comes off the top of the available OY. We request that this be changed to reflect the Strategic Plan Team's recommendation. The trawlers and fixed-gear groups should be accountable for their respective discards.

The Association recommends that trawl A permits and fixed-gear A permits

be changed, so that, the permits would allow the use of open access gears, such as, vertical longlines and certain troll gear. This would allow both trawl and the currently defined fixed-gear permit holders to use gear that has a minimum impact on the habitat.

In summary, the Associations supports for the fixed-gear sablefish permit holders a multiple month season with the ability to stack permits. The Associations supports both a vessel use cap and ownership cap of permits of up to three per vessel and/or individual. Additionally, the Association supports a harvester only restriction for sablefish. With regards to rockfish, the Association supports an MLR that reasonably addresses those fixed-gear rockfish harvesters that were serious participants in targeting rockfish and amending the use of both trawl A and fixed-gear A permits, such that, their use could be with more finesse-type of gears.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Olsen", written in a cursive style.

Eric Olsen, President
Fishing Vessel Owners' Association

EO:cmb

Terry Rosaaen F/V TATIANA P.O. BOX 326 FOLSOM, CA 95763-0326 916-351-9124

To: pfmc.comments@noaa.gov

COMMENTS TO: THE DRAFT GROUND FISH STRATEGIC PLAN

I am Terry Rosaaen, owner of the F/V TATIANA, homeport of Crescent City, CA. I currently am a Limited Entry Groundfish permitted trawl vessel. The revenue generated from this fishery amounts to approximately 75% to 80% of my annual revenue.

I attended the Public Hearing July 27, 2000 in Brookings Oregon.

I am concerned about the recommendation to allow stacking of limited entry trawl permits. I believe this will allow permits that have not been fully utilized in the fishery to be stacked on more efficient vessels. This will result in the landings to increase in those species that require a vessel to go deep, fast, or to mid-water trawl. This will aggravate the already existing quotas and cause the limits to fall proportionately. I believe the biggest potential problem with this stacking of permits is it is only a transitional step to Individual Fishing Quotas. I also believe that **the stacking period will be used for the basis to assign IFQs**. This will concentrate the fishing rights in the hands of a small number of stacked permit vessels.

I do not believe that permit stacking should take place. This is only a benefit to multiple boat owners. Only a Quota amount of fish is going to be taken. Increasing the permit efficiency will only reduce the limit per permit, to maintain the Quota allowed. **This forces the remaining active groundfish participants to buy permits to take the same amount of fish or less.**

I do not agree with the use it or lose it attitude with respect to limited entry renewal criteria. Each boat invests in permits and gear to arrive at an array of fishing opportunities that allows some flexibility in an attempt to make a living in the commercial fishing community. The boat should not be disqualified once a permit is obtained. Each boat counts on the fact that the each permit allows investment in gear and boat modifications. This array of outfitted fishing opportunities constitutes the respective boat business plan for a given year. As fisheries are opened and closed or quotas reduced a boat makes decisions on which fisheries to participate in that year. Non participation in a permitted fishery should not disqualify that boat from permit renewal. Once a permit is issued, the boat should be able to renew each year. This should be treated as a tangible asset for use and resale options.

The use of minimum landings for permit renewal and the stacking of permits on a voluntary or mandatory basis are a method to force the poor operations to be forced out by the rich operations.

I understand that the exit from the groundfishery into other fisheries is not a factor in your decision making process. Most of these boats are active at various levels in other fisheries. The same minimum-landing requirement if applied across the board may put many boats out of most fisheries. All boat operators have a preferred fishery, but are able to participate in other fisheries because of investments in other gear types and permits held. **I believe it is wrong to establish the president setting policy of minimum landing requirements that may be used by other fishery management bodies.**

In conclusion, I understand that the goal is to reduce the fleet and the amount of fish currently taken. **I do not believe it is your job to decide who is to remain, by providing preferential treatment to some.** The results of your policies should allow those who have invested over the years to maintain the right to fish, even if only on a limited basis. The revenue from the groundfish may only generate 30% of my annual revenue in the future. I will shift my effort to other fisheries that I hold permits and gear to generate additional revenue opportunities.

Thank you,
Terry Rosaaen

PACIFIC OCEAN CONSERVATION NETWORK



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AUG 17 2000

Groundfish Strategic Plan Comments 7/27/00

As one of the member organizations in the Pacific Ocean Conservation Network, we respectfully submit comments regarding the Pacific Fishery Management Council's Draft Groundfish Strategic Plan. Although our member organizations have not had a chance to complete a detailed review of the strategic plan, we would like to provide some general comments for the Ad-Hoc Pacific Groundfish Fishery Strategic Plan Development Committee.

1. The Strategic Plan is a well thought out, logical vision of what the groundfish fishery needs to look like in the future.
2. We commend the Strategic Plan Development Committee for the work product produced. We believe that the management requirements and recommendations for management policies, harvest policies, capacity reduction, an observer program, marine reserves, and groundfish habitat are comprehensive, and if implemented, will lead to a sustainable fishery.
3. We have identified two areas of the plan which we believe need an additional step in order to transition to sustainability.
- 4 Allocation - Before the allocation provisions are put into place, we would like to see the implementation of gear performance standards which would create incentives for clean fishing with options such as extra allocations for fishers with lower bycatch rates.
4. Science and Data Collection – Securing funding for science and data collection has always been, and will continue to be a challenge for the Pacific Council. Therefore, the POCN requests that the Strategic Plan Development Committee adds a recommendation to set aside part of the Total Allowable Catch (TAC) for data collection.

Thank you for giving me the opportunity to speak this evening. Our member organizations plan to take a more detailed look at the details of the plan and submit formal comments to the Council before it's September meeting in Sacramento.

Frank Bertoni
P. O. Box 1754
Ft. Bragg, CA 95437
707-964-7932

Pacific Fishery Management Council
2130 S.W. Fifth Ave., Ste. 224
Portland, Oregon 97201

AUG 17 2000

RE: Draft Groundfish Fishery Strategic Plan

Gentlemen,

My name is Frank Bertoni; I have a small fishing business using a 42' boat, and have been a Commercial Fisherman for over 40 years. I have fished for Swordfish with harpoon, Tuna, Jig fishing, Rock & Ling Cod, Salmon, Sablefish open access and: S. F. Bay Herring (Permit # DH-309-SF)

Crab (Permit # 420027-07)

Anchovy (Permit # 550006-02)

Squid (Permit #750043-02)

Mackerel (Permit # 210003-03)

Sardine (Permit # 450003-03)

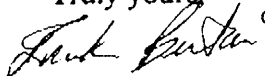
Trap (Permit # 900028-04)

I have paid in good faith for a Market Squid Vessel Permit(#750043-02), at \$2,500.00 a year for 3 years. I have invested \$48,000.00 in equipment; seine skiff, power block, hydraulic wenches, nets, lights, etc. I have established a Northern Market for Squid. We have put great effort in our search for the product. However, due to El Nino, the weather and cold water currents, we have thus far been unable to produce product.

The reason I am stating the above facts is due to the proposed Limited Entry Plan, stating that if the product is not produced in the past years you will be denied entry. We are in a difficult area to make this work. We have no tonnage to compete with the Monterey or Channel Islands fleets. We are North of Point Arena, but know there is product in the area, and remain optimistic for the success of our endeavor.

It would be devastating if after all the money, time and effort I have put into this, that you cancel my permit because of no product. I respectfully request you make an exception for North of Point Arena, so we may pursue this fishery.

Truly yours,



Frank Bertoni

Personal I.D.# L00388

F/V Santina
Fish & Game # 3026

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AUG 17 2000

PFMC

To Pacific Fishery Management Council:

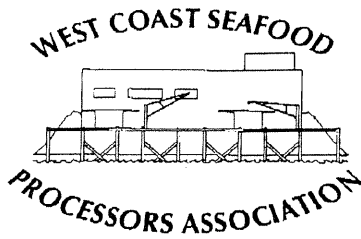
I strongly object to many of your strategic plans to salvage the West Coast Groundfish Fishery.

You ask for our (fisherman's) voice and opinion's then hold your meetings at the busiest time of year for most fishermen. If the council were intune to the fishermen they would know this. With the limits that are set in place it would be impossible for most of us to give up at least one day of fishing to attend the meeting.

Your summary speaks of funds for buyback and better research. \$5 million isn't going to cut it. You speak of putting observers on our boats and you want us to pay for it. If observers are to be on our boats let some of this 5 million dollars that is to be allocated to the West Coast pay for them. Don't strap the fishermen with yet another cost to their livelihood.

I strongly request hearings at a time when the fishermen can be there.

Gordon L. Murray, Captain
F/V Blue Horizon
92945 Island View Rd.
Astoria, OR 97103



West Coast Seafood Processors Association

P.O. Box 1477, Portland, OR 97207

503-227-5076 / 503-227-0237 (fax)

email: seafood@attglobal.net

*Serving the shore based seafood processing industry in
California, Oregon and Washington*

August 17, 2000

Dr. Don McIsaac
Executive Director
Pacific Fishery Management Council
2130 SW 5th Avenue
Portland, OR 97201

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AUG 17 2000

PFMC

Dear Don:

The following comments regarding the draft Groundfish Fishery Strategic Plan are submitted on behalf of the West Coast Seafood Processors Association (WCSPA), whose members process the majority of Pacific groundfish, Dungeness crab, pink shrimp, squid, and sardines landed in California, Oregon and Washington.

While the Council should be commended for its efforts to develop a long range plan for the Pacific groundfish fishery, commenting on the document is difficult due to its structure and the fact that it seems in some ways to deal with related issues in isolation. Our comments for the most part will be general and will address the major themes, rather than particular wording. We are also concerned that the plan glosses over some of the major systemic problems that exist in regard to a major mixed-stock fishery whose participants - both harvesters and processors - are engaged in a variety of fisheries and whose science and management depends on sometimes tenuous agreement among two parts of a federal agency and three states.

Will the Council stick to the plan?

The Council has laid out an ambitious undertaking that will cause dramatic changes in the way fisheries are managed and will undoubtedly result in significant economic dislocation to many constituents. Actions taken under the plan must rely on sparse and uncertain data, further increasing constituent discontent. Constituents will have to do some serious economic planning themselves, but lack of certainty or sudden changes in direction can throw their own plans into disarray. Will the Council carry out the plan as scheduled, regardless of the effect?

For whom is the plan written?

While ostensibly presented as a road map to direct Council actions into the future, the plan in several places looks like a request to Congress for more money, new ships, legislative changes, etc. Is the plan written with the idea that it will convince Congress to do something(s) in particular, i.e., as a quasi-lobbying document? Is the Council trying to tell the Congress: "If you don't do this, all of your constituents will scream at you because we have to initiate draconian measures, so you'd better do what we ask."? If that is the thought process behind the plan, then tear it up now, because it won't work.

Dependence on actions of others

Much of the plan - harvest management, capacity reduction, science and research - depends on necessary legislative, administrative, or budgetary actions being taken by Congress, the States, or federal agencies. What happens if they refuse to play along?

Exclusion of a major constituency

From our perspective, one of the major flaws in the plan is its almost total absence of discussion and consideration of the plan's effects on the processing sector of the industry. One gets the impression that the fishery ends as soon as the fish hit the dock, that we don't have to worry about market effects, disruption of labor force, who will buy the fish, or what will happen to participants in other fisheries if plants start to close. There is no mention of the contributions that processors have made, and intend to continue to make, to fisheries science.

Yet here we are, an integral part of the fishery. The Council has tools in its kit to deal with the fishery as a whole: i.e., to include the processing sector, through use of processor permits and by meeting its responsibilities under the American Fisheries Act. It is time that the Council thinks about using them.

Allocation - first things first

Looking at the major themes, we find it interesting that the plan declares capacity reduction as the top priority and suggests that allocation can come later. Why would anyone consider capacity reduction, much less agree to pay for it, if they had no idea whether they would receive any benefit? Further, how do you know how much to reduce any sector if you don't know what percentage will be left to be used by that sector? Allocation decisions are neither simple nor pleasant, but they must be made. The Council has made them before. It is time to finish the job. The Council's Ad Hoc Allocation Committee has already laid out a framework of how to do it. That framework can be adopted quickly, thereby letting everybody know where they stand so that capacity reduction can be considered.

Biting the bullet on capacity reduction

We agree that - in order to maintain an economically viable fishery - capacity must be reduced. However, keeping in mind that the "fishery" includes the processing sector, capacity reduction must also include the processing sector.

There is also no point in engaging in half measures. The Council should start the process of creating an IQ system that involves all gear types and all sectors, including processors. To ensure the best opportunity for fleet size reduction using market forces, the Council should consider any IQ plan to not be gear specific. On the processing side, using whatever window period is appropriate, a processor quota system should be established so that processing capacity can be matched with harvesting capacity.

We recognize that the law currently prevents implementation of any IQ plan; it does not preclude plan development. Further, in some cases the short-term measures contemplated by the Council - such as types of permit stacking - will also require changes in the law. If the Council is operating under the assumption that the needed legal changes will be made in order to implement this plan, then the logical conclusion is that we should move forward to the end product and not waste time on intermediate steps.

Harvest management with no data?

The plan recommends that in a mixed stock fishery, all fishing be terminated when harvest goals are met for the weakest stock. Make it easy - just terminate commercial and recreational fishing right now. Our fishery monitoring system - especially for recreational fisheries - cannot provide the sort of precision required for this type of management strategy. One state is consistently more than a month behind in turning in fish tickets to PacFIN. Errors in recording and transcribing continue to plague the system. Catch reporting depends on the vagaries of the budgets in three states; one state this year tried to reduce its responsibilities by a significant amount and only relented when the commercial fishing industry made massive protests. All three of the coastal states have redirected their Wallop-Breaux money previously used for monitoring recreational groundfish harvests to monitoring salmon. No reliable method exists for determining in-season recreational groundfish catches. In short, our management system has no way of knowing when a target has been hit.

The law provides exceptions for dealing with weak stocks in a mixed stock fishery. Until such time as our harvest monitoring system is capable of handling the data requirements envisioned in the plan, the Council should take advantage of the legal exceptions as the only rational way to manage the groundfish fishery.

Where do we get the science we need?

Everyone agrees that our data base is sorely lacking and that we are making harvest decisions based on minimal information. Yet our data gathering and analysis process is run by two NMFS science centers, three states, and an interstate commission, none of whom seem to want to cooperate with each other. With some exceptions, protection of turf seems to be more important than collection of data. How does the plan intend to solve this problem?

While the plan gives some small attention to collaborative research with fishermen (but not processors, or for that matter, the environmental community), it is obvious that the "circle the wagons" mentality of some in the science community is still pervasive. I was struck by the following sentence, found on page 18: "Improved precision in the abundance estimates requires substantial increases in the number of age samples drawn from the fishery..." Has anybody ever thought of asking fishermen or processors to provide the samples needed? We might even be convinced to help fund an age reader or two so that the samples can actually be used. The plan needs to fully involve all sectors of the constituency in the data gathering and analysis process.

This concludes WCSA's general comments. More specific comments may be offered during public comment periods or by individual WCSA members. Thank you for the opportunity to participate.

Sincerely,

A handwritten signature in black ink, appearing to read "Rod Moore", written in a cursive style.

Rod Moore
Executive Director

Pacific Fisheries Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

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AUG 17 2000

August 12, 2000

PFMC

We wish to have the Conception Management zone managed separately from the rest of the coast. Our fish stocks are different. Our markets are different. It is a small boat fishery in Southern California. Our weather and the U.S. Navy eliminate a lot of fishing opportunity. There is a small number of permits in Southern California- maybe thirty.

The strategic plan does not adequately address habitat, or habitat infrastructure, or address it at all. This issue is of the utmost importance to ground fish stocks' present and future.

The roller gear with chaffing gear has eliminated the habitat and food sources necessary for juvenile fish to survive in the quantities necessary to sustain healthy fisheries stocks. Please see attachment for study results of effects of disturbance on hard bottom habitat. This study was done by the most prestigious people in the field at a cost of \$653,580.00.

If the rest of us are feeling the pain of the stocks rebuilding, the spot prawn trawlers should also get off the stocks and habitat. Traps fish clean. Please see enclosure.

We are against the IFQs in that it rewards those who shoveled the most (bycatch) overboard and have had the greatest negative impacts on the habitat. We have a thirty year continuous history in the fixed gear ground fishery, but without large year catches. We made a living and raised a family. We feel that with our history of conservative fishing, we would be unfairly treated by IFQs. We oppose IFQs and prefer quotas to remain with the boat. In Canada, New Zealand and Australia the IFQs have become corporate-owned, squeezing out the small fisherman. With the west coast situation, only the flexible, small fisherman appears to have a chance of surviving.

The ground fish strategic plan does not address any sort of "enhancement" or ways to immediately improve the depressed stocks.

Page two
PFMC
8-12-2000

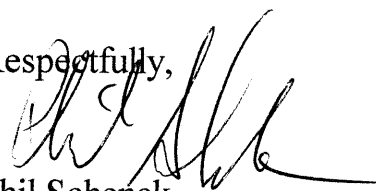
We finally lost the fight with the California State Land Commission a few years ago and they pulled out 26 well heads and undersea steel structures. The point is that there were 300-500 tons of mixed rock fish on these structures that were virtually inaccessible to fishermen due to the shape and design, in effect, sanctuaries. The most important part is that these fish continued to spawn unmolested. I have a video tape of this for the unbelievers. We believe this would be a great help. The technology is here, and I believe the oil companies would provide the financing. Steel is better than stone by a 1000 to 1 margin. I would like to discuss this further with you and be involved. This appears to be the only viable method to jump start the regeneration. It is doable and easy to be monitored.

Finally, regarding fleet management, we feel the west coast ground fish situation was solely brought on by mismanagement. Management controlled gear type and SYs. The handwriting was on the wall during the brownie massacre in the 1980s; catch 60 tons, shovel back 30 tons. When the roller gear went from 2 ft. to 5 ft., you looked the other way. For the price of a few F-14s, you could **buy back** most all the boats and permits.

We feel you are responsible. Take it to the Dept. of Interior and fix it.

It is apparent that bottom trawling as we know it is no longer a viable way to harvest the resource. The future must be selective and clean and habitat-friendly.

Respectfully,



Phil Schenck

Owner/Operator F/V Terri's Gale
14212 Alta Street
Westminster, CA 92683
714-898-7825 (also FAX)

Ocefic Management Council

To whom it may concern

What sense does it make to slash permits

1. To kick the little guy out of business.
2. To make Big Business Bigger
3. To create more waste. (by increasing the horsepower in the fleet)

It sound like to me you're in deal with the big boys. What sense does it make to take a 150 horsepower dragger. (A boat that doesn't catch all of its limit anyway) and give it to a 500 to 900 horsepower dragger. Hey in this business horsepower or towing power means waste more by catch. Hey that make some give the bigger boat more to catch, and create more waste. What a way to reduce by-catch and reduce the fleet. Let put more pressure on the edges.

What we need on the Council is a little common sense.

1. Why do you let fish get caught when they spawning? 1 to much sense in that one!
2. Why do you think big dragger come in with 5 to 7 ~~drag~~ on Blackhead. It's called High Grading!!
3. If you want to decrease the catching ability of the fleet decrease Horsepower

4. If you're really serious about the fish,
start an aggressive Buy Back Program.
That's the only fair way to reduce the fishing
effort.

If you want to talk someone who
can make sense of the fishing business
please call me at 1-503-861-3635

Gary J Sjoström

FN Home Brew

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AUG 17 2000

PFMC

Gary J Sjoström
P.O. 134
Warrington Ore.
97146

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Pacific Marine Conservation Council

*"Dedicated to the health and diversity
of our marine life and habitat"*

340 Industry - P.O. Box 59
Astoria, OR 97103
Office (503) 325-8188 1-800-343-5487
Fax (503) 325-9681
e-mail: pmcc@pacifier.com

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AUG 18 2000

PFMC

Board of Directors

Fred Benko
Santa Barbara, CA
Charter Skipper

Jeff Boardman
Newport, OR
Commercial Fisher

Scott Boley
Gold Beach, OR
Commercial Fisher

Mark Cedergreen
Westport, WA
Charter Boat Activist

Lena Cobb
Port Orford, OR
Commercial Fishing Family

Ken Culver
Westport, WA
Charter Skipper

Frank Donihue
Santa Barbara, CA
Commercial Fisher

Mark Hixon
Crescent, OR
Marine Scientist

Mary Hudson
Oakland, CA
Environmental & Ocean
Resource Attorney

Phil Kline
Washington, DC
Fisheries Consultant

Milton Love
Santa Barbara, CA
Marine Scientist

Mandy Merklein
Seattle, WA
Fisheries Consultant

Fred Munson
Seattle, WA
Environmentalist

Mark Newell
Toledo, OR
Commercial Fisher

Ronnie Pellegrini
Eureka, CA
Commercial Fishing Family

John Warner
Charleston, OR
Marine Supplier

Staff

Bob Eaton
Executive Director

Kelley Oletke
Office Manager

Jennifer Blinzer
Science Coordinator

Caroline Gibson
Communication Coordinator

August 18, 2000

Dr. David Hanson, Chair
Groundfish Strategic Planning Committee
PFMC
2130 SW Fifth Ave., Suite 224
Portland OR 97201

Dear Dr. Hanson and Committee members,

Please accept the attached comments made on behalf of the Pacific Marine Conservation Council.

Thank you for considering these ideas. We hope they prove useful.

We continue to receive feedback from our board of directors and PMCC members so may provide additional comments at a later time.

Sincerely,

Bob Eaton
Executive Director

Attach: PFMC Groundfish Strategic Plan comments – five pages



Pacific Marine Conservation Council

*"Dedicated to the health and diversity
of our marine life and habitat"*

340 Industry · P.O. Box 59
Astoria, OR 97103
Office (503) 325-8188 · 1-800-343-5487
Fax (503) 325-9681
e-mail: pmcc@pacifier.com

Board of Directors

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Santa Barbara, CA
Charter Skipper

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Scott Boley
Gold Beach, OR
Commercial Fisher

Mark Cedergreen
Westport, WA
Charter Boat Captain

Leesa Cobb
Port Orford, OR
Commercial Fishing Family

Ken Culver
Westport, WA
Charter Skipper

Frank Dunahue
Santa Barbara, CA
Commercial Fisher

Mark Hixon
Corvallis, OR
Marine Scientist

Mary Hudson
Oakland, CA
Environmental & Ocean
Resource Attorney

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Washington, DC
Fisheries Consultant

Milton Love
Santa Barbara, CA
Marine Scientist

Mandy Merklein
Seattle, WA
Fisheries Consultant

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Mark Newell
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Eureka, CA
Commercial Fishing Family

John Warner
Charleston, OR
Marine Supplier

Staff

Bob Eddin
Executive Director

Kelley Oletka
Office Manager

Jennifer Bloeser
Science Coordinator

Caroline Gibbon
Communication Coordinator

PFMC Groundfish Strategic Plan Comments provided by the Pacific Marine Conservation Council August 18, 2000

The Groundfish Strategic Planning Committee is commended for its diligent effort at crafting the draft document. Yours is a groundbreaking accomplishment. Without a comparable management council plan to use as a pattern you have set an example that other councils should consider following.

We applaud both the Council and the States for holding the nine West Coast community hearings at which interested individuals and businesses could speak, listen and learn. There was, no doubt, input that will prove valuable in strengthening the plan.

The plan offers options from which opportunity can be recognized. For instance, those with vision will understand the Council's goals and position themselves with a buyback strategy, be prepared to stack permits or sell permits to be stacked, or establish themselves as collaborative researchers. This understanding should generate individual interest in working with the Council to see that the vision is expeditiously carried out.

PMCC believes the committee has done an excellent job with the plan and is pleased to provide the following constructive comments in the belief their incorporation will enhance the Committee's work.

Comment contents

- Buyback statement
- New Section – Financing
- Specific section comments
- General section comments
- Quotes

Buyback statement

While the Council has identified federal buyback as one of its options for fleet/capacity reduction, it should be more prominently featured as a critical element in the fishery transition. Once adopted, this will become a plan that many of us working on the transition to sustainable fisheries will use in soliciting Congressional assistance. Through your vision, it is hoped Congress will understand the scope of the issues and find that implementing the plan allows them to invest in the future, rather bail-out the past. Buyback will be more easily promoted as investment if it is prominently featured as a vital part of the transition.

New section

We believe a section that deals just with funding would be a useful addition to the document. Its contents would include definitive statements about the Council's vision for financing the transition.

D. FINANCING

The Council understands that fishing is a public/private joint venture. It is important, therefore, for each party to understand its responsibility within that venture. The purpose of this section is to offer financial options for those tasks where responsibility has been, or could be, uncertain. (The Council may find that entities, other than those listed in the following example, bear financial obligation and should insert their names where appropriate. This is offered as a framework section, not an absolute on details.)

1. Observers - The Council believes in the long term that the fleet should be responsible for paying the cost of an approved observer program, but recognizes it is unable to do so at this time. Therefore, the Council calls for:

Option 1.1. The administration and Congress to provide funds necessary for an observer program until such time as the fleet reaches financial stability.

Option 1.2. The administration and Congress to provide funds necessary for an observer program for five years, after which the industry would have responsibility.

Option 1.3. The administration and Congress to provide funds necessary for an observer program for four years, after which, for the next four years, the cost would be equally shared with the industry, after which the industry would become solely responsible.

2. Slope surveys - The Council believes in the long term that the fleet should be responsible for paying the cost of slope surveys, but recognizes it is unable to do so at this time. Therefore, the Council calls for:

Option 2.1. The administration and Congress to provide funds necessary for slope surveys until such time as the fleet reaches financial stability.

Option 2.2. The administration and Congress to provide funds necessary for slope surveys for four years, after which the industry would have responsibility.

Option 2.3. The administration and Congress to provide funds necessary for slope surveys for four years, after which, for the next four years, the cost would be equally shared with the industry, after which the industry would become solely responsible.

3. Date gathering on habitat, water quality and other fishing peripheral issues shall be borne by state and federal governments as part of the public commitment to clean waters and supportive habitats, with input into process and proceedings by the industry and others.

4. Permit stacking – The Council believes in the long term that the fleet should be responsible for paying the cost of permit stacking, but recognizes it may be unable to do so at this time. Therefor, the Council calls for:

Option 4.1. The administration and Congress to provide low-cost loans available to those wishing to purchase a permit to stack. The loan application period would be for four years only.

5. Vessel/permit buyback - The Council believes in the long term that the fleet should be responsible for paying the cost of buyback, but recognizes it may be unable to do so at this time. Therefor, the Council calls for:

Option 5.1. The administration and Congress to provide buyback funds necessary to reduce the fleet by 50% over a four year period, after which the industry and Congress would jointly fund a reduction of an additional 20% over the next four years.

Option 5.2. The administration and Congress to provide low-cost loans available to those wishing to surrender a permit. Loan application period would be for four years only.

6. Gear modification – The Council believes modifying gear to increase selectivity and diminish bycatch and mortality discard is worthy of creating an incentive through federal funding support. Therefor, the Council calls for:

Option 6.1. The administration and Congress to provide gear modification grants for those who demonstrate a willingness to modify their current gear, or who want to abandon the current gear type and change to another more selective gear.

Option 6.2. The administration and Congress to provide gear modification low cost loans for those who demonstrate a desire to modify their current gear, or who want to abandon their current gear type and change to another more selective gear.

Option 6.3 The administration and Congress to provide gear modification grants for those recognized fisher organizations which seek to do applied research leading to gear changes.

7. Tax incentives – The Council believes those who voluntarily or involuntarily participate in a fleet reduction activity, or are affected by a fleet reduction activity, should be provided temporary federal tax incentives.

7.1 For fishers these could include deferred tax payments for a specified length of time, or exemptions from capital gains.

7.2 For processors these could include temporary tax credits or exemptions.

7.3 For marine suppliers these could include tax credits or exemptions for inventory that becomes unmarketable through federal fishery changes.

8. Fleet financial participation - Regarding the ability to gather fleet financial participation as needed, the Council wishes to have the following funding mechanisms at its disposal, and supports changes needed to provide them:

8.1 TAC set-asides – A percentage of the total allowable catch would be allocated for catch through a process designed to provide maximum financial conversion of fish to dollars, and the funds placed in an earmarked fund for research and data gathering.

8.2 Poundage fees – Encourage Congress to amend the Magnuson-Stevens Act to provide Council authority to assess poundage fees against landed catch for the purpose of funding observer programs and other research. The Council may not use this tool, but ought to have it as a legally available option.

8.3 CCF reform – Senator Wyden has submitted congressional legislation that would allow those vested in the Capital Construction Fund greater latitude in its uses, including purchase of permits.

Specific Section Comments

Under 1.A Need for Strategic Planning.....add statement:

As viewed by many in Congress, current groundfish fishery management is broken. They hear this from commercial and recreational fishers, the agencies, scientists and non-profit organizations. It has been said this is one reason stable federal funding has not been provided. The question is often asked "Who would want to publicly finance a broken system?"

Through adoption and implementation of a strategic plan, there exists the opportunity for Congress to alter its image and invest federal dollars in a fishery operating under a visionary program that has measurable goals and clear benchmarks.

Under I.B.1 Fishery. The vision should be expanded to include a statement on gear:

Through the adoption and implementation of gear use standards, fishing gears will be utilized on species and in areas most appropriate for use of that specific gear.

Under IIC.(c).3 PMCC does not support exemption from NEPA, and believes the recommendation should be removed.

Under III.A.b.6 PMCC believes the make-up of mini-teams, which could potentially be the mechanism for implementation of the plan, should not be limited to industry.

General Section Comments

It is felt the committee will know within the plan where it is most appropriate to integrate these proposals.

Require gear modification – As trip limits are diminished, the Council should evaluate and require gear modification consistent with the trip limit. For instance, the number of hooks on a long line, or the overall size of a trawl net might be reduced consistent with the trip limit. Small trip limits are not the cause of increased bycatch so much as it is that gear has not been modified to selectively take the smaller numbers. Trip limits and catching capability are out of synch.

Support gear modification – Wherever possible, provide incentives for changes in fishing gear and/or behavior. Reward those who are willing to shape a new fishery future by embracing change. Provide low-cost gear transition loans, outright grants or a percentage of TAC set aside for catch only by those who have modified their gear.

Gear/species compatibility - As a requirement of allocation decisions, the council should first determine the "appropriate gear", fishery by fishery, by requiring "appropriate gear" analysis and implementation. Many species are being taken with gear that leads to greater bycatch, or habitat damage, or both. Therefore, it may not be the most appropriate gear for

that fishery. Continuing status quo won't get us to where we need to go. Appropriate gear changes could be phased in over a specified time period.

Establish gear standards designed to reduce bycatch and bycatch mortality. These would include:

- 1) authorizing fishers the ability to use more selective gear regardless of vessel permit;
- 2) requirement to modify catch capacity of gear to be consistent with trip limits;
- 3) encourage use of federal funding for gear research and individual fisher modifications to include, but not limited to, finfish excluders, appropriate net/mesh size, change of hook style and number, and type of bait used.

Analyze use of bycatch quotas as a management tool.

Cumulative trip limits are a form of IQ. This might be recognized in the plan.

Quotes:

These are quotes from Council members. They are provided in the event their use might highlight some aspect of the plan. They are from notes taken by Bob Eaton at the Council's first meeting with Debra Nudelman, and have been published in the PMCC newsletter *:

Bob Fletcher said, "We lacked clear data. People demanded we not make hard choices, so we didn't."

Dave Hanson said, "We need to make the tough decisions. One of our problems is that decisions were made trying not to hurt people. It hasn't worked."

Burnie Bohn said, "We must establish clear, measurable goals, and be specific."

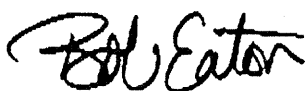
Jim Lone said, "The current federal budget process gives little hope for approval of necessary funds. We get caught in the difference between regional and national needs."

Burnie Bohn said, "We must have a clear allocation policy. Who was here first is not going to work."

Phil Anderson said, "...without a strategic plan there can be no industry business plan."

*Source is Pacific Marine Conservation Council Quarterly Newsletter, October '99 edition.

Submitted by,



Bob Eaton
Executive Director



AUG 18 2000

5046 Edinger Avenue
Huntington Beach, CA 92649
714 840-0227 TEL
714 840-0146 FAX

August 16, 2000

Pacific Fisheries Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201
FAX: (503) 326-6831

Post-it [®] Fax Note	7671	Date	8-16-00	# of pages	5
To	JIM LONE/DAN WAL.	From	MIKE MALONE		
Co./Dept.	PFMC	Co	UASC		
Phone #		Phone #	707-829-7601		
Fax #	503-326-6831	Fax #			

Attention: Mr. Jim Lone/Dan Waldeck

Subject: **Comments – PFMC Draft Groundfish Fishery Strategic Plan**

Dear Sir:

This letter provides comments on the PFMC *Draft Groundfish Strategic Plan* (DGSP). I am providing these comments on behalf of United Anglers of Southern California, which is a conservation organization comprised of several thousand recreational anglers. My understanding of the DGSP is based on information provided at the PFMC Strategic Plan meeting held in Santa Rosa, California on July 27, 2000, and my review of the Strategic Plan document.

In our opinion the DGSP holds the promise of greatly invigorating the Pacific Coast groundfisheries. However, the limited entry plan implemented in the early 1990's also held great promise, but failed to avoid the current fishery crisis. In my opinion this failure was due largely to a lack of political will on the part of PFMC and its unwillingness to confront the difficult short-term economic impacts required by responsible fishery management. It is my hope that PFMC will now do everything in its power to restore healthy groundfish stocks and the recreational fishery.

UASC respectfully submits the following comments:

Management Policy Recommendations (pg 14)

1. Permit stacking may consolidate the fleet into larger vessels. The PFMC should strive to maintain a diverse fleet profile with a strong preference for vessels using gears with low impacts to bottom habitat and lower bycatch. A buy-back program should not include allocation as part of the buy-back unless the allocation is consistent with other DGSP goals to reduce bycatch and impacts to EFH. Additionally, if permit stacking results in higher horsepower vessels a greater potential for EFH impacts could result.

In addition to providing positive incentives for fishers to reduce bycatch, PFMC should use negative ones. For example shortened seasons or reallocation to other sectors for use



UNITED ANGLERS
of Southern California

5046 Edinger Avenue
 Huntington Beach, CA 92643
 714 840 3227 TEL
 714 840 3146 FAX

of fishing gear, vessels or methods which result in high discards and bycatch should be an option.

4. PFMC should rightly relinquish management of the nearshore to the States. However, past PFMC policies have allowed excess commercial capacity into the nearshore in direct competition and conflict with the traditional recreational fishery. PFMC should not use the nearshore as a "dumping ground" for excess commercial capacity. PFMC mistakenly characterizes nearshore stocks as "lightly fished" prior to the influx of commercial effort induced by limited entry (pg 11 parag. 2). The nearshore was not lightly fished prior to the emergence of the nearshore commercial "live-fish" fishery. It was utilized extensively by recreational fishers who are now being preempted by commercial fishers as a result of PFMC's belated attempts to restrain commercial effort targeting nearshore species. Refer to attached graphs. Further, PFMC should recommend to the States that the nearshore should have a strong recreational preference (see comments under Allocation below).

Capacity Reduction Recommendations (pg. 32-33)

General Comment:

Capacity reduction should be shaped by specific criteria consistent with the Strategic Plan goals. Merely reducing the number of vessels will probably not reduce capacity very much, if at all. Capacity reduction should at least be partially driven by preferentially eliminating vessels utilizing gear types which produce relatively high bycatch mortality and/or alter the marine habitats. This is alluded to in allocation recommendation 5. Pg. 41.

Allocation Recommendation (pg. 40-43)

3. Providing an unlimited number of permits to non-groundfish vessels which significantly impact groundfish is inappropriate (pg 33, Recommendation 5.). Currently California DFG is accommodating a relatively new spot prawn trawl fleet with high bycatch and which competes with an existing pot fishery which has little groundfish bycatch. PFMC should establish bycatch criteria for non-groundfish fisheries and ensure that vessels operating in State fisheries are consistent with PFMC stock rebuilding, bycatch and EFH goals. Recreational fishers are not interested in sacrificing groundfishing opportunities to accomodate non-groundfish fleet expansion. Further, non-groundfish fisheries which impact stocks under a rebuilding regime should be under the same strict restrictions as those fleets which target groundfish. Capacity reduction Recommendation 5. is potentially in conflict with Allocation Recommendation 3.

6. Community economic impact analysis should include **economic contributions by the recreational fishing community.**



5046 Edinger Avenue
Huntington Beach, CA 92649
714 840 8227 TEL
714 840 5116 FAX

12. The Council's allocation preference for commercial in slope areas is quite definitive. However, the Council provides only weak allocation guidance for the nearshore, generally leaving allocation up to the States. PFMC should change the wording in recommendation 12.(b) ii. from "*The following Council framework for commercial/recreational allocation anticipates a state recreational preference to address the principle nearshore species with any excess available for commercial use determined annually.*"; to "*...expects a state recreational preference for nearshore species with any excess...*"

After examining the priority allocation chart on page 38 and 39 the PFMC has failed to change the status of cabezon and greenling, traditional recreational species which have been dominated only in very recent years by the emerging commercial nearshore fishery (live-fish). Further, PFMC has lumped black-and-yellow rockfish, gopher rockfish, grass rockfish and California Scorpionfish as a "B" or status quo species. These are traditionally important nearshore recreational fishes and failure to give them an "A" priority to restore the long-time recreational fishery is in conflict with the general allocation statement discussed in the 12 (b) ii.

Observer Program Recommendations (pg 45-46)

General Comment

An observer program should either be a requirement to continue the fishery, or alternatively the very generous groundfish bycatch estimates currently used (16%) should be raised to provide both a precautionary approach and an incentive for the industry to get observers. The PFMC should not fall back on the traditional excuse that funding is not available. Vessels seem to always be able to fund equipment to catch more fish. In the absence of taxpayer funding for observers the industry should pay for its own management or relinquish its access to the fishery.

Habitat Recommendations (pg 53)

1. Strengthen the wording by changing "*determined to adversely impact EFH areas of concern...*" to *determined to significantly modify or alter EFH areas of concern...* Proving and "adverse impact" will prove to be unfeasible and will conveniently prevent any meaningful EFH protection from gear types or fishing methods.

Respectfully,

Mike Malone - United Anglers of Southern California (Legislative Committee Chairman)

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



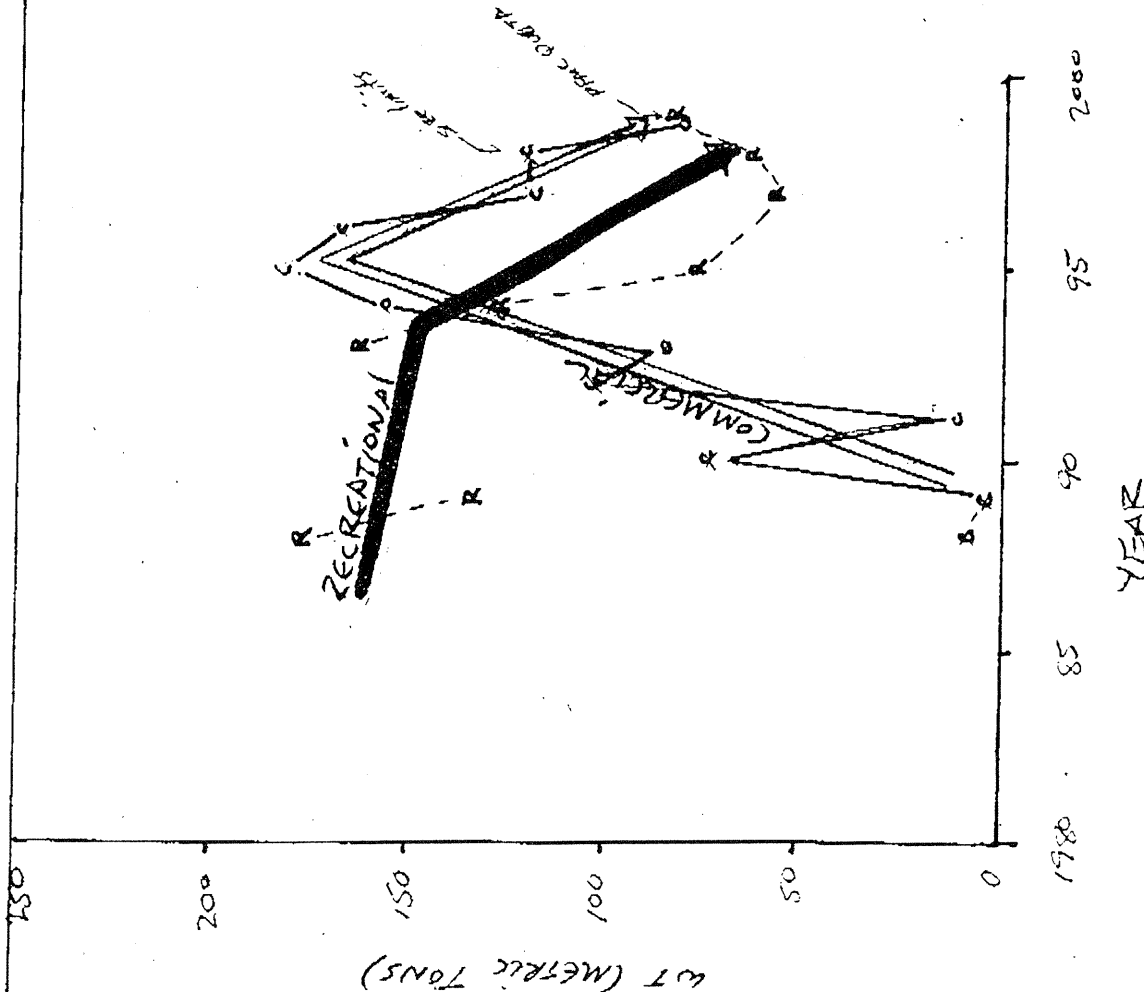
GRAPH OF COMBINED CATCH OF:

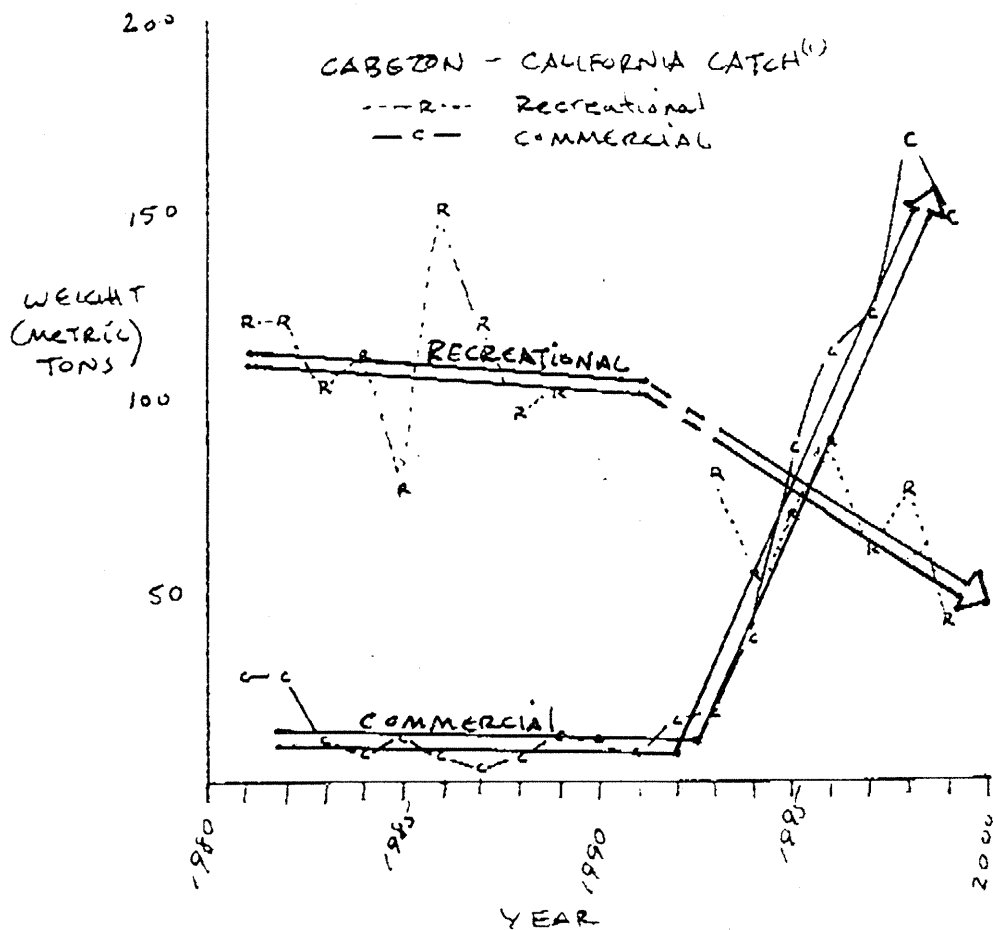
GRASS ROCKFISH, GOPATEA ROCKFISH,
CHINA ROCKFISH, & BLACK-AND-YELLOW
ROCKFISH

CALIFORNIA COMMERCIAL VS RECREATIONAL
LANDINGS
(PACIFIC REEFIN DATABASE)

— C COMMERCIAL
- - - R RECREATIONAL
— M. MALONE
8/14/00

Post-it® Fax Note 7671		Date 8-16-00	# of pages 5
To	JIM LONE/DON WAL.		From
Co./Dept.	PFMC		Co.
Phone #			Phone #
Fax #	503-326-6831		Fax #
		(Final 2 pages)	





(1) RECFIN & PACFIN DATA

Zachary Rotwein
Cap'n Zach's Crab House
1594 Reasor Rd.
McKinleyville, Ca. 95519

August 18, 2000

RECEIVED

AUG 22 2000

Jim Lone Chairman
PFMC
2130 SW Ave. Suite 224
Portland, Oregon 97201

PFMC

Dear Mr. Lone,

The purpose of this letter is to provide written comment to council members as part of the public hearing process. I have read the draft Groundfish Strategic Plan. I attended the public hearing in Eureka, Ca. After careful review, I am in full agreement that the council must adopt a long term vision and develop strategies to protect and conserve the groundfish resource.

However I believe that the strategies must address several critical issues: habitat degradation, resource allocation, adequate and peer reviewed science, past mismanagement and effort shift.

I would propose the following: Eliminate the net fishery for ground fish in favor of more selective and habitat friendly methods of fishing. The draft strategic plan proposes to down size the fleet particularly in the open access category. In the long term it makes the most sense to eliminate the fishing methods that degraded the habitat of the resource that you are charged with managing. Further, I believe that the commission must work with other agencies and regulatory bodies to address the issue of non point source pollution in coastal habitats.

If as I propose the net fishery for ground fish was eliminated (phased out over a year or so), the resource could be reallocated across the remaining user groups, commercial and noncommercial. Selecting for methods of fishing that are more habitat friendly have the additional advantage of being more targeted with less bycatch than the net fishery. Additionally it has been my observation over time that the market is selecting for the higher quality product that can only be produced from a hook and line or trap fishery.

The science that the commission bases its decisions on must be adequate. It must stand the test of outside peer review. I suggest that the commission direct staff to investigate sources of peer review such as the University system in California, Oregon and Washington.

08/22/00 08:00 00770170

This would offer a low or no cost alternative to expensive outside consultation.

The issue of past mismanagement and lack of management may be addressed through financial reimbursement to the fisherman and industries that must now bear the economic burden of changes to ground fish regulations. I believe that buying out the net boats and transitioning them to hook and line fisheries or other fishing related businesses over a several year period would be an equitable solution. Further I would suggest that buyout and transitional money be available to all groundfish permit holders.


Finally, management of ground fish does not exist in a vacuum. Any long term vision and plan needs to look at ground fish management in the context of all fisheries management. There will inevitably be an effort shift to other fisheries as ground fish regulations change. An example of this could be an effort shift to the Dungeness Crab fishery. Perhaps recommending trap limits could assist in preventing a huge effort shift to crabbing.

In summary, I recommend: 1) eliminate the net fishery, 2) reallocate the resource to hook and line and trap fishery, 3) establish peer review process for biologists and all data, 4) establish buyout and transitional financial reimbursement for industry and fisherman, 5) address issues of effort shift.

I am well aware of the conflicts that are involved in management decisions. I certainly hope that your management decisions are based on the overall conservation of our groundfish resource and not the greater good of only the large commercial interests.

Thankyou for your consideration of my recommendations. Please feel free to contact me should you have any questions regarding my recommendations.

Sincerely,



Zach Rotwein
President
Cap'n Zach's Crab House Inc.

cc: Congressman Thompson
Senator Feinstein
Senator Boxer

Jim Glock

RECEIVED

AUG 21 2000

PFMC

Aug. 19, 2000

Nearshore Fishery

How do Management Council know about Recreational Fishing Landings Report? Recreational Fishermen never report or not required to report Fish Landings.

All Drag Boats and Gill Nets should be out as they cause a lots of damage to Habitat, Wasting, Overkill, and over greedy, Why keep them going??

Most Rockfish and Lingcod migrating from shallow to Deep water (where Drag Boats get them). Then a lots of them (Fishes) were taken before return to Nearshore.

Ban from Fishing

1. Drag Boats
2. Gill Nets
3. None - Americans
4. Violators (Ones that broke Fishing Laws)

John Henry Hooked Line
P.O. Box 464 Commercial Fisherm
Bodega Bay, Calif.
94923

DANNY L. GOEN/ FISHING VESSEL PELICAN
JERRY SCHNEIDER/FISHING VESSEL SHRIMP DANCER

6371 Condor Court
Ventura, CA 93003
805-676-1862

August 14, 2000

Mr. Jim Lone, Chairman
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

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AUG 21 2000

PPMC

Dear Chairman Lone and Council Members,

I am writing this letter on behalf of myself and my business partner Jerry Schneider. We are small boat operators who operate the respective vessels Pelican and Shrimp Dancer out of Channel Islands Harbor in Ventura County, California. I own and operate the Pelican and Jerry and I own the Shrimp Dancer in partnership. Jerry is the operator of the Shrimp Dancer.

We wish for this letter to be considered our comments as stakeholders regarding the Draft Groundfish Fishery Strategic Plan. Both vessels have participated in the groundfish fishery in 1999-2000 under Open Access trip limits.

I have read the Draft Plan almost cover to cover and would like to commend you all for the effort you have extended on behalf of a fishery which means a great deal to a large number of stakeholders up and down our Coast. You seem to be very interested in fairness toward all stakeholders involved and for this we commend you.

We agree that drastic and sometimes painful measures have to be taken to save the fishery. We do not currently hold any groundfish limited entry permits but would simply like to continue our stake in the fishery by obtaining B permits when and if required.

The particular point, which is our concern, is the criteria which might be required to establish eligibility for the B permits. On page thirty of the draft document the objective is stated to try and identify those fishery participants who are economically most dependant and committed to the fishery to qualify for the B permits. This we agree with wholeheartedly. The option of requiring 1,000lbs for a minimum landing requirement also was mentioned. Continuing participation in 1998 or 1999 was mentioned and with this we agree. The point we would like to make is that for the sake of fairness we don't think any one criteria should be written in stone and eliminate someone if they can demonstrate economic dependence, commitment and past participation. I am sure there are some in a similar situation as ours so I will illustrate what would happen to us if the criteria were applied exactly as written.

Jerry has participated in the groundfish fishery for over ten years as a crewmember and it has been a primary pursuit of his fishing career. I began in the fishery in 1999 as a boat owner with no past participation. We began operating the Shrimp Dancer as partners in 1999 with part of the business plan being to participate in the Rock Crab, Open Access Groundfish, and Spot Prawn trap fisheries. We were

eliminated from the Spot Prawn Trap fishery when it was announced we would not qualify for limited entry permits due to no previous landings despite Jerry's long standing stake in that fishery as a crew member. In 1999 we landed some groundfish from the Pelican together in my name. When we realized that the Shrimp Dancer could not support the two of us off of Rock Crab and the groundfish trip limits in place at the time I had to go back to operating the Pelican and let Jerry operate the Shrimp Dancer. We then (1999) became dependent on groundfish for a great percentage of our income on the respective boats. These fish were sold for high value \$2.25-\$3.25 per pound by fisherman's retail. Partially with Jerry's help I landed approximately 1100lbs of Groundfish in 1999. Jerry did not start landing groundfish from the Shrimp Dancer until about September and landed about 400 lbs from the Shrimp Dancer.

The result from all this would be that if the criteria for the B permit were written in stone and applied as written is that I would be given the B permit and Jerry would not based on the 1000lb landing requirement. We did not land groundfish in 1998 because we were busy building the Shrimp Dancer and Jerry did not own a boat. The previous landings of groundfish in which he participated were all done in the names of the captains of the various boats on which he worked. It would not seem fair that with an equal economic dependence on the fishery but with Jerry having a much longer history of participation in the fishery that I would be given the B permit and he would not.

We are sure that it is not the Council's goal to put any more fishermen out of business than can be helped and we hope that the implementation of the plan will be done as fairly as possible.

We feel that what we and a few other small boat operators in the coastal communities are doing with these small trip limits of groundfish has social and and cultural value above and beyond the small economic value and that is a good use of the resource. That is to keep the tradition alive that the public can come down to the waterfront to a fisherman's market and meet and talk to the fishermen and possibly purchase fresh locally produced seafood or purchase a meal in a local restaurant.

We realize that during the rebuilding of the fishery that allotments for these B permits will necessarily be small and don't feel that we are asking for a very big piece of the overall pie so to speak.

You have a big job still ahead of you and again we appreciate your efforts so far. Thank you.

Sincerely,

Jerry Schneider
Danny L Loen

8-15-00

RECEIVED

AUG 21 2000

PFMC

F/V Lassie

8/18/00

Pacific Fishery
Management Council.

Dear Sirs:

I have some serious concerns
about the implications of those
new policies being considered.

1st None of us on the T pool
fleet ever heard of this until
a couple days before the Charleston
Meeting.

Why weren't copies of this
plan put where fishermen

go? Boston Cape; Sea Breeze;

England Marine, etc. Instead 2

got a copy of the short plan
at a fish co. where $\frac{1}{3}$ of
them ~~help~~ doesn't even
speak English.

Since the Aug 1st meeting
I have had little time
to read and digest the plan.

2nd from the Trappers point
of view, it looks as though
you are trying to shut me
out of the ground fish. Historically
I feel we have a right to
them. I am not in favor
of cutting the fleet by 50%.
By my interpretation of your
literature, you want only

Large Commercial Vessels
on the ocean - it has been
proven they do the most
damage.

(3rd) The item not mentioned
is the Stunt Trawl made
fleet - they should not
be fishing inside of 200
miles - they are ruining our
sea floor and bottom
fishery. I saw them in
June on top of Heceta Bank.
So lets get rid of them -
they are big enough that
they can go long distances offshore

away from our fleet. ^{and I may not} Have ~~NO~~ NO bragat ^{person}

(4th) I feel that this plan
has such long term
effects that it should be
left open for comment and
more, better advertised
meetings for more informed
input - Not enough time.

It is too serious to be
hurried through.

(5th) I do not want our
fishing fleet to be all
huge boats with big
money interest - That is
not the American way.

Buying base of boats, really
doesn't work in the
long run - With a few
boats getting all the money
and the rest of the fleet left
hanging to dry. Check the
State of Wash Plan in Report.

Number one concern -
No plan needs to be looked
at and studied by all -
not proved from our
throat right in the
middle of Salmon Fishing.
It needs to be made available
to all
I for one, would be willing

to help hand out a copy
of the total plan to all
boat owners - in Charleston
if need be.

Sincerely

Geneverve Bailey
owner/operator
F/V Lasse

Home phone 541-997-2664

Boat phone 541-991-7482

BEVERLY NOLL
President

SANDIE CROCKETT
Secretary

MONTY GONSALVES
Commissioner

CHRIS VAN HOOK
Commissioner

BONNIE WILLIAMS
Commissioner

Board of Harbor Commissioners
of the

Crescent City Harbor District
Phone (707) 464-6174 Fax (707) 465-3535
101 Citizens Dock Road
Crescent City, California 95531

LINDSAY A. MARKS
CEO/Harbormaster

ALAN TROMBLE
Maintenance Supervisor



RECEIVED

AUG 2 1 2000

PFMC

25 July 2000

Mr. Donald McIsaac, Executive Officer
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

Re: West Coast Strategic Plan

Dear Mr. McIsaac:

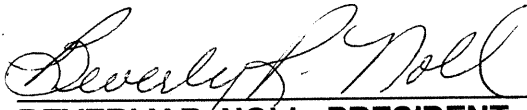
At their special meeting of 20 July 2000, the Board of Commissioners of the Crescent City Harbor District received comments about the severe impacts the users and citizens of Crescent City Harbor and Del Norte County will suffer if the West Coast Strategic Plan is adopted in September.

The Plan includes a significant changes to the current groundfish fishery, one of which if a 50% capacity reduction in each group. In 1999, the catch accounted for approximately \$7M in income to the Crescent City/Del Norte County economy from the commercial side and an unknown amount on the recreational side. Del Norte County already has a depressed economy and high unemployment.

Groundfish fishing has helped sustain all of our fishermen with the decline in the salmon fishery. The Board of Harbor Commissioners cannot support a Plan which will create such an economic loss to our fishing community and not provide any help to the captains, crews, ancillary services such as fuel, ice, groceries, etc., processors and other government entities and businesses.

The Board of Commissioners of the Crescent City Harbor District respectfully requests that the Pacific Fishery Management Council either not adopt the West Coast Strategic Plan as written or adopt the Plan with some economic mitigation for what will happen if they adopt the Plan.

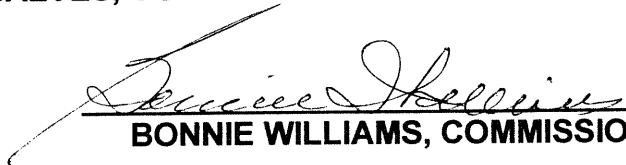
Sincerely,


BEVERLY R. NOLL, PRESIDENT


SANDIE CROCKETT, SECRETARY


MONTY GONSALVES, COMMISSIONER


CHRIS VAN HOOK, COMMISSIONER


BONNIE WILLIAMS, COMMISSIONER

August 16, 2000

Pacific Fishery Management Council
2130 SW Fifth Ave., Suite 224
Portland, OR 97201-4934

RE: 2001 Groundfish Management Plan

To whom it may concern:

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AUG 21 2000

PFMC

After attending your Eureka meeting in July, I realized just how precarious my future is in the open access rock cod fishery.

I have been a commercial fisherman for twelve years. I fish crabs, nightfish, and rock cod. I make my entire living from fishing. I have two boats participating in the open access fishery: F/V skiff II, and F/V Lucky 50.

In the last twelve years I have watched the fishery nearly collapse, especially since 1995. Why did you wait until last year to begin addressing the obvious problems? The entire fleet should have made limited entry in 1993 when federal limited entry permits were issued. Your criteria at the time, fixed gear and black cod landings, were geared unfairly toward larger vessels. These regulations prevented myself from obtaining a type B permit. As a result, I was lumped into the open access fishery.

Now, under your new criteria, I am concerned whether I will qualify for an open access permit. There is a general feeling among small fisherman that these new regulations are intended to eliminate the profession that provides their livelihood. I am deeply concerned that after years of investment and toil to establish myself in my chosen profession, my ability to make a living will be eliminated by the very agency whose mistakes precipitated this current crisis.

Your qualifications for permits have always been geared toward the larger vessels. These same boats are for the most part responsible for the collapse in many rock cod species including yellowtail, bocaccio, and canary. In twelve years of rock cod fishing I have taken less than 1000 pounds of these species combined. Clearly, I am not the reason the stocks of these species are dwindling. Years of participation in the fishery and the number of landings should be the determining criteria for receiving an open access permit. Using the volume of fish landed to establish eligibility only promotes the taking of larger volumes of fish. If I can make \$25,000 for the 5000 pounds of fish I catch in a season, isn't that better for the resource than having to catch 50,000 pounds to make the same amount of money? If everyone fished in the same manner as myself then everyone could fish and there would be plenty to go around.

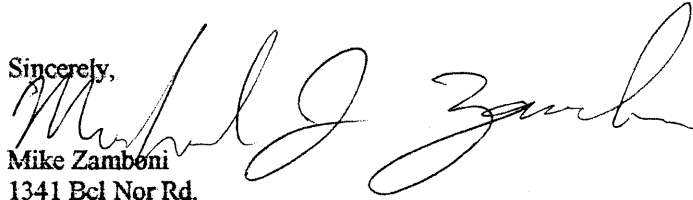
Perhaps what you should do is ban the use of hydraulics in commercial fishing. This action would solve the problem immediately. As long as nets are allowed to be dragged over hard bottom and thousands of hooks to set from one boat, ground fish stocks will continue to dwindle, no matter how many small hook and line boats you eliminate. One trawl boat has as much bycatch as the entire open access fleet. I know that I never had any bycatch until the lingcod restrictions were imposed in 1998 and my bycatch is released alive.

My suggestion to the PFMC, in light of the current crisis, is to stop any new fishermen from entering the fishery, and allow all current fishermen to fish under a non-transferable type B permit. As the number of fishermen is reduced, quotas can increase. In the meantime, reduce the season to a six month period between April and September and double the current quotas. This action would result in the same amount of fish to be taken but utilize the best weather months.

The imposition of marine reserves is unnecessary regulation. Weather and the distance between ports leaves plenty of virtually unfished coastline from small boats.

Thank you for your time and thoughtfulness both in this letter and at the meeting. I hope you take my suggestions into considcratlon in making future regulations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Zamboni".

Mike Zamboni

1341 Bcl Nor Rd.

McKinleyville, CA 95519

BOARD OF
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Michael Visbal

Barbara Jeanne Polo
Executive Director

AMERICAN OCEANS CAMPAIGN

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AUG 21 2000

PFMC

VIA TELEFAX: (503) 326-6831

August 21, 2000

Mr. Jim Lone, Chairman
Pacific Fishery Management Council
2130 SW Fifth Avenue
Portland, OR 97201

RE: Draft Groundfish Fishery Strategic Plan

Dear Mr. Chairman:

American Oceans Campaign (AOC) submits these comments regarding the Pacific Fishery Management Council's (PFMC) Draft Groundfish Strategic Plan "Transition to Sustainability."

AOC is a national environmental organization dedicated to the protection and restoration of marine ecosystems. AOC's Fisheries Program presently monitors fisheries in New England, the Pacific and the North Pacific to ensure that US fisheries are managed in a sustainable manner, consistent with the habitat, bycatch and overfishing provisions of the Magnuson-Stevens Act and other applicable law, including the Endangered Species Act and the National Environmental Policy Act.

AOC congratulates the PFMC for creating the Strategic Plan and taking such a significant step toward creating a sustainable groundfish fishery on the West Coast. Such an attempt needs to be recognized, as AOC is aware of no other council that has manifested its intent to move toward sustainability in such a visible way - even though many other fisheries throughout the United States are in similar dire straits. AOC hopes the PFMC will continue to take a leading role in the proper stewardship of our marine fisheries and our marine resources.

The Strategic Plan is a good effort to address the major problems of the groundfish fishery and to create a vision of what the groundfish fishery needs to become in the future. The Strategic Plan properly acknowledges the existing problems in the fishery, including overfishing, overcapacity, bycatch, lack of bycatch reporting, and effects of present fishing practices on fish habitat. It then takes the next step of presenting a range of alternatives to address these problems. AOC supports such an approach as a "strawman" to increase public awareness of this process and to foster discourse on ways to remedy the present problems troubling the groundfish fishery.

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In reviewing the Strategic Plan, AOC provides these general comments regarding the key topics of the Strategic Plan, addressing both the Plan's review of existing problems in the fishery and its recommended management measures for the groundfish fishery:

Harvest Policies - The Strategic Plan should adopt maximum sustainable yield (MSY) management as a goal for the groundfish fishery - that all individual groundfish stocks are managed to produce MSY. If the Council decides to continue using Acceptable Biological Catch (ABC), or another MSY-proxy to determine annual harvest rates, it must show that such a proxy is consistent with the requirements of the Magnuson-Stevens Act does not result in overfishing, in violation of National standard 1. Until the PFMF is able to do this, AOC does not support the Strategic Plan's recommendation to manage the groundfish fishery under the existing ABC harvest guidelines, as they are not based on the biological characteristics of individual stocks or on achieving maximum sustainable yield.

While AOC does recognize the need for precautionary management and supports the incorporation of precautionary defaults in harvest guidelines, it does not support the Plan's recommendation to adopt the current hierarchical approach presently used by the North Pacific Fishery Management Council (NPFMC). The NPFMC's harvest guidelines are not consistent with the Magnuson-Stevens Act because: (1) several tiers set harvest levels in a manner that is not based on the biology of individual stocks and do not reduce harvest levels as stocks decline and (2) they fail to contain minimum stock-size thresholds (MSST), or adequate MSST-proxies, for most groundfish. For these reasons, AOC *does not* believe that the NPFMC's tiered program presently allows for increasingly precautionary harvests with decreasing biological data.

AOC does not support any use of the National Standards Guidelines' "mixed-stock" exception in the groundfish fishery, as such an approach is inconsistent with the clear requirements of the Magnuson-Stevens Act. It is unclear to AOC how use of the mixed-stock exception for certain groundfish stocks would not quickly lead to a overfished listing for that fish stock and/or later designation under the Endangered Species Act.

Instead, AOC supports weak-stock management in the groundfish fishery and believes it should be implemented immediately, without any exceptions based on economic considerations. Such a management plan will create incentives to utilize selective fishing practices and promote experimental gear designs to minimize catch (or bycatch) of weak stocks.

AOC supports immediate efforts to assess those unassessed stocks in the groundfish fishery. While AOC may support the use of a MSY-proxy harvest strategy for these stocks, AOC does not support using a proxy harvest strategy similar to the NPFMC's Gulf of Alaska Groundfish FMP. Such a strategy, where allowable catch is set at 5% of

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the TAC for all assessed species, fails to set harvest rates based on the biology of the unassessed stocks and may not be sustainable or precautionary. If there is little to no data on the stock, then the PPMC should take the necessary steps to obtain data regarding the stock, while at the same time reducing fishing effort to minimal levels on these stocks to ensure that the PPMC is not authorizing de facto overfishing.

Furthermore, AOC does not support the setting of harvest levels based on fixed proportions of the mean catch or survey abundance, as this approach does not take into account the depressed productivity of stocks as they decline below the biomass level that produces MSY. In fact, such an approach likely allows harvest rates on depressed stocks that exceed sustainable catch levels.

AOC supports precautionary setting of harvest rates and supports the "engineers approach" described in the Strategic Plan.

Capacity Reduction - There is no debate that the present groundfish fishery is overcapitalized and a reduction in "capacity" is necessary. However, AOC does not believe that reducing overcapacity is a "prerequisite" to reducing overfishing and minimizing bycatch, but more of a tool to achieve these goals.

AOC believes that the Strategic Plan's discussion of capacity is improperly too general to be an effective discussion on capacity reduction. This is because the Plan fails to recognize that different vessels using different gears have extreme variations in their "capacity" to catch and kill fish. While a fixed-gear boat may catch up to thousands of pounds of fish during a day trip, a trawler with a large net can catch tens of thousands of pounds of fish a day. The Strategic Plan fails to address this key point. Therefore, its reliance on reducing the number of vessels is inadequate to assure that capacity to kill fish in the groundfish fishery is sufficiently reduced. For this reason, AOC would like to see the Strategic Plan modified to include: (1) comparative analyses of capacity of vessels from each gear sector, and (2) a discussion of alternatives to reduce capacity that results in the least disruption to the fishery and fishing communities. While the Strategic Plan claims that the simplest way to regulate overcapacity is to control the number of fishing vessels, this is likely not the most effective way, nor the most beneficial way to reduce capacity, for the reason stated above.

Such an approach will also promote the Plan's goal of matching fleet capacity to resources availability. The Plan fails to recognize that it is hardly appropriate to have vessels fishing with gears capable to catching tens of thousands of pounds of groundfish per trip, while acceptable harvest levels only allow the catch of hundreds of pounds of fish, or one fish (i.e. cowcod). This will clearly lead to significant waste of fish as discarded bycatch, that will undermine rebuilding efforts if not accurately accounted for in total mortality estimates.

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Maintaining Year Round Harvesting - AOC supports this goal as it allows for harvesting and processing opportunities throughout the year and maintains a supply of fresh fish to consumers. However, AOC does not support the Strategic Plan's *Option 2(a)* - Development and implementation of an IFQ program - to achieve this purpose. Further, AOC believes that the discussion in *Option 2(a)* overstates the ability of IFQs to minimize bycatch and overfishing.

Instead, AOC supports the use of bi-annual or semi-annual cumulative landing limits to achieve this purpose, similar to *Option 2(b)*. A semi-annual cumulative landing limit will provide the same benefits to the fishery, while not privatizing a traditionally public resource. While discards and highgrading may be a problem, this problem will continue to exist under both alternatives if non-selective gears continue to be used without adequate observer coverage.

AOC strongly supports *Option 2(d)* - use of incentives to promote fishing with bycatch and habitat -friendly gears. Any measures that can (1) promote selective gears and fishing practices that reduce the mortality of fish that are wasted as bycatch or (2) reduce habitat impacts and improve recruitment, must be a high priority in any strategic plan prepared for the groundfish fishery.

Bycatch/Observer Program - AOC believes that creation of an observer program that accurately and reliably reports bycatch is absolutely crucial for the groundfish fishery. Further, AOC believes that measures minimizing the amount of bycatch and minimizing the mortality of bycatch that cannot be avoided must be developed and implemented immediately. As part of this goal to minimize bycatch, AOC supports the creation and use of gear performance standards addressing the bycatch potential of all fishing gears.

Marine Reserves - AOC supports the use of marine protected areas in the groundfish fishery. The Council should act immediately to identify areas for designation as marine reserves. AOC supports designation of those areas identified in the Hefley Bill (HR 3059) as areas in need of protection from the habitat effects of bottom-tending mobile gears. AOC further supports immediate designation of areas known to contain deep-sea corals, as trawling damage to these long-lived valuable resources requires decades or centuries for recovery.

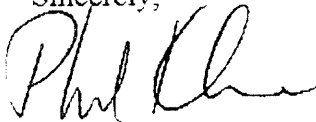
Groundfish Habitat - The Strategic Plan must take measures to minimize the effects of present fishing practices on essential fish habitat. Fishing practices, such as trawling, are known to reduce habitat complexity and remove emergent epifauna from the seafloor. This can affect recruitment of groundfish stocks and may reduce the productivity of the marine habitats on the Pacific coast. Further, deep-sea trawling can destroy long-lived, slow-growing deep-sea coral mounds and forests. Therefore, AOC supports the creation and use of gear performance standards addressing habitat effects for all fishing gears in the groundfish fishery.

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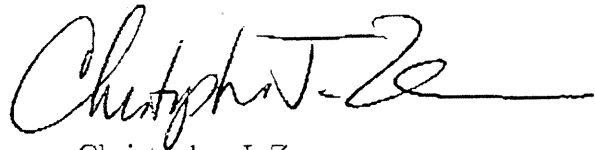
Process - AOC does not support the Strategic Plan's recommendation for an exemption from the requirements of the National Environmental Policy Act during the next Congressional reauthorization. The Magnuson-Stevens Act focuses mainly on conserving and maintaining the economic viability of commercial stocks under federal management and does not require fishery managers to assess the effects of fishing and fishing practices on non-commercial species and the marine environment. Therefore, it is not analogous to the essential requirements of NEPA and cannot replace it.

AOC thanks you for the opportunity to comment on this important step toward a sustainable groundfishery on the West Coast. We look forward to working with the Council in the future. If you have any questions regarding these comments, please contact Phil Kline at (202) 544-3526, or Chris Zeman at (201) 263-9756. Thank you for considering these comments.

Sincerely,



Phil Kline
Fisheries Program Director



Christopher J. Zeman
Fisheries Program Counsel

cc: Groundfish Strategic Plan Committee Members

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AUG 21 2000

8/18/00

PFMC

To Whom It May Concern,

RE: STRATEGIC PLAN COMMENTS

Please see that this letter gets into the packets of the Council members.

Also could you have copies on the tables for the public.

Thank you very much!
Sincerely

Benny A. Cohen

PHONE 805-595-9456

FAX 805-595-7514

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AUG 21 2000

PFMC

A LONG TIME FISHERMAN SPEAKS OUT

After reading what the public is being told about the new federal groundfish fishing "strategic plan", I felt I had to respond. I have been a commercial fisherman for over 30 years. Yet today's challenge with the federal government is more frightening than any storm that I have ever weathered. Our government has developed a fishing plan that has the probability of forcing (through bankruptcy) me and my fellow fishermen out of the fishing industry, the industry that the federal government encouraged us to invest our lives and money in.

How did the government get involved in our fishing industry? I quote for you from this new federal "strategic plan": **"During the late 1970's and early 1980's, West Coast groundfish catches increased rapidly...These were the early days following passage of the Magnusson-Stevens Act. At this time, the government was encouraging expansion of the U.S. commercial fishing industry through loan guarantees and other programs. An immediate goal was to build a U.S. fishing industry that would move the foreign fleets out of American waters as quickly as possible, and to increase American fish processing capacity to handle all the fish caught by American boats."** But, not only did the federal government encourage us to invest in our fishing, the federal government would also become responsible to manage this newly expanded fishery. The fish would be a federally managed renewable natural resource.

So about 20 years ago, the government took us by the hand and led us down their management path. Every year the government would re-evaluate the fishing laws they had enacted and the fish quotas they had imposed. Each year they would re-adjust what they had done the previous year. All the time trying to convince us that they knew what they were doing. We had no choice, we had to abide by the laws they enacted.

We did this for many years with the government leading the way. Their path led to what the government themselves call "a federal groundfish fishery disaster". Now the fishermen are being accused of "overfishing". How could the fishermen have created this "disaster" when we only followed the federal law?

Now the government tells us that they do not have accurate data to make intelligent decisions about fishery management. In fact they have such little data that they do not even know how we got here or even where "here" is! They really do not know much about fish stocks or how the stocks are affected by oceanographic conditions (such as "El nino"), pollution, predation, natural cycles, where the fish live, or even fishing. Again I quote from their "strategic plan": **"The building blocks for good fisheries science include data collection, analytical evaluation, interpretation of results and application for management. The most important of these for the Pacific groundfish fishery, and the one most lacking, is the basic data collection."**

But they have figured out what to do with fishermen. Get rid of at least half of them. Yes, that is their new "strategic plan" for fishery management. Eliminate more than half of the fishermen. And the fishermen are being blamed for "overfishing"! That is ludicrous! The fishermen are the victims not the villains!

What does this mean for you? Well, if you enjoy seafood, you will be getting less local seafood and more imported seafood. In the U.S. we have strict health standards. Many foreign countries have minimal or no health standards. What would you rather eat? Also, the government will put many of us out of work and the ripple effect will be felt locally and on the entire West Coast.

What the federal government is doing to their own citizens, the commercial fishermen, is just plain "not right". It is time that the federal government is held accountable for what they have done. One fair way to hold them accountable is to have the government reverse what they did 20 years ago. They should buy back what fishing over capacity they feel they have created. Then the fishermen, that the government is putting out of business, can leave the fishery with some dignity, not through bankruptcy.

Thank you,
Barry A. Cohen
A Fisherman

PACIFIC OCEAN CONSERVATION NETWORK



18 August 2000

Jim Lone, Chairman
Pacific Fishery Management Council
2130 SW Fifth Avenue
Portland, OR 97201

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AUG 18 2000

DEAR

RE: Groundfish Strategic Plan

Dear Chairman Lone, Members of the Strategic Planning Committee and Members of the Council:

On behalf of the Pacific Ocean Conservation Network, a consortium of the Center for Marine Conservation (CMC), Environmental Defense (EnvDef), National Audubon Society (NAS), and the Natural Resources Defense Council (NRDC), I respectfully submit these comments regarding the Pacific Fishery Management Council's Draft Groundfish Strategic Plan "Transition To Sustainability".

The Strategic Plan is a well thought out, logical vision of what the groundfish fishery needs to look like in the future. We commend the Strategic Plan Development Committee for the work product produced. We believe that the management requirements and recommendations for management policies, harvest policies, capacity reduction, an observer program, marine reserves, and groundfish habitat are comprehensive, and if implemented, will lead to a sustainable fishery. However, we have identified parts of the plan which we believe need reworking in order to transition to sustainability. These parts are as follows:

- **Fishery Management Policies** – Please add an additional recommendation requesting that the Council set MSY, OY and minimum management measures before delegating management of any fish to the States. The States may not have adequate funding to set up these management measures and may not be able to do more than monitor these species at a minimum.
- **Groundfish Habitat Recommendations/Allocation** - The implementation of gear performance standards is crucial before the allocation provisions are put into place. Please place a high priority on increasing gear selectivity. This would create incentives for clean fishing with options such as extra allocations for fishers with lower bycatch rates.
- **Science and Data Collection** – Securing funding for science and data collection has always been, and will continue to be a challenge for the Pacific Council. Therefore, the POCN requests that a recommendation to set aside part of the Total Allowable Catch (TAC) for data collection be added to the plan.
- **Process** – Please remove the recommendation for an exemption from National Environmental Policy Act (NEPA) during the next Congressional reauthorization. The NEPA process is important. The scope of the 1996 Magnuson Reauthorization Act is not as comprehensive as NEPA. The Magnuson Act only considers fisheries issues, and does not have the authority to look at the entire marine ecosystem.

Thank you for giving us the opportunity to comment. Our member organizations look forward to working with the Council in the future.

Sincerely,

Karen Reyna
POCN Coordinator

Blair G. Miner, Columbian Star Inc.
4017 Franklin Ave.
Astoria, OR 97103
(503)325-7107
colstar@pacifier.com

August 18, 2000

Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

RE: Pacific Fishery Management Council Draft Groundfish Fishery Strategic Plan

Dear Council Members,

I would like to address my concerns regarding the above referenced plan and more importantly the current proposal to allow 'permit stacking'. I concur that there is a need for a buyback program for a portion of the groundfish fleet. In the process of determining which boats to buy back it is important that both large and small boat operations be considered. When one large boat (75 foot and over) is removed this represents an equal removal of 6-8 small boats (48-60 foot) when catch capability is looked at.

Regarding permit stacking a more viable option would be to have individual fish quotas distributed among the remaining fleet. This would not be based on catch history but would be an equal distribution of allowable quotas for qualifying boats. This option would allow individual operations to pursue their portion of the quota at a time when markets would be optimal and weather favorable to the small boat operation, which is often unable to fish weather that larger boats can. This would help the groundfish fishery by reducing waste with regards to the current distribution with the quotas now in place. This would equal the playing field for all the participants, thus not starving out the smaller boats and keeping those businesses viable also. The current thought of "stacking permits" does not provide any element of conservation...it only allows companies with the cash reserves to buy the permits and eliminating the smaller individual operations. It would eliminate the small commercial fishing operator and we would thus be doing to fishing what has happened to farming in this country. It is sad to see what was once a proud group of individual private operators be sold down the river to large corporate concerns who often times have no interest or investment in the coastal fishing communities.

The Magnuson Act is what took us here, allowing businesses with government backed loans to get into the fishing industry. Now it is time for the government to step forward and admit their error and remove the corporate component of commercial fishing and return it to what it was. With this, conservation issues will more than likely be much less of a concern .

Thank you for considering my concerns.

Blair G. Miner

RESPONSE TO STRATEGIC PLAN

Council member's

Aug.14 2000

This recent work should not be adopted. This plan is contradicting, confusing, unbelievable, impossible to accomplish and costly beyond belief in coastal communities job's, Infrastructure and fishermen's investments. Investments that were made with the belief this council had been managing for the long term not this new" fishing down" practice we are now being told about, fishing down to what? No one is responsible or even looking at results from past management decisions. Every year for almost 25 years we have been told the PFMC was imposing **new** restrictions and suffering of our businesses, Making adjustments many times a year as NMFS scientist's ordered to have a sustainable fishery.

. Fishermen are proud to say we have fished below NMFS harvest guidelines every year for almost 25 year's and it as been tough for our communities, sacrificing for sustainability or so we were lead to believe **not**" fishing down".

Now it is said we are overcapitalized, this council family is leading the public to believe it's the fisherman that are the cause, this is untrue! Just look at the facts please!

Limited entry was dragged out for years before this council would finally act then opening the criteria to allow permit numbers far above the historic level intended, then created stacking permits for Alaskan factory ships and catchers to be out here, First giving the impression we would have the opportunity to fish for them, like we did for the joint ventures off shore then without debate created a direct fishing factory fleet (the very reason the act was needed remember?) To top this off this council issued them exclusive exemptions **not** to adhere to the monthly trip limits prescribed to maintain this councils goal of a year around fishing opportunity intended to keep our products on restaurant menus and a dependable supply of fresh fish for the public, This exemption has now ultimately lead the impression our local fleet is overcapitalized.

This council has given our hard earned catch to the Indian nation reducing our landings creating the first real problems in by-catch that used to be my-catch. No one changed the ocean's ratio of fish only the landings. Does this Council believe in the pledge of allegiance or the constitution? What is with this nation within a nation anyway? Are Indians US citizens or not? How can this council take from traditional fishermen whose livelihood depends on fishing, to create a new fishery for Indians that has historically never existed? How can this possibly be right? This action also gives the impression our fleet is overcapitalized by denying our local fleet to land our catch then labeling it as by-catch and this plan encourages this government give-away unchecked, and then have the nerve to call us the ones that are overcapitalized.

As if this isn't bad enough now we are seeing this council family giving preferential treatment to the recreational and charter fishery, By building in wording to continue and justify this preferential treatment that has already created over 50% shift away from commercial to recreational. Abusing the power's given to this council to regulate fairly and to **not** shift the burden of conservation to fit their own best interest. This is a major contributor to overcapitalization that is being totally ignored without any consideration of constituents who do not sport fish but wish to have access to good fresh healthy seafood,

while creating new by-catch problem's compounding overcapitalization and blaming it on our west coast fleet.

Now this new re-written version of the Magnuson act with wording left to the imagination of the preservationist's who's will is to stop all fishing based on 25 years of the science industry's lack of ability to acknowledge or incorporate natural population fluctuations that have been proven to occurred continually over time, Even before Jesus fished. To pin a population at some imagined top of a high virgin pristine level without any consideration for natural variations could only be characterized as science fiction and impossible to maintain, It is no wonder NMFS scientist's are incorporating uncertainty as the new basis for fishery management, It gets them out of being accountable for anything they do. Our landings are down about 30% or more just from this alone further increasing the overcapitalization reality being blamed on the fishermen. Fishermen have no control over these issues and certainly did not create these problems nor are we able to fix them. This new council family's strategic plan will again further increase overcapitalization of our local fleet without a fisherman untying a line from the dock and this is how.

Locking up our traditional fishing ground where we make our livelihoods then deducting the fish from our landings that are assumed in these areas forcing fishermen to explore new areas to fish, While increasing conflicts between fishermen and increasing effort in smaller and smaller areas, this will dramatically increase overcapitalization.

Implementing a tax on fishermen to pay the gov. for their management fee's forcing fishermen to fish harder to pay the bill's adding yet another layer of overcapitalization.

How could ridding our managers of being accountable for passing laws that directly or indirectly give large business advantage over small business and most likely increase our overcapitalization problem. Do not allow any more erosion of the safeguards built into the magnason act that were put in to help protect the endangered fisherman from the ones who make their living profiting by creating problems that don't exist.

Overcapitalization is the number one problem recognized by managers today, yet the only new Items on the councils family's strategic plan significantly increase further overcapitalization, Maybe council members don't understand what causes overcapitalization. To accept this plan as it is would be equal to accepting a car salesman's advice and take this new car home and come back in a few weeks to work out the cost and payment plan.

RECOMMENDATIONS;..... DO NOT ADOPT THIS PLAN!

The plan has the potential to bankrupt all who have to abide by its terms.

Stop! Wasting valuable time dreaming up new overcapitalizing agendas.

Do not monopolize whitting with endorsements to gain support for the plan excluding those who can't pack enough at .02 cents # but have history at .08 cents per pound.

Most ideas in this plan have been recommended time and time again for years now!

Spend time reducing our number one problem! (OVERCAPITOLIZATION)

With the current failure in the fair sharing in conservation burden's and NMFS science the only hope is to consolidate effort (ITQ) (permit stacking) voluntary not mandatory, Utilize NMFS permit point system already in place and used today. This will have the best chance to maintain a cross section of vessel length structure of small and larger vessels. A % of points tied to the master permit to % of increased trip limit. This system would also have the greatest flexibility for future needs

Eliminate undermining NMFS exemptions for some to exceed trip limits designated to maintain a rational year around fishery for consistent access to fresh fish for the public. As stated in the plan itself preserves should be looked at on there own merit, **NOT RAILROADED ON THE BACK OF SEPARATE MANAGEMENT NEEDS DO NOT USE THE ONLY SOLUTIONS AS A WEPON TO RIDER THIS PLAN.** There is not enough emphases on consolidation or vessel reduction or the reasoning behind the **GOVERNMENT'S RESPONSIBILITY TO REDUCE THE FLEET IN THE FORM OF A BUY-BACK.**

MEASURED CONTRIBUTION TO OVERCAPITOLIZATION BY GOV.ACTIONS

* Stalled limited entry.....	20%
• Reduced recommended qualifying criteria.....	10%
• Reduced recommended permit point system.....	20%
• Gov. loan guarantee's/tax incentives/AFA.....	25%
• Allowed Direct fishing factory ships.....	25%
• Converted latent permits to Alaskan fleet.....	25%
• Exempted part of fleet to obey trip limits.....	40%
• Allocated fish to Indian Nation.....	35%
New recommendations contribution to overcapitalization	
• Precautionary approach due to uncertainty.....	30%
• Locking up traditional fishing areas.....	30%
• Weak link/ Weak science shut-down's.....	75%
• New tax on fishermen.....	10%

These are estements of the percentage of contribution to over capitalization from NMFS and this council's management decision's, against local fishermen's recommendations and are now the major cumulative contribution to our west coast being overcapitalized. The most effective approach will be to utilize both industry and Government to consolidate the west coast fleet.

To allow a combination of the stacking of permits by industry with the NMFS approved and used point system combined with a government hull only buy-back would produce the quickest gain for the least cost to government

There is no incentive for government to find solutions, only increase regulations without analyzing any results. Someone needs to be put in charge of bio-economic efficiency and finalizing allocation's fairly and independent from this council or fishermen.

Something must be done to match fleet size to allowable harvest and new mandated demands on our fleet, not just left out to starve. Consolidation of the fleet cannot be achieved by fishermen alone, As pointed out, fishermen had plenty of Government help getting where we are today and we will need the responsible Government's help to get where we are now told we have to be. The only way possible to meet new demands is to reduce the number of vessels, and here is one opportunity to help achieve these new demands.

Sincerely
Gerald Gunnari

COMMENTS ON THE STRATEGIC PLAN

August 18,2000

The crisis facing the West Coast Groundfish Fishery must be dealt with in a way that considers the impacts to each stakeholder. I am concerned that an approval of the plan as written could have calamitous consequences on several segments of the groundfish industry. It is difficult to support a plan in which the details are not worked out, and implementation could result in a variety of consequences, some of which I support, others of which I would be diametrically opposed to. Supporting this plan can be likened to being asked to sign a contract, the details of which haven't been written. I think that the council needs to set up working groups to work out more of the details before making a decision whether to adopt this plan. My thoughts on specific parts of the plan:

Overcapitalization

The document makes an excellent point when it points out that the original eligibility requirements were so low that a great deal of latent capacity entered the fishery, and this capacity was repeatedly transferred to active participants. The limited entry program thus had the unintended consequence of making the fleet overcapitalized. The Dept. of Commerce made the rules for combining permits for the factory trawlers even more lenient than the council. The Council's creation of an "open access fishery" with no limit on capacity also made the problem worse. While this may be "water under the bridge" now, it is useful to point out that the Federal Government is principally responsible for the current state of overcapitalization in the groundfish fishery. In addition to the new entrants that came into the fishery due to the limited entry program, the Federal Government further exacerbated the problem by continuing the Capital Construction Fund tax incentives after the signs of overcapitalization were evident.

Fishermen have followed the regulations and policies established by the federal government. That management has failed, and the cost to fix the problem cannot be now passed on to the participants. The federal government must bear responsibility and cost to reduce the overcapitalization.

Allocations

It is evident that allocation decisions need to be made. I feel that the most unbiased plan would be based on the historical record of participation for each species in question.

States Management of Nearshore Species

I concur that the coastal States are better equipped to manage nearshore stocks.

Marine Reserves

Aside from the fact that Marine Reserves would be difficult to enforce, there is the possibility that reserves would simply concentrate effort in a smaller area and make it more difficult to operate profitably. If reserves are created in areas of high productivity, you are only making the fishing vessel more inefficient. Given that the total landings are controlled, we should let the vessels harvest the resource in the most efficient way possible.

Capacity Reduction

I concur with the analysis that reducing overcapacity is a fundamental prerequisite to solving many of the problems in our industry, and in improving the economic performance of our fleet. Once again, I remind the council that the overcapacity predicament is a direct result of policies of various entities of the Federal Government, and the solution needs to be funded by them. The fishing industry proposed an industry funded buy-back program for the trawl Limited Entry fleet, but lack of leadership at the council level to make the necessary allocation decisions doomed the effort. Congress, in light of the ongoing reductions in OY, could have stopped tax incentives that encouraged vessel owners to expand their capacity, but it did not.

Minimum Landing Requirements

Without knowing what those landing requirements might be, it is impossible to support this concept. It seems to me this would likely have the effect of eliminating the smallest vessels in our fleet, which happen to fish on some of the healthiest stocks of fish. This could create the fleet of the future with no diversity—an all large boat fleet. Further, ongoing minimum landing requirements only force vessels to participate at times when they might otherwise choose to participate in other fisheries. This is not a solution, but rather, contributes to the problem.

Permit Stacking

Permit stacking can be a useful tool in reducing the number of trips in which discards take place. If it is used, I think that a second (or third) permit needs to be acquired from a vessel of similar size, and a percentage of the additional trip limits should be applied. The present permit transfer rules about permits needing to come from a vessel no less than 5' shorter than the target vessel could be modified to allow stacking with the same criteria. The council should realize, however, in order for this tool to be useful, vessel owners and their financiers need to be assured of adequate limits to support a return on

investment. Any “stacking” scheme must be voluntary. “Mandatory stacking” would force vessel owners to further invest capital, which may not be justified based on the return. Vessel owners must be left free to decide where and how to invest their capital. A “phase-in period” does not ease the financial burden created by mandatory stacking, it prolongs the uncertainty and financial pain.

Geographic Limitations

Vessel owners need the ability to move to where the economic opportunities are, and shouldn't be limited to their own geographic area when the time comes to sell their permit. This reduction in the size of market could result in a loss of equity for current stakeholders.

Species Endorsements

I don't support this concept, as it reduces the flexibility necessary to operate a fishing vessel successfully. It would also prevent the opportunity for all to harvest a species that may be in a “bloom” cycle.

“C” Permit for Groundfish By-catch in Non-Groundfish Fisheries

Create a permit that is not needed now, then charge a fee to cover the costs of administering the program....I don't think we need this. Groundfish have historically been a part of the pink shrimp fishery, the salmon fishery, etc. It is part of the landed catch, and shouldn't require a new permit.

Observer Program

I am strongly opposed to an observer program. I resent the idea that I would not be honest about my catch, by-catch, location or effort. While I think that an observer would prove that my by-catch is less than the amount currently applied to my vessel's catch, I don't want to have an extra person on my boat whose safety I am responsible for. My boat is small enough as is without an extra body to contend with. Further, I have heard horror stories from vessel owners from California to Alaska about the difficulties of trying to run a fishing business around the schedule of a limited group of observers. Out of all the “systems” on my vessel, the least reliable is my crew. Adding a further manning requirement would be a death knell.

Finally, the cost of the observer program would most certainly be passed on to the fishing industry, further eroding it's tenuous profitability. This industry simply cannot afford the cost of observers.

If this plan is to make the groundfish industry sustainable, it cannot include observers. If the council thinks that we cannot be trusted to tell the truth, I suggest that 24 hr video monitoring be used in conjunction with our logbooks to provide the information needed to manage the fisheries. Enforcement could

randomly select tapes to view and verify that they match up with logbook notations about by-catch, discards, etc.

Summary

I oppose the plan as written. Many of these elements would have unintended consequences, and most result in more economic inefficiencies. The council should go slow, create a plan with the details fleshed out, and only then proceed with caution.

Respectfully submitted,

Scott McMullen

F/v Prospector,
Astoria

Comments on PFMC's Draft Groundfish Fishery Strategic Plan – **Joe Easley**

The year around fishery is important in the fresh market, however, with the structure that we have now we only appear to have a year around fishery and it shows in the economics.

Rockfish landings have dropped since 1983 78% value has dropped 69%

Flatfish landings have dropped since 1983 41% value has dropped 73%

Harvest capacity under the present needs to be reduced, the 64 dollar question is how much. The committee talks about 50%. With the things that are being talked about on the horizon 50% is probably not enough.

Harvest policy that uses a proxy for MSY does not comply with the law. The use of one proxy over many species is not a good fit, even among sebastes species there are significant differences.

The use of weak stocks to manage the fishery will led to very low harvest in a multi-species fishery, if any. It is a road to shutting down the fishery.

Marine Reserves have been taken out of the Council's preview for all practical purpose. If the Council does anything I would suggest that marine reserves be used for scientific investigation and be on the small side till be learn more about them. As far as trawl goes the present regulations have resulted in de-facto reserves that are quite extensive.

Capacity reduction will not be achieved with market based programs alone under the present conditions without a lot of people going broke. The Council needs to make the case and make it as strong as possible for some federal help in this area. Any market based program should be fully transferable, or it is just another experiment.

Allocation of the resource should be number one on the Council's list of to do. Without allocation many of the options for capacity reduction will simply not happen. The Council should remember that this is a public resource and most of the public get their access to the resource from the commercial fleet. Most of the public will never go deep sea fishing ever. All the polls I have seen from WOC over the years show that the majority (62%) of the public when asked if fish should be allocated to sport fishing from commercial say no. However, the public has no trouble with curtailing a fishery for conservation reasons

An observer program should be a part of any monitoring program, however with log books and using observers to ground truth the log books the Council can get the information it needs on total removal and biological specimens from the larger boats. It need to come up with another means of getting the information on smaller boats.

On the habitat issue the Council needs a lot more base line data to do anything that means something.

The Council should produce a document that lays out what is needed for science, data collection and monitoring of the fishery. They should then ask the Secretary to include it in the strategic plan that the Secretary is mandated to send to Congress.

The Council should lay out why all this is happening. The combination of the changes in the law, the seemingly poor recruitment of some species over the last 10 to 15 years, the lack of knowledge and science to base decisions on etc. Without someone in a position of responsibility for the resource stepping forward and laying all this out, the PFMC will just be overseeing the complete shutting down of the fishery both rec. and commercial.

F:\!master\cm\spc\GFSP_easley comments.wpd

Jim Lone, Chairman
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

RECEIVED

AUG 24 2000

PFMC

Dear Mr. Lone:

After reviewing the Pacific Fishery Management Council Draft Groundfish Fishery Strategic Plan I feel compelled to write this letter of opposition to the suggested changes the council has made. These changes do not correct or cause elimination of the pollution that has destroyed healthy fish stocks up and down the coast. Nor do any of these changes address the pressure the fish stocks suffer from marine mammal, bird and other predatory fishes.

Instead the Council only wants to control fishermen. Then to add insult to injury the Council wants to favor those vessels that have caused the greatest damage to fish stocks (throught bi-catch discards) and eliminate the majority of small vessels who have traditionally been responsible for the least damage. In almost every port along the West Coast the majority of small vessels (Fifty feet or less) have been limited to fishing gear that is less damaging to the environment and fish stocks than those the Council favors with permits under this draft. Further the smaller vessels are limited as to the weather they can fish therefore mother nature provided a natural barrier that limits the number of days one can fish safely. To favor the larger vessels all but eliminates the Smaller Port's shoreside businesses because they can not accommodate the larger vessels this draft favors. In other words the Council is in favor of allowing two Factory Trawlers, that would produce literally bi-catch by the tonage, then provide permits fifty smaller vessels that have worked smaller gear types that do not have nearly half the bi-catch.

The Council's Draft Plan is considering closing fisheries to protect certain species. I would be surprised if the Council can point to one closure that has restored a species without addressing pollution, marine mammal and /or bird predation. Yet no effort is being to accomplish this is mentioned.

I also feel that the Council has used geographic areas or districts that are too large to base what fish populations are being impacted under current fishing methods. Often a restriction for a species of fish currently being pressured to below an OY level in one area also restricts fishing for the same species in an area where the population is healthy. If the geographic areas were smaller then the closures would have more meaning.

In California less than two percent of the population has sport fishing licenses. The other ninety-eight percent rely on commercial fishermen to provide the sea food products they consume.

Page Two of Letter to Mr. Lone

I believe that this percentage spread is not unique to California but close to the norm for most states along the West Coast. Then why is the Council saying that if restriction are a must, then commercial fisheries would be affected and recreational fisheries will not? Is the Council so naive that they believe a hook used by a recreational fisherman will not kill a fish just as fast as one used by a commercial fisherman? Or is it the overall plan of the Council to have only recreational fishery who participants catch fish that usually end up freezer burned and ultimately discarded? Recreational fisheries only benefit a few yet the resource is for everyone.

In closing I feel that the Council's Plan is using poor biological data to restrict fisheries so that the demand for sea food products will be only available from a select few. When this happens it will also open up the need for more imported sea food products from foreign nations. This in turn will provide the means to place tariffs on imported sea food that will fatten bureaucratic coffers whereas a domestic fleet does not.

Any consideration given this letter will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Joe Nungaray".

Joe Nungaray
426 Shasta Ave.,
Morro Bay, California 93442

Subject: Fwd: new strategic plan

Date: Fri, 25 Aug 2000 12:37:30 -0700

From: "PFMC Comments" <pfmc.comments@noaa.gov>

To: daniel.waldeck@noaa.gov

Subject: new strategic plan

Date: Wed, 23 Aug 2000 13:28:33 -0700

From: "Dennis Oman" <denniso@willapabay.org>

To: <pfmc.comments@noaa.gov>

Dear Mr. Waldeck,

Thank you for your consideration.

Sincerely, Pam Meyer

Dear Council Members,

I have a 44' boat with a pot permit with a bottom tier blackcod endorsement. Shortly after I bought this permit the council changed the numerous daily blackcod limits to not so numerous. This really pulled the rug out from under my plans to keep busy. I then spent a lot of money and time over the last three years experimenting with building pots to build near shore live fish. After considerable trouble and expense I have finally built a pot that is viable in this fishery. It catches cabezon, seatrout, wolf eel, ling cod, octopus and the odd black rock. I average \$3.00 a pound for these fish.

I made some deliveries in 1998 (up to 2000 lbs.) with an inefficient version of this pot. Last year I concentrated on blackcod because I was very bad at it. This year I am going to spend the Fall fishing the new version of my pot for live fish after some successful test fishing earlier this Summer. Every where I've fished as far down as Cape Blanco I have been the only one doing this mostly because I purchased the equipment to haul live fish to market in 1998. I have had live fish transfer permits in Oregon for 1998-2000.

I could easily support the current regime because it allows me to continue in the direction I am going without much worry because I catch fish that are not in trouble. I am for endorsements however, as a way of controlling effort even if it puts me in jeopardy but I think I deserve a near shore endorsement. Endorsements may control effort in the fixed gear fishery in a positive way. Maybe each permit should only have one. Open access needs restraining the most.

I also support permit stacking for blackcod but I think the boat size limit should stay on. I think taking it off would be a big gift to the big boat fleet and would eliminate the small boat fleet. I small boat fleet is more characteristically in tune with conservation interests in the ground fish fisheries.

More time to fish in the blackcod season would increase the quality of fish dramatically because shorter trips would be possible. Blackcod pot boats need a higher daily trip limit because they do not catch other fish like the long liners do. 450 lbs. or more would make it feasible to go catch blackcod daily limits and not just once a week because pots need to be left in the ocean to soak for 2 days and need to be fished more than once to be practical.

In any transfer to an IFQ system I believe that the only fair way to do it is to take each tier and give each boat what it brought to the tier with no cross tier transfers. I for one bought my license with the history as a basis of value. Many people sacrificed share to have a tiered system so as to not have a 3 or 5 day derby. Many boats came up in share due to the tier system and this sacrifice by other boats. But this should be looked at as a temporary solution in anticipation of IFQs not a transfer of wealth. I paid \$115,000 for my license with 300,000 lb history with this in mind.

Sincerely,

Paul Meyer

F/V Network

From: "Onno Husing" <onno_husing@class.orednet.org>
To: DFW_DO.GWIA("fma@trawl.org", "leesa@harborside.com")...
Date: Mon, Jul 31, 2000 3:09 PM
Subject: Comments PFMC Strategic Plan

I have some brief initial impressions about the PFMC's Draft Groundfish Fishery Strategic Plan *Transition to Sustainability*. I also attended the Newport meeting on the Draft Plan held last Thursday evening (7/27/00).

I'm pleased to see the PFMC is finally beginning to address the long term issue confronting the West Coast fishing industry. While the document does a good job framing the issues and laying the groundwork for the consideration of some options, I believe the Draft is too conceptual in nature and too weak on implementation. That's to be expected. Like most difficult things, the devil's in the detail. Let's hope the current draft review process flushes out new ideas about implementation and gets more people involved in the process.

The Draft Plan is correct in identifying fleet restructuring as the core issue or central challenge facing West Coast fishermen. I am deeply disappointed, however, that the Draft does not articulate, in much stronger terms, how important it is for the federal government to play a role in providing some financial assistance to restructure or downsize the fishing fleet. Let me explain why.

Throughout the Draft there are tons of references to ITQs and permit stacking (even the suggestion of *mandatory* permit stacking). The drafters of the Draft Plan are obviously drawn to market mechanisms as the primary means to *rationalize* or *restructure* the fishing fleet. That makes a lot of sense. These days, many see markets as the ultimate expression of *truth* or *justice*. And, for many decision makers, letting market forces prevail is a great way to pick winners and losers precisely because they don't have to be explicit about picking the winners and losers. Conveniently for the decision makers, the winners and losers just seem to happen months or years after the system they've established is set into motion.

If market forces are going to be the prime movers of this process, we must get busy running the numbers on the various market-driven scenarios. I fear the amount of fish available for harvest on the West Coast doesn't match up at all with the size of the fleet. Running the numbers will demonstrate that market forces alone cannot restructure the fleet without causing a tremendous amount of unnecessary hardship in coastal communities on the West Coast. A thorough number crunching exercise should reveal approximately how much federal money is needed to get us to a point where market forces can begin to play a constructive and humane role. I can't prove this, but, if 50% or 60% or 70% or 80% of the harvesting capacity for groundfish on the West Coast needs to be removed, I bet the federal government must help remove at least 20% to 30% of the fleet before market mechanisms can kick in and take us the rest of the way. From a public policy perspective, I believe it's the federal government's role and responsibility to help us inch or leap toward that magic percentage mark where market forces can again work. Congress wrote Section 312 into the Magnuson-Stevens Act back in 1996 for those purposes.

Yes, the market can and will ultimately reduce the size of the fleet, even without federal participation. But, at what cost? How much maritime infrastructure will be lost? How many jobs in the fishing industry and associated business will be lost unnecessarily in that brutal chaotic

transition? How many fishing families in rural communities will have to suffer?

At the Newport meeting there was a plenty of discussion about permit stacking. People in the fishing industry asked good questions about how they would raise enough money to buy other people's permits if there's still so much uncertainty about how much fish could be caught. One informed and thoughtful Newport-based fisherman asked, "How am I going to be able to go to my bank and ask for a loan to buy additional permits when there are zero guarantees that the permits will allow me to catch enough fish to pay for the loan?" He continued, "Unless a federal buyback program is part of this, we are just being thrown to the wolves!" Neal Coenen, who chaired the meeting, could only offer in response, "That's something we are going to have to look at". Alas, had the downsizing of the fleet happened earlier (as some in the industry pushed for several years ago), we wouldn't be in a position of needing federal assistance to take a chunk of the harvesting capacity off the table.

At the end of the evening meeting in Newport I commented, "In the Draft the PFMC Ad-Hoc Committee has been passive about saying we need federal assistance to make these market driven scenarios work. The neutral tone of the Draft will really hurt our efforts to get federal assistance!" Not disputing the substance of my remarks, Dr. Hans Radtke, a PFMC member and well known natural resource economist responded, "Well, the PFMC cannot be advocates." Neal Coenen of ODFW also stated, "We (the PFMC) have received legal advice from the NMFS attorney we (the PFMC) cannot do that". Terry Thompson, a commercial fisherman and state representative said, "The New England Fishery Management Council has been heavily engaged in working fishery plans through Congress, why not the PFMC?"

I responded, "No one is asking the PFMC to hop on a plane as a group and bang on Congress's door. What we are asking the PFMC to do is do a good job of running the numbers and laying out the facts. The PFMC must work through these implementation issues right away and demonstrate how and why we need federal assistance to make this work." I closed, "Those of us that are already working with Congress will do the advocacy work. But, the way the Draft Strategic Plan is presently written, it gives a false impression. It does not create a sense of real need or urgency for a federal role in fleet restructuring. Again, the Draft is passive. That flies in the face of the facts and it really hurts our efforts". Neal Coenen promised to take that message back to the PFMC.

Onno Husing
Director, the Oregon Coastal Zone Management Association

Groundfish Strategic Plan – Public Comment Letters

Staff Summary

By September 6, 2000, approximately 50 letters had been received at the Council office. This summary is provided for informational purposes and is not meant as a factual record. The intent of this document is to (1) highlight topics noted in the public comment letters and (2) group comments received into those topic areas. The numbers in bold indicate a comment that was noted in more than one letter. The topics and comments are not ranked or arranged in a hierarchy.

Capacity Reduction

- Minimum landing requirements (MLRs) – reward most damaging operators – **5**
- MLR – may greatly impact smaller operators
- IFQs – bad for small operators, reward bad operators – **6**
- IFQs – good – **3**
- Buy-back – government funded – **12**
- Buy-back – will not work
- Buy-back– industry buys permits, government buys vessels
- Permit stacking – bad – reward large operators w/ cash flow to acquire permit(s) – **6**
- Permit stacking – voluntary – good – **6**
- Permit stacking – mandatory – good
- Permit stacking – mandatory – bad – **2**
- Open access to limited entry – "C" permits – good – **2**
- Open access to limited entry – "C" permits – bad
- "B" permits – good
- "B" permits should be transferable
- "B" permits should not be transferable
- Qualifying requirements for "B" permits in draft plan not good for small operators – won't qualify – **2**
- 50% capacity reduction – not enough
- 50% capacity reduction – too much

- Capacity reduction will have greatest impact on small operators
- Capacity reduction should focus on high impact, high catch gears types – 2
- Maintain diverse fleet

Allocation

- First priority
- Allocation proposal in Plan – good
- Allocate based on historic participation
- Tribal allocation – bad – 2
- Recreational preference, as stated in Plan – bad
- Less emphasis on large operators – allocate resources equally to all participants, not based on catch history (as in Plan) – 2

Incentives / Reward Clean Fishing

- Incentives to modify gear should be used – 4 (e.g., fewer hooks or smaller trawl net = larger allocation)
- Incentives for clean fishing as part of allocation – 2
- Smaller operators fish more cleanly – reward clean fishing
- Allow "A" permittees to use other, "less harmful" gears (e.g., open-access gear)
- Gear performance standards

Management Policy

- Observers needed – 4 (possibly, in concert with industry data collection)
- Observers not needed
- Full retention – 2
- Use weak-stock exception (National Standard guidelines) for mixed-stock fishery – 2
- Do not use weak-stock exception for mixed-stock fishery
- State management of nearshore and shelf species – 3

Area / Species Endorsements

- Area management – e.g., Conception Management Zone – small boat fishery – 2
- Area registration – good idea, especially for smaller operators
- Species endorsements (e.g., rockfish) – good
- Species endorsement– bad
- Species endorsements could harm small operators who land "unspecified" catch
- Geographic endorsements – good
- Geographic endorsement – bad

Habitat

- Protect habitat – incentives to use less harmful gear – 2

Marine Reserves

- Marine Reserves – good – 2
- Marine reserves – bad – 3

Science

- Need good science – w/ increased industry participation – 2
- Need funding for research and science

Recreational

- Commercial Passenger Fishing Vessels needs to be addressed and/or greater oversight – 2
- Recreational boats selling catch needs to be addressed

Funding

- Pursue funding from Congress for (a) buy-back, (b) science
- Add "funding" section – for: observers, surveys, data, permit stacking (loans), vessel/permit buyback, gear modification, tax incentives (for participating in capacity reduction program)

Processors

- Greater consideration of processors
- Processor quota system

General Comments

- Do not adopt Plan– **3**
- Need political will to implement – stay the course once implementation started
- Economic impacts of recreational fishery should be considered
- Raise discard estimates
- Eliminate trawl gear – **6**
- More consideration of community impacts and support industries – **3**
- Year round harvesting should be maintained because of community impacts
- Consideration of other impacts on stocks (i.e., declines due to pollution, predation, etc)
- Lack of public notice, Plan not widely available – need more time to review plan – **4**
- Plan, as written, favors large operators – **3**

PACIFIC FISHERY MANAGEMENT COUNCIL

2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

CHAIRMAN
Jim Lone

EXECUTIVE DIRECTOR
Donald O. McIsaac

Telephone: (503) 326-6352
Fax: (503) 326-6831
www.pcouncil.org

September 13, 2000

DRAFT

Secretary Mineta
<Address>

Dear Secretary Mineta:

The Pacific Fishery Management Council, by unanimous vote, is sending you the enclosed Groundfish Fishery Strategic Plan.

This plan is not a requirement of Congress or the Administration. Rather, it is the Pacific Council's response to the groundfish fishery crisis accelerating along the entire Pacific coast.

The Pacific Council developed the plan in response to fishery declines, which are significant from both biological and economic perspectives. A transition to a sustainable fishery will only be accomplished over an extended period of time while stocks recover. The economic impacts of crisis and decline have already begun and will only grow in the foreseeable future.

The plan proposes a range of very serious, even radical, actions, within current Council authority, to begin to change the fisheries. This is needed because it is apparent *status quo* management will not solve the problems at hand. In addition, a failure to promote dramatic change, the Council believes, would actually result in a harsher and more chaotic future than is necessary.

While the Council is committed to begin immediate implementation of the plan, help from the Administration and Congress will be essential to long-term success of the West Coast fishing industry. In addition to administrative support from NMFS, there is an urgent need for new financial resources, both to the Pacific Council for implementation processes and the industry for transitional purposes.

Reducing the fishing fleet's overcapacity is the central action relating to solving all other issues. As a matter of public policy, the Pacific Council appropriately favors use of market mechanisms to rein in capacity. However, the Council also recognizes that market tools such as "Individual Transferable Quotas" are presently not available based on Congress's moratorium. This needs to be corrected promptly. Another dimension of the same problem is that while market tools may be preferred, we are doubtful they alone can accomplish the job. Rather, a

Secretary Mineta

DRAFT

Page 2

Congressionally funded "buyback" program appears essential to reduce "latent" capacity in particular, and to create the momentum market tools could carry on.

A future sustainable fishery will only exist if the scientific information needed to manage it wisely is in hand. This means both more frequent resource surveys, biological analysis and a meaningful observer program. The costs of such programs must be seen as investments in the future not burdens. For too long we essentially over-exploited and under-invested in the resource. Without an adequate longer term commitment the 1996 goals Congress established in the Magnuson-Stevens Sustainable Fisheries Act will remain out of reach.

<Paragraph on observer program needs?>

Another critical aspect of managing the fishery transition is addressing the social, assistance needs of those displaced and the overcapacity in the processing sector. Clearly, there are predictable and negative consequences in these areas; however, the Council's management authority does not cover these areas. Accordingly, all we can do is earnestly encourage you and Congress to give them your serious attention.

We stand ready to meet with you at your convenience to discuss implementation necessities. Please feel free to contact me or the Executive Director, Dr. Donald McIsaac, at the Pacific Council office.

Sincerely,

DRAFT

Jim Lone
Chair

JL:kla

**PACIFIC FISHERY MANAGEMENT COUNCIL
DRAFT GROUND FISH FISHERY
STRATEGIC PLAN**

“TRANSITION TO SUSTAINABILITY”

EXECUTIVE SUMMARY

[PIC]

Prepared by
**The Ad-Hoc Pacific Groundfish Fishery
Strategic Plan Development Committee**

For
Council Final Adoption

September 2000

STATEMENT OF PURPOSE AND ACKNOWLEDGMENTS

The Ad-Hoc Pacific Groundfish Fishery Strategic Plan Development Committee was formed at the direction of the Pacific Fishery Management Council and tasked with the development of a Draft Groundfish Strategic Plan for review and comment by the full Council, its Advisory Entities and the Public.

The members of the Ad-Hoc Committee were selected from the Council membership or as a Council member's designee.

This draft document was prepared through a consensus decision-making process and is the work-product of all members of the Committee.

The Groundfish Strategic Plan Document is *not* proposed as a Fishery Management Plan amendment. Rather, the purpose of the Groundfish Strategic Plan is to guide the future management of the Groundfish Fishery, including development of Plan amendments, regulations, and other implementation actions as needed.

AD-HOC GROUNDFISH STRATEGIC PLAN COMMITTEE MEMBERS

Robert Alverson, Fishing Vessel Owners Association
Phil Anderson, Washington Department of Fish & Wildlife
Ralph Brown, Commercial Fisherman
Neal Coenen, Oregon Department of Fish & Wildlife
Bob Fletcher, Sportfishing Association of California
Dave Hanson, Committee Chair, Pacific States Marine Fisheries Commission
Bill Robinson, National Marine Fisheries Service
Patty Wolf, California Department of Fish & Game

COUNCIL STAFF, NOAA LEGAL COUNSEL AND FACILITATOR

Don McIsaac/Jim Glock, Pacific Fishery Management Council
Eileen Cooney, NOAA General Counsel's Office
Debra Nudelman, Committee Facilitator, RESOLVE, Inc.

PACIFIC FISHERY MANAGEMENT COUNCIL
DRAFT GROUND FISH FISHERY STRATEGIC PLAN (SEPTEMBER 2000)

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**THE PACIFIC FISHERY MANAGEMENT COUNCIL
PACIFIC GROUNDFISH FISHERY STRATEGIC PLAN**

EXECUTIVE SUMMARY

I. THE STRATEGIC PLAN OVERVIEW – “Where Do We Want To Go?”

A. Context and Need for Strategic Planning in the Groundfish Fishery

The Pacific Fishery Management Council (Council) formed the Groundfish Strategic Planning Committee because it needed an advisory group that could work outside of the hectic Council meetings to craft a long-term vision for the future of groundfish fisheries and groundfish management. Several groundfish stocks are severely depleted and need strong protective management to rebuild. Commercial and recreational discards are not monitored, and those discards have unknown effects on the health of groundfish stocks. There is little information about the effects of fishing and non-fishing activities on groundfish habitat. Scientific efforts to assess the status of groundfish stocks, life histories, and habitat needs have been grossly underfunded.

The groundfish resource is cannot support the number of vessels now catching and landing groundfish. There are over 2,000 licensed West Coast commercial fishers, and many thousands of sport fishers. To bring harvest capacity in line with resource productivity, the number of vessels in most fishery sectors will have to be reduced by at least 50%. Coastal ports have significant shoreside infrastructures to support this once-prosperous industry, such as processing plants, boat yards, machine shops, marine supply stores, motels and restaurants. Fishing fleet overcapitalization has been a major factor in fish stock depletion, and the industry and coastal communities are facing an economic and social crisis.

This strategic plan is intended to provide guidance for groundfish management in 2001 and beyond. It is intended to be a resource for Council efforts to rebuild depleted stocks and maintain healthy stocks. And, it is intended to guide Council efforts to reduce the size of the fishing fleet to a level that is both biologically sustainable for the resource and economically sustainable for the fishing fleet.

The Committee expects that, to be effective, this strategic plan will have to address the difficult issues of: reducing fishing capacity, setting more responsible harvest rates, making allocation decisions, meeting scientific needs, protecting habitat, and improving the Council management processes. This planning work will take place during a time when fishery restrictions will be used to rebuild overfished stocks. These conditions provide the clearest evidence of the need for a longer-term vision and road map for the future of groundfish management.

The strategic plan document will:

- Recommends new management goals and objectives;
- Initiates new groundfish plan amendments for the 2001 management cycle;
- Outlines detailed actions for Council work plans and a schedule of priorities for the next 3-5 years; and
- Develops specific recommendations for other entities to address that will complement the Council's needed management changes; such recommendations may propose changes in law, calls for budget support, and expectations for improving coordination between industry, government and educational institutions.

B. Vision For The Future Of The Groundfish Fishery

The Strategic Plan's vision for the future of the groundfish fishery assumes that the Plan's recommended actions are fully implemented with passage of sufficient time for the anticipated benefits to have been fully realized. The Plan's drafters recognize that the transition to this future will require major changes in the structure and operation of the fishery, which will certainly have short-term adverse effects on current participants. The plan envisions that fishery management decisions are based on sound scientific data and analysis and an open and fair Council process.

1. The Fishery

We envision a future where Pacific groundfish stocks will be healthy, resilient, and where substantial progress has been made rebuilding overfished stocks. Harvest policies will result in total fishery removals that are consistent with the long-term sustainability of the resource. The fishing industry will be substantially reduced in numbers and harvest capacity will be reduced to a level that is in balance with the economic value of the available resource. Those remaining in the fishery will operate in an environment that is diverse, stable, market-driven, profitable, and adaptive over a range of ocean conditions and stock sizes.

Unlimited or open access to the groundfish fishery will no longer exist because current open access participants will be brought into the limited entry program and the number of participants reduced to those who are most dependent on and committed to the fishery.

Whenever possible, management approaches will create incentives for fishers to operate in ways that are consistent with management goals and objectives.

Allocation disputes will be resolved and all harvest sectors will believe they were treated fairly, including those non-groundfish fisheries where groundfish is an unavoidable incidental catch. Discarded bycatch by all gear groups will be minimal and quantified.

Fishery regulations will be less complex and more easily enforced. Council management may be simplified by removing some species from the FMP through delegation or deferral to state management.

Essential groundfish habitat will be adequately protected and adverse effects from all groundfish fishing gears will be reduced to minimal levels. Marine reserves, or no take zones, will provide a base level of protection as an insurance policy to reduce the risks of uncertain science and long stock rebuilding periods.

The improved operating conditions and profitability for those remaining in the fishery will allow participants to accept responsibility for a portion of the cost of effective science and management, including an at-sea observer program, that is commensurate with the level of benefits associated with exclusive access to the fishery.

Finally, the Council will have full access to all fishery management tools and will use them to provide protection for and reasonable access to groundfish stocks.

2. The Science

The basis for future management of the groundfish fishery relies to a very large degree on the availability of good science. West Coast groundfish science will meet national and international standards, be accepted as credible and will be understood by the all stakeholders. Scientific data collection will be a collaborative process involving partnerships between federal, state and tribal agencies, the fishing industry, and academia, and may include contributions from private foundations.

Data collection and monitoring programs will provide stock assessments with acceptable levels of uncertainty for use by the Council's scientific, management and advisory committees. Scientific data collected from the fishery will provide the capability to accurately assess the effects of current and potential fishery management measures on groundfish stocks and fishery participants. Finally, scientific tools will have been developed to provide stock assessments throughout the distribution of the various groundfish stocks geographic ranges incorporating the variability and effects of ocean regime shifts.

3. The Council

Future Council activities will be characterized as open to all stakeholders, inclusive of all views, credible and interactive. Council actions will be documented and easily understood and developed with meaningful involvement by the public, including environmental, commercial and recreational representatives. Council decisions will be documented with readily available explanation and analysis of the underlying biological and socio-economic

considerations. Council advisory entities will work together to contribute advice and expertise that results in recommendations that are accepted by stakeholders. Regulations development will be simplified and streamlined. Regulations will be generally stable over multi-year periods, but there will be flexibility to respond quickly when changes are needed.

Consequences of Inaction

There is another vision from that presented above. The Council could continue attempting to manage an overcapitalized fleet in the face of declining resource abundance and the necessity to meet stock rebuilding requirements. This will most certainly result in shorter fishing seasons, smaller trip limits, higher discard rates, and the continuous inability to accurately account for fishery-related mortalities. Many fishers will not be able to meet their basic financial responsibilities and will be forced from the fishery by a feeling of futility or bankruptcy. The Council and participating agencies will be overwhelmed by the need to implement short term fixes to long term problems with little or no chance to focus on the underlying problems of the fishery or to develop a long term management strategy.

To avoid this other vision of the future, the Council will have to act swiftly and soon. The Council has a choice in charting the future of the groundfish fishery. Decisions that the Council makes now will have profound effects for years to come.

II. The Strategic Plan “What Will We Do To Get There?”

A. Groundfish Fishery Management

1. OVERALL FISHERY MANAGEMENT CONCERNS

Strategic Plan Goal For Management Policies: *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 Policies Recommendations

These recommendations assume that the objective of maintaining year-round harvesting and processing opportunity remains the Council's highest social and economic priority. In that case, it is imperative that Recommendation 1 for capacity reduction be implemented as rapidly as possible. If substantial harvest capacity reductions are not possible or are delayed, the Council must consider several of the alternative strategies for restructuring the fishery to restrict access by some portion of the fishing fleet for major periods.

In the event that none of the recommended measures or alternatives are viable or effective, the Council may have to shorten the annual fishing season. The Strategic Planning

Committee cannot emphasize strongly enough the need for some level of observer coverage to evaluate the effectiveness of different management strategies.

1. Develop an implementation plan to reduce overcapacity initially by at least 50% in each sector. However, the capacity reduction goal will not be fully realized until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly. The implementation plan should take into account the need to implement other Plan recommendations (i.e allocations, nearshore rockfish delegation) prior to or at the same time as capacity reduction. Reducing capacity will relieve the need to adopt management policies that are both inefficient and ineffective at achieving the FMP's goals and objectives. By better matching fleet capacity to resource availability, the regulatory structure will become more stable, resulting in regulations that are more enforceable.
2. Explore the use of higher landing limits or other incentives to encourage fisherman to fish with bycatch friendly fishing gear or to fish in areas where bycatch is less likely.
3. Make the necessary allocation decisions so that fishery participants in each sector can plan on a specific share of future OY's. Allocations may be outright percentages or a framework with criteria that specify how the allocation changes as resource availability changes.
4. Consider delegating or deferring nearshore rockfish and other groundfish species, such as scorpionfish, greenling and cabezon, to the States.
5. All commercial fisheries should be limited through state and/or federal license or permit programs.

2. HARVEST POLICIES

Strategic Plan Goal for Harvest Policies: *To establish an allowable level of catch that prevents overfishing while achieving optimum yield based on best available science.*

Harvest Policies Recommendations

1. In consideration of the uncertainties in the estimation of ABCs, set optimum yields (OYs) lower than the ABC, manage the fishery to a fixed OY(s), and close the fisheries when the OY is reached.
2. Harvest levels must be increasingly precautionary when less biological

information is available, and particularly if monitoring programs fail to provide reliable estimates of total fishery-related mortality. Consider a hierarchical approach, where increased levels of conservatism would be required based on the specific quantity and quality of biological and fisheries information that is available.

3. For unassessed stocks, set precautionary harvest levels based on simple parameters such as a fixed proportion of the mean catch or survey abundance, or as a function of the lowest rate allowed for an assessed stock.

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. In setting the OYs, determine whether benefit/cost considerations might justify overfishing a particular weak stock under the mixed-stock exception in the National Standard Guidelines. Do not knowingly allow harvest rates that drive the stock below the level defined in the FMP as "overfished" or to a condition warranting listing under the ESA.

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.

3. CAPACITY REDUCTION

Strategic Plan Goal for Capacity Reduction: *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. This reduced capacity should lead to more effective management for many other fishery problems. For the short term, adjust harvest capacity to a level consistent with the allowable harvest levels for the 2000 fishing year, under the assumption that stock rebuilding will require reduced harvests for at least the next two decades. Maintaining a year-round fishery may not be a short-term priority.*

Capacity Reduction Recommendations

The highest priority for reducing overcapacity is Recommendation #1 from the Management Policy section. That recommendation is to develop an implementation plan to reduce overcapacity initially by at least 50% in each sector. As noted earlier, the capacity reduction goal will not be fully realized until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly. In designing capacity reduction, the Council should consider fleet structure, profile, and diversity, with a goal of maintaining a mix of small and large vessels.

The capacity reduction plan should take into account the need to implement other strategic plan recommendations (i.e allocations, nearshore rockfish delegation) prior to or at the same time as capacity reduction. Reducing capacity will relieve the need to adopt management policies that are both inefficient and ineffective at achieving the FMP's goals and objectives. By better matching fleet capacity to resource availability, the regulatory structure will become more stable, resulting in regulations that are more enforceable.

These capacity reduction recommendations include both the short and long-term and transitional elements discussed below, such as license-limitation (for the targeted open access fishery), permit stacking, and IFQs either individually or in combination with a vessel buyback program.

Short to Intermediate Term

1. Separate the current open access fishery into a sector that directly targets groundfish and a sector that lands groundfish as bycatch in non-groundfish fisheries. Require current open access vessels that directly target groundfish to obtain a federal limited entry permit (B permit) based on historical landings and current participation. Minimum landing requirements for a federal permit should reflect significant dependence on the fishery. Consider developing and implementing a voluntary permit stacking program for the B permit. Require a federal permit (C permit) to land groundfish taken incidentally in non-groundfish fisheries.
2. Divide the current open access allocation into separate allocations for the "B" and "C" permit holders and manage each sector to stay within its allocation each year.
3. Consider using historical landings only from 1994-1999 and recent participation from either 1998 or 1999 for initially qualifying B permit holders.
4. For the limited entry fixed gear fishery, immediately develop and implement a voluntary permit stacking program with the intent of transitioning to an IFQ program to provide for a multiple month season. The Permit Stacking allowance should be implemented prior to the 2001 regular sablefish season. Stacked permits should **NOT** allow increased access to the daily sablefish trip limit. Simultaneously, develop an IFQ system for fixed-gear sablefish for implementation in 2002. If Congress continues to prohibit IFQ programs, consider making the permit-stacking program mandatory.
5. For the limited entry trawl fleet, immediately develop and implement a voluntary permit-stacking program that links each permit with a cumulative period landing limit with the intent to transition to an IFQ program. The first, or base permit should be entitled to a full period landing limit, while each stacked permit should entitle the

vessel to additional landing limits on a discounted basis as one alternative. Another alternative is to have the full period landing limit the same for all permits. If Congress continues to prohibit IFQ programs, consider making the permit-stacking program mandatory.

6. To prevent future overcapacity in the whiting fishery, 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. Qualification for a whiting endorsement should be based on a permit's whiting landings since 1994 when the current limited entry program began. Consider setting a threshold quantity of whiting above which a whiting endorsement is required for a landing. Individual landings below the threshold would not require an endorsement.

7. Pursue a buyback program to remove latent capacity.

Intermediate to Long Term

8. Develop of 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. Qualifying criteria would be based on historical landings and recent participation.

10. Consider access limitation for commercial passenger fishing vessels. (This program may be better managed by the states.)

4. ALLOCATION OF GROUND FISH RESOURCES

Strategic Plan Goal for Allocation: *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 (no sector will be held harmless). The fair and equitable standard will be applied to all allocation decisions but is not interpreted to mean exactly proportional impacts or benefits.

2. Non-groundfish fisheries that take groundfish incidentally should receive only the minimal groundfish allocations needed to efficiently harvest their target (non-groundfish) species. To determine the amount of allocation required, identify the economic values and benefits associated with the non-groundfish species. Directed fishery harvest of some groundfish may need to be restricted to incidental levels to maintain the non-groundfish fishery. Consider gear modification in the non-groundfish fishery to minimize its incidental harvest.
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. Allocations should attempt to avoid concentration and assure reasonable access to nearby resources. Consider the diversity of local and regional fisheries, community dependency on marine resources and processing capacity, and infrastructure in allocation decisions.
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 (crab and shrimp).
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. In such cases, the Council should ask the affected parties to U.S. v. Washington to convene and develop an allocation recommendation.

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.

5. OBSERVER PROGRAM FOR QUANTIFYING, BYCATCH, TOTAL CATCH, AND TOTAL FISHERY-RELATED MORTALITY

Strategic Plan Goal for an Observer Program: *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 groundfish observer program, with determination of total groundfish catch and mortality as the first priority, consistent with established Council priorities.
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. Even with limited funding, both trawl and non-trawl fleets should have some meaningful, but not necessarily the same, level of observer coverage. Determine which harvesting sector(s) will receive the initial observers.
4. Consider alternative monitoring approaches that augment an observer program, including logbooks and video.
5. When an effective observer program has been established, a full retention strategy

may be considered to reduce discard and improve biological information collection.

6. As a secondary priority, an observer program should collect additional data for stock assessments. For example, the North Pacific Council requires its observers to dedicate a small portion of the working day to taking otoliths and length measurements, in order to supplement information on the age and size distribution of particular species.

6. MARINE RESERVES AS A GROUND FISH MANAGEMENT TOOL

Strategic Plan Goal for Marine Reserves: *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 for Pacific groundfish and proceed with implementation, as appropriate.
2. Identify the specific objectives that marine reserves are expected to meet.
3. Develop siting and design criteria, including the size of the reserve, that will meet specified marine reserve objectives. Analyze options for establishing reserves that include nearshore, shelf, and slope habitat.
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.

7. PACIFIC GROUND FISH HABITAT

Strategic Plan Goal for Pacific Groundfish Habitat

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

Pacific 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. Review and revise gear performance standards for hook and line, pot, set gillnet, and trawl to increase gear selectivity and/or decrease ghost fishing by lost gear.
3. Promote scientific research on the effects of fishing gear on various habitats.
4. Promote research to modify existing gear and practices to provide practical, economically viable alternatives to fishing gear that adversely affects habitats.

B. SCIENCE, DATA COLLECTION, MONITORING AND ANALYSIS

Strategic Plan Goal for Science, Data Collection, Monitoring and Analysis: *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 partnerships between state, federal, private foundations, and other private entities to collect and analyze the scientific data needed to manage groundfish.
3. Promote improved mutual understanding, communication and credibility between the fishing industry and scientists through increased communication and collaboration, including at-sea ride-alongs.
4. Develop methods for incorporating fisher observations into stock assessment and monitoring programs, including employing commercial fishing vessels to conduct cooperative resource surveys and to collect other scientific data.
5. Implement the Council’s draft West Coast Fisheries Economic Data Plan.
6. Ensure that economists and social scientists are adequately included on Council plan teams and ad hoc committees where appropriate, to ensure that all dimensions of management issues, options, and solutions are well reflected in their input to the

Council.

7. Hold an annual or bi-annual meeting of U.S./Canada and/or U.S./Mexico stock assessment scientists to plan upcoming (preferably joint) assessments of transboundary stocks. The U.S./Canada portion of this recommendation could be conducted under the umbrella of the existing U.S./Canada Groundfish Technical Subcommittee.
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 multi-year research and data collection/analysis plan for west coast groundfish.
10. Direct scientific efforts to measure the changes in groundfish 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.

C. COUNCIL PROCESS AND EFFECTIVE PUBLIC INVOLVEMENT DURING AND BEYOND THE TRANSITION

Strategic Plan Goals for Council Process

- *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 so the Council can suggest creative solutions to Congress and NMFS during the Magnuson-Stevens Act reauthorization process.
2. Establish a performance evaluation committee to periodically and critically review progress made towards Council goals and objectives. The committee should also analyze improvements needed in Council procedures to maintain efficiency.

3. Update goals and objectives in the FMP to incorporate the strategic plan's vision and goals. These updated goals and objectives should: (a) be measurable, (b) have minimal conflicts, and (c) be clearly prioritized wherever possible.
4. Continue to routinely update its mailing lists and ensure that they contain commercial and recreational fishing associations, conservation and environmental groups, commercial licensed fishers for groundfish and other fishery species, local port offices, media contacts, and community-based organizations.
5. More effectively use newsletters, web page displays, public forums, 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, highlighting key issues.
7. Sponsor workshops to explain the Council process, its role and responsibility relative to fishery management, the roles of its committees and advisory entities, and the various opportunities for public involvement. Workshops should be held by the Council and state agencies in local port communities.

III. "HOW WILL WE MEASURE SUCCESS?" IMPLEMENTING AND UPDATING THE STRATEGIC PLAN

A. PROPOSED IMPLEMENTATION PROCESS

A Recommended Approach for Implementing the Groundfish Strategic Plan Document

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 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. The Implementation Committee works at direction of the Council and is tasked with making recommendations regarding implementation of the strategic plan.
4. The Implementation 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.

5. At the direction of the Council, the Implementation Committee will develop recommended schedules for carrying out all components of the strategic plan.

6. The Implementation 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 “mini-team” approach, e.g. “capacity implementation plan mini-teams” to 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 Committee, with a charge to develop a plan and product by “x” date. The Implementation Committee considers the work of the mini-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.

B. MEASURING SUCCESS

Options for Updating the Groundfish Strategic Plan Document

A good strategic plan is rigid enough to have clearly-stated, expected results but also flexible enough to modify when evaluation indicates change is necessary. The Council wishes to maximize the value of the time, energy and money invested in its strategic plan by regularly evaluating the plan's effectiveness and initiating changes as deemed necessary to enhance success. The Council also recognizes that periodic review provides plan continuity for Council members and staff, and promotes public awareness.

Updating The Strategic Plan Recommendation

The Council should schedule a routine review every five years (Option b3). 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 (Option c1).

**PACIFIC FISHERY MANAGEMENT COUNCIL
DRAFT GROUND FISH FISHERY
STRATEGIC PLAN**

“TRANSITION TO SUSTAINABILITY”

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Prepared by
**The Ad-Hoc Pacific Groundfish Fishery
Strategic Plan Development Committee**

For
Council Final Adoption

September 2000

STATEMENT OF PURPOSE AND ACKNOWLEDGMENTS

The Ad-Hoc Pacific Groundfish Fishery Strategic Plan Development Committee was formed at the direction of the Pacific Fishery Management Council and tasked with the development of a Draft Groundfish Strategic Plan for review and comment by the full Council, its Advisory Entities and the Public.

The members of the Ad-Hoc Committee were selected from the Council membership or as a Council member's designee.

This draft document was prepared through a consensus decision-making process and is the work-product of all members of the Committee.

The Groundfish Strategic Plan Document is *not* proposed as a Fishery Management Plan amendment. Rather, the purpose of the Groundfish Strategic Plan is to guide the future management of the Groundfish Fishery, including development of Plan amendments, regulations, and other implementation actions as needed.

AD-HOC GROUNDFISH STRATEGIC PLAN COMMITTEE MEMBERS

Robert Alverson, Fishing Vessel Owners Association
Phil Anderson, Washington Department of Fish & Wildlife
Ralph Brown, Commercial Fisherman
Neal Coenen, Oregon Department of Fish & Wildlife
Bob Fletcher, Sportfishing Association of California
Dave Hanson, Committee Chair, Pacific States Marine Fisheries Commission
Bill Robinson, National Marine Fisheries Service
Patty Wolf, California Department of Fish & Game

COUNCIL STAFF, NOAA LEGAL COUNSEL AND FACILITATOR

Don McIsaac/Jim Glock, Pacific Fishery Management Council
Eileen Cooney, NOAA General Counsel's Office
Debra Nudelman, Committee Facilitator, RESOLVE, Inc.

PACIFIC FISHERY MANAGEMENT COUNCIL
DRAFT GROUND FISH FISHERY STRATEGIC PLAN (SEPTEMBER 2000)

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SECTION I

THE GROUNDFISH STRATEGIC PLAN

“WHERE DO WE WANT TO GO?”
THE STRATEGIC PLAN OVERVIEW

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CONTEXT AND NEED FOR
GROUNDFISH STRATEGIC PLANNING

VISION FOR THE GROUNDFISH FISHERY

THE PACIFIC FISHERY MANAGEMENT COUNCIL

PACIFIC GROUND FISH FISHERY STRATEGIC PLAN

I. THE STRATEGIC PLAN OVERVIEW – “WHERE DO WE WANT TO GO?”

A. CONTEXT AND NEED FOR STRATEGIC PLANNING IN THE GROUND FISH FISHERY

The Pacific Fishery Management Council (Council) formed the Groundfish Strategic Planning Committee because it needed an advisory group that could work outside of the hectic Council meetings to craft a long-term vision for the future of groundfish fisheries and groundfish management. Several groundfish stocks are severely depleted and need strong protective management to rebuild. Commercial and recreational discards are not monitored, and those discards have unknown effects on the health of groundfish stocks. There is little information about the effects of fishing and non-fishing activities on groundfish habitat. Scientific efforts to assess the status of groundfish stocks, life histories, and habitat needs have been grossly underfunded.

The groundfish resource is cannot support the number of vessels now catching and landing groundfish. There are over 2,000 licensed West Coast commercial fishers, and many thousands of sport fishers. To bring harvest capacity in line with resource productivity, the number of vessels in most fishery sectors will have to be reduced by at least 50%. Coastal ports have significant shoreside infrastructures to support this once-prosperous industry, such as processing plants, boat yards, machine shops, marine supply stores, motels and restaurants. Fishing fleet overcapitalization has been a major factor in fish stock depletion, and the industry and coastal communities are facing an economic and social crisis.

This strategic plan is intended to provide guidance for groundfish management in 2001 and beyond. It is intended to be a resource for Council efforts to rebuild depleted stocks and maintain healthy stocks. And, it is intended to guide Council efforts to reduce the size of the fishing fleet to a level that is both biologically sustainable for the resource and economically sustainable for the fishing fleet.

1. Fishery Overview

The Pacific coast groundfish fishery is very complex. There are 82 different species managed under the fishery management plan (FMP), and these stocks support a wide range of commercial and sport fishing interests. Commercial fisheries are divided into three primary sectors (limited entry trawl, limited entry fixed gear, open access), and each of the three coastal states has different interests within each sector. The intensity of the sport fisheries varies by port along the coast and differs regionally according to the species mixes that they catch.

Groundfish are harvested in multi-species complexes, meaning that several different groundfish species may be caught together at the same time. Commercial groundfish fishing vessels use a variety of gear types and fishing strategies. For example, pot gear is used to target sablefish, and hook-and-line gear to target sablefish, rockfish and lingcod. Various types of trawl gear are used to target particular species mixes: bottom trawl for deepwater slope species, such as Dover sole, thornyheads, sablefish and arrowtooth flounder; roller trawl for bottom rockfishes; mud gear for nearshore mixed flatfishes; and midwater trawl for widow rockfish and Pacific whiting. Non-whiting groundfish is usually harvested by catcher boats delivering to shoreside processing plants. Whiting is harvested by catcher boats delivering to mothership processors and to shore-based processors, and by catcher-processors. Groundfish are also harvested incidentally in non-groundfish fisheries, most notably the trawl fisheries for pink shrimp, spot/ridgeback prawns, California halibut and sea cucumber.

Groundfish are also harvested by marine sport anglers fishing from docks and piers, beaches, and private or charter boats. Commercial passenger fishing vessels and private boats take the majority of the recreational harvest, consisting mainly of nearshore rockfish species and lingcod. Recreational fisheries participation is strongest in California.

In addition to these non-tribal fisheries, members of the Makah, Quileute, Hoh, and Quinault tribes participate in commercial, as well as ceremonial and subsistence fisheries for groundfish off the Washington coast. Participants in tribal commercial fisheries use similar gear and fishing strategies to those of non-tribal fishers operating off Washington. Tribal commercial groundfish fisheries focus on sablefish, lingcod, and rockfish, and the Makah Tribe has been participating in the whiting fishery since 1996.

2. Trends in the West Coast Commercial Groundfish Fishery

During the late 1970s and early 1980s, West Coast groundfish landings increased rapidly, reaching about 116,000 metric tons (mt) in 1982. For the next few years, landings remained around 90,000 to 100,000 mt annually, supported by large rockfish and flatfish catches. At that time, the government was encouraging expansion of the U.S. commercial fishing industry through loan guarantees and other programs. The nation's foremost fishery legislation, the 1976 Fishery Conservation and Management Act set goals to build a U.S. fishing industry that would quickly move foreign fleets out of American waters, and to increase American fish processing capacity to handle all of the fish caught by American boats. During the late 1970s and early 1980s, recreational fisheries were shifting some of their effort away from dwindling salmon resources towards abundant nearshore rockfish and lingcod resources.

Between 1983 and 1999, West Coast commercial shoreside ex-vessel revenues from landings of groundfish decreased by 47% from \$100.2 million to \$52.9 million (in 1999

dollars). This revenue decline occurred in spite of a concurrent 12% increase in aggregate commercial shoreside groundfish landings from 108,500 mt to 121,500 mt. The decline was particularly severe for *Sebastes* rockfish and flatfish, which annually accounted for 50%-60% of non-whiting groundfish revenues. Between 1983-1999, *Sebastes* landings fell by 78% and *Sebastes* revenues by 69%; flatfish landings fell by 41% and flatfish revenues by 73%.

3. Reducing Cumulative Landing Limits

The Pacific Fishery Management Council has a long-standing goal to maintain fishing opportunities twelve months a year. To accomplish this, each vessel is limited to landing specified poundages during different periods, called cumulative landing limits. Annual harvest quotas (optimum yield, or OY) have declined significantly in recent years due to declining stocks and new Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requirements to prevent overfishing and to rebuild overfished stocks. Groundfish fishers have also improved their vessels over time to fish ever more efficiently.

The Council has had to reduce harvest to meet Magnuson-Stevens Act requirements and slow down the rate of landings so as to not exceed overall OYs. Between lower groundfish stock sizes, more precautionary management, and a more efficient fishing fleet, individual vessel limits have declined by a proportionately greater amount than the annual harvest limits. For example, for rockfish in the northern area, landing limits in the limited entry fishery have been reduced from 120,000 pounds per month in the mid-1980s to 13,000 pounds per month in 2000. For *Sebastes* in the southern region, vessel limits that were 100,000 pounds in the early 1990s are now 22,000 pounds for 2000.

Limits for the Dover sole, thornyheads and trawl-caught sablefish (DTS) complex have been reduced from 110,000 pounds per month in the early 1990s to 27,000 pounds for 2000. The limited entry fixed gear sablefish season, which was year-round in the early 1980s, has been reduced to 6-9 days in recent years. This fishery (with its regular and mop-up components and its three-tiered structure) has also become more complex to administer.

In the open access fishery, monthly-equivalent *Sebastes* limits have fallen from 35,000-40,000 pounds during 1994-1998 to about 5,000 pounds during 1999-2000. Recreational fishing opportunities have also been reduced throughout the coast, with both season closures and reduced bag limits for important species.

4. Overcapitalization and Its Effects on the Fishery

In response to shrinking profits and declining harvest levels, the Council implemented a limited entry program for the commercial groundfish fishery in 1994. Most people would

argue this program did not go far enough and that too many vessels were granted permits. Of the vessels that initially qualified for a limited entry permit, 245 held fixed gear endorsements and 384 held trawl endorsements. Currently, the limited entry fleet includes 236 fixed gear endorsements, 264 trawl endorsements held by catcher boats, and 10 trawl endorsements held by trawl catcher-processor vessels. No trawl catcher-processors qualified for the initial issuance of limited entry permits, so they had to buy permits from groundfish catcher vessels in order to participate in the whiting fishery after 1993. Because each permit has a vessel length endorsement, and catcher processors are much larger than traditional trawl vessels, each catcher-processor had to buy and combine several permits to participate in the fishery. The reduction in the number of trawl permits due to the catcher-processor buy-up has been the only significant change in the groundfish fleet configuration since the 1994 inception of limited entry.

Potential harvest capacity includes both unused (or "latent") and in-use capacity. Although limited entry has likely had the effect of "freezing" potential harvest capacity at its 1994 level, the low eligibility requirements for limited entry assured that even vessels with marginal involvement in the fishery were eligible for a permit. As a result, a significant proportion of the harvest capacity initially admitted into the limited entry program consisted of latent capacity. Many of these permits were later transferred to vessels that now actively participate in the fishery, leading to the overcapitalization that has been exacerbated by the acute harvest restrictions of recent years.

Current capital utilization rates are quite low for all sectors of the commercial groundfish fishery. Analysts estimate that 9% of the limited entry fixed gear vessels could harvest all of their sablefish allocation and 12% of the vessels could harvest the non-sablefish components of the fishery. For the trawl fishery, only about 27%-41% of the current fishing capacity is needed to catch and deliver the shore side harvest, and 6%-13% of the open access vessels could take that groundfish allocation.

5. Biological and Regulatory Factors Affecting the Fishery

The decline in non-whiting groundfish landings experienced in the early 1990s has accelerated in recent years, as increasingly restrictive management measures have been adopted in response to new scientific information and new statutory requirements. In 1998, the Council adopted a lower harvest rate for rockfish on the basis of scientific information suggesting those stocks are less productive than previously believed. In 1999, in order to comply with provisions of the Sustainable Fisheries Act (SFA), the Council adopted a default harvest rate policy that set stringent rebuilding requirements for "overfished" stocks.

Formal rebuilding plans were initiated in 2000 for lingcod, bocaccio and Pacific ocean perch, and will be initiated in 2001 for canary rockfish and cowcod; additional species may be declared overfished in the near future. In 2000, the Council reduced the harvest rates for

shortspine thornyhead and for widow rockfish, based on new scientific evidence that previous harvest policies for these species had been too liberal given stock productivity. The Council has reviewed new scientific information that indicates productivity of West Coast groundfish is unusually low relative to other groundfish stocks worldwide, which suggests that harvest rates should be further reduced. Declining abundance trends observed for many West Coast groundfish stocks indicate that historic harvest rates have been too aggressive. Adoption of lower harvest rates would result in further landing and revenue reductions.

Some of this low productivity, at least in recent years, may be because of changing ocean conditions. Around 1976, there was a change in the temperature of the Pacific Ocean; scientists refer to this change as a regime shift. Ocean temperatures increased and, on average, have remained warmer since 1976. This temperature shift affected ocean biological productivity, reducing food supplies and causing some species to migrate to new areas. Tropical and subtropical species, such as marlin, appeared off Washington and Oregon, where they had not been observed before. A series of strong El Niños (short-term climate shifts) occurred along the West Coast. Washington and Oregon salmon stocks began a long decline. Plankton abundances changed, sometimes declining to very low levels.

However, there is growing evidence that the ocean may be shifting back to a cooler condition. If this proves true, it is likely that reproduction of many important groundfish species could respond favorably and the population declines may be halted. However, due to the depressed status of many groundfish stocks, the long periods required to rebuild overfished stocks, and the possibility of further OY reductions in the near future, allowable non-whiting harvests are likely to remain restricted for many years to come.

6. Need for Groundfish Strategic Planning

The economic hardship and uncertainty experienced by the industry is intensifying competition among fishery sectors for access to the resource. Individual fishers, communities and competing groups have become more polarized and information needs have increased. Protecting groundfish stocks while ensuring that the burden of conservation measures is distributed equitably among sectors of the fishery is becoming increasingly difficult. Even if groundfish OYs were to increase significantly (an unlikely scenario), latent capacity would likely enter the fishery at any sign of improved fishing opportunities. The current problems associated with low landings limits, short seasons, and complex regulations will not go away unless latent capacity is permanently removed from the fishery.

The Council has responded to these problems by trying to deal with individual issues on an ad-hoc basis. This short-term approach has essentially become crisis management.

Participants in the West Coast Groundfish fishery are aware of the wide range of difficulties in the fisheries and their management. Traditional target stock resources have declined,

competition for limited resources has increased, and information and management needs have grown. Future goals and directions have been questioned and become uncertain. Recent changes to the national standards for fishery management have created new management requirements for the Council.

For these reasons, the Council decided to start a strategic planning process to look beyond the short term and crisis management approach to setting seasons and catch limits and created an Ad-Hoc Pacific Groundfish Fishery Strategic Plan Development Committee. The Committee has developed a strategic plan that addresses future fishery conditions and recommends new management actions.

The Committee expects that, to be effective, this strategic plan will have to address the difficult issues of: reducing fishing capacity, setting more responsible harvest rates, making allocation decisions, meeting scientific needs, protecting habitat, and improving the Council management processes. This planning work will take place during a time when fishery restrictions will be used to rebuild overfished stocks. These conditions provide the clearest evidence of the need for a longer-term vision and road map for the future of groundfish management.

The Committee designed a process and schedule to get key information, identify specific problems and develop a range of solutions. The Committee has developed a draft strategic plan document for Council and public review that:

- Recommends new management goals and objectives;
- Initiates new groundfish plan amendments for the 2001 management cycle;
- Outlines detailed actions for Council work plans and a schedule of priorities for the next 3-5 years; and
- Develops specific recommendations for other entities to address that will complement the Council's needed management changes; such recommendations may propose changes in law, calls for budget support, and expectations for improving coordination between industry, government and educational institutions.

B. VISION FOR THE FUTURE OF THE GROUND FISH FISHERY

The Strategic Plan's vision for the future of the groundfish fishery assumes that the Plan's recommended actions are fully implemented with passage of sufficient time for the anticipated benefits to have been fully realized. The Plan's drafters recognize that the transition to this future will require major changes in the structure and operation of the fishery, which will certainly have short-term adverse effects on current participants. The plan envisions that fishery management decisions are based on sound scientific data and analysis and an open and fair Council process.

1. The Fishery

We envision a future where Pacific groundfish stocks will be healthy, resilient, and where substantial progress has been made rebuilding overfished stocks. Harvest policies will result in total fishery removals that are consistent with the long-term sustainability of the resource. The fishing industry will be substantially reduced in numbers and harvest capacity will be reduced to a level that is in balance with the economic value of the available resource. Those remaining in the fishery will operate in an environment that is diverse, stable, market-driven, profitable, and adaptive over a range of ocean conditions and stock sizes.

Unlimited or open access to the groundfish fishery will no longer exist because current open access participants will be brought into the limited entry program and the number of participants reduced to those who are most dependent on and committed to the fishery.

Whenever possible, management approaches will create incentives for fishers to operate in ways that are consistent with management goals and objectives.

Allocation disputes will be resolved and all harvest sectors will believe they were treated fairly, including those non-groundfish fisheries where groundfish is an unavoidable incidental catch. Discarded bycatch by all gear groups will be minimal and quantified.

Fishery regulations will be less complex and more easily enforced. Council management may be simplified by removing some species from the FMP through delegation or deferral to state management.

Essential groundfish habitat will be adequately protected and adverse effects from all groundfish fishing gears will be reduced to minimal levels. Marine reserves, or no take zones, will provide a base level of protection as an insurance policy to reduce the risks of uncertain science and long stock rebuilding periods.

The improved operating conditions and profitability for those remaining in the fishery will allow participants to accept responsibility for a portion of the cost of effective science and management, including an at-sea observer program, that is commensurate with the level of benefits associated with exclusive access to the fishery.

Finally, the Council will have full access to all fishery management tools and will use them to provide protection for and reasonable access to groundfish stocks.

2. The Science

The basis for future management of the groundfish fishery relies to a very large degree on the availability of good science. West Coast groundfish science will meet national and

international standards, be accepted as credible and will be understood by the all stakeholders. Scientific data collection will be a collaborative process involving partnerships between federal, state and tribal agencies, the fishing industry, and academia, and may include contributions from private foundations.

Data collection and monitoring programs will provide stock assessments with acceptable levels of uncertainty for use by the Council's scientific, management and advisory committees. Scientific data collected from the fishery will provide the capability to accurately assess the effects of current and potential fishery management measures on groundfish stocks and fishery participants. Finally, scientific tools will have been developed to provide stock assessments throughout the distribution of the various groundfish stocks geographic ranges incorporating the variability and effects of ocean regime shifts.

3. The Council

Future Council activities will be characterized as open to all stakeholders, inclusive of all views, credible and interactive. Council actions will be documented and easily understood and developed with meaningful involvement by the public, including environmental, commercial and recreational representatives. Council decisions will be documented with readily available explanation and analysis of the underlying biological and socio-economic considerations. Council advisory entities will work together to contribute advice and expertise that results in recommendations that are accepted by stakeholders. Regulations development will be simplified and streamlined. Regulations will be generally stable over multi-year periods, but there will be flexibility to respond quickly when changes are needed.

CONSEQUENCES OF INACTION

There is another vision from that presented above. The Council could continue attempting to manage an overcapitalized fleet in the face of declining resource abundance and the necessity to meet stock rebuilding requirements. This will most certainly result in shorter fishing seasons, smaller trip limits, higher discard rates, and the continuous inability to accurately account for fishery-related mortalities. Many fishers will not be able to meet their basic financial responsibilities and will be forced from the fishery by a feeling of futility or bankruptcy. The Council and participating agencies will be overwhelmed by the need to implement short term fixes to long term problems with little or no chance to focus on the underlying problems of the fishery or to develop a long term management strategy.

To avoid this other vision of the future, the Council will have to act swiftly and soon. The Council has a choice in charting the future of the groundfish fishery. Decisions that the Council makes now will have profound effects for years to come.

SECTION II

THE GROUNDFISH STRATEGIC PLAN

“WHAT WILL WE DO TO GET THERE?”

GROUNDFISH FISHERY MANAGEMENT

[PIC]

MANAGEMENT POLICIES
HARVEST POLICIES
CAPACITY REDUCTION ALLOCATION
OBSERVER ISSUES
MARINE RESERVES
GROUNDFISH HABITAT

II. THE STRATEGIC PLAN “WHAT WILL WE DO TO GET THERE?”

A. GROUNDFISH FISHERY MANAGEMENT

This section, “A. Groundfish Fishery Management,” deals with six areas of fishery management policy: harvest policies, overcapacity, catch allocation, observer issues, habitat issues and marine reserves. Each policy area is explored below with a problem statement (a), a strategic plan goal (b), a discussion of issues/options/alternatives (c), and our recommendations (d). The problem statement explains why we are exploring each policy problem, and the goal briefly states what we think the Council should work towards in each policy area. In issues/options/alternatives, we detail some of the ideas that we discussed in trying to solve the policy problems and meeting the strategic planning goals. Finally, we sort through the options described and boil them down to recommendations for Council action.

1. OVERALL FISHERY MANAGEMENT CONCERNS

(a) Problem Statement

This initial discussion of overall management concerns looks at: whether the Council has met its goals and objectives for groundfish management, if those goals are still realistic, and how to incorporate the goals into future groundfish management policies. Although the groundfish FMP’s goals and objectives address many aspects of the fishery and fishing communities, the objectives that appear more than any others to be the basis for the current regulatory structure are to: (1) Prevent overfishing; (2) Reduce or minimize bycatch; and (3) Maintain year round harvesting and processing opportunities.

The goal of maintaining year round harvesting and processing opportunities has had the greatest influence by far on the development of the current regulatory structure, in particular for the commercial non-whiting groundfish fisheries. This goal of maintaining as much fishing opportunity as possible throughout the year has dominated the regulatory structure for the recreational fisheries as well. Consequently, the Council has chosen to regulate the flow of landings with trip or cumulative period landing limits, to stretch them throughout the year. The most common use of these limits in the commercial groundfish fishery is one- or two- month cumulative landing limits. Under these limits, vessels may make as many individual fishing trips as they need during a period and are bound only by the species or species complex cumulative landing limit for the entire period.

When there was less harvest capacity in the fishery, allowable harvests were greater, and markets for some stocks less developed. During this period, trip and cumulative period landing limit management may have been relatively effective at meeting each of the FMP’s principal goals and objectives. Lack of an observer program, however, makes it impossible to know whether bycatch was minimal. Over the last decade, trip- and cumulative landing

limit management has become far less effective in meeting the FMP's goals and the Magnuson-Stevens Act requirements. Allowable harvests have been reduced significantly because of declining stocks, a better understanding of stock productivity, and the need to meet Magnuson-Stevens Act requirements to prevent overfishing and rebuild overfished stocks. Lack of adequate data to support stock assessments has contributed to uncertainty in those assessments, which has resulted in the need to be even more precautionary in setting allowable harvest limits.

At the same time, harvesting capacity has increased and new markets have emerged for previously lightly used stocks such as nearshore rockfish. All of these factors combined have led to a need for drastic reductions in cumulative period landing limits. Although unverified due to lack of observers, there is virtual certainty among fishery managers and the fishing industry that reduced landing limits have resulted in increased bycatch, confounding the Council's efforts to prevent overfishing.

Maintaining recreational fishing opportunity for depleted stocks such as lingcod and bocaccio has also put downward pressure on commercial landing limits, further exacerbating bycatch. The need to be even more precautionary in setting annual OYs is both a consequence and a contributor to this downward spiral of allowable harvests.

(b) Strategic Plan Goal For Management Policies

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.

(c) Issues/Options/Alternatives

1. How Can the Council Make the Regulatory Structure More Stable, Understandable and Enforceable, and Better Meet the FMP's Goals and Objectives and the Magnuson-Stevens Act Requirements?

Groundfish regulations have become increasingly complex and difficult to understand and enforce. Managers are trying to provide access to healthy stocks while protecting depressed stocks, and provide fair access for different segments of the industry (gear types, fishing strategies, open access/limited entry, recreational/commercial) that require different types of regulations. Managers also make geographic divisions to manage more precisely in matching the species composition and availability in different areas. All of these competing considerations result in regulations that can be confusing and difficult to enforce, and which reduce fleet flexibility and efficiency.

Alternative strategies to prevent overfishing and reduce or minimize bycatch include:

shorten the fishing season from a year round fishery but keep the landing limit structure, or keep the year round fishing opportunity but eliminate the landing limit structure. Both of these strategies would need to meet Magnuson-Stevens Act requirements to minimize bycatch and prevent overfishing by doing away with the need for restrictive landing limits.

Management options include:

(a) Options to shorten the fishing season range from the extreme of a wide open, very short derby fishery with no landing limits to a six to eight month fishery with higher landing limits and presumably less bycatch. Although the Groundfish Management Team could project how much higher landing limits might be under this option, without observer data they could not project bycatch reduction benefits compared to the current system.

(b) Significantly reduce capacity in both the limited entry and open access fleets. In the short term, combine either a voluntary or mandatory permit stacking option with a shortened season to further increase the total landing limit per vessel per period.

(c) Develop and implement an Individual Fishing Quota (IFQ) program. Under an IFQ system, each quota holder can plan to harvest their quota shares at any time of the year. The fishery would still be managed to an overall OY to prevent overfishing. Bycatch associated with cumulative landing limits would be eliminated, although there might be some bycatch from high grading by fishers seeking to maximize the value of their IFQ. Requiring full catch retention and observer coverage may eliminate high grading. There are IFQ options and recommendations in the capacity reduction section, below.

(d) Divide the fishing year into segments (thirds, quarters, sixths, etc.,) and limit the number of fishing periods during which each vessel would be allowed to make groundfish landings. This would allow a year round product flow through processing plants, with higher vessel limits per period, and a reduced number of overall landing limits.

(e) To the extent that either landing limits or the actual harvest of healthy species are constrained by the need to protect and rebuild depressed stocks, use higher landing limits as an incentive to fish with bycatch-friendly fishing gear or to fish in areas where bycatch is less likely. For the 2000 fishery, emergency measures provided higher trawl trip limits for vessels using small footrope gear or mid-water trawl gear.

2. What are Some Strategies that Could Bring More Stability to the Fishery?

The Council could decide on specific allocations between commercial and recreational fisheries and between the various sectors of the commercial fishery. Without specific allocations to the various sectors of the fishery, fishery participants cannot anticipate and plan for the share of the overall harvest they will be allowed to access. Instead, as the

availability of different species declines, access will be determined in the annual management process, with de facto allocation outcomes that may change significantly from year to year. By making allocation decisions up front and long-term, fishery participants could have a longer and more certain planning horizon. Implementing an IFQ program, where each participant essentially has his own allocation, would allow fishers to plan for themselves how to take their harvest in the most cost effective and profitable manner.

3. What are Some Strategies for Increasing Enforcement Effectiveness and Reducing Complexity?

Keep the regulations as simple as possible. Acknowledge that more fine-tuning (micro-management) usually results in more complexity and less flexibility.

Review the scope of the management unit, particularly with respect to nearshore rockfish management. Consider delegating or deferring to the states management of nearshore rockfish species that reside in and are harvested primarily within state waters. Increasingly, the Council has been asked to adopt complex regulations designed to respond to the particular needs of communities in specific geographic locations. Most of these requests relate to very small vessels accessing local rockfish stocks and marketing them within the area. The Council is not well equipped to evaluate these requests and accommodating them increases the complexity of the regulations. In addition, the Council and NMFS are not well suited to assess the biological requirements of many of these local populations, to assess the social and economic issues associated with them, or to monitor localized fisheries.

(d) Management Policies Recommendations

These recommendations assume that the objective of maintaining year-round harvesting and processing opportunity remains the Council's highest social and economic priority. In that case, it is imperative that Recommendation 1 for capacity reduction be implemented as rapidly as possible. If substantial harvest capacity reductions are not possible or are delayed, the Council must consider several of the alternative strategies for restructuring the fishery to restrict access by some portion of the fishing fleet for major periods.

In the event that none of the recommended measures or alternatives are viable or effective, the Council may have to shorten the annual fishing season. The Strategic Planning Committee cannot emphasize strongly enough the need for some level of observer coverage to evaluate the effectiveness of different management strategies.

1. Develop an implementation plan to reduce overcapacity initially by at least 50% in each sector. However, the capacity reduction goal will not be fully realized until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly. The implementation plan should take into account the need to implement other Plan

recommendations (i.e allocations, nearshore rockfish delegation) prior to or at the same time as capacity reduction. Reducing capacity will relieve the need to adopt management policies that are both inefficient and ineffective at achieving the FMP's goals and objectives. By better matching fleet capacity to resource availability, the regulatory structure will become more stable, resulting in regulations that are more enforceable.

2. Explore the use of higher landing limits or other incentives to encourage fisherman to fish with bycatch friendly fishing gear or to fish in areas where bycatch is less likely.

3. Make the necessary allocation decisions so that fishery participants in each sector can plan on a specific share of future OY's. Allocations may be outright percentages or a framework with criteria that specify how the allocation changes as resource availability changes.

4. Consider delegating or deferring nearshore rockfish and other groundfish species, such as scorpionfish, greenling and cabezon, to the States.

5. All commercial fisheries should be limited through state and/or federal license or permit programs.

2. HARVEST POLICIES

(a) Problem Statement

The Magnuson-Stevens Act defines "overfishing" as "a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce maximum sustainable yield on a continuing basis." This definition, coupled with the Magnuson-Stevens Act requirement to prevent overfishing, places strong emphasis on maximum sustainable yield (MSY) as a harvest policy goal for fishery management councils. Calculating MSY, however, requires that the analyst make many assumptions to deal with uncertain data inputs and incalculable environmental forces. For the foreseeable future, scientists will not have the technology or information needed to calculate the "true" MSY of any Council-managed stock, which means that all MSYs that the Council works with will be estimates (or "proxies") of varying degrees of accuracy. In setting its harvest policies, the Council needs ways to deal with error that go beyond the strictly mathematical framework of MSY.

There are 82 different stocks managed under the groundfish FMP and these stocks are highly varied in life histories, habitat needs, and response to fishing pressure. Many of these species have not had stock assessments, which has resulted in a high degree of uncertainty in determining MSYs for these species. The Council and its participating agencies do not have the personnel or funds to assess all 82 species on a regular and frequent basis. One of

the Council's more difficult management challenges is the expectation that we will continue to operate without the information needed to set precise MSYs.

Errors in estimating allowable harvest can grow out of errors initially made in estimating three critical quantities: current biomass, long-term exploitation rate, and total fishery related mortalities. To estimate these quantities and a proxy MSY, scientists need, at a minimum: 1) a natural mortality rate, 2) weight-at-age, 3) fishery selectivity-at-age, 4) proportion mature-at-age, and 5) an assumed fishing mortality rate. Weight-at-age and maturity-at-age can be estimated with relatively low error; they usually do not change dramatically from year to year (although they may change over time) and so are unlikely to lead to significant errors in the estimation process. Continual catch monitoring is essential to assure precision.

Natural mortality (M) and fishery selectivity may change annually, with natural mortality largely dependant on unmeasured factors like environmental change. Given the existing tools, there is little or no opportunity for scientists to measure the annual change in natural mortality. Proxy MSY calculations are highly sensitive to changes in natural mortality. Prudent management should consider the uncertainty in natural mortality, and managers should be aware of the resource management implications of natural mortality assumptions.

Fishery selectivity-at-age can be highly variable, particularly for fast growing, short-lived species. For slower growing species, age selectivity is likely to be more stable. Proxy MSY estimates are highly sensitive to age selectivity because it is directly tied to total mortality. Lack of age sampling data and changing allocations for each gear type increases the opportunity for errors. Stabilizing allocations and uninterrupted sampling of the age structure from each gear type can reduce risk of error.

At a minimum, precautionary management should acknowledge the variability in the accuracy of estimated biomass. In setting harvest policies, the Council should be provided with estimates of biomass abundance under alternative harvest and recruitment scenarios. Council policies should have a high (80%) probability that stock abundance will not decline below the Council's target levels. Accounting for discard and other unknown fishery induced mortalities mandates that managers adopt conservative harvest guidelines. Typically, the largest single missing catch item is discarded catch. Expected discards should always be deducted from the maximum total allowable catch, as a safeguard against uncounted fishing mortality. Direct, at-sea fishery monitoring is needed to more precisely estimate discard rates.

Given the uncertainty in the estimation of total allowable catch, the Council should employ reasonable safeguards by setting harvest guidelines below the Allowable Biological Catch (ABC). A management strategy that sets harvest guidelines lower than the acceptable level of biological catch, coupled with managing fisheries to a fixed harvest guideline and closing fisheries when the harvest quota is met, will give greater assurance of long term sustainable

fisheries.

(b) Strategic Plan Goal for Harvest Policies

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

(c) Issues/Options/Alternatives

1. How Do We Establish Harvest Policies in the Absence of Adequate Science?

For stocks with limited demographic information, the Council should create a hierarchical approach to setting harvest levels. Under this approach, the less information there is about a stock and its appropriate harvest level, the more conservative the Council would be in setting harvest rules for that stock. If fishers believe that they are losing harvest opportunities, this strategy may provide an incentive for the industry to share in government efforts and burden in getting more detailed information. Management agencies should prioritize data collection efforts to gather demographic information for as many fish stocks as possible. Ironically, the single greatest bottleneck for improving demographic data is in age determination, an information base that can be gathered shoreside.

An example of a hierarchical approach for setting harvest allowances based on available biological information is one that is used by the North Pacific Fishery Management Council (NPFMC). The NPFMC has classified demographic data into 6 tiers based on available information: 1) reliable estimates of biomass, B_{MSY} and a probability density function for F_{MSY} (i.e., known spawner-recruit function, and stochastic estimate of MSY); 2) Reliable estimate of biomass, B_{MSY} , F_{MSY} , $F_{35\%}$, and $F_{40\%}$; 3) reliable estimate of biomass, $B_{40\%}$, $F_{35\%}$, and $F_{40\%}$; 4) reliable estimate of biomass, $F_{35\%}$, and $F_{40\%}$; 5) reliable point estimate of biomass and natural mortality; and 6) reliable catch history (for a fixed interval 1978-1995). Harvest allowances are increasingly precautionary as the biological information base decreases.

2. How Do We Reconcile Wide Variability in Biomass Estimates and Lack of Information on Total Mortalities?

Our inability to monitor at-sea discards is a major impediment to improving demographic information about stock condition. As a rule, for age-structured model estimates of stock abundance, biomass is proportional to catch. This means that if catch is underestimated (such as when discards are not fully accounted for), biomass will be underestimated; and conversely if discard is overestimated, the biomass will be overestimated.

When making adjustments to a trip limit to keep the total catch within the harvest quota, the Council must be aware that such adjustments may cause an increase in the discard rate. In such cases, a precautionary adjustment to discard rates should be made to ensure that the

harvest quota is not exceeded.

While including improved catch data in age-structured models will result in more accurate estimates of stock abundance, it may not affect the precision of the biomass estimate. Wide confidence intervals on estimates of total abundance will continue to be common in stock assessments. To improve precision in abundance estimates would require substantially increasing the number of age samples drawn from the fishery. This dilemma is exacerbated because as stocks decline and the need for precise abundance estimates is most acute, the opportunity to collect samples diminishes.

3. How Do We Set Harvest Policies for Unassessed Stocks?

There are actually few stocks for which there are no demographic data of any kind. Typically, we have some measure of catch, and/or a measure of abundance, although it may be highly imprecise and from fishery independent surveys. Alternatively, the harvest policy could be a function of peak or median catch over some interval. If the natural mortality rate for the species is unknown, it can be inferred from rates associated with similar species.

Applying the lowest rate for a known species to a similar, unassessed species would be an appropriate precautionary response. For example, the Gulf of Alaska Fisheries Management Plan sets the allowable catch for “other species” at 5% of the ABC for all assessed species. If the fishery demonstrates an ability to target a previously unassessed species, the North Pacific Council is obliged to get the demographic data needed to set a more meaningful allowable harvest level.

4. How Can We Protect Weak Stocks While Harvesting Healthy Stocks?

The only apparent method of protecting weak stocks in a mixed stock fishery is to limit overall harvest to the quantity produced by the weak stock. This is the so-called weak-stock management principle. If management allows full harvest of the more productive stocks, it must acknowledge that co-occurring weak stocks will likely be overharvested (i.e., harvested at a rate exceeding F_{MSY} or its proxy.) The maximum exploitation rate that can be allowed for a weak stock is the level of fishing mortality that drives the stock to: 1) a level above the FMP definition of overfishing, or 2) a level that is above a listing threshold as defined by the Endangered Species Act (ESA). The former assures that the overfishing restrictions of the Magnuson-Stevens Act will not be violated; the latter protects against violation of the ESA.

Weak stocks in a mixed stock fishery constrain the fishery’s allowable level of production. If the fishery’s potential effect on the weak stock is estimated to drive that stock below one of the two thresholds listed above, and the catch is unavoidable, the target fishery should be closed. Harvesters should be encouraged to conduct experimental fisheries with alternative gears that selectively harvest the desired productive species while minimizing bycatch of the

weak stock. Observer coverage or other scientific monitoring would be needed to verify the results of the experiment. Subsequent fisheries using selective fishing practices should continue to be monitored with observers to assure that bycatch of the weak stock remains within estimated levels. The Council cannot protect weak stocks from overharvest without requiring the monitoring of total catch and a willingness to close fisheries when incidental catch of the weak stock have been taken.

5. How Do We Rebuild Overfished Stocks as Quickly as Possible While Providing Economic Opportunity to the Industry?

Options for rebuilding rates are limited by Magnuson-Stevens Act requirements; therefore, the Council may not be able to manage for the minimum impact on the fishing industry when implementing a rebuilding plan. The Council should always aggressively avoid allowing a stock to become overfished. Once a stock is in an overfished condition and a rebuilding plan is developed, the Council must weigh, within the parameters required of rebuilding an overfished stock, the cost of forgone catch against the benefits of recovery. In making such a determination, the Council would need an economic simulation of the results of different rebuilding time frames.

6. How Do We Set Harvest Policies for Transboundary Stocks in the Absence of an International Allocation Agreement?

One alternative the Council has used to manage a transboundary stock is to estimate the proportion of the total stock biomass within the U.S. EEZ and manage domestic harvest accordingly. The success of this method assumes that the other nation agrees with the estimated distribution of stock biomass and behaves similarly. If total biomass distribution is unknown, allocation can be based on the ratio of historic catch. When the sum of the catch from both nations routinely exceeds the total allowable catch for the transboundary stock, one nation could unilaterally assume the entire burden of conservation by anticipating the other nation's removals, and reducing its allowable catch accordingly. While such behavior is consistent with a precautionary approach to management, the typical response of each nation is to harvest at a level consistent with their political position, which is usually not at a rate predicted to achieve MSY. The nations could allow their fisheries managers to set transboundary allocations informally, in effect, volunteering to abide by a non-binding agreement without the benefit of formal nation-to-nation agreements. Since it is always in the interest of the citizens of each nation to agree that both parties will conserve a limited resource, negotiated allocations are preferred.

To be effective, collaboration with Canada and Mexico in assessing transboundary stocks requires a commitment from the U.S. State Department for implementation, and the reality is that groundfish have had little attention when general trade negotiations take place with other nations. On the technical level, scientists from respective countries can share data, compare assessments, or conduct joint assessments. Negotiation and implementation of

harvest sharing regimes, however, can only be accomplished through bilateral negotiations from representatives of the respective nations.

7. Summary of Options and Alternative Strategies for Harvest Policies

Selecting an allowable level of catch for any stock is largely a policy decision. There is no magic scientific formula that tells a manager precisely how many fish to allow in the catch even when the manager possesses perfect knowledge about the fished population. Harvest level choice is directly linked to the manager's policy objectives. The Council must use the maximum sustainable yield concept directed by the Magnuson-Stevens Act in defining its harvest policies. Harvest strategies that result in continued declines of multiple stocks must be reversed. Failure to account for all fishing induced mortality (landed catch + discard) is a fundamentally flawed management practice. Management strategies that encourage regulatory discards with no discard monitoring program are also fundamentally flawed.

The Council should strive to distribute fishing effort proportionately to the distribution of the fished biomass. It should set harvest guidelines to recover the surplus production of assessed stocks only. Where fishing effort is high and local catch rates excessive, the harvest policy should not allow harvest guideline transfers from other areas to artificially support the excessive harvest. Given a host of uncertainties in biomass estimation, the appropriate choice of exploitation rates, and the imprecision of accurately accounting for fishery related mortalities, the harvest policy should require that harvest guidelines be set lower than the ABC. The Council should consider an engineer's approach when choosing harvest rates. Design the harvest policy to withstand 2 or 3 times the maximum stress expected on the resource. Let scientists advise the Council with their best estimates of the appropriate rate of exploitation, then fish at a lower level until you see a steady increase in stock biomass. Only then should there be an incremental increase in exploitation toward the scientifically advised harvest rate.

(d) Harvest Policies Recommendations

1. In consideration of the uncertainties in the estimation of ABCs, set optimum yields (OYs) lower than the ABC, manage the fishery to a fixed OY(s), and close the fisheries when the OY is reached.
2. Harvest levels must be increasingly precautionary when less biological information is available, and particularly if monitoring programs fail to provide reliable estimates of total fishery-related mortality. Consider a hierarchal approach, where increased levels of conservatism would be required based on the specific quantity and quality of biological and fisheries information that is available.
3. For unassessed stocks, set precautionary harvest levels based on simple parameters such as a fixed proportion of the mean catch or survey abundance, or as a function

of the lowest rate allowed for an assessed stock.

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. In setting the OYs, determine whether benefit/cost considerations might justify overfishing a particular weak stock under the mixed-stock exception in the National Standard Guidelines. Do not knowingly allow harvest rates that drive the stock below the level defined in the FMP as "overfished" or to a condition warranting listing under the ESA.

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.

3. CAPACITY REDUCTION

(a) Problem Statement

Overcapacity in the groundfish fishery is at the base of many other problems in the fishery. Overcapitalization often drives fisheries management choices and undermines the effectiveness of management changes. The groundfish fishery has been managed for many years with trip limits and cumulative period landing limits in order to allow the fishery to operate year round. To reduce management-induced discards, trip limits have been replaced by cumulative period landings limits with the time periods for the limits increasing over time. As OYs have declined, so have the cumulative landing limits. With lower landing limits and higher gear efficiency, the opportunities for discards have increased. The fixed gear sablefish season has been shortened from months to days, and increasingly elaborate measures have been adopted to prevent the sablefish OY from being exceeded. Small landing limits and short seasons are exacerbating the economic inefficiencies resulting from too many boats chasing too few fish.

According to the Scientific and Statistical Committee (SSC): "The 1994 limited entry program was not sufficiently restrictive to address the overcapitalization that existed at the time of the program's inception. Moreover, the gap between harvest capacity and groundfish OYs that existed in 1994 has widened as stocks continue their downward decline, new scientific information has become available clarifying the extent and gravity of this decline, and OYs have been reduced to unprecedented low levels."

Due to political, economic, and biological complexities of West Coast groundfish management, there has been little progress in reducing harvest capacity. These complexities have stalled efforts to develop an industry-funded buyback program for the limited entry trawl fishery and have suspended indefinitely Council efforts to develop an IFQ program for the limited entry fixed gear fleet.

Allowing an open access fishery with a total absence of limits on capacity has also become a serious management problem. Decreased participation in non-groundfish fisheries such as salmon, improved prices for some groundfish species like sablefish, and the development of the live rockfish fishery have transformed the open access fishery from a primarily bycatch fishery with a small directed-fishery component, to a much larger fishery with many more participants relying on the fishery for large portions of their annual incomes.

Reducing overcapacity in the fishery is fundamentally necessary to reducing overfishing, minimizing bycatch and improving the economic outlook for the West Coast fishing industry. Capacity reduction should not be seen as just another type of management measure. Capacity reduction must be a key element of any plan to ensure management effectiveness and economic viability of the west-coast groundfish fishery. Without significant groundfish capacity reduction, the Council will continue to find it difficult, if not impossible, to achieve many of the conservation and economic objectives of the Groundfish FMP.

(b) Strategic Plan Goal for Capacity Reduction

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. This reduced capacity should lead to more effective management for many other fishery problems. For the short term, adjust harvest capacity to a level consistent with the allowable harvest levels for the 2000 fishing year, under the assumption that stock rebuilding will require reduced harvests for at least the next two decades. Maintaining a year-round fishery may not be a short-term priority.

(c) Issues/Options/Alternatives

1. How Much Capacity Reduction is Necessary?

Measuring fleet overcapacity involves comparing potential harvest capacity with the amount of fish actually available for harvest. While potential capacity may not have changed significantly since the introduction of the 1994 limited entry program, available harvest has declined in recent years and fewer boats are needed to catch that available harvest. The SSC has calculated a measure of overcapacity called the "current capital utilization rate," which describes the percentage of boats in the current fleet needed to harvest the groundfish available in 2000. The SSC has calculated this "current capital utilization rate" for several different fishery sectors.

To make these calculations, the SSC sorted the vessels in each sector, within each year from 1984 through 1992, in descending order of their total annual and cumulative groundfish landings. To determine the number of vessels needed in each year to fully harvest the available groundfish in 2000, the SSC counted down the vessel list from more to less

productive vessels. Once the SSC had counted vessels with enough capacity to take the 2000 groundfish harvest, that number of vessels was calculated as a percentage of the total number of vessels in the fishery sector to get the “current capital utilization rate.” They used 1984-1992 for this comparison because groundfish harvests were much less restricted in those earlier years than now, and catches from those years seemed to be a better indicator of what vessels were capable of catching.

The current capital utilization rates for various fishery sectors are as follows:

Limited Entry Fixed Gear

-Sablefish- 9%

-Non-Sablefish groundfish - 10%

Limited Entry Trawl Gear

-Shoreside whiting - 37 vessels that represent the current number of vessels landing whiting shoreside

-Non-whiting groundfish - 26% to 40%

Open Access - 6% to 13%.

These estimates are not meant as recommendations for fleet reduction targets, but to illustrate the high degree of current overcapacity. The Council would need to set a fleet reduction target only if it uses regulatory mechanisms like further license limitations to get that reduction. If the reduction methods rely mainly on market-based permit consolidation or IFQs, then market forces will balance capacity according to the available resource.

It is clear from the figures above that we need a fleet reduction goal of at least 50% of the current number of vessels. Depending on the reduction methods used, it may not be possible to get a full 50% reduction. In addition, eliminating 50% of lower producing vessels may not sufficiently reduce fleet capacity. This should not discourage the Council from moving forward with capacity reduction, as any capacity reduction is better for the fishery than none at all. However, capacity reduction will not be deemed fully successful until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly.

2. What Approach Should Be Taken to Adjust Capacity and Regulate Overcapacity?

Although overcapacity can be defined in various ways, the simplest way to regulate overcapacity is by controlling the number of fishing vessels and/or limited entry permits. Strategies for reducing capacity fall into three general categories: market-based programs, regulatory solutions, and vessel or permit buyback programs. The most practical way to reduce capacity throughout the fishery is likely some combination of these three strategies. Capacity in certain sectors of the groundfish fishery might also be reduced or otherwise

redistributed more appropriately to the distribution of harvestable fish stocks, through limiting participation to either specific geographic areas or to certain species through species endorsements.

Market-based programs - Market-based programs rely on the creation of a unit of fishing capacity, a unit of a fishing privilege such as a limited-entry license, or an Individual Quota that can be bought and sold on the open market. Fishery participants that want to increase either their total harvest capacity or the proportion of their existing capacity that they can use, would purchase capacity from fishery participants willing to sell. Capacity reduction would occur through consolidation into a smaller number of fishery participants. Market-based capacity reduction include IFQs, the consolidation of fishing permits (permit stacking), or some form of private cooperative.

Three commonly cited benefits of market-based strategies is that the cost of capacity reduction is borne primarily by the fishery participants themselves; that the optimum balance between the harvestable resource and potential harvesting capacity is determined by market forces, rather than by regulation; and that those leaving the fishery receive fair compensation.

Regulatory Solutions - Regulatory solutions include establishing or redefining qualifying criteria for continued participation in the fishery; restrictions on a vessel's physical ability to harvest, such as tonnage, hold capacity, length, horsepower; or, restrictions on fishing gear, such as net size. Regulatory solutions often involve difficult decisions, such as imposing minimum landing requirements, which can eliminate current participants from the fishery with little or no compensation. Most regulatory solutions, therefore, are very controversial and the Council is likely to find it difficult to reach consensus on measures severe enough to accomplish meaningful capacity reduction. The Council must also ensure that regulatory solutions do not have unintended effects like increasing bycatch. Finally, regulatory solutions in the groundfish fishery that do not directly remove participants could increase inefficiencies to the level that some participants could no longer afford to remain in the fishery.

Vessel or Permit buyback - Buyback programs are commonly either government funded or industry funded, or some combination of both. Buyback programs can expend a considerable amount of money removing latent effort from a fishery before the buyout results in real capacity reduction. However, as with market-based programs, buyback programs ensure that those leaving the fishery receive compensation. The difference is in the source of the compensation, and the receipt of the benefit. With a market system, an individual pays for the capacity reduction and receives the benefit (i.e., additional IFQ or harvest amount). With a buyback, the government or industry as a whole pays for the capacity reduction and the benefit accrues to the remaining industry as a whole.

3. What are Options to Reduce Capacity in the Limited Entry Fishery (A Permits) ?

A) Further reduce harvest capacity by redefining qualifying criteria (minimum landing requirements) for continued participation in the limited entry fishery.

This would eliminate some current permit holders whose landings do not meet the new, more restrictive landing requirements. Under this option, permit holders would not receive any compensation as they would under an IFQ, buyback or mandatory permit stacking program. If the Council reduces the number of "A" permits by this method, it must use this method either in advance of or simultaneously with a permit stacking program, to avoid the potential for industry to pay to stack permits that are later eliminated. The Council might also phase out non-qualifying permits over several years to allow vessel owners time to either acquire a qualifying permit or exit the fishery.

B) Immediately develop and implement a permit-stacking program for the limited entry fixed-gear and trawl fisheries.

Permit stacking would allow vessels holding multiple limited entry permits to harvest multiple cumulative limits. This type of program may alleviate the problem of discards associated with low cumulative limits by allowing a vessel to harvest multiple cumulative limits that, taken together, would be more appropriate to that vessel's capacity. Permit stacking could also allow harvest capacity reduction by serving as an industry-funded buyback without government backing.

Since permit stacking will likely result in the transfer of permits from less active vessels to the more active vessels that are better able to take advantage of an additional cumulative limit, the cumulative limit per permit will probably have to be reduced to ensure that overall harvests continue to remain within the OYs. Thus permit holders who do not stack will be placed at a disadvantage relative to their current situation. Vessels owners who already hold multiple permits will be able to stack without additional cost.

Permit stacking may be *voluntary* or *mandatory*. For voluntary stacking to be successful at reducing capacity and discards, a significant number of vessels must choose to stack permits. Given the difficulty of predicting the number of vessels that will choose to stack, the success of a voluntary stacking program in achieving a target fleet size is highly uncertain. Under mandatory stacking, each permit holder will be required to have more than one permit to participate in the limited entry fishery, thereby providing much greater certainty of achieving a target fleet size than voluntary stacking. To ease the financial burden associated with mandatory stacking, the Council might set a phase-in period for complying with this requirement.

Permit stacking could be a transitional step to an IFQ program. Not only could permit stacking reduce the universe eligible for initial quota share allocation, it can serve as a basis for the initial quota share allocation. For example, in the fixed-gear sablefish fishery, one option for initial quota share allocation could be based on the current three-tier system.

C) Develop and Implement an IFQ Program

IFQ programs involve the allocation of shares of the total OY among individual fishery participants. Other capacity reduction approaches (limited entry, buyback and permit stacking) restrict inputs in terms of the number of vessels that can participate in the fishery. IFQ's, on the other hand, regulate access to output by setting the total poundage that each quota holder is eligible to harvest. Because IFQ's can be disassociated from fishing vessels, debates often occur over who is eligible to receive an initial quota allocation. Recipients could include not only harvesters, but also other types of fishery participants (e.g., processors, crew members). The initial allocation of IFQ's is typically intense and contentious. However, once allocation is complete, quota holders generally have a sense of "ownership" in the long-term sustainability of the IFQ resource and in the fishery management process. Given the personal financial stake that quota holders have in stock assessment results, IFQ's may also increase public pressure for more precise stock assessments.

Certainty and Autonomy Because quota share holders are guaranteed opportunity to harvest a share of the total OY at the beginning of the season, they are in a much better position to set the pace of their own fishing than limited entry permit holders, who are required to stop fishing once OYs become fully harvested. Rather than focusing on maximizing their catch (as derby fishery participants do), IFQ holders instead focus on maximizing the value of their harvest. Strategies to increase value (e.g., careful handling of catch, timing of harvest and on-board processing) may result in higher ex-vessel prices. The incentive to enhance the value of quota shares may also increase the likelihood of discarding and high grading, although present trip limits likely also cause this effect.

Quota share holders can time their groundfish harvests to maximize their opportunities in other fisheries. Thus IFQ's may have spillover effects on other fisheries similar to permit buyback programs. While effects on other fisheries is a legitimate concern, some of this displacement would occur anyway as the long term nature of current groundfish harvest restrictions causes attrition among current fishery participants.

IFQ programs typically require a more detailed and different type of monitoring and enforcement than other types of capacity reduction approaches. The amount of quota held by each individual, as well as transfers of quota among individuals, must be carefully monitored. Monitoring becomes significantly more complicated when IFQ's are used in multi-species fisheries, in which separate quotas are designated for separate species. In such cases, species composition must be checked on a landing-by-landing basis in order to ensure that each individual IFQ holder is not exceeding his individual species quotas. For such reasons, IFQ's may be better suited to single species fisheries (e.g., whiting, sablefish) than multi-species groundfish activities.

Transferability To the extent that IFQ's are transferable, they tend to allow industry

adaptation to changing fishery circumstances better than other types of capacity reduction. For instance, as OYs decline in an IFQ fishery, the poundage available to each individual quota holder also automatically decreases. This creates an incentive for quota share transfers and consolidation until shares become sufficiently concentrated to be economically viable for the smaller number fishery participants. Conversely, as OYs increase and the poundage available to each quota holder increases, quota share transfers will allow fishery participation to expand to include a larger number of quota share holders.

IFQ programs often include restrictions on the maximum amount of quota share that may be held by an individual, or that ensure a particular quota allocation among different fishery sectors by prohibiting quota transfers across sectors. However, to the extent that the Council is willing to allow quota transfers across gear types and geographic areas, there would be fewer allocation issues over the long term, as allocation adjustments would instead happen through quota transfers in the market.

Consistency with Other Strategies Capacity reduction programs like permit stacking and buybacks can be consistent with IFQ programs. Should Congress lift the IFQ moratorium, latent capacity removal may be a desirable precursor to IFQs, to help ensure that the initial IFQ allocations go to active fishery participants. However, justifying a lenient permit stacking or buyback program on the basis that it is merely an intermediate step toward IFQs (rather than as an ultimate end in itself) poses the risk of ending up with an inadequate permit stacking/buyback program if IFQs are not actually implemented.

D) Consider limiting participation by registering limited entry A permits exclusively to specific geographic areas.

Options include: (a) determining the optimum number of vessels desired in a particular area, perhaps based on landing history in that area, and issuing limited entry permits exclusively for each area; or (b) an exclusive area registration concept that would require a vessel operator to choose its area of operation preseason. It is not clear that exclusive registration would contribute to capacity reduction.

E) Consider limiting participation in different fishing strategy sectors of the groundfish fishery by issuing specific species or strategy endorsements based on qualifying criteria.

Species endorsements would be issued based on historical landings, with a requirement for recent participation. Some potential endorsements include:

- (a) Limited entry rockfish including former open access vessels that qualify for new B endorsements;
- (b) Whiting endorsements with possible subdivision between shoreside and at-sea

- sectors;
- (c) Nearshore flatfish;
- (d) Deep-water complex;
- (e) Pelagic or mid-water trawl; or
- (f) Nearshore rockfish (versus shelf or slope).

In the event the Council adopts additional endorsements, consideration should be given whether to allow the transfer of endorsements separately from permits.

4) What are Some Options to Reduce Capacity in the Open Access Fishery Directly Targeting Groundfish?

A) Reduce the number of participants in the open access sector by requiring a federal limited entry permit for the directed take and commercial landing of groundfish.

Permit eligibility would depend upon meeting minimum landing requirements based on historical catches and recent participation in directed groundfish harvest. This option would create a separate permit ("B" Permit) within the current limited entry system for open access vessels that have historically targeted groundfish. As a general objective, the Council may want to reduce capacity in the open access fishery to a level that reflects the Council's original intent of accommodating bycatch in non-groundfish fisheries as well as very limited direct groundfish harvests.

The objective in selecting a particular quantity or frequency of landings for a minimum landing requirement should be to identify those fishery participants who are economically most dependent on and committed to a particular fishery. Theoretically, those who are less dependent and committed should fall below the minimum-landing requirement. The Council may consider a number of different options for a minimum-landing requirement. For example, one option for consideration could be the landing of 1,000 lbs. or more of groundfish in a directed fishery in any qualifying year.

B) Continue to provide for groundfish bycatch in non-groundfish fisheries by creating a third permit classification called a C permit.

The C permit would be required for landing groundfish as bycatch from non-groundfish fisheries such as pink shrimp, salmon, sea cucumber, California halibut and spot prawn fisheries. The number of permits would not be limited, but NMFS would charge a fee for each permit to cover costs of administering the program.

(3) Divide the current open access allocation into B and C permit allocations.

The Council may wish to impose landing limits to stay within the C permit allocation and

limit groundfish landed to less than 50% of the total landing to ensure that groundfish landings are incidental.

(4) Use strategies discussed above for capacity reduction in the limited entry fishery, such as: establish rockfish species endorsements for B permit holders, to be issued based on historical landings of rockfish with a requirement for recent participation; and, consider limiting participation by registering B permits exclusively to specific geographic areas.

These capacity reduction strategies are discussed above for the limited entry fishery and could also be applied to the open access fishery to reduce capacity below initial B permit thresholds.

5. What are Some Options for Developing and Implementing of a Limited Entry Vessel and/or Permit Buyback Program with Disaster Assistance Funding or Other Funding Sources?

Buyback programs may be government funded or industry funded, and may apply to permits alone or to both vessels and permits. Because vessel owners generally require less compensation to be bought out of a single fishery than to forgo fishing altogether, a given sum of money can achieve a larger reduction in fleet size if buyback is limited to a single fishery such as the groundfish fishery. Thus industry funded programs tend to be fishery-specific, to achieve the maximum reduction in capacity for the individuals financing the buyback. Government funded programs may have some potential for buying back vessels as well as permits, thereby allaying concerns regarding spillover effects on other fisheries. However, vessel buyback requires a substantial amount of funding and resolution of many complex issues in order to be successful.

One potential source for a government funded buyback is disaster relief. However, we do not know whether such funding will be made available for West Coast groundfish, or if such funding is provided, whether funds will be great enough for a buyback. Disaster relief requires Congressional appropriation, with 25% matching funds to be provided by states or other non-federal entities. About a half dozen requests for such relief have been made for fisheries across the U.S., and there is no guarantee that West Coast groundfish will be a priority.

The business plan for the trawl buyback proposal is now outdated. Given the recent precipitous decline in groundfish OYs, the original target of a 30% reduction in fleet size may no longer be adequate to ensure an economically viable trawl fishery. Moreover, given the long-term nature of OY reductions, it is not likely that the industry can afford to underwrite a buyback program unless it is clear that permit prices will drop to reflect the lower OYs. Similarly, the willingness of government to guarantee a buyback program will likely have to await more definitive information regarding permit prices.

(d) Capacity Reduction Recommendations

The highest priority for reducing overcapacity is Recommendation #1 from the Management Policy section. That recommendation is to develop an implementation plan to reduce overcapacity initially by at least 50% in each sector. As noted earlier, the capacity reduction goal will not be fully realized until capacity has been reduced to a level that is in balance with the economic value of the resource and those remaining in the fishery are able to operate profitably and flexibly. In designing capacity reduction, the Council should consider fleet structure, profile, and diversity, with a goal of maintaining a mix of small and large vessels.

The capacity reduction plan should take into account the need to implement other strategic plan recommendations (i.e allocations, nearshore rockfish delegation) prior to or at the same time as capacity reduction. Reducing capacity will relieve the need to adopt management policies that are both inefficient and ineffective at achieving the FMP's goals and objectives. By better matching fleet capacity to resource availability, the regulatory structure will become more stable, resulting in regulations that are more enforceable.

These capacity reduction recommendations include both the short and long-term and transitional elements discussed below, such as license-limitation (for the targeted open access fishery), permit stacking, and IFQs either individually or in combination with a vessel buyback program.

Short to Intermediate Term

1. Separate the current open access fishery into a sector that directly targets groundfish and a sector that lands groundfish as bycatch in non-groundfish fisheries. Require current open access vessels that directly target groundfish to obtain a federal limited entry permit (B permit) based on historical landings and current participation. Minimum landing requirements for a federal permit should reflect significant dependence on the fishery. Consider developing and implementing a voluntary permit stacking program for the B permit. Require a federal permit (C permit) to land groundfish taken incidentally in non-groundfish fisheries.
2. Divide the current open access allocation into separate allocations for the "B" and "C" permit holders and manage each sector to stay within its allocation each year.
3. Consider using historical landings only from 1994-1999 and recent participation from either 1998 or 1999 for initially qualifying B permit holders.
4. For the limited entry fixed gear fishery, immediately develop and implement a voluntary permit stacking program with the intent of transitioning to an IFQ program

to provide for a multiple month season. The Permit Stacking allowance should be implemented prior to the 2001 regular sablefish season. Stacked permits should **NOT** allow increased access to the daily sablefish trip limit. Simultaneously, develop an IFQ system for fixed-gear sablefish for implementation in 2002. If Congress continues to prohibit IFQ programs, consider making the permit-stacking program mandatory.

5. For the limited entry trawl fleet, immediately develop and implement a voluntary permit-stacking program that links each permit with a cumulative period landing limit with the intent to transition to an IFQ program. The first, or base permit should be entitled to a full period landing limit, while each stacked permit should entitle the vessel to additional landing limits on a discounted basis as one alternative. Another alternative is to have the full period landing limit the same for all permits. If Congress continues to prohibit IFQ programs, consider making the permit-stacking program mandatory.

6. To prevent future overcapacity in the whiting fishery, 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. Qualification for a whiting endorsement should be based on a permit's whiting landings since 1994 when the current limited entry program began. Consider setting a threshold quantity of whiting above which a whiting endorsement is required for a landing. Individual landings below the threshold would not require an endorsement.

7. Pursue a buyback program to remove latent capacity.

Intermediate to Long Term

8. Develop of 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. Qualifying criteria would be based on historical landings and recent participation.

10. Consider access limitation for commercial passenger fishing vessels. (This program may be better managed by the states.)

4. ALLOCATION OF GROUND FISH RESOURCES

(a) Problem Statement

Prior to and during early FMP implementation, first adopted in 1982, there were no harvest share allocations to various fisheries and/or gears. Expected harvest amounts were set and the various fisheries regulated to stay within those amounts. This was possible, in part, because fish stock abundance was at first thought to be sufficient to keep inter-fishery and/or gear conflicts low. The 1990 FMP Amendment 4 (at S.6.1.9 Allocation) states that “Most fishery management measures allocate fishery resources to some degree because they invariably affect access to the resource by different fishery sectors by different amounts. These allocative impacts, if not the intentional purpose of the management measure, are considered to be indirect, or unintentional, allocations. Direct allocation occurs when numerical quotas, harvest guidelines, or other management measures are established with the specific intent of affecting a particular group's access to the fishery resource.”

Since 1990, as harvest capacity increased and fish abundance decreased, conflict and demands for resource share allocation has increased. The following table shows the major fishery sectors (Limited Entry, Open Access, and Recreational) presently addressed by the Council and the wide variety of fisheries and gears involved.

Major Fishery Sectors and Gear Types ¹

	Trawl & Other Net	Fixed Gear, Hook & Line
Commercial Limited Entry	Directed Bottom Mid-water Whiting Nearshore Flatfish	Directed Pot Longline
Commercial Open Access	Directed Set Gillnet Incidental Trammel Net Set Gillnet Trawl Shrimp California Halibut Cucumber Prawn	Directed Pot or Trap* Longline Vertical Bottom Drifted (fly gear) Hook and Line* Stick* Dingle Bar Incidental Prawn/Pot or Trap Salmon Troll *Live Fish Fishery
Recreational		Shore Based Private Boat Commercial Passenger Vessel (Charter)

Allocation issues are often the most contentious subjects addressed by the Council

¹ In this table, “directed” gears means the target species are Council-managed groundfish and “incidental” means the gear may capture groundfish, but has non-groundfish species as a target. No distinction is made for the recreational fishery.

because allocation outcomes produce winners and losers. These outcomes inevitably lead to change in the fishing fleet and may threaten the economic viability of some fishery participants. Some allocations are direct, with specific percentages of the resources reserved for each party to the allocation. Some allocations, like that between the recreational and commercial fisheries, are the result of Council policies that indirectly allocate resources. The Council's recreational harvest policy has been to subtract the expected recreational harvest share from the coast wide ABCs, and then dividing the remaining harvestable surplus between commercial fisheries. During periods of higher abundance for most recreationally important stocks, this off-the-top accounting did not significantly affect commercial harvest levels.

Direct allocation decisions must be made through a three-meeting Council process to allow the Council to fully consider the alternatives and comments from its advisory entities and the public. There have been several direct allocations in the FMP's history, including: the 1990 commercial trawl/fixed gear sablefish allocation; the 1988-1994 limited entry program implementation and limited entry/open access allocation; the 1993 whiting onshore/offshore allocation; and, the 1996-1997 limited entry, fixed gear sablefish endorsement and three-tier program allocation.

(b) Strategic Plan Goal for Allocation

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

(c) Issues/Options/Alternatives

1. What are the Current and Emerging Allocation Decisions Related to Declining Stocks, Rebuilding Plans, and Assemblage Management?

In 1997, new stock assessments of several important groundfish species indicated a need for immediate and substantial harvest reductions. For 1998, the Council adopted harvest levels for six species that were the lowest on record, clearly signaling that the West Coast groundfish fishery would face serious disruption and economic pressure. Lingcod and bocaccio rockfish were among the declining stocks, and are key species widely used by both the commercial and recreational sectors. Their overfished status created immediate allocation issues, which were made more urgent by the Magnuson-Stevens Act requirement for rebuilding plans.

Concurrently, the trawl industry had begun to work on a permit buyback program to reduce capacity. The program was to rely on a federal loan for initial financing, with a self-funded surcharge to repay the loan. Trawlers asked for catch allocation between the commercial limited entry trawl and fixed gear sectors to establish a collateral base for the trawl sector to meet loan payments. The Council responded by establishing an *ad hoc* allocation

committee charged with developing options for allocating lingcod, bocaccio, and other rockfish between the commercial and recreational sectors, and between gear groups within the commercial sector.

That committee's work on allocation strategies was partially shaped by Magnuson-Stevens Act standards for rebuilding plans. The Act requires that the burden of conservation measures be distributed fairly and equitably among all sectors of a fishery. With resource declines expected for additional stocks and with the expectation of additional species being declared overfished, that committee also recommended the following species for early allocation consideration, even though the trawl buyback program no longer appeared viable.

Species	Priority Allocation		Distribution
	Rec-Comm	FG- Trawl	
Lingcod	A	A/B	NS/SH
Bocaccio	A	A/B	NS/SH
Thornyheads	C	B	SH/SL
Yellowtail	B	B	NS/SH
Canary	B	B	NS/SH
Shortraker	C	B	SH/SL
Rougheye	C	B	SH/SL
Yelloweye	B	B	NS/SH
Black Rockfish	A	B	NS
Blue Rockfish	A	B	NS
Kelp Greenling	A	B	NS
China Rockfish	A	B	NS
Copper Rockfish	A	B	NS
Vermilion	A	B	NS
Quillback	A	B	NS
Chilipepper	A	B	NS
Other Rockfish Group ²	B	B	NS/SH/SL

Priority Levels

A = deviation from status quo may be considered

B = status quo allocation, with status quo defined as 1995-1997 average catch distribution between sectors

C = no allocation at this time

Distribution

NS = Nearshore (< 50 fathoms)

SH = Shelf

SL = Slope

² Other Rockfish include all other rockfish managed in the FMP: Aurora, Bank, Black and Yellow, Blackgill, Bronze spotted, Brown, Calico, California Scorpionfish, Cowcod, Darkblotched, Dusky, Flag, Gopher, Grass, Greenblotched, Greenspotted, Greenstriped, Harlequin, Honeycomb, Kelp, Mexican, Olive, Pink, Redbanded, Redstripe, Rosethorn, Rosy, Sharpchin, Shortbelly, Silvergray, Speckled, Splitnose, Squarespot, Starry, Stripetail, Tiger, Treefish, Widow, and Yellowmouth. The committee recommends that all these species be allocated as a group. When one particular species becomes a concern, it may be broken out of the group and allocated separately.

For 2000, the Council adopted a new rockfish strategy that separated the major rockfish

stocks from the *Sebastes* complex and divided the remaining species into assemblages associated with nearshore waters, the continental shelf and deepwater slope areas. The respective allowable catches were also subdivided by geographic area. These strategies, accompanied by trawl gear restrictions, were designed to reduce catch of depleted species while maintaining harvest opportunities for abundant stocks. However, the strategy also has some *de facto* allocation consequences and sets up additional allocation conflicts.

Some trawl sector vessels that specialized primarily in shelf fisheries have essentially lost those opportunities. In other cases, particularly the open access fisheries in nearshore areas, harvest amounts are drastically reduced because harvest levels are no longer spread across an aggregate catch level for the entire *Sebastes* complex.

Treaty Indian fishers increased their participation in the West Coast groundfish fishery in the early 1990's. Specifically, the tribal longline fleet increased its sablefish harvest, leading to the Council establishing a tribal set-aside of 10% of the sablefish harvest guideline. The Council also works with the tribes in setting harvest limits for tribal fishers targeting certain rockfish species. The Makah Tribe entered the Pacific whiting fishery in 1996. The tribal whiting fishery is allocated a specific proportion of the U.S. harvest guideline. The Council needs to be prepared to address additional future tribal interest in existing or new groundfish fisheries.

2. What are Some of the Allocation Considerations for Geographic Management and Species-Specific Management?

Because the Council already uses area-specific landings limit management and may wish to address area-specific capacity reduction in the future, there are several geographic distribution issues to consider in crafting allocations:

North-South and Coastwide Distribution Considerations

- Species distribution
- Traditional reliance on fishing grounds and species
- State recreational fishery preferences
- Weather and oceanographic conditions
- Port distribution
- Management and enforcement needs, and legal constraints (such as tribal allocations)
- Subdivision of groundfish statistical areas to support area allocation of harvest amounts

The Council may also wish to allocate by nearshore, shelf, and slope species groups. The respective coastal states should address commercial and recreational allocation issues in a timely manner, particularly when there is a preference for recreational use. Similar to the approaches developed for salmon and halibut, each state would be responsible for involving

its constituents in a process of option development, review and action by the Council.

3. What are the Future Allocation Pressures Facing the Council?

Many of the recent changes in harvest levels are likely to be permanent in nature until rebuilding of overfished stocks occurs. In addition, emerging policy revision of the precautionary harvest rates for “unassessed” rockfish species will likely further reduce resource availability by 15-25%, possibly affecting various fishery sectors in dramatic ways, depending on the geographic distribution of these species and how they have been represented in historical landings. Still over the horizon are the possible allocative influences that may result if marine reserves or no-take zones are created and reduce fishery opportunities.

With all of the expected near-term changes, the Council may wish to address emerging conditions with some of its past approaches to resource allocation. The Council may also find that without overall capacity reduction, *status quo* allocations would result in a broad-based fishery failure.

Finally, even with capacity reduction, allocation will likely be necessary to support capacity management mechanisms such as permit stacking, IFQs or fishing cooperatives. Only an allocation of resources and shares to fisheries and/or gears will attach expected future economic value that can be gauged by market mechanisms, thus allowing the exchange of fishing privileges.

(d) Allocation Recommendations

General Allocation Principles

1. All fishing sectors and gear types will contribute to achieving conservation goals (no sector will be held harmless). The fair and equitable standard will be applied to all allocation decisions but is not interpreted to mean exactly proportional impacts or benefits.
2. Non-groundfish fisheries that take groundfish incidentally should receive only the minimal groundfish allocations needed to efficiently harvest their target (non-groundfish) species. To determine the amount of allocation required, identify the economic values and benefits associated with the non-groundfish species. Directed fishery harvest of some groundfish may need to be restricted to incidental levels to maintain the non-groundfish fishery. Consider gear modification in the non-groundfish fishery to minimize its incidental harvest.
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. Allocations should attempt to avoid concentration and assure reasonable access to nearby resources. Consider the diversity of local and regional fisheries, community dependency on marine resources and processing capacity, and infrastructure in allocation decisions.
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 (crab and shrimp).
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. In such cases, the Council should ask the affected parties to U.S. v. Washington to convene and develop an allocation recommendation.

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.

5. OBSERVER PROGRAM FOR QUANTIFYING, BYCATCH, TOTAL CATCH, AND TOTAL FISHERY-RELATED MORTALITY

(a) Problem Statement

An essential component of effective, science-based fishery management is the documentation and quantification of bycatch, total catch, and total fishery-related mortality. The Magnuson-Stevens Act requires councils to quantify bycatch and to take steps to minimize bycatch. At-sea observations are necessary to quantify bycatch and to fully account for total catch, which includes landings plus discards. Fish that are caught at sea and are discarded dead, cannot be observed by shoreside sampling programs. This is especially troublesome in multi-species fisheries where: (1) fishery management measures are typically designed to protect weak stocks and may preclude retention of a particular species, (2) management approaches such as trip limits are used to maintain year-round fishing opportunities, or (3) market restrictions result in some species having little or no value.

Total catch is an important component in groundfish stock assessments. An inability to account for discarded catch and mortality can significantly affect the accuracy, precision and variability of biomass estimates. When information on total removals is incomplete, management uncertainty increases and results in a more conservative approach to setting harvest levels. In addition, fishery parameters such as selectivity and mortality may change, but without a method for accounting for total catch, it is difficult to make appropriate adjustments.

The lack of an observer program has long been identified as a critical missing piece in Pacific groundfish fishery management. This lack contributes to uncertainty in stock assessments and rebuilding plans and has undermined the credibility of management decisions. Perceptions about different bycatch and discard rates among various sectors and gears have contributed to conflict and contentious allocation issues. Because information about gear-specific discard rates is limited, assumed discard rates have been applied to all sectors. Incentives for selective fishing gear that minimizes bycatch and discards are also difficult to implement because they cannot be effectively evaluated.

The Council has expressed the need for a comprehensive observer program for many years. It has consistently voted to pursue an at-sea observer program, as it has recognized the importance of documenting total groundfish removals. Limited research and a voluntary program implemented by the Oregon Trawl Commission have demonstrated that the amount of bycatch and subsequent economic and regulatory discards are likely substantially underestimated for some species. The lack of funding has been a primary obstacle to the Council's efforts to implement a comprehensive observer plan.

(b) Strategic Plan Goal for an Observer Program

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

(c) Issues/Options/Alternatives

1. What Constitutes an Adequate Observer Program?

Several factors will affect both the design and the implementation of an observer program. The trawl fleet harvests the vast majority of available groundfish. Changing trip limits during the calendar year will require a much higher level of observations to reliably estimate removals. Fishing behavior may change when an observer is on board, which would require more or longer periods of observation. Small vessel size and limited crew space may not allow a substantial number of vessels to carry an observer, particularly in the fixed gear limited entry fleet, the open access fleet and the recreational fishery. The Council will only gain the data needed to design an adequate observer program by implementing a pilot program, and modifying it as more questions are answered.

Observer programs have two major components: (1) data collection and (2) program management. The latter includes observer training, data management, and data reporting as well as administration. The Council has previously developed a pilot observer program that envisioned three to four port coordinators along the West Coast who would supervise and place observers on vessels. Observers would be placed in selected ports and directed to specific segments of the fleet. Limited funding would likely necessitate that the program concentrate on a specific gear type or geographical area, to collect data sufficient for management purposes. This type of staggered system would allow the Council to collect reliable data, but would require many years to cover all of the various segments of the groundfish fishery.

2. How Could an Observer Program be Adequately Funded?

Numerous participants in the Council process tried unsuccessfully to secure federal funding in the Fiscal Year 2000 appropriations. Competing interests for limited federal dollars for West Coast fisheries, which are already inadequately funded, will continue to make it difficult to secure adequate federal appropriations.

The Council does not have the legal authority to tax the fishing industry to fund an observer program. Although the Council has voted to pursue this authority during the last two reauthorizations of the Magnuson-Stevens Act, Congress has not responded positively to these requests. The reduced availability of groundfish will not provide sufficient funding, even through a 2% vessel tax to fund an adequate program. The fishing industry also may not support the effort to gain the required authority, making Congressional action unlikely.

The Council could prepare a plan that would make it mandatory for vessels to carry an

observer for some percentage of their fishing operations, thereby requiring individual vessel owners to pay the entire cost of the observer on their vessel. This would likely cause a severe reduction in the number of vessels that could afford to fish. The \$300 to \$400 per day cost for observers would make a large number of fishing operations uneconomical, causing disruption to the economies of coastal communities. Thus, it is likely that a combination of federal and private funding will be required to implement an adequate observer program.

(d) Observer Program Recommendations

1. Immediately implement an at-sea groundfish observer program, with determination of total groundfish catch and mortality as the first priority, consistent with established Council priorities.
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. Even with limited funding, both trawl and non-trawl fleets should have some meaningful, but not necessarily the same, level of observer coverage. Determine which harvesting sector(s) will receive the initial observers.
4. Consider alternative monitoring approaches that augment an observer program, including logbooks and video.
5. When an effective observer program has been established, a full retention strategy may be considered to reduce discard and improve biological information collection.
6. As a secondary priority, an observer program should collect additional data for stock assessments. For example, the North Pacific Council requires its observers to dedicate a small portion of the working day to taking otoliths and length measurements, in order to supplement information on the age and size distribution of particular species.

6. MARINE RESERVES AS A GROUNDFISH MANAGEMENT TOOL

(a) Problem Statement

Traditional fishery management approaches alone have not been successful in protecting and sustaining many Pacific groundfish species. Groundfish management faces numerous challenges, including several overfished stocks, a high level of uncertainty about the status of most of the remaining groundfish stocks, several species that co-occur in complex assemblages, and the apparent low productivity of many Pacific coast groundfish species in general. Rebuilding overfished stocks and adequately assessing other groundfish stocks will certainly take many years, and possibly decades, to accomplish.

Marine reserves have been promoted in state, federal and international fishery management arenas as a management tool that has the potential to enhance fish populations and help sustain fisheries. Marine reserves may be particularly beneficial for species that have been overfished, or species that reach great ages or sizes or are generally sedentary, all of which apply to many Pacific groundfish species. Reserves may also be considered as insurance against uncertainty in fisheries management and natural variability in the marine environment.

The Council has set up a two-stage process to consider marine reserves in an integrated approach to sustain healthy marine ecosystems and more effectively manage the Pacific groundfish fishery. The first phase is a conceptual evaluation of reserves that will conclude with the Council's decision on whether marine reserves have a role in groundfish management. If the Council chooses to use marine reserves, options for the siting and design of specific marine reserves will be developed in the second phase.

Implementing marine reserves would likely affect many other management measures addressed in this strategic plan, including capacity reduction, allocation issues, harvest policies, and habitat. Implementing marine reserves must proceed in conjunction with these other management measures, to maximize their benefits and minimize the effects of their implementation.

(b) Strategic Plan Goal for Marine Reserves

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.

(c) Issues/Options/Alternatives

1. What Role Might Marine Reserves Play in Achieving Our Management Goals?

Marine reserves can enhance fish populations by: increasing fish abundance, size, and age composition; protecting spawning stocks and habitats; providing multi-species protection;

preserving and maintaining the natural diversity of unique habitats; and providing undisturbed reference sites for the evaluation of the effects of human activities and natural environmental changes on marine ecosystems. Marine reserves may also be useful to guard against scientific uncertainty in fishery management, provide increased protection to certain depleted species, and accelerate the rebuilding process for depleted species. Sedentary, long lived species such as lingcod and Pacific ocean perch would likely receive the greatest benefits from marine reserves, although several criteria, including the size of the reserve, are also significant in determining which species will benefit from reserves.

Several species of groundfish (including lingcod, cowcod, Pacific ocean perch, bocaccio, and canary rockfish) have been designated as overfished, and other species that have not been assessed may be overfished as well. The most relevant evidence of marine reserves serving to rebuild groundfish populations is that of the large area closures off New England, which were accompanied by overall harvest reductions. Examples of smaller reserves (not more than 4 square kilometers) include a 6-year closure in the San Juan Islands that resulted in a tripling of large lingcod abundance compared with fished areas, and a 30-year closure in Puget Sound that has allowed rockfish density to increase by a factor of about 30 and egg production by factors of 20 (lingcod) and 55 (rockfish).

In Howe Sound, British Columbia, 5-year closures resulted in a tripling of lingcod abundance and a doubling of egg production, and in Monterey Bay in California, a 13-year closure resulted in about a doubling of fish abundance and an approximate 7-fold increase in rockfish egg production. The portion of a population that is protected from fishery selection will live longer, grow larger, and produce more young over their lifetimes. For rebuilding purposes, the effects on biomass outside the reserve will depend on the biology and behavior of the species, the size of the area set aside in reserves, and the harvest management outside the reserve.

The size of marine reserves designed to rebuild groundfish populations depends on the species and its degree of mobility. More mobile species may require a larger closed area than less mobile slope rockfish. Whether a network of marine reserves, or a single marine reserve, the closed area should be large enough to reduce edge effects from fishing activity just outside of the reserve.

Because marine reserves can protect a fraction of the exploitable stock from fishing, this portion of the exploitable biomass should be removed when calculating an ABC. Following this policy would diminish the total allowable harvest and the fishery would be constrained to a harvest guideline commensurate with the size of the accessible exploitable stock.

Recent information about Pacific groundfish status and productivity has increased uncertainty in groundfish management. Marine reserves can provide a buffer of biomass as insurance against uncertainties associated with stock assessments, harvest strategies and limited information. However, reserves are subject to uncertainties of their own regarding

the nature, magnitude and timing of stock benefits and the potential for stock benefits within the reserve to translate into fishery benefits outside the reserve.

Marine reserves can prevent the physical alteration of the ocean bottom that may result from fishing activities, help guard against unknown adverse effects of fishing on habitat, and serve as control areas for scientific studies of those effects.

The NMFS triennial trawl data series may be affected by marine reserves. If reserves are included in the assessment areas, an adjustment in the biomass available for harvest may be appropriate. Normal assessment sampling in a reserve area may have effects on the time series and stock assessment results. Adjustments may be necessary to account for reserve effects.

Reserve concepts still remain largely untested. In particular, their effectiveness in fisheries management and enhancement of fishery yields outside reserve boundaries is poorly evaluated and understood. This is primarily because there are no long-term marine reserves of adequate size that have been designed and evaluated to test these potential benefits and their contribution to enhancement of fish populations and sustainable fisheries. The effects and design of marine reserves will largely depend on the goals and objectives they are intended to meet.

2. How Do We Measure the Potential Effects of Marine Reserves in Achieving our Conservation and Management Goals?

Marine reserves have the potential to achieve a number of conservation and management goals, such as enhancing fish stocks, preventing overfishing and protecting essential fish habitat. The effectiveness of reserves in achieving each of these goals must be evaluated relative to the status quo. Good baseline information collected before or at the time the reserve is implemented and post-implementation studies of reserves are necessary. Knowledge of fishing effort prior to reserve implementation, as well as control areas before and after reserve implementation, will also be important for conclusive interpretation of results. Evaluation will need to address various issues, including annual variation in target species, adequate sample sizes, and the likely time lag between the establishment of reserves and measurable effects. It may take many years or decades to see effects. There is substantial risk in improperly evaluating reserve effectiveness, which could have costly policy implications. Negative impacts could ensue if inadequate monitoring and evaluation found that reserves are effective when they actually are ineffective, or finding reserves are ineffective when they are actually effective.

The cost of monitoring reserves is difficult to evaluate and will primarily depend on reserve design, including the number and size of reserves, and the number of significant habitat types included in the reserves. Planned and ongoing habitat and stock assessment efforts could be modified for use in reserve evaluation.

Reserves are not a panacea. Many of the potential difficulties of status quo management also apply to reserves. Both status quo management measures and reserves may have adverse short-term economic effects on the industry. Just as status quo measures may generate spillover effects on other fisheries, reserves may also create spillover effects as vessels are displaced from the reserve area. Just as status quo measures often have different effects on different sectors of the fishery, decisions regarding the size and location of a reserve and the types of activities excluded from the reserve will also have allocative implications. Since reserves will supplement rather than completely replace status quo management, it is important to consider how the two approaches might be coordinated and the implications of each approach for the other.

(d) Marine Reserves Recommendations

1. Adopt marine reserves as a fishery management tool for Pacific groundfish and proceed with implementation, as appropriate.
2. Identify the specific objectives that marine reserves are expected to meet.
3. Develop siting and design criteria, including the size of the reserve, that will meet specified marine reserve objectives. Analyze options for establishing reserves that include nearshore, shelf, and slope habitat.
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.

7. PACIFIC GROUND FISH HABITAT

(a) Problem Statement

The Magnuson-Stevens Act requires councils to include descriptions of Essential Fish Habitat (EFH) in all FMPs. EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. The definition of EFH may include habitat for an individual species or an assemblage of species, whichever is appropriate to the FMP. The Magnuson-Stevens Act also requires councils to identify any fishing activities that may adversely affect EFH and, where fishing-related adverse effects are identified, FMPs must include management measures that minimize those adverse effects, to the extent

practicable.

The Pacific coast groundfish FMP manages 82 species that inhabit a large and ecologically diverse area. Research on the life histories and habitats of these species varies in completeness, so while some species are well studied, there is relatively little information on others.

Pacific coast groundfish species occur throughout the exclusive economic zone (EEZ) and occupy diverse habitats at all life stages. Some species are widely dispersed during certain life stages, particularly those with pelagic eggs and larvae, and the EFH for these species/stages is correspondingly large. Other species during all or part of their life stages may inhabit somewhat small EFHs, such as that of many adult nearshore rockfishes that show strong affinities to a particular location. As a consequence of the large number of species and their diverse habitat associations, the entire EEZ becomes EFH when all of the individual EFHs are combined.

(b) Strategic Plan Goal for Pacific Groundfish Habitat

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

(c) Issues/Options/Alternatives

1. Where Do We Find Essential Fish Habitat Information?

A background resource document that provides extensive descriptions of EFH for each life stage of the FMP species has been developed and appended to the FMP. This document includes life history descriptions, lists of data sets, and GIS maps of the distribution of species life stages, as available. For each life stage, tables of known habitat associations, life history traits, reproductive traits, and EFH information levels are also provided. Data on West Coast groundfish are not readily available to evaluate the extent of areas most commonly used by these species in each life stage; however, depth range data for adults of many species are available.

2. How Do We Minimize Adverse Effects of Fishing and Non-Fishing Activities on Habitat and Its Productivity to the Extent Practicable?

In an ecosystem, living organisms interact with each other as well as with their physical surroundings. For some groundfish species, the physical environment provides shelter from predatory animals and serves as spawning, nursery, rearing, foraging and migratory grounds. Juvenile fish, in particular, rely on refuge holes and rocky areas to avoid predation. Therefore, when assessing the effects of fishing gear on fish habitat, it is essential to consider the effects on both the physical and the living components of the habitat.

Groundfish habitat is affected by both non-fishing and fishing practices. Some non-fishing threats to groundfish habitat include: pollution, erosion of coastal wetlands, destruction of coral reefs, and entrainment of eggs and larvae into pumps, power plants, etc. However, the Council's jurisdiction includes only fishing gear and practices that directly affect groundfish habitat, including gear such as trawls, dredges, and lost or discarded nets, pots, and lines. Fishing gear and practices can degrade complex habitats such as reefs, rocky outcrops, and rock piles, harming the plants and animals that live there. Many studies indicate that less complex habitat areas result in fewer numbers and less diverse populations of fish.

For the most part, the use of gear that does not touch the bottom (e.g., mid-water trawl) does not have as significant an effect as gear that does come in contact with the bottom (e.g., bottom trawl, longline, pot, and set gillnet). Longline, and other types of hook and line gear, may disrupt rocks, coral, kelp, and other objects on the bottom that serve as important habitat for groundfish species. Line gear also may break and remain on the bottom where it can entangle marine life. Damage to habitat from pot or trap gear can also occur if the pot is dragged across the bottom as the gear is retrieved, particularly if the fishing effort is in rocky regions and more complex habitats.

Numerous studies on trawled areas indicate that when trawl nets and the associated gear comes in contact with the bottom, the gear has a significant adverse effect on the bottom habitat and communities. Bottom trawls can substantially alter ecosystems by suspending sediments, destroying benthic organisms, and damaging complex habitats, and altering habitat sediment structure. By increasing the turbidity in benthic habitats, bottom trawl gear may indirectly smother suspension feeders and injure or kill larvae.

Advances in technology have increased the potential of bottom trawl gear to damage groundfish habitat. Fishers are now able to access rocky reef substrates not previously fished by using synthetic net material coupled with the use of larger bobbins and rollers.

Lost or discarded fishing gear can also have an adverse effect on habitat. Ghost fishing occurs when gear is lost or abandoned; yet it continues to entangle and kill fish. Ghost fishing can have significant long-term negative effects on habitat and living resources, particularly when the lost gear is netting or pot gear made of long-lasting polyethylene.

(d) Pacific 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. Review and revise gear performance standards for hook and line, pot, set gillnet,

and trawl to increase gear selectivity and/or decrease ghost fishing by lost gear.

3. Promote scientific research on the effects of fishing gear on various habitats.

4. Promote research to modify existing gear and practices to provide practical, economically viable alternatives to fishing gear that adversely affects habitats.

SECTION II

THE GROUND FISH STRATEGIC PLAN

“WHAT WILL WE DO TO GET THERE?”

SCIENCE, DATA COLLECTION, MONITORING AND ANALYSIS

[PIC]

RESOURCE ASSESSMENTS
FMSY PROXIES
COLLABORATIVE SCIENCE
BEST AVAILABLE SCIENCE
DATA COLLECTION
MONITORING
FISHERIES ECONOMIC DATA

B. SCIENCE, DATA COLLECTION, MONITORING AND ANALYSIS

(a) Problem Statement

The foundation for good fisheries management is good science. Although the Magnuson-Stevens Act requires the use of the “best available science,” the perceived quality of the scientific basis for management has a direct bearing on the Council’s management policies and their acceptance by the fishing community and the public. The greater the uncertainty in the accuracy of stock assessments, the more precautionary management policies must be to assure that stocks are not overfished. The building blocks for good fisheries science include data collection, analytical evaluation, interpretation of results, and application for management. The most important of these for the Pacific groundfish fishery, and the one most lacking, is basic data collection from both fishery independent and fishery dependent sources. Fishery dependent data is data collected during normal fishing activity.

Resource surveys provide the most basic information for stock assessments. Resource surveys for Pacific groundfish are too infrequent and lacking in geographic scope to adequately assess and track trends in abundance for assessed groundfish stocks. A secondary, but no less important problem, is the small number of groundfish stocks that are actually assessed. The FMP has fisheries management authority over 82 species of groundfish, yet only about a dozen are fully assessed, and those only once every three years. Although the assessed species comprise the majority of the total catch, unassessed species are caught in a species complex mixture or as incidental catch. Due to lack of knowledge on sustainable harvest levels for these unassessed species, the Council must use a precautionary approach for the harvest of species complex mixtures to ensure that stocks are not overfished. Generally, the higher the degree of scientific uncertainty, the greater the amount of precautionary harvest restrictions are needed and the greater the cost to the fishing industry in terms of potentially lost harvest.

The second major need for basic scientific data is in fisheries dependent data collection, particularly for total fishery removals. Without an at-sea observer program, scientists and fishery managers have little confidence in their knowledge of the impact of the fishery on the stocks and stock complexes, and little ability to evaluate the effects of current regulations or of potential new regulations. This lack of confidence spills over to the fishing industry, who in turn have less and less confidence in the decisions of the Council, which results in increased controversy, divisiveness among the fishing industry, and loss of Council credibility.

Thus, the real problem is how to improve the quantity and quality of the scientific data collection that forms the basis for Pacific groundfish management. Fiscal constraints now and in the future will require increasing amounts of creativity and collaboration between the federal government, coastal state and tribal resource agencies, academic institutions, private

foundations, and the fishing industry to make the most effective use of their scientific data collection capabilities.

(b) Strategic Plan Goal for Science, Data Collection, Monitoring and Analysis

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

(c) Issues/Options/Alternatives

1. (a) How do we effectively assess 82 species? (b) How do we account for wide variability in biomass estimates and lack of information on total mortalities? (c) How do we get the information needed to understand influences of environmental variability on fish stock productivity?

It is unlikely that we will have the financial and human resources needed to collect the data to assess all 82 species with the same level of quantitative rigor, which means that managers will need to prioritize and use the available resources wisely. Species that make up the majority of the total removals have received the most attention in the past because of their economic importance to the industry, and the potential for being overfished. Equally important from a resource management perspective are the species that contribute relatively minor proportions of the catch that are not individually assessed, and which are often taken as bycatch or in species complex mixtures, (e.g. *Sebastes*). To protect the species in this category we need to identify the weakest species/stocks of the complex and assess them with enough rigor to set optimum yields that will prevent overfishing. A species like yelloweye rockfish (*Sebastes ruberrimus*) is an example of a very long-lived, unproductive rockfish that co-exists with assemblages of other more productive rockfish.

Fishery independent surveys are vital to providing a description of the relative abundance of different ages of fish within each species' population. These age-structured assessments provide us with estimates of a stock's future availability to the fisheries. Some uncertainty in groundfish stock assessment comes from the wide variety of precision and bias in fishery independent data sets. The best way to reduce that variability and the resultant uncertainty is to have a reliable data collection platform that is used for annual groundfish surveys, and that is separate from and not influenced by fishing activities. A vessel dedicated to collecting scientific information required to manage West Coast groundfish is a critical need if the Council is going to manage the fishery successfully.

Several studies provide compelling evidence that there are strong links between variations in Pacific Northwest coastal marine fishery production and large-scale variability in forces of the physical environment. These links have been most strongly established for salmon, crustaceans, and coastal pelagics; relatively little research has been done on West Coast groundfish resources. Scientists need to acquire additional information on the effects that

changes in ocean environmental conditions have on groundfish recruitment and productivity.

2. What Are the Appropriate FMSY Proxies?

The Council's 40-10 harvest policy was adopted in 1999 as part of Amendment 11 to the FMP. This biomass-based policy was developed in response to Magnuson-Stevens Act requirements. The two key inputs to the control rule are estimates of: (1) current stock size relative to the unfished condition of the stock and (2) the fishing mortality rate that produces Maximum Sustainable Yield (F_{MSY}). Outputs of the policy are the Allowable Biological Catch (ABC) and Optimum Yield (OY). Thus, errors in estimating F_{MSY} directly affect the setting of groundfish ABCs and OYs.

Due to the statistical difficulty of accurately estimating F_{MSY} directly from short time series of spawner-recruit data, the Council has for many years used proxy estimates of F_{MSY} , including especially $F_{35\%}$. This particular surrogate is based on theoretical work that has shown, over a range of plausible productivity states, that harvesting at an $F_{35\%}$ rate would be expected to produce a large fraction of MSY (i.e., 75%). However, subsequent theoretical work and other focused studies of West Coast groundfish productivity have questioned whether that rate is appropriate, not only for rockfishes (*Sebastes* spp.), but also more generally for groundfish species other than flatfish.

One key element to describing fish stock productivity is to estimate the number of spawning adults in a population for a given year, and the number of offspring each adult is expected to produce that will eventually survive and mature to a size large enough to be taken in the fishery (called the spawner-recruit relationship.) Describing inter-generational relationships is like trying to hit a moving target, because the relationships are shifting all the time in response to environmental and other changes. Imprecise stock productivity estimates result in uncertainty in setting important management reference points, including F_{MSY} , the level of stock biomass that produces MSY (B_{MSY}), and the size of the stock in the absence of fishing (B_0). Given the widespread difficulty of estimating these quantities, it is unrealistic to believe that there will be statistically accurate estimates of F_{MSY} for specific stocks of West Coast groundfish in the near future. The best that can be hoped for is imprecise but unbiased estimates of spawner-recruit parameters and that these, along with a precautionary approach, can be used to establish management reference points that achieve near-MSY performance while adequately protecting groundfish stocks from overfishing.

3. a) How Do We Increase the Resources Directed to Research and Data Collection for West Coast Groundfish? (b) How Can We Improve Science With Limited Resources and Increasing Demands? (c) Can We Maximize the Amount of Information Available to Management Through Collaboration, and If So, How?

The only apparent way to increase federal funding is if all of the primary fishery related and environmental interest groups unite in support of a common funding initiative. Fractured

efforts to get additional funding for West Coast groundfish will most certainly fail.

Absent increases in federal or state funding for groundfish management, the only source for additional governmental funds and scientific staff for West Coast groundfish research and data collection is through re-prioritizing resources within existing federal and state programs. To be successful, these entities must set up new partnerships that are not constrained by geographical boundaries and form a single groundfish program that addresses the highest priorities for groundfish resource surveys, assessments, age reading, and potentially fishery monitoring efforts. Dedicated leadership from each entity will be required to overcome bureaucratic barriers to collaboration. These partnerships must include all programs of the NMFS regional offices and science centers and state agencies.

In addition to governmental partnerships, collaboration with non-governmental entities may also be beneficial. Effective collaboration requires that the participants share common objectives. If the shared objective can be defined as getting useful and scientifically defensible information for groundfish fishery management, then it is possible to have meaningful partnerships between agencies, academia, the fishing industry, private foundations, and non-profit organizations.

4. How Do We Improve On the “Best Available Science”?

Councils and NMFS base fishery management decisions on these building blocks for scientific understanding: data collection, analytical data evaluation, interpretation of results, and application of information for management decisions. “Best available science” refers to the quality of science in this process of collection, analysis, interpretation and application. Having high quality data for fishery science requires that responsible agencies and entities have long-term data collection plans with: 1) established priorities, 2) sampling designs that incorporate statistical properties of data, 3) documented sampling protocols, 4) funded sampling programs, 5) data base management, and 6) experienced personnel. High quality analysis and interpretation requires a team of knowledgeable and highly skilled researchers with experience in the disciplines of fishery biology, economics, marine ecology, statistical and quantitative analysis, population dynamics, and computer science.

Team members must be able to work in an environment free from the political influences of the agency leadership, managers, constituents, and user groups. The Council then must have access to a team of scientists knowledgeable in Council management issues who can draw on available scientific information to prepare evaluations of management alternatives to write understandable decision documents. There should be periodic review by knowledgeable and independent (if possible) peers at each step of the process. Development of a coast-wide prioritized collection plan, funded sampling programs, and the coordination of collaborative teams of analysts will improve the “available science”.

5. What are the Parts of An Effective Fishery-Monitoring Program?

The objectives of monitoring include: 1) quantifying total catch to document total fishery-caused mortality, and 2) biological sampling of the catch to document the sex, size, age, and maturity of the fish caught. To be effective, a groundfish fishery-monitoring plan should cover the full coast wide distribution of the fisheries and should involve both an at-sea and a shoreside component to reflect the biological composition of the retained catch as well as the catch discarded at-sea. Fishery monitoring information is a key element in groundfish stock assessments.

Information should be collected and made available in a timely manner for incorporation into stock assessments and monitoring programs, particularly for stocks under a rebuilding plan. Trained individuals using a statistically valid sampling plan should collect fishery-monitoring information. The plan should be designed and applied according to the scientific method. The proper sampling design must be implemented to assure that the data collected are statistically representative at acceptable levels of sampling uncertainty.

6. (a) What Data Do We Need to Collect; How and Who Will Collect It? (b) If All the Needed Data Cannot Be Collected, What are the Priorities? (c) How Can We Utilize Industry in Collecting Scientific Information? (d) How Can We Incorporate Qualitative Data?

On a biennial basis, the Council updates its comprehensive “Research and Data Needs” document, which includes a prioritized list of biological, social, and economic data needs for the groundfish fishery. Groundfish items are prioritized under the categories: 1) Fishery Monitoring and Data Collection, 2) Resource Assessment Surveys, 3) Fishery and Productivity Parameters, 4) Stock Assessment Modeling, and 5) Habitat. This list should be updated and reprioritized to reflect the current state of crisis in the groundfish fishery.

There is a role for industry in the collection of scientific information whenever collaborative projects can be structured in a way to collect information according to the scientific method. Industry can also provide in-kind support such as: 1) providing vessels for at-sea research or surveys, or 2) money to hire professional scientists as consultants to tackle specialized projects. Fishers also have a wealth of knowledge acquired from personal observations accumulated over many years while working at sea. One way this valuable, subjective information can be translated into objective, reproducible scientific information is when fisher’s observations are used to design pilot studies to collect initial data on sampling variability.

This information can then be used in the statistical design of larger scale studies by providing valuable insights on how to reduce the variance (uncertainty) on parameter estimates. For example, fishers possess subjective knowledge on bottom type and fish distribution that can be used to establish pilot study level survey stratifications. The principals of random sampling can then be applied to the pilot study sites to evaluate improved stratifications in the design of larger scale federal or state survey efforts.

7. How Can We Better Collect, Analyze, and Use Economic and Social Information?

In 1998, the Council led an effort to develop a West Coast Fisheries Economic Data Plan. That plan provides a framework for depicting the relationships among different types of economic data collections and a systematic approach for addressing short and long-term economic data needs. That plan also mobilizes and coordinates the collection and use of economic information. Someone who is familiar with regulatory requirements for economic analysis should be assigned to and held accountable for implementing the plan. This person would coordinate with other West Coast economists in: 1) prioritizing economic data needs, 2) devising ways to modify or augment existing data bases to be more useful for economic analysis, 3) seeking out economic data collection and funding opportunities, 4) ensuring that the design and content of future economic data collections address Council needs, and 5) periodically updating the Economic Data Plan.

The shortage of economists has meant that even existing databases (e.g., PacFIN) are not used to their full potential. Additional economists are needed to help develop and evaluate management options, to ensure that SAFE documents provide adequate and meaningful economic information, to monitor the economic health of Council-managed fisheries and to provide economic input on various Council issues. Economists should be adequately represented on the Council's Plan Teams and on ad hoc Council committees where appropriate. We particularly need an economist with recreational fishery expertise.

Additional data management support will enhance productivity of the economists we have now. Frequently, the data summarizations needed for economic analysis are more time-consuming than the analysis itself. The expertise of economists who already work with or for the Council could be used more efficiently and effectively if someone were specifically assigned to work with them to provide timely, customized data summarizations.

Although sometimes called upon to conduct "social impact analysis" or evaluation of "community effects," economists have little training in these areas. We must make a concerted effort to determine the data and analytical requirements and the types of expertise needed to properly conduct such analyses.

(d) Science Recommendations

1. Prioritize stock assessments for suspected "weak stocks" in mixed-stock fisheries.
2. Create cooperative partnerships between state, federal, private foundations, and other private entities to collect and analyze the scientific data needed to manage groundfish.
3. Promote improved mutual understanding, communication and credibility between

the fishing industry and scientists through increased communication and collaboration, including at-sea ride-alongs.

4. Develop methods for incorporating fisher observations into stock assessment and monitoring programs, including employing commercial fishing vessels to conduct cooperative resource surveys and to collect other scientific data.
5. Implement the Council's draft West Coast Fisheries Economic Data Plan.
6. Ensure that economists and social scientists are adequately included on Council plan teams and ad hoc committees where appropriate, to ensure that all dimensions of management issues, options, and solutions are well reflected in their input to the Council.
7. Hold an annual or bi-annual meeting of U.S./Canada and/or U.S./Mexico stock assessment scientists to plan upcoming (preferably joint) assessments of transboundary stocks. The U.S./Canada portion of this recommendation could be conducted under the umbrella of the existing U.S./Canada Groundfish Technical Subcommittee.
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 multi-year research and data collection/analysis plan for west coast groundfish.
10. Direct scientific efforts to measure the changes in groundfish 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.

SECTION II

THE GROUND FISH STRATEGIC PLAN

“WHAT WILL WE DO TO GET THERE?”

**COUNCIL PROCESS AND
EFFECTIVE PUBLIC INVOLVEMENT
DURING AND BEYOND THE TRANSITION**

[PIC]

**LAWS AND REGULATIONS
MEANINGFUL GOALS AND OBJECTIVES
USING ADVISORY ENTITIES
BUILDING TRUST AND CREDIBILITY
MONITORING MANAGEMENT EFFECTIVENESS
PUBLIC OUTREACH AND STAKEHOLDER INVOLVEMENT**

C. COUNCIL PROCESS AND EFFECTIVE PUBLIC INVOLVEMENT DURING AND BEYOND THE TRANSITION

(a) Problem Statement

The Pacific Fishery Management Council is guided and constrained by federal law. The main statute is the Magnuson-Stevens Act, which created the councils and sets standards and procedures for the councils. The Council's actions result in federal regulations, which are governed by additional procedural laws, most importantly the Administrative Procedure Act (APA), the National Environmental Policy Act (NEPA), and the Regulatory Flexibility Act (RFA). In the Council process, these administrative laws ensure that the Council considers the potential effects of its actions before making recommendations on federal regulations.

The interplay of these laws imposes a complex regulatory process on the Council that in some cases is duplicative of Magnuson-Stevens Act requirements. The Council, like other entities that operate with federal funding, may not lobby Congress. However, Congress regularly asks councils for suggestions on legislation, particularly during the routine reauthorization process for the Magnuson-Stevens Act.

To meet the provisions of the Magnuson-Stevens Act, including providing for meaningful public involvement, the Council generally uses a two-meeting decision making process, i.e. alternatives for a proposed action are identified at one meeting, the alternatives are provided to the public for review and comment, and the Council considers final action at the next meeting. The challenge in this procedure is ensuring that the public is aware of the Council process, is informed about the proposed action and its potential impacts, and has a readily available avenue to provide the Council with their comments.

Historically, the Council groundfish management process provided adequate time to establish annual harvest regulations, allocation amendments and, periodically, management plans. In 1995 and 1996, the operating environment for the fisheries and the Council changed significantly. First, each new round of assessments seemed to predict new declines. Second, the science itself and modeling were questioned along with the adequacy of databases. Finally, Congress created new precautionary requirements for management, significantly raising performance expectations.

These conditions accelerated the current groundfish fishery crisis. The Council is confronting a larger array of issues of greater complexity than ever before, and issues develop at a far faster rate than they can be addressed. Participants are frustrated with the process as well as with the perceived lack of stability or predictability in the fishery. The fundamental trust and credibility relationship between industry, the public and management is strained and the process is not serving its intended purposes.

(b) Strategic Plan Goals for Council Process

- *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.*

(c) Issues/Options/Alternatives

1. What Additions or Changes to Laws and Regulations Would Assist the Council in Making Progress in Achieving Its Objectives?

The Council is on record supporting several amendments to the Magnuson-Stevens Act that would provide needed management authority. In particular, the Council has supported authorization to establish individual quota programs and to collect fees to pay for an observer program (or for direct federal funding). These two additions would go a long way towards accomplishing the goals of improved information, reduced bycatch, and allowing the market to take care of many necessary changes. The Council has also supported increased funding both for itself and for NMFS. In addition, the Council might support authority for community quotas in future Magnuson-Stevens Act amendments if these seem beneficial to West Coast fisheries.

The federal tax code could be changed to provide incentives for fishers to retire their permits and vessels. The various federal incentives for fishers to increase their capital investments in vessels, gear, permits, etc., (e.g., Capital Construction Fund) could be revised to allow transfer of that capital to other uses.

Federal buyback/fleet restructuring legislation and funding would provide a means for proceeding quickly with fleet reduction.

2. How Can the Council Ensure Effective Congressional Interaction?

The Council is routinely asked to comment on relevant pieces of legislation. Council chairmen meet regularly and develop positions in response to Congressional requests. The Pacific Council could have a committee (such as a Legislative Overview Committee) and/or a member identified so that, when a request is received, the Council is already prepared with a timely, considered response. As the Council increases its interactions, and the quality of its presentations, it may receive more requests for information. As the Council identifies non-standard tools to assist in fishery management, it could also write up proposals for the periodic Magnuson-Stevens Act reauthorization process. The Legislative Overview

Committee could also be asked to think creatively about Council needs for future fishery management tools.

3. Should the Magnuson-Stevens Act be Changed to Reduce Management Requirements and Complexity?

This question has been around since the early days of the FCMA. For example, councils pushed for exclusion from NEPA requirements so that environmental assessments and environmental impact statements would not be necessary for all FMPs and regulations. This is because the Magnuson-Stevens Act contains the same basic requirements for identifying alternatives and considering the impacts of the alternatives, and NEPA primarily imposes additional procedures. The RFA is designed to ensure that federal regulations do not cause a significant economic harm to small entities. Analyses required by the RFA are also required by the Magnuson-Stevens Act.

Councils have also argued for exemption from the Paperwork Reduction Act (PRA), which is designed to reduce the record keeping and reporting required of individuals. There is a conflict between protecting fishers from keeping and reporting information, and the need for this data to ensure that the Council makes informed management decisions. Over the past 25 years, there have been multiple attempts to streamline legislative requirements with only minimal improvements. There is a tension between requiring additional analysis and process to ensure appropriate information for the decisions, and being able to act with adequate speed and flexibility to manage fisheries in an appropriate and timely manner. The fundamental question is whether the public would be better served with changes to basic rules.

During the next Magnuson-Stevens Act reauthorization process the Council could recommend that actions under the Magnuson-Stevens Act be exempt from NEPA and the Regulatory Flexibility Act because the relevant issues are already covered under the Magnuson-Stevens Act itself.

4. How Can the Council Minimize Conflicting Goals and Objectives, Improve Balance Between Goals and Objectives, and Adopt Goals and Objectives That are Meaningful, Operational, and Measurable?

The Council should set up a clear, prioritized hierarchy such that no goal or objective is allowed to compromise achieving another ranked higher in that hierarchy. The hierarchy may include a division between required and desirable goals. Any new goal or objective adopted by the Council would be carefully considered and placed on the prioritized list.

A second alternative to addressing conflicting goals and objectives is to consciously balance the attainment of each by considering and weighing them against the National Standards and other applicable statutory requirements

There is always a balance between establishing a comprehensive list of *all* the goals and objectives that might be associated with any given undertaking, and simultaneously attempting to achieve that list; the broader the list, the greater the difficulty in achieving all elements within it.

Whether a goal is achieved, or to what degree it is in conflict with other goals, can only be determined if it is measurable. Qualifying phrases such as “to the extent practicable” or abstract measurements such as “minimize,” or “maximize” only increase the difficulty in resolving conflict between competing goals and objectives. As an example, consider the difference between “minimize discard to the extent practicable” and “reduce discard by 30 percent.” The lack of guidance provided by unmeasurable objectives is even more dramatic when they are weighed against conflicting goals, which also include abstract terms like “minimize,” “maximize” or “to the extent practicable.” Whenever possible, the Council should adopt goals and objectives with measurable criteria.

5. How Should the Council Monitor Management Effectiveness?

If the Council has established goals and objectives with measurable outcomes, management effectiveness could be assessed by simply measuring the degree of attainment for those goals and objectives. Sustaining the resource that supports the fishery that the Council manages is one obvious measure. Realistically, the complexity of groundfish management will likely make direct measurement of effectiveness difficult for the foreseeable future.

6. How Can the Council Clarify the Roles and Responsibilities of the Groundfish Advisory Committees and Teams, and Build Trust Between Advisory Entities?

The Council needs to specifically address what it expects from each of its advisory groups. Considerable attention has recently been given to the issue of separating science from management. The Council could facilitate this separation by more clearly defining where it receives scientific advice versus where it receives management advice. To the extent that the Council can clearly identify the specific product or perspective it desires from an advisory body, the more effective that body could be in delivering the desired product.

As harvest opportunities decrease, demands on the information supporting management increase, and resource allocation becomes increasingly necessary. These changes result in increased conflict between and among public interest sectors. The Council needs to determine how it will receive conflicting advice from its advisory entities. Minority statements from advisory groups could be encouraged. Specific votes on issues, perhaps recorded by affiliation within the industry advisory body, could also be provided to the Council.

As harvest opportunities become increasingly constrained, the Council should ensure that it is receiving the perspectives from regionally-oriented constituencies. Expense and

meeting management constraints probably preclude expanding advisory groups to fully represent all unique interest groups, but the Council should seek input from industry, the environmental community, and management on the extent to which the current advisory groups provide the broad-based, comprehensive advice the Council requires. The Council may wish to explore a more formal process to allow members of interest groups an opportunity to communicate with those representing them on Council advisory bodies.

7. (a) How Can the Council Get Sufficient Support for a Sustainable Fishery from All Stakeholders? (b) How Does the Council Gain Public Acceptance that Sustainable Fisheries and Resource Conservation Can Co-Exist?

The Council must first lay out its view of a sustainable fishery, which should come naturally from the vision statement. Sustainability is a foundation stone of the Magnuson-Stevens Act, and recreational, commercial and environmental representatives speak in support of the concept. The Council should clearly describe the various elements and the necessary balance: productive resources, prosperous industries, diverse recreational opportunities, vibrant communities, etc. To get philosophical buy-in, this message must be clearly, consistently and frequently stated at Council meetings, in newsletters, at hearings, and other venues.

8. Who Are the Stakeholders That Are Affected By and Interested in the Actions of the Council, What is Their Role, and Who Represents Their Interests?

Currently, the Council engages stakeholders through Council meetings, public hearings on FMP amendments, and membership on committees and panels such as the Groundfish Advisory Panel, Habitat Select Group, and other advisory entities. Others express their interests via phone calls and letters to Council members and the Council office. Council committee membership changes every two years and nominations are solicited from organizations and individuals. The number of seats and their designations are also reviewed from time to time to better reflect the population of interested stakeholders.

The fishery resources under the Council's jurisdiction belong to the country as a whole and the Council is charged with managing the resources to obtain the maximum/optimum benefit. Under this view, every U.S. citizen is a stakeholder. Constituency representative groups include, among others: commercial and recreational fishers, Indian tribal fisheries, fish processors, and those who support fishing activities including associated business owners, representatives from surrounding fishing communities and environmental organizations. There is also a constituency of non-consumptive users such as scuba divers, pleasure boaters, surfers, beachcombers, bird watchers, and others who have a stake in the aesthetic qualities of the marine environment and fish resources. These groups may be represented by local or national organizations. The Council maintains a mailing list of individuals, commercial and recreational fishing organizations, commercial enterprises, environmental and other interested organizations, as well as others identified as interested

and affected stakeholders.

9. How Can the Council Help Inform and Educate the Public as Well as Provide for Effective Public Outreach?

The Council by itself cannot inform and educate the public. This will require cooperation among the Council, NMFS, the various state agencies, fishing groups (both recreational and commercial), and environmental organizations. The Council currently distributes five newsletters each year, numerous meeting notices and announcements, and various documents relating to proposed regulation changes. The Council's newsletter summarizes its major actions, decisions and events. The Council staff maintains a mailing list of over 4,200 individuals and organizations. Newsletters are mailed to approximately 2,700 individuals plus additional media, libraries and organizations. Over 1,000 addresses receive mailings specific to groundfish issues. Each of these lists is updated regularly, typically at least once each week. Major Council documents and newsletters are posted on the Council website. One measure of current outreach is the number of visits to the website: recently, there have been over 42,000 hits per month. The Council can also help by holding meetings at multiple locations, improving its website and website links.

The state representatives on the Council need to recognize their individual roles and responsibilities to their respective constituents. Public outreach is one role of each individual Council member. State representatives can develop mailing lists of license holders, update web pages to include Council information, establish advisory groups, and host public meetings. All of these tools will help increase communication and help facilitate understanding of the Council and its process.

10. How Can the Council Minimize Adverse Economic Effects and Take Into Account the Needs of Fishing Communities When Making Council Management Decisions?

Economic effects on individual fishing participants, companies and communities in recent years have been substantial due to declining stocks and overcapacity. Social and economic impacts will continue until the industry comes into equilibrium with resource availability and stocks stabilize at productive and sustainable levels. A major restructuring of the industry and coastal communities is inevitable, and the Council and federal government can provide much needed direction for the necessary changes.

A strategic approach for this restructuring would include the Council taking a leadership role in the "transition to sustainability" through capacity reduction and open access fleet restructuring, so that the industry is stable, diverse, market driven, and profitable, regardless of environmental and stock variability. The help of state and federal governments can facilitate the necessary change and ease the trauma through public assistance, training, and tax relief.

The Council staff has been preparing a baseline document that describes coastal communities, categorizes commercial vessels by the combinations of species they land, identifies participation in recreational fishing, and fish processing. This information may be useful in better tuning fishery management decisions. Identification of classes or groups of vessels that operate similarly will help the Council predict and understand regulatory effects. Finally, the Council may receive more comprehensive user viewpoints and public comments about the needs of fishing communities, as well as the potential impacts of Council decisions, by improving public outreach.

(d) Council Process Recommendations

1. Encourage long term thinking so the Council can suggest creative solutions to Congress and NMFS during the Magnuson-Stevens Act reauthorization process.
2. Establish a performance evaluation committee to periodically and critically review progress made towards Council goals and objectives. The committee should also analyze improvements needed in Council procedures to maintain efficiency.
3. Update goals and objectives in the FMP to incorporate the strategic plan's vision and goals. These updated goals and objectives should: (a) be measurable, (b) have minimal conflicts, and (c) be clearly prioritized wherever possible.
4. Continue to routinely update its mailing lists and ensure that they contain commercial and recreational fishing associations, conservation and environmental groups, commercial licensed fishers for groundfish and other fishery species, local port offices, media contacts, and community-based organizations.
5. More effectively use newsletters, web page displays, public forums, 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, highlighting key issues.
7. Sponsor workshops to explain the Council process, its role and responsibility relative to fishery management, the roles of its committees and advisory entities, and the various opportunities for public involvement. Workshops should be held by the Council and state agencies in local port communities.

SECTION III

THE GROUND FISH STRATEGIC PLAN

“HOW WILL WE MEASURE SUCCESS?”

**IMPLEMENTING AND UPDATING
THE STRATEGIC PLAN DOCUMENT
DURING AND BEYOND THE TRANSITION**

[PIC]

PROPOSED IMPLEMENTATION PROCESS

OPTIONS FOR UPDATING THE STRATEGIC PLAN

III. "HOW WILL WE MEASURE SUCCESS?" IMPLEMENTING AND UPDATING THE STRATEGIC PLAN

A. PROPOSED IMPLEMENTATION PROCESS

1. A Recommended Approach for Implementing the Groundfish Strategic Plan Document

(a) Background

The following proposal would be used to ensure effective implementation of the Groundfish Strategic Plan *after* the Pacific Fishery Management Council adopts it as a final strategic plan document.

The Ad-Hoc Groundfish Strategic Plan Development Committee discussed various ways to implement the Groundfish Strategic Plan and considered the usual Council direction to the advisory entities, the formation of a number of kinds of committees, and combinations of different approaches for effective implementation as well as measuring progress and success. After significant discussion, the group agreed to the following recommendations to the Council for a strategic plan implementation approach.

(b) Implementing the Strategic Plan 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 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. The Implementation Committee works at direction of the Council and is tasked with making recommendations regarding implementation of the strategic plan.
4. The Implementation 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.
5. At the direction of the Council, the Implementation Committee will develop recommended schedules for carrying out all components of the strategic plan.

6. The Implementation 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 “mini-team” approach, e.g. “capacity implementation plan mini-teams” to 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 Committee, with a charge to develop a plan and product by “x” date. The Implementation Committee considers the work of the mini-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.

B. MEASURING SUCCESS

1. Options for Updating the Groundfish Strategic Plan Document

a) Background

A good strategic plan is rigid enough to have clearly-stated, expected results but also flexible enough to modify when evaluation indicates change is necessary. The Council wishes to maximize the value of the time, energy and money invested in its strategic plan by regularly evaluating the plan's effectiveness and initiating changes as deemed necessary to enhance success. The Council also recognizes that periodic review provides plan continuity for Council members and staff, and promotes public awareness.

However, this strategic plan is a complex document that was drafted to cover the long term, and thorough, frequent review would take a significant amount of the Council's limited time. If review is too frequent, the energies of the Council may be diverted to trying to re-argue existing policy choices rather than to implementing the plan, thereby detracting from the goal of moving through the transition period to a more stable fishery.

Council review would be a formal process for assessing success and progress in implementation of the strategic plan and for determining whether the plan should be modified. Even if a formal review is not scheduled, the Council, as always, has the option of placing plan review on its agenda if it determines it is necessary. For example, the Council could schedule a review of the plan needs to account for changes to the Magnuson-Stevens Act, or if other new information develops that affects the plan.

b) Options for Timing of Review

Option 1 – The Council would review the plan annually.

Option 2 – The Council would review the plan every two years.

Option 3 – The Council would review the plan every five years.

c) Options for the Review Process

Option 1 – The Council would review the plan, with public participation, as part of a Council meeting. The public would have notice of the upcoming review, would have the opportunity to provide written comment to the Council, and would have the opportunity to provide comment to the Council during the meeting at which the review takes place. Advisory entities would have input through the standard Council meeting format. If the Council determines that action is necessary, it will initiate the necessary process.

Option 2 – This option includes the activities described in Option 1, but in addition, the Council would hold hearings along the coast to allow in-person testimony from interested parties.

(d) Updating The Strategic Plan Recommendation

The Council should schedule a routine review every five years (Option b3). 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 (Option c1).

SECTION IV

THE GROUND FISH STRATEGIC PLAN

APPENDIXES²

[PIC]

SSC ECONOMIC SUBCOMMITTEE OVERCAPACITY EXECUTIVE SUMMARY MEMO STRATEGIC PLAN TIMELINE AND SCHEDULE ACRONYM AND ABBREVIATION LIST

² *See Council staff for further information on these documents*

APPENDIX A

Scientific and Statistical Committee's Economic Subcommittee Overcapacity Report — Executive Summary Memo with reference the Executive Summary and full report.³

EXECUTIVE MEMORANDUM⁴

Date: March 16, 2000
To: Pacific Fisheries Management Council (PFMC)
From: Economic Subcommittee – B Scientific and Statistical Committee (SSC)
Regarding: Report on Overcapitalization in the West Coast Groundfish Fishery

Attached is our report titled *Overcapitalization in the West Coast Groundfish Fishery: Background, Issues and Solutions*. At the November 1999 PFMC meeting, amid SSC discussions regarding the severity of the overcapitalization problem in the groundfish fishery, the SSC Economic Subcommittee volunteered to author a report on the topic. With Council support, the Subcommittee held a two day public workshop on January 13-14, 2000 in Portland to discuss capacity reduction issues and strategies. In addition to Subcommittee members, meeting participants included economists from the NMFS Northwest Region, industry representatives and various members of the Council Family.

The report was designed with three primary objectives: (1) describe and evaluate capacity trends and status of the West coast groundfish fishery, (2) review alternative programs for reducing and managing fishing capacity, and (3) evaluate a range of alternatives for reducing West coast groundfish capacity. The report is intended to provide input to the Council as it develops short and long run plans for improving management of the West coast groundfish fishery. The key findings (which are discussed more fully in Section IV.E of the report) are highlighted below.

Overcapitalization is the single most serious problem facing the West coast groundfish fishery. The effectiveness of traditional management measures (e.g., landings limits, seasons) in ensuring that discards are minimized and that a reasonable economic livelihood can be made from the groundfish fishery has been seriously eroded in recent years. Given that OYs are unlikely to increase any time soon, the only viable option for reducing overcapitalization is to reduce potential harvest capacity.

The problems associated with overcapacity will not be resolved by waiting for vessels to leave the fishery. The extremely high amount of latent (i.e., unutilized) capacity present in the fishery means that a significant amount of effort is available for mobilization at any sign of improved fishing opportunities. The current problems associated with low landings limits, short seasons and complex and contentious management will not go away unless the Council takes deliberate action to permanently remove latent capacity from the fishery.

There are no quick or easy fixes for the problems caused by excess capacity. Eliminating excess capacity will be complex, costly and time consuming, regardless of which capacity reduction approach or combination of approaches is used. However, the status quo is also complex, costly and time consuming,

³ See Pacific Fishery Management Council staff for a complete copy of the SSC document

⁴ This memo and the referenced report were prepared for the Pacific Fishery Management Council by the SSC Economic Subcommittee. It is currently under review by the SSC. Please contact the PFMC offices for a copy of the full report.

and provides no solution to excess capacity and its associated problems.

The Council should take immediate action to develop stringent capacity reduction programs for all sectors of the West coast groundfish fishery. Given the current moratorium on IFQs and the complexities of designing an IFQ system, IFQs are best viewed as a long term management strategy for West coast groundfish. Other potential solutions, including limited entry for the open access fishery and buyouts and/or permit stacking for the limited entry fishery, should be explored immediately.

As a first step, the Council should establish clear goals and objectives for capacity reduction in each fishery sector. Goals and objectives have a direct bearing on the design of the capacity reduction program and the measures used to monitor program success.

Long term allocation decisions must be made to ensure that capacity reduction represents an acceptable financial risk to those who will pay for it. All capacity reduction approaches require that someone (industry, government or both) bear the financial risks associated with harvest, market and regulatory uncertainties. Allocation of groundfish OYs among fishery sectors (including recreation) will alleviate a major component of that risk.

Spillover effects on other fisheries should not deter the Council from addressing overcapitalization in the groundfish fishery. While scrapping of vessels is highly desirable, it is not clear whether it will be affordable. If vessels are not scrapped, it will be important that the capacity reduction program include design features that discourage spillover to the extent possible. Some spillover, however, will be inevitable, regardless of which capacity reduction approach is adopted (including the status quo). In any case, the groundfish fishery should not be held hostage to inadequate capacity regulation in other fisheries.

An ad hoc committee should be assigned to develop and evaluate a "straw man" capacity reduction options for the Council. The committee could explore any number of management options. For instance, the committee could evaluate alternative mandatory permit stacking schemes in terms of their effects on harvest capacity and the landings limit per permit. The committee could analyze the effect of alternative limited entry criteria on the open access fleet. The committee could evaluate the feasibility of obtaining funding for a buyout and how much capacity could be bought out with different levels of funding. ***Council input regarding its capacity reduction objectives and which of the broad range of capacity reduction approaches it is interested in pursuing will be essential for focusing the committee's efforts. Industry involvement will be critical to the success of this endeavor.***

APPENDIX B

Pacific Groundfish Fishery Strategic Plan Process Timeline and Schedule

SEPTEMBER 1999		OCTOBER 1999		NOVEMBER 1999		DECEMBER 1999	
DATE	TASK	DATE	TASK	DATE	TASK	DATE	TASK
13-16	Facilitator conducts convening meetings with PFMC and Council Committee members	14	Convening summary document to Committee	1-5	Council meeting: provide update and status report on proposed framework; receive guidance and direction	14-15	Meeting to continue preparation of draft Strategic Plan, including brainstorming a range of options for addressing issues
17	Ad-Hoc Committee meets to review convening process	18-19	Committee meeting to discuss results of convening process and begin developing strategic plan framework		Committee meeting to begin preparation of draft Strategic Plan; discuss issues, key questions, obstacles and barriers		
JANUARY 2000		FEBRUARY 2000		MARCH 2000		APRIL 2000	
DATE	TASK	DATE	TASK	DATE	TASK	DATE	TASK
17-18	Committee meeting to review, discuss, and revise proposed options and strategies	14-16	Committee meeting to continue development of proposed range of strategies; start to bring together the overall draft framework	6-10	Brief update at Council meeting	3-7	Update and Status Report at Council meeting.
				21	Conference call to discuss strategies and prepare for April meeting	18-19	Committee meeting to finalize proposed range of options and strategies; review overall draft plan

Pacific Groundfish Fishery Strategic Plan Process Timeline and Schedule

MAY 2000		JUNE 2000		JULY 2000		AUGUST 2000	
DATE	TASK	DATE	TASK	DATE	TASK	DATE	TASK
22-24	Committee meeting	14-15	Committee meeting		Conduct public involvement activities to encourage broad constituent review and comment of draft strategic plan		Conduct public involvement activities to encourage broad constituent review and comment of draft strategic plan Committee meeting for review of comments; revise and finalize strategic plan
		26-30	Request Council approval of Draft Strategic Plan (Council advisory review and comment)				
			Release for public review and comment				
SEPTEMBER 2000		OCTOBER 2000		NOVEMBER 2000		DECEMBER 2000	
DATE	TASK	DATE	TASK	DATE	TASK	DATE	TASK
11-15	Seek final Council approval for Strategic Plan		Begin Strategic Plan Implementation Activities		Tasks to be determined		Tasks to be determined

APPENDIX C

Acronyms and Abbreviations List

ABC	Acceptable Biological Catch
CDFG	California Department of Fish and Game
CDQ	Community Development Quota
Council	Pacific Fishery Management Council
DTS	Dover sole/thornyhead/rawl-caught sablefish complex
EA	Environmental Assessment
EC	Enforcement Consultants
EEZ	Exclusive Economic Zone
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FMA	Fishery Management Area
FMP	Fishery Management Plan
GAP	Groundfish Advisory Subpanel
GIS	Geographic Information System
GMT	Groundfish Management Team
HAPC	Habitat Areas of Particular Concern
IFQ	Individual Fishing Quota
IQ	Individual Quota
IRFA	Initial Regulatory Flexibility Analysis
ITQ	Individual Transferable Quota
LE	Limited entry
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
MMPA	Marine Mammal Protection Act
MSY	Maximum Sustainable Yield
mt	metric ton
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NMFS NWR	National Marine Fisheries Service Northwest Region
NOAA	National Oceanic and Atmospheric Administration
NPFMC	North Pacific Fishery Management Council
OA	Open Access
ODFW	Oregon Department of Fish and Wildlife
OY	Optimum Yield
PacFIN	Pacific Coast Fisheries Information Network
POP	Pacific ocean perch
PRA	Paperwork Reduction Act
PSMFC	Pacific States Marine Fisheries Commission
RecFin	Recreational Fishery Information Network
RFA	Regulatory Flexibility Act
RIR	Regulatory Impact Review
Secretary	Secretary of Commerce
SFA	Sustainable Fisheries Act
SSC	Scientific and Statistical Committee
SWFSC	Southwest Fisheries Science Center (NMFS)
TAC	Total Allowable Catch
WDFW	Washington Department of Fish and Wildlife

RESOLVE

Center for 720 SW Washington Street
Environmental Suite 750
Dispute Portland, OR 97205
Resolution 503.228.6408 *phone*
503.228.6207 *fax*

5 September 2000

MEMORANDUM

TO: Robert Alverson, Phil Anderson, Ralph Brown, Neal Coenen, Eileen Cooney, Bob Fletcher, Dave Hanson, Bill Robinson, Patty Wolf, and Don McIsaac

CC: Jim Lone, Yvonne deReynier, Dan Waldeck, and Jim Glock

FROM: Debra Nudelman

SUBJECT: PFMC Groundfish Fishery Strategic Plan Development Committee Meeting—
Summary and Action Items

Thank you for your efforts at the August 24th and 25th Pacific Groundfish Fishery Strategic Plan Development Committee meeting. This memo includes a brief meeting summary, the action items list, and outline for the September Council meeting presentation of the final draft Groundfish Strategic Plan and executive summary documents.

Progress and Updates Since the June Committee and Council Meetings

On Thursday morning, the Committee began the meeting by reviewing the proposed agenda and providing updates of activities since the June meeting including wide distribution and circulation of the draft Groundfish strategic plan and executive summary documents with a cover letter from the Pacific Fishery Management Council (Council) describing the public comment phase. The state representatives summarized the public comment received at the nine public meetings held in Washington, Oregon and California during late July and early August. Overall, there was significant attendance and participation at the meetings; it was noted that many attendees were individuals who would otherwise have not been able to attend Council meetings.

At the Committee's request during the June meeting, Yvonne deReynier of NMFS was asked to address a number of technical writing tasks that had been identified and agreed-upon by the Committee members. The goal of this request was not to alter the substance of the document, rather to make the document easier to read and understand, to improve the formatting and structure, and do minor edits, refinements to grammar, etc.

The facilitator reviewed the improvements and refinements made to the draft Groundfish Strategic Plan document and executive summary as noted above as well as describing the addition of introductory text that explained how the document was developed as well as an addition to the vision section that better described the urgency and need for strategic planning in

the Groundfish fishery as requested during public comment at the June Council meeting. The Committee briefly commented on the refined document and agreed to further discuss any additional changes during the Friday portion of the meeting. Finally, Council staff reviewed the advisory entity and public comment received thus far and stated that a summary would be provided at the September Council meeting.

Considering Advisory Entity and Public Comment, Necessary Edits and Revisions and Finalizing the Strategic Plan Document

The Committee discussed the range of topics raised in the public meetings and in the written advisory entity and public comment letters received by the Council thus far. After further review and discussion, the facilitator worked with the Committee members to develop an overall list of the categories of issues raised. The following list highlights the topics that Committee members discussed and considered over the two-day meeting both for potential revisions and improvements to the documents, as well as for potential additions, deletions and/or refinement to the strategic plan recommendations.

Public Meeting, Public Comment, and Advisory Entity Topics for Consideration

- Permit stacking – needs to be simplified, address voluntary vs. mandatory
- Capacity reduction issues- some say more than 50% needed, others say less than 50% needed, especially as linked to economic viability
- Big vs. small fisher issue- how will capacity reduction be made and how best to provide for balance and diversity for those remaining in the fishery?
- Buyback issues- request for emphasis on phasing in with early allocation
- Observers/Full retention/Bycatch- need to be more assertive on all of these issues
- Allocation- early allocation linked with permit stacking to increase certainty and so that fishers can know what they are purchasing, concern regarding shift to other fisheries, sport/commercial split
- IFQ's- good or bad, confusion over options vs. recommendations
- Open access issues- MLR's of 1,000 lbs, confusion about effects
- Area management/state management for nearshore- interest in area endorsements and interest in delegation to states for the nearshore fishery
- Marine reserves- as linked to habitat issues, careful of getting in front of the Council process
- Whiting fishery- some believe it is overcapitalized at shoreline
- Processors and supporting sectors- issues need to be addressed
- Funding for implementing strategies- recognize need for significant change, no easy answers
- Structure and Formatting issues: need to better differentiate between options and recommendations, express the urgency, discuss how to inform/persuade Congress and others, show which strategies are outside Council authority and what to do about it, and more explanation of what happens during implementation.

Committee members spent the rest of the day and the majority of Friday discussing and considering each of the above categories of input, comment, and suggestions from the public and advisory entities. Committee members agreed to work to improve the overall text of the document but felt strongly that the recommendations would carry the strategic plan from a guidance document into the implementation phase and should receive the greatest attention.

Thus, the bulk of the Committee meeting time was spent reviewing each one of the proposed recommendations under every section of the plan to: (1) add, delete, refine, or revise the recommendation based on consideration of the public comment and advisory entity input received thus far, and (2) to address any identified inconsistencies or duplication between recommendations. By the end of the two-day meeting, the Committee had reviewed and reached consensus agreement on every recommendation and the final revised recommendations were incorporated into the final draft Groundfish Strategic Plan document for presentation at the September Council meeting.

Strategic Plan Development Phase vs. the Implementation Phase

The Committee also spent time deciding what to do with the significant amount of public comment that was directed towards “how” the plan should be implemented rather than “what” the strategic plan should include as a guidance document. The Committee agreed that it was necessary to differentiate between those types of comments that were made to improve the Strategic Plan document (the “what”) and ensure that they were considered now during this strategic plan development phase versus those comments that were raising issues for implementation (the “how”), as those should be addressed during the implementation phase that will begin after the final strategic plan is adopted by the Council. The Committee developed some process steps and tasks to complete during implementation as described below.

Process steps for after adoption of recommendations and moving into the implementation phase

- Consider all advisory entity and public comments related to implementation of the plan
- Develop an overall implementation plan with priorities and phasing in of the recommendations
- Develop a schedule with milestones to ensure the recommendations are implemented in a timely fashion
- Provide detailed summary of the public comments as utilized during the implementation phase

Finalizing the Strategic Plan Document and Executive Summary Documents

Thursday evening, the Committee members agreed to read through the comments and documents one more time and reconvene on Friday to consider final edits and revisions. On Friday morning, the Committee worked through each section of the document and offered their final set of revisions, edits and refinements to the strategic plan documents. As the Committee members developed and agreed upon edits and revisions, Yvonne deReynier and the facilitator incorporated them into the final draft document. The Committee members discussed a wide variety of proposed edits and changes to the document. Just before lunch, the Committee used the SSC advisory entity submission as a checklist to see if those identified topics and suggestions had been considered; certain revisions were made based on the ideas and suggestions offered. After lunch, the Committee revisited the overall list of topics developed from reviewing all of the advisory and public comment submissions, and developed additional refinements and revisions to the document based on public comment and suggestions.

By early afternoon, the Committee agreed that the document was significantly improved and the refinements were sufficient for finalizing and circulating the final draft Groundfish Strategic Plan document and the executive summary document in the Council briefing books and at the Council meeting. Committee members reached a consensus agreement on the changes that should be incorporated to the documents at the conclusion of the meeting to meet the Council briefing book deadline for circulation prior to and at the September Council meeting. Committee members also agreed that any comments that were received after the Committee meeting would be included in the supplemental materials, available for review at the Council meeting and considered along with the advisory entity and public comment received at the September Council meeting. The revised final draft strategic plan and executive summary would be presented to the Council with a request for adoption and implementation.

Finally, the Committee decided it would be helpful to have a transmittal letter to include as supplemental material for distribution to the Council family and for the public at the September meeting. This letter could help to explain how the advisory entity and public comment was considered by the Committee, the interest in continued involvement by the industry and public during the implementation phase, and as a way of highlighting the overall refinements to the strategic plan document. Neal Coenen agreed to draft the letter with the Committee's agreed-upon content and the Council staff agreed to circulate it (see action item list).

Preparing for the September Council Meeting Presentation

After lunch on Friday, the Committee prepared for the Wednesday, September 6th Council meeting presentation. The group identified the topics to cover in the presentation and requested that the facilitator provide the summary report to the Council. The following list highlights the Council presentation topics.

Council Presentation Outline

- Topics covered at the Committee meeting and amount of time to review each area (Public meetings, submitted comments from public and advisory entities, June Council meeting comments)
- Plan vs. Implementation phase comments -- explain why comments were considered for the plan development or will be considered during implementation and how/why they are so important to effective implementation
- Describe highlights of the changes to the final draft document, executive summary and the recommendations and explain why the refinements and revisions were made
- Answer questions from Council members, as requested

Next Step Tasks, Timeframes, Public Comment and Meeting Summary

The Committee finalized its discussions by summarizing the next step tasks, timeframes and preparation tasks for the September Council meeting. The assignments and deadlines are identified in the attached action item list. Public comment was provided for at various times throughout the meeting. The Committee utilized its content during the meeting. The Committee concluded its business and the meeting was adjourned.

PFMC Groundfish Fishery Strategic Plan Development Committee
August Meeting Action Item List

Action Item	Who	When
1. Incorporate all Committee edits and revisions to the Strategic Plan document, the recommendations and the executive summary; submit the final draft Groundfish Strategic Plan document and executive summary for Council distribution	Yvonne deReynier and Debra Nudelman to Council Staff	By cob 8/25
2. Prepare Meeting Summary and flip charts notes and distribute to Committee and Council staff for further distribution	Debra Nudelman to Committee members and Council staff for distribution	By cob 9/5
3. Draft Strategic Plan Committee transmittal letter including all agreed-upon information and submit to Council staff for distribution with the strategic plan documents.	Neal Coenen to Committee members and Council Staff	By cob 9/8

EXEMPTED FISHING PERMIT APPLICATIONS

Situation: National Marine Fisheries Service (NMFS) research efforts often include the use of commercial vessels as survey platforms and to collect information. These activities sometimes require the vessel to be exempted from commercial fishing regulations that would interfere with the data collection project. NMFS may present exempted fishing permit (EFP) proposals for Council review at this meeting. In addition, the Council and NMFS received an EFP proposal from an open access, commercial hook-and-line fisher to test the effectiveness of vertical line gear to selectively harvest various rockfish species without catching canary rockfish, which is overfished and must be avoided (Exhibit G.3, Public Comment). The Council should offer comments to NMFS on any EFP applications under consideration.

Council Action:

1. Comment on EFPs.

Reference Materials:

1. Letters from Mr. Kenyon Hensel to Mr. Bill Robinson and the Council (Exhibit G.3, Public Comment).

PPMC
08/25/00

Exhibit G.3
Public Comment
September 2000

RECEIVED

AUG 8 2000

PFMC

Kenyon Hensel
871 Elk Valley rd
Crescent City CA.
95531
707 465 6857

To Bill Robinson, National Marine Fishery Service,

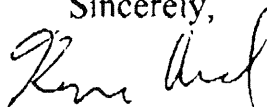
I am writing this letter to request an Exempted Fishing Permit to land Yellowtail rockfish in excess of my open access monthly allotment of 100lbs. I would like to be able to land up to 1000lbs during the monthly periods of September and October. I would be carrying a fish and game biologist who would document my total catch to collect data on the effectiveness of my vertical hook and line gear to avoid canary rockfish. I would discontinue my fishing effort when my limit of 50lbs of canary rockfish for the month was caught, or when I land 1000lbs of yellowtail rockfish for the month. Under no circumstances would I discard any catch to continue this study.

The yellowtail I catch above my limit, I need to retain to cover the costs of running the greater distances to conduct this study. If I catch these fish only to hand them over to the state fisheries, I would not be able to put out the time or money in fuel to make these observations. If the Council is serious about getting fishermen to help gather data, or even to help quantify science, then the council needs to commit its self to helping the fishermen to do so. It is not a great precedent to set to allow me to land a single metric ton of fish, when I am offering to increase science and contribute to the diversity of the fisheries.

If my period quotas were not cut so severely, I would be able to offer this service free, as I routinely caught the blues and widows that live with the yellowtails in the deeper water. I am offering to use my other species in conjunction with this study, so that I can retain all the fish I catch in this effort.

I hope the council and N.M.F.S. will consider this proposal during the September meeting. I am sorry that the time is short for these important decisions, but my time on the water is diminishing as I try to find some way to stay in this business. I hope to make some contribution to the fisheries if I can. I just need a little timely help from the council to do so.

Sincerely,



Kenyon Hensel

RECEIVED

AUG 8 2000

PFMC

Kenyon Hensel
871 Elk Valley rd
Crescent City, CA.
95531

To The P.F.M.C.,

As I stated at the last council meeting, we few fisherman who have fished through the 94 formation of the fixed gear and closed access hook and line sectors with vertical fishing gear, were exempted from the license process. We who are still fishing need a permit and fish quota that reflects our unique fishing method.

This year's reallocation of near shore fish to redirect the long line fleet into the near shore fishery is leaving a large portion of fish species that are found in the upper water column uncaught. These black and blue, widow, and yellowtail rockfish, made up 90% of the vertical line fishermen's catch. The council's reduction of these fish in the open access has driven the vertical line fishermen to ruin.

I am petitioning the council to raise the limits on these fish to the vertical line fishermen. Our gear meets all of the criteria set out in the new strategic plan. I can fish for these suspended fish without touching the bottom or drifting off of the high points, allowing me to fish without significant Canary by catch. If the council is serious about no by catch, and gear that does not interfere with the bottom, then vertical line gear and the people who already know how to fish it should be saved.

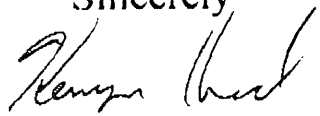
To this end I am asking for a fishery exempt permit from the National Marine fisheries to allow me to take and retain 1000lbs of yellowtail rockfish in the months of Sep, Oct, and Nov. I would also recommend that the council allow J. Larry Moore of Bodega bay to do the same. That retention would allow the two of us to take local Fish and Game observers from our port biologist's staff out to document our ability to catch these this fish mixture without catching Canary rockfish. The small amount of yellowtail we are allowed in open access only allows us to fish these mixed schools

for an hour until discarding yellowtail. An hour is not much time per month to generate any kind of meaningful data.

I am aware that N.M.F.S. does not like to allow the fish that are taken under the E.F.P. to be retained by the fishermen. The drastic financial situation we have been put in by our reduced quotas, mean that I cannot even afford the fuel or time to do this study if I must give up the fish.

If the fish cannot be retained, I will try to gather whatever data on my own, and hope it will be enough to help the council to open up these species of fish to vertical line fishermen. Other wise I see few options to last me through the implication of the new strategic plan. where I know the vertical gear I now use will be come the gear of choice for many fishermen. Many with A permits will change over to it, and prosecute their fish with little or no by catch. I learned this lesson 15 years ago, and refined a fishing process to allow me to make the most with the least. Don't make it my reward to watch from shore as this lesson is learned again.

Sincerely

A handwritten signature in cursive script, appearing to read "Kenyon Hensel".

Kenyon Hensel

REBUILDING PLANS FOR CANARY ROCKFISH AND COWCOD

Situation: The West Coast canary rockfish and cowcod rockfish resources are currently classified as overfished. Therefore, the Council must prepare rebuilding plans for these stocks before the November 2000 meeting. The cowcod stock is found almost exclusively in California, primarily in the Conception and Monterey areas; canary rockfish are found coastwide. The 1999 cowcod stock assessment addressed only that portion of the stock in the Conception area, but the assessment authors and the Groundfish Management Team expressed concern the Monterey portion of the stock is almost certainly overfished as well. The extremely low levels of abundance and productivity of this stock will likely restrict the rebuilding alternatives, but the generally narrow geographic range of the stock in U.S. waters should limit the geographic distribution of social and economic impacts. The revised rebuilding analysis (Exhibit G.4, Attachment 1) estimates 2001 harvest levels ranging from a few hundred pounds to about 6 mt for the Conception area. Information on geographic distribution of the stock and areas of higher abundance was also presented at the June 2000 meeting, and the Council stated its intent to explore specific closed areas to protect this sedentary species. The California Department of Fish and Game (CDFG) has proposed to consider closing two areas to bottom fishing (Exhibit G.4, Attachment 2). At its August 9-10 meeting, the Council's Ad-Hoc Allocation Committee recommended the Council consider a zero retention option (Exhibit G.4.b, Allocation Committee Report).

The widespread geographic distribution of the canary rockfish resource results in its harvest by several fisheries, including groundfish trawl, groundfish commercial hook-and-line, groundfish sport, and several incidental fisheries such as the pink shrimp trawl fishery. A preliminary draft rebuilding analysis was presented to the Council at the June 2000 meeting and Council asked that additional information be included in the next draft. The completed rebuilding analysis was not available in time for the Ad-Hoc Allocation Committee meeting. Therefore, the committee developed a range of "what if" scenarios to bracket a range of possible 2001 harvest levels. At that time, there was also little 2000 harvest data available. Without that information, the committee was unable to judge the effectiveness of current management. The rebuilding analysis is now available and provided as Exhibit G.4, Attachment 3. It presents a range of rebuilding times and initial harvest levels. On the low side, it could take 136-217 years, with initial harvest of only 15 mt. On the high (optimistic) side, rebuilding could be complete in about 41-45 years with initial catch as high as 185 mt in the north. An intermediate view would reduce harvest to 25-40 mt with rebuilding in 80-100 years. Whatever the Council's decision, management options for 2001 will be affected by harvest in the pink shrimp fishery, availability of recreational salmon fishing opportunities as alternatives to groundfish fishing, and the amounts of discarded canary rockfish catch by commercial and recreational fishers.

Stock rebuilding plans must include the length of time necessary to rebuild the stock, traditional harvesters, and initial harvest levels. The plans should also include target biomass and trajectories as the stock recovers and, if possible, expected harvest levels over the rebuilding period. The first step in the process is determining the rebuilding schedule and initial harvest levels. With this information, the Council can begin to consider any allocations to equitably distribute the costs and benefits among fishery sectors, and other management measures necessary to achieve the rebuilding goals.

The draft summary minutes of the August 9-10 Ad-Hoc Allocation Committee meeting are provided as Exhibit G.4.b, Allocation Committee Report. The document outlines a series of alternatives developed at the meeting. This report was distributed to the Groundfish Advisory Subpanel prior to the Council meeting to help them develop more specific proposals and perhaps narrow the options. The document includes a list of proposals CDFG has submitted to its Fish and Game Commission for consideration during the California management cycle.

The Council should identify specific management and allocation options at this time in order to take final action at the November 2000 meeting.

Council Action:

- 1. Council guidance on the length of the rebuilding schedule and initial harvest levels.**
- 2. Preliminary decision on allocation and/or regulations.**

Reference Materials:

1. Cowcod rebuilding analysis (Exhibit G.4, Attachment 1).
2. Memorandum from Mr. Robert C. Hight to Mr. Robert R. Treanor (Exhibit G.4, Attachment 2).
3. Canary rockfish rebuilding analysis (Exhibit G.4, Attachment 3).
4. Exhibit G.4.b, Allocation Committee Report.

PFMC
08/29/00

DRAFT SUMMARY MINUTES OF THE AD HOC ALLOCATION COMMITTEE MEETING,
AUGUST 9-10, 2000

A. Call to Order - The meeting was called to order by Mr. Jim Lone.

The committee added two discussion items to the agenda: implementation of the strategic plan, and specific management measures for 2001. LB Boydstun told the committee he needed to take any potential new recreational management proposals to the California Fish and Game Commission (Commission) on August 24-25.

B. Landings Compared to Rebuilding Goals

Dr. Jim Hastie reported lingcod landings by the open access sector will exceed the allocation by 10 to 15 mt. Canary rockfish landings by all sectors appear well below expectations, with only about 19 of the 103 mt optimum yield (OY) taken so far. Likewise, total landings of Pacific ocean perch are about 60 mt (OY is 227 mt). There was a long discussion about recreational catch of lingcod, bocaccio, and canary rockfish, and the possibility the Marine Recreational Fisheries Statistics Survey (MRFSS) system has overestimated catch this year, especially in northern California. It appears bocaccio landings will exceed the 2000 rebuilding harvest level. LB reported California Department of Fish and Game (CDFG) did not recommend the Commission to take actions to restrict landings at this time. It appears the only real tool available to reduce harvest will be closures. The committee asked the Groundfish Management Team (GMT) to prepare a simple table that portrays the projected catch levels in comparison to expected levels. Committee members expressed concern about canary rockfish discards; it is impossible to tell whether fishers are successfully avoiding canary rockfish, or are merely discarding it all. Committee members recognized this is a problem for other species as well, and supported an observer or other total-catch verification program.

C. GMT Report

Dr. Hastie reported darkblotched rockfish was assessed this year, and is apparently overfished. This slope rockfish is often caught in conjunction with Pacific Ocean perch (POP) and other northern slope species. One major unknown factor in the assessment is the amount of darkblotched rockfish caught in the foreign fishery and recorded as POP. If none of the foreign catch was darkblotched rockfish, the population is currently at 28% of the unfished level and 2001 OY would equal 150 mt. If 10% of the catch was darkblotched rockfish, the population is overfished and OY would be 100 mt. In order to protect this species, it may be necessary to limit the Dover sole, thornyheads and trawl-caught sablefish (DTS) complex fishery north of the Monterey management area. Seasonal availability will need to be considered in constructing management measures for 2001.

D. Review of contents, process and schedule for developing rebuilding plans - Jim Glock summarized the contents of rebuilding plans and said the Council must take final action on the canary and cowcod rebuilding plans at the November 2000 meeting.

E. Canary Rockfish Rebuilding Analysis and Plan Development

Dr. Hastie summarized the preliminary canary rockfish rebuilding analysis (no written report was available). The trawl surveys and samples of landings show an scarcity of older female canary rockfish, and the two possible explanations result in very different conclusions about the health and resilience of the stock. If the older female fish tend to die younger than males, then their breeding opportunities are reduced and the adult population is relatively small. The other possibility is older female canary rockfish are out there, but they avoid capture; perhaps they hide or migrate. In this case, the female fish do not die younger than mails, which means their breeding opportunities are not reduced. It also means the population is bigger than estimated by the surveys. If the first scenario is true, there would be a 53% likelihood the stock would rebuild in 45 years with initial (2001) total harvest about 150 mt. Reducing 2001 harvest to 100 mt would increase the likelihood of rebuilding in 45 years to 80%. Under the second scenario, initial landings

of 250 mt would result in a 56% likelihood of rebuilding in 47 years; landings of 150 mt would increase the likelihood of rebuilding in that time. In order to get a 60% to 70% likelihood of rebuilding in time, 2001 landings should not exceed 100 to 150 mt. If the recreational fishery takes 50 to 60 mt, only 50 to 90 mt could be taken by commercial fishers. Targeted commercial fishers would have to be eliminated, and all commercial fishing on the shelf would have to be curtailed. In order to avoid unrecorded discards, committee members discussed requiring vessels to carry observers whenever they fish groundfish on the shelf. The GMT put forward two basic scenarios:

If the canary OY is 200 mt, and recreational catch is 80 mt (40% of OY), commercial catch would be 120 mt (60% of OY). Management could be similar to that currently in effect. If the 2001 OY is 150 mt, and recreational catch is 60 mt, commercial catch could be 90 mt. Commercial management might need to be somewhat tighter. If OY is less, commercial fishing opportunities would be more constrained.

LB said the real challenge in the south is bocaccio, where recreational landings may have already exceeded the expected amount. Shorter seasons and reduced bag limits may be the only tools available to keep catches down next year.

F. Cowcod Rebuilding Analysis and Plan Development

The cowcod OY for 2001 will likely be less than 5 mt, as in 2000. LB noted California is considering area closures and prohibiting any retention of this species. OY may be as small as 25 fish next year, and will not exceed 660 fish.

G. Review POP and Coastwide Lingcod Assessments

The new POP analysis indicates the stock is likely out of the overfished condition at this time, but will stay in a rebuilding plan until stock abundance reaches the maximum sustainable yield (MSY) biomass level. That would occur within 10 years under several harvest levels. OY may be near 500 mt next year. It may be necessary to revise the current rebuilding plan in light of the new information.

Dr. Hastie and the GMT had questions about the lingcod assessment and needed to consult the authors before they could summarize the results.

H. Direction to Council staff, GMT, Groundfish Advisory Subpanel (GAP) and Other Entities

The committee asked Council staff to prepare a summary of the committee meeting as quickly as possible, email the draft to the committee, and distribute it to GAP members as soon as the committee gave the okay.

I. Strategic Plan Implementation

LB indicated California will request the Council and NMFS to defer management of nearshore groundfish species to the state, or remove several species from the fishery management plan so the state would have exclusive management authority. He suggested the three coastal states develop a joint proposal, including which species would be included, the management proposed, what the state authority would be, and how to provide access for (in and out-of-state) fishers. He said he would work with Eileen Cooney to develop specific recommendations and would then share the results with the other states. Washington and Oregon indicated they may not have the staff and funding to take over management at this time. Phil stressed that if Washington takes over management, he wants the state to have authority over all fishers, not just Washington residents. Bill Robinson supported the ideas, and noted delegation of authority would not necessarily be coastwide. LB indicated he hoped to have a proposal developed within about 6 months.

J. 2001 Management Changes

The committee held a "brainstorming" session and listed a range of management approaches for 2001, including alternative priorities the Council should consider.

Management Priority Options

1. Eliminate regulatory discards.
2. Do not exceed the OY for any overfished species.
3. Maintain year-round deliveries of fresh fish.

Management Options Considered

1. No shelf fishing without observer or other verification; full retention of all or identified species. The shelf could be defined geographically (by depth or latitude/longitude) or by species. Fishing could be delayed until after January 1. There should be stiff penalties for anyone caught discarding fish.
2. Vessels choose which periods they will fish (perhaps 3 of 6 periods); larger trip limits would be available.
3. Single, shorter season with large trip limits. This might be a modified derby with all fishing to close when the first species OY is reached.
4. A series of short seasons with larger trip limits initially; seasons later in the year might be shorter or might have smaller trip limits. If an OY is reached, fishing would be over for the year.
5. Full retention, mandatory observer coverage. When the first OY is reached, the fishery closes.
6. Differential trip limits for different fishing strategies, or for vessels carrying observers.
7. One or two landings per period, no limits (or larger limits). Periods might be several months long.
8. Seasons for specific species or complexes.
9. For the open access fishery, establish a summer season with only minimal catch allowances outside the season.

The committee concluded an observer/verification probably could not be in place before July 2001 at the earliest. The committee discussed alternative definitions of full retention (all species, or designated species), what catch allowances could be provided outside designated seasons, potential seasons to consider (e.g., the whiting season, winter Dover season).

These were compiled into the following:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
LE			Open Access, Whiting						LE		
Open access: no shelf species			LE						LE		
vessels pick 2 or 3 months, continuous						vessels pick 2 or 3 months, continuous					
						OR, full retention with verification; no fishing without verification					

SUMMARY OF CALIFORNIA RECREATIONAL FISHERY OPTIONS AFFECTING SHELF ROCKFISH AND LINGCOD (pertinent sections in **bold**)

The rockfish and lingcod management line should be moved from Lopez Point to Point Conception. This would place Avila Beach and Morro Bay in the northern California management area and be consistent with the statistical area boundary used by the MRFSS. The Council will be asked for the same regulation.

Rockfish and lingcod closure periods south of Cape Mendocino should be extended to November-February in the south and January-April or March-June in the north. These additional

closure periods may be needed to reduce the bocaccio catch to under 100 mt in the combined commercial and recreational fisheries. The catch of lingcod in the combined fisheries would be projected to be at or under 130 mt. The Council will be asked for the same regulation, in addition to closing the commercial fisheries (trawl and fixed gear) for nearshore and shelf rockfish and lingcod during these same periods.

Fishing for and retention of cabezon, greenlings, scorpionfish, sanddabs, sheephead, and ocean whitefish, should be **prohibited during the rockfish and lingcod closures south of Cape Mendocino.** These closures would be intended to minimize bycatch of rockfish and lingcod when fishing for these species. The Council will be asked to adopt the same regulation for cabezon, greenlings, scorpionfish, and sanddabs, both recreational and commercial.

Reduce the bag limit for bocaccio from three to two or one fish. This would be done to further reduce targeting on the species, but could increase discard of dead fish. The Council would be asked to adopt the same regulation.

Reduce the number of hooks that anglers may use when fishing for rockfish or lingcod from three to two or one. This would be done to reduce the chances of catching more than a limit of bocaccio on a single drop. The Council will be asked to adopt the same regulation.

Close the season or part of the season for lingcod, cabezon, and greenlings south of Cape Mendocino during September-April. This would apply to fishing for and possession of any of these species. These closures would be intended to meet biological and allocation objectives for the individual species and at the same time protect nesting fish. The Council will be asked to adopt the same regulations, both recreational and commercial (fixed gear and trawl).

Reduce the lingcod bag limit from two to one fish. This would be done to meet biological and allocation objectives for the species. The Council will be asked to adopt the same regulation.

Increase the minimum size limit for cabezon from 14 to 15-18 inches. Increasing the size limit will save immature fish and contribute to meeting biological and allocation objectives for the species. The Council will be asked to adopt the same regulation, both recreational and commercial.

Provide for the transport of recreational fin fish through restricted areas under terms and conditions specified on an annual permit that may be issued by the Manager of the Marine Region. We suggest a \$20 fee for issuing the permit. This provision is in response to a request from Mr. Robert Fletcher, Sportfishing Association of California and others. The Council will be asked to recognize this provision.

Require that operators of commercial permit fishing vessels (CPFVs) carry and cooperate with department and federal fishery observers on trips when space is available and at no charge to the sponsoring agency. Also, the department may require an explanation be submitted to the Manager of the Marine Region, on a form provided by the department, whenever observer coverage is denied. At-sea fishery observations are required in the CPFV fishery to verify logbook entries and to differentiate the species of fish in the catch. CPFV operators have increasingly denied fishery observers access to their fishing trips in recent years.

Prohibit fishing for and retention of cowcod. This option is intended to eliminate targeting on cowcod, but could increase discard of dead fish. The Council will be asked to adopt the same regulation, both recreational and commercial.

Prohibit recreational fishing year round for federal groundfish (Option 1), sheephead, California halibut, and ocean whitefish **as follows:** Area 1: The area bound by 118°50' W longitude, 33°50' N latitude, 120° W longitude, and 32°20' N latitude. Area 2: The area bound by 117°50' W longitude, 32°50' N latitude, 118° W longitude, and 32°30' N latitude (see attached map). **Option 2: Is the same as Option 1, but excludes federal nearshore rockfish, cabezon, scorpionfish, sanddabs, greenlings, and sheephead.** The Council will be asked to adopt the same regulations for federal groundfish, both recreational and commercial.

COMMERCIAL FISHERY OPTIONS

Prohibit commercial prawn trawling in Areas 1 and 2 described above. This would be done to ensure cowcod are not taken incidentally to fishing for prawns in these areas.

PFMC
08/29/00

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
REBUILDING PROGRAMS FOR CANARY ROCKFISH AND COWCOD

The Groundfish Advisory Subpanel (GAP) met jointly with the Groundfish Management Team (GMT) to review rebuilding plans for cowcod and canary rockfish. The GAP also was briefed by staff of the California Department of Fish and Game on regulatory proposals which the department intends to make to the Council at this meeting. This report comments briefly on the rebuilding plans and more extensively on the proposed California management measures. The GAP notes it will be increasingly important to monitor discards in all sectors of the fishery.

CANARY ROCKFISH

The options available for rebuilding are dependent on assumptions about recent recruitment. Projections based on the 1998 triennial trawl survey indicate a more optimistic view of canary stocks, which could lead to a higher optimum yield (OY) for 2001 than projections not using the 1998 survey point. In either case, the results of the 2001 triennial trawl survey will provide additional information to determine whether or not an optimistic approach is justified.

The Council needs to be aware of the trade-off involved: if the optimistic approach is used now and the 2001 survey confirms this projection, then substantial pain can be avoided. If the 2001 survey shows canary at a low level, then additional restrictions will need to be put in place in 2002.

On the other hand, if the pessimistic approach is used now, restrictions will begin immediately. If the 2001 survey confirms the optimistic approach, the fisheries will have endured this pain unnecessarily. If the 2001 survey confirms the pessimistic approach, then the Council will have acted properly.

COWCOD

The GAP agrees with the GMT decision to recommend the medium biomass estimate as the basis for rebuilding cowcod. However, the GAP has concerns on how rebuilding progress - both for this species and in general - will be monitored, especially if management measures call for zero retention of a species.

PFMC
09/13/00

SCIENTIFIC AND STATISTICAL COMMITTEE STATEMENT ON
REBUILDING PROGRAMS FOR CANARY ROCKFISH AND COWCOD

Canary Rockfish

Dr. Richard Methot, National Marine Fisheries Service, presented the results of the rebuilding analysis for canary rockfish to the Scientific and Statistical Committee (SSC). The analysis addressed all SSC comments that were given to the author at the June meeting. The rebuilding analysis was based on the northern stock assessment. Rebuilding analyses were presented for the two scenarios used during the stock assessment to explain the low incidence of older females compared to older males. The rebuilding analyses were developed by resampling the recruits per spawner (R/S) from various time eras. The SSC agrees with this approach.

The results of the rebuilding analyses are very sensitive to the strength of the 1996 to 1998 year classes. The R/S for these three years were the highest recorded; however, there is uncertainty associated with these values, because they are based solely on the 1998 triennial survey. Until these strong recruitments can be confirmed by the 2001 triennial survey, the SSC agrees with the results obtained by resampling R/S values from the preferred model approved by the Stock Assessment and Review (STAR) Panel. In the northern area, the median time to rebuild, in the absence of fishing, exceeded 60 years for both scenarios. The time to rebuild ranged from 81 to 132 years when an annual catch of 13 to 40 mt was added.

Cowcod

Mr. Tom Barnes, California Department of Fish and Game (CDFG), presented the results of the cowcod rebuilding analysis to the SSC. The analysis addressed most of the SSC comments that were given to the author at the June meeting. The rebuilding analysis was based on a surplus production model. The median time to rebuild, in the absence of fishing, ranged from 42 years when initial biomass was set at 11% of virgin biomass to 81 years if initial biomass was 4% of virgin biomass. When annual catches of 2.5 mt to 6.4 mt were added, the median time to rebuild ranged from 92 years to 277 years. It will be difficult to achieve catch targets in this range. The SSC is supportive of proposals outlined by CDFG (Exhibit G.4, Attachment 2) to reduce cowcod catch rates.

A delay difference model was used for the cowcod assessment. This model predicts a longer time to rebuild the stock compared to the surplus production model. The SSC would have preferred that the authors use the model approved by the STAR Panel; however, the difference in allowable catch levels during rebuilding would probably be negligible.

PPMC
09/13/00

RECEIVED

AUG 21 2000

PFMC

State of California

Memorandum

To : Mr. Robert R. Treanor
Executive Director
Fish and Game Commission

Date: August 15, 2000

From : Department of Fish and Game

Subject : Agenda Item for August 25, 2000 Commission Meeting, Recommendations for Amendments to Title 14, California Code of Regulations Re: Rockfish, Lingcod and Other Shelf Fin Fish Limits, Season Closures, Management Line, Method of Take, Minimum Size Limits, Transport Through Restricted Areas, and Cooperation With Fishery Observers

At your August 3-4, 2000 meeting the Department gave a status report on bocaccio and lingcod landings for the first four months of the year and recommended not to take emergency action to slow or halt the catch of these two important groundfish species. As you may recall, the proposal to consider emergency action stemmed from a request of the Pacific Fishery Management Council (PFMC) to review early season catch estimates generated by the federal Marine Recreational Fishery Statistical Survey (MRFSS). Those estimates indicated the bocaccio catch had already exceeded the preseason projection of catch for the entire year of 40 metric tons (mt) and that the lingcod catch was very high for so early in the year. The Department presented a report on the status of landings through the first four months of the year and concluded:

- 1) The estimates of bocaccio and lingcod catch using Department data were 29-40 percent and 5 percent, respectively, of the estimates generated by the MRFSS. The major difference in the estimates was in the northern California estimate of angler effort during January-February 2000.
- 2) It is likely--but not certain--that the total catch for the year of bocaccio in the combined commercial and recreational fisheries will exceed the rebuilding plan objective for the year of 100 mt. The current projections of bocaccio catch in the recreational fishery, based on Department data and using catch pattern data from the MRFSS, is 143-208 mt. While the recreational fishery is running ahead of projection, the commercial fishery catch through June 2000 is much lower than expected.
- 3) based on DFG data, the lingcod catch for the year is not expected to exceed 130 mt, the level of catch assumed preseason that would be taken in the combined recreational and commercial fisheries south of Cape Mendocino.

Public testimony was received at the meeting on the Department's recommendations and the status of the rockfish and lingcod fisheries. The charterboat representatives were very concerned about the use of the MRFSS estimates for managing the fisheries on a real time basis. They expressed concern about the manner in which the federal data are collected, especially as it relates to the telephone survey. It was pointed out by former PFMC member Robert Fletcher that very limited fishery independent data are collected by the National Marine Fisheries Service

Mr. Robert Treanor
August 15, 2000
Page 2

(NMFS) on the status of the bocaccio stock south of Point Conception. Rather, the primary source of data is NMFS' triennial trawl survey, which occurs north of that landmark and by necessity avoids primary habitats occupied by bocaccio and other rockfish species. Finally, the presenters believe that the "overfished" situation for bocaccio and lingcod was not caused by the recreational fishery, but that they are now being asked to carry a major part of the burden for rebuilding the stocks.


Based on the above, the Commission took no action with regard to implementing emergency fishing regulations to affect the catch of bocaccio and lingcod in the recreational fishery south of Cape Mendocino. The Department will report back to the Commission on the status of bocaccio and lingcod landings at the October 2000 meeting in San Diego. Emergency regulatory action can again be considered at that time.

The Department's status report on bocaccio and lingcod catches through April 2000 listed several regulation options for consideration by the Commission and PFMC commencing January 1, 2001. An updated summary of the options is attached. These management measures are aimed at better ensuring that recreational fishery catches do not exceed the rebuilding plan levels that have been adopted for bocaccio and assumed for lingcod of 100 mt and 130 mt, respectively. We have no recommendations on the options at this time. However, if a significant reduction in catch appears to be warranted, the most effective means would be to reduce the length of the fishing season or close a large area of ocean to fishing affecting shelf and slope rockfish. We will be in a better position to make a recommendation at your October meeting when additional MRFSS and Department data will be available on current year bocaccio and lingcod catches.

Since your early August meeting, the ad hoc allocation committee of the PFMC met to discuss the status of groundfish species that have been declared overfished by the PFMC and the NMFS and the need for additional regulatory measures to meet the individual rebuilding plans. These species include bocaccio south of Cape Mendocino, lingcod, cowcod, canary rockfish, and Pacific Ocean perch. No additional management options were developed for bocaccio, lingcod, or canary rockfish off California. For cowcod, they recommend that the PFMC and Commission consider 1) a zero retention option for the commercial and recreational fisheries south of Cape Mendocino, and 2) closing areas in southern California year round to fishing activities that potentially have a significant impact on the species. In that regard, we propose to consider closing two areas to bottom fishing: 1) a large area offshore from Huntington Beach down to the Mexico border and 2) a smaller area off of San Diego (see attached map). Two closure options have been developed for your consideration. Option 1 covers all federal groundfish species and most bottom-dwelling State-managed species of the area. Option 2 excludes shallow water bottom-dwelling species. A summary of the cowcod options is included with the shelf rockfish and lingcod options previously discussed with you and shown in the attached. Please note that the summary is annotated to show those issue that will or may require parallel regulatory action by the PFMC.

Mr. Robert Treanor
August 15, 2000
Page 3

We recommend that you direct Commission staff to work with Marine Region staff in preparing and filing the appropriate rulemaking documents for a final decision at your December 2000 meeting.



ROBERT C. HIGHT
Director

Attachment

cc: Pacific Fishery Management Council ✓
Pacific States Marine Fisheries Commission
Marine Region
Monterey
Long Beach

SUMMARY OF RECREATIONAL FISHERY OPTIONS AFFECTING SHELF ROCKFISH AND LINGCOD¹

- The rockfish and lingcod management line should be moved from Lopez Point to Point Conception (28.27 and 28.55). This would place Avila Beach and Morro Bay in the northern California management area and be consistent with the statistical area boundary used by the MRFSS. The PFMC will be asked for the same regulation.
- Rockfish and lingcod closure periods (28.27 and 28.55) south of Cape Mendocino should be extended to November-February in the south and January-April or March-June in the north. These additional closure periods may be needed to reduce the bocaccio catch to under 100 mt in the combined commercial and recreational fisheries. The catch of lingcod in the combined fisheries would be projected to be at or under 130 mt. The PFMC will be asked for the same regulation, in addition to closing the commercial fisheries (trawl and fixed gear) for nearshore and shelf rockfish and lingcod during these same periods.
- Fishing for and retention of cabezon (28.80), greenlings (28.29), scorpionfish (new section), sanddabs (new section), sheephead (new section), and ocean whitefish (new section) should be prohibited during the rockfish and lingcod closures south of Cape Mendocino. These closures would be intended to minimize bycatch of rockfish and lingcod when fishing for these species. The PFMC will be asked to adopt the same regulation for cabezon, greenlings, scorpionfish and sanddabs, both recreational and commercial.
- Reduce the bag limit for bocaccio (27.60 (b) and 28.55 (b)) from three to two or one fish. This would be done to further reduce targeting on the species, but could increase discard of dead fish. The PFMC would be asked to adopt the same regulation.
- Reduce the number of hooks that anglers may use when fishing for rockfish (28.55 (d)) or lingcod (28.27) from three to two or one. This would be done to reduce the chances of catching more than a limit of bocaccio on a single drop. The PFMC will be asked to adopt the same regulation.
- Close the season or part of the season for lingcod (28.27 (a)), cabezon (28.28), and greenlings (28.29) south of Cape Mendocino during September-April. This would apply to fishing for and possession of any of these species. These closures would be intended to meet biological and allocation objectives for the individual species and at the same time protect nesting fish. The PFMC will be asked to adopt the same regulations, both recreational and commercial (fixed gear and trawl).

¹ Numbers in parentheses refer to Title 14 sections. The options that affect "nearshore" species are the same as, or are in addition to, those that are being considered by the Commission pursuant to its authority under the Nearshore Fisheries Management Act (Section 8587.1, FGC).

- Reduce the lingcod bag limit (27.60 and 28.27) from two to one fish. This would be done to meet biological and allocation objectives for the species. The PFMC will be asked to adopt the same regulation.
- Increase the minimum size limit for cabezon (28.28) from 14 to 15-18 inches. Increasing the size limit will save immature fish and contribute to meeting biological and allocation objectives for the species. The PFMC will be asked to adopt the same regulation, both recreational and commercial.
- Provide for the transport of recreational fin fish through restricted areas under terms and conditions specified on an annual permit that may be issued by the Manager of the Marine Region (new section, "Transport of Fin Fish Through Restricted Areas"). We suggest a \$20 fee for issuing the permit. This provision is in response to a request from Mr. Robert Fletcher, Sportfishing Association of California and others. The PFMC will be asked to recognize this provision.
- Require that operators of CPFVs carry and cooperate with Department and federal fishery observers on trips when space is available and at no charge to the sponsoring agency (new subsection under 195). Also, the Department may require an explanation be submitted to the Manager of the Marine Region, on a form provided by the Department, whenever observer coverage is denied. At-sea fishery observations are required in the CPFV fishery to verify logbook entries and to differentiate the species of fish in the catch. CPFV operators have increasingly denied fishery observers access to their fishing trips in recent years.
- Prohibit fishing for and retention of cowcod (27.60). This option is intended to eliminate targeting on cowcod, but could increase discard of dead fish. The PFMC will be asked to adopt the same regulation, both recreational and commercial.
- Prohibit recreational fishing year round for federal groundfish (Option 1), sheephead (new section), California halibut (new section), and ocean whitefish (new section) as follows: Area 1—The area bound by 118° 50' W. Long., 33° 50' N. Lat., 120° W. Long., and 32° 20' N. Lat. Area 2—The area bound by 117° 50' W. Long., 32° 50' N. Lat., 118° W. Long., and 32° 30' N. Lat. (See attached map). Option 2: Is the same as Option 1, but excludes federal nearshore rockfish, cabezon, scorpionfish, sanddabs, greenlings, and sheephead. The PFMC will be asked to adopt the same regulations for federal groundfish, both recreational and commercial.

COMMERCIAL FISHERY OPTIONS

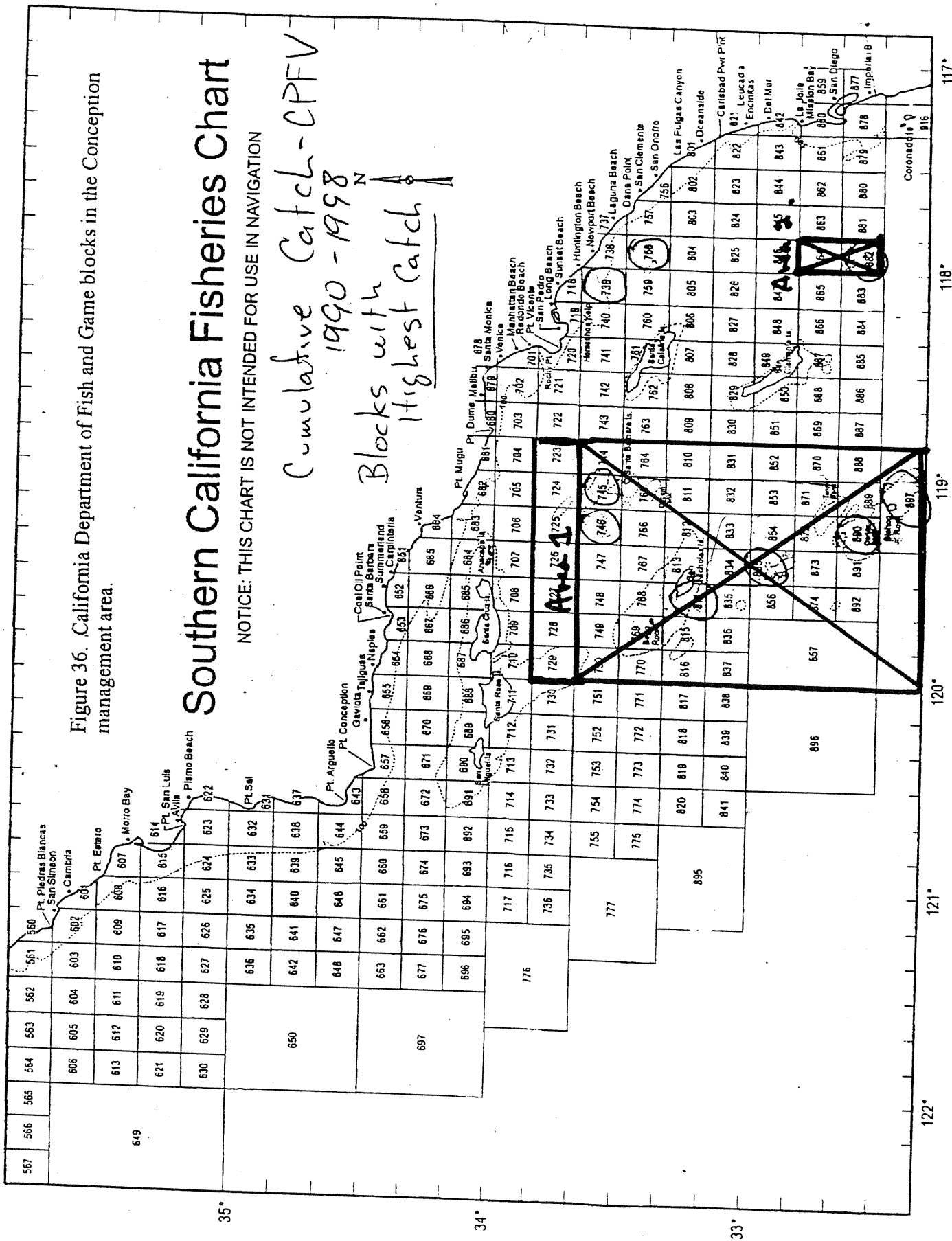
- Prohibit commercial prawn trawling (120.3) in Areas 1 and 2 described above. This would be done to ensure cowcod are not taken incidentally to fishing for prawns in these areas.

Figure 36. California Department of Fish and Game blocks in the Conception management area.

Southern California Fisheries Chart

NOTICE: THIS CHART IS NOT INTENDED FOR USE IN NAVIGATION

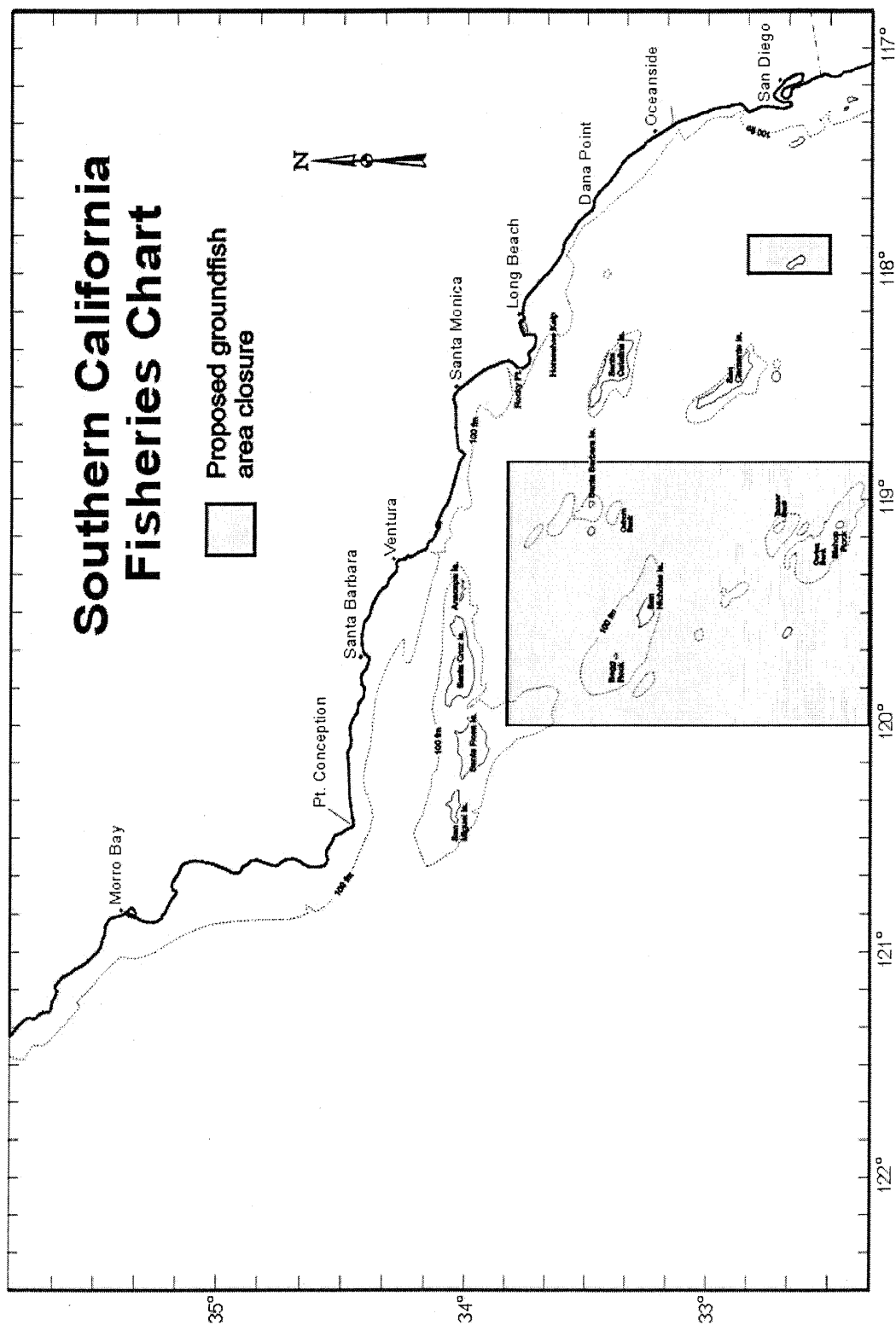
Cumulative Catch-CPFV
1990-1998
Blocks with
Highest Catch



Cumulative CPFV Catch By Block 1990-98

	Block	Cowcod	Percent	Cum Percent
1		739	547	10.4250048
2		758	462	8.80503145
3		814 ✓	382	7.28035068
4		746 ✓	354	6.74671241
5		855 ✓	323	6.15589861
6		910	269	5.12673909
7		745 ✓	240	4.57404231
8		897 ✓	223	4.25004765
9		890 ✓	216	4.11663808
10		882 ✓	195	3.71640938
11		765 ✓	173	3.29712217
12		854 ✓	138	2.63007433
13		871 ✓	104	1.982085
14		806	100	1.90585096
15		685	97	1.84867543
16		836 ✓	83	1.5818563
17		835 ✓	81	1.54373928
18		761	68	1.29597865
19		724	64	1.21974462
20		740	52	0.9910425
21		769 ✓	51	0.97198399
22		815 ✓	51	0.97198399
23		860	48	0.91480846
24		701	46	0.87669144
25		764 ✓	46	0.87669144
26		889 ✓	40	0.76234038
27		813 ✓	38	0.72422337
28		759	35	0.66704784
29		702	34	0.64798933
30		720	34	0.64798933
31		719	32	0.60987231
32		744 ✓	32	0.60987231
33		762	31	0.5908138
34		705	30	0.57175529
35		725	27	0.51457976
36		760	27	0.51457976
37		834 ✓	27	0.51457976
38		738	26	0.49552125
39		916	26	0.49552125
40		879	24	0.45740423
41		807	23	0.43834572
42		867	23	0.43834572
43		709	22	0.41928721
44		823	21	0.4002287
45		849	21	0.4002287
46		690	18	0.34305317
47		872 ✓	17	0.32399466

53.6%



Prohibit recreational fishing year round for federal groundfish (**Option 1**), sheephead, California halibut, and ocean whitefish as follows: Area 1—The area bound by 117°50' N. Lat., 118° W. Long., and 32°20' N. Lat. Area 2—The area bound by 117°50' N. Lat., 32°50' N. Lat., 118° W. Long., and 32°30' N. Lat. **Option 2:** Same as Option 1, but excludes federal nearshore rockfish, cabezon, scorpionfish, sanddabs, greenlings, and sheephead.

Rebuilding Analysis for Canary Rockfish

August 24, 2000

Richard Methot

National Marine Fisheries Service

Summary

Canary rockfish exhibit extremely low productivity (level of recruits per spawner) which has contributed to their decline in the northern area and impedes their recovery. There is tremendous uncertainty in these rebuilding projections due to extremely low levels of R/S during 1987-1995 and high, but very uncertain, levels in 1996-1998. On the low side, rebuilding time frames stretch out to 136 to 217 years. During these delayed rebuilding scenarios, catch would need to be only about 15 mt per year in order for the stock to begin to grow out of its current low state. Increased catch later in the rebuilding period is likely to be possible, but not quantitatively examined here. On the high side, the median rebuilding time frame could be as short as 41-45 years and annual catches of 150-185 mt in the north would allow rebuilding. Such an optimistic scenario is risky because it is based upon three large, but poorly estimated, recruitments in 1996-1998. Intermediate scenarios use the 1996-1998 recruitments, but on a reduced level. Such intermediate results allow catches of 25-40 mt while rebuilding in 80-100 years.

A further uncertainty is due to the observation that the southern area of the stock appears to have greater productivity (higher R/S at low spawning biomass). Rough calculations based upon combining northern and southern information are more consistent with the optimistic rebuilding scenario. A new assessment and updated rebuilding analysis that examines the northern and southern data in a holistic manner should be conducted as soon as possible after the trawl survey in summer 2001 provides a new data point.

Introduction

The most recent stock assessment for canary rockfish in the northern area (Columbia and U.S. Vancouver INPFC areas) indicated that a long-term decline had continued and that the abundance of the female spawning biomass had fallen below the depleted threshold (Crone et al., 1999). The assessment in the southern area indicates a somewhat different timeframe for the downtrend, but a similar conclusion regarding the depleted status of this stock is obtained (Williams et al., 1999). Canary rockfish was determined to be in an "overfished" state on Jan. 1, 2000 which initiated development of a rebuilding plan.

The purpose of this document is to estimate the potential rate of rebuilding of canary rockfish. The analysis will focus on the northern area which has had a larger population and fishery

historically; then results will be extrapolated to the entire coast. The analysis will involve six steps:

- (1) examining the recruitment-spawner information to determine probable levels of recruitment in the near future and as the stock rebuilds;
- (2) determine unfished level of spawning biomass in order to calculate target levels for rebuilding;
- (3) determining the generation time, which affects the potential duration of rebuilding;
- (4) determining expected levels of recruitment during the rebuilding period;
- (5) calculating in rebuilding can occur within 10 years, and if not then calculating the time to rebuild with no fishing mortality;
- (6) finally, calculate the degree of reduction in fishing mortality needed to rebuild within a time period equal to one mean generation time plus the time to rebuild with no fishing mortality.

The canary rock fish assessment explored two scenarios regarding natural mortality and fishery selectivity for females. These two scenarios provide alternative explanations for the relative low occurrence of old females compared to the occurrence of old males. Scenario #1 has increasing natural mortality for older females and asymptotic fishery selectivity for both sexes. Scenario #2 has constant natural mortality for both sexes and dome-shaped fishery selectivity to explain the low incidence of old females in the fishery samples. Neither the STAT or STAR in 1999 was able to develop a preference between these two hypotheses, so both are carried forward in this rebuilding analysis. The model developed for the southern area was based on constant female natural mortality and a new approach to modeling fishery selectivity (Williams et al., 1999).

Assessment Summary

Before beginning this analysis of rebuilding, it is helpful to review the basic conclusions of the northern and southern assessments which provide the basic information for any rebuilding analysis.

Northern Area, scenario #1 -

- A. In the era prior to 1967, a mean level of recruitment of 2,872 thousand age 1 fish occurred. This level of recruitment would produce a female spawning biomass of 22,376 mt if unfished, but a historical average catch of 1,000 mt reduced this to 16,811 mt at the beginning of the modeled period in 1967.
- B. Recruitment over the 1967-1977 period averaged 1,859 thousand fish, which will be taken as the relevant estimate of "virgin" recruitment level. This lower recruitment level and an average catch of 1,845 mt reduced spawning biomass to 13,757 mt in 1978.
- C. Over the period 1978-1986, recruitment averaged 1,621 thousand fish; catch averaged 2,860 mt; and spawning biomass declined to 6,613 mt in 1987. This level is barely above the overfished threshold.
- D. Over the period 1987-1995, recruitment declined precipitously to an average of only 622 thousand fish. Assessments conducted during this era resulted in quotas that reduced annual catch to approximately 1,000 mt per year. But with the low recruitment (which

could not be well estimated by these early assessments), female spawning biomass continued to decline to only 949 mt in 1999.

Northern Area, scenario #2 -

- A. In the era prior to 1967, a mean level of recruitment of 2,744 thousand age 1 fish occurred. This level of recruitment would produce a female spawning biomass of 44,991 mt if unfished, but a historical average catch of 1,000 mt reduced this to 34,210 mt at the beginning of the modeled period in 1967. Female biomass per recruit is lower in scenario #1 because of higher female natural mortality compared to that in scenario #2.
- B. Recruitment over the 1967-1977 period averaged 1,763 thousand fish, which will be taken as the relevant estimate of "virgin" recruitment level. This lower recruitment level and an average catch of 1,845 mt reduced spawning biomass to 27,683 mt in 1978.
- C. Over the period 1978-1986, recruitment averaged 1,634 thousand fish; catch averaged 2,860 mt; and spawning biomass declined to 16,859 mt in 1987.
- D. Over the period 1987-1995, recruitment declined precipitously to an average of only 802 thousand fish. Assessments conducted during this era resulted in quotas that reduced annual catch to approximately 1,000 mt per year. But with the low recruitment (which could not be well estimated by these early assessments), female spawning biomass continued to decline to 7,157 mt in 1999, which is at the overfished level.

Southern Area -

- A. In the era prior to 1965, a mean level of recruitment of 1,060 thousand age 1 fish occurred. This level of recruitment would produce a female spawning biomass of 11,657 mt if unfished, but average catch of 1,495 mt during 1950-1965 reduced this to 697 mt at the beginning of the modeled period in 1965, which is only 10% of the "virgin" spawning biomass level (6,850 mt) calculated from a long-term average recruitment of 617 thousand recruits.
- B. Recruitment over the 1965-1977 period averaged only 473 thousand fish. This lower recruitment level and a much lower average catch of 620 mt allowed spawning biomass to recover to 1,280 mt in 1978, which is still below 25% of the "virgin" level.
- C. Over the period 1978-1986, recruitment increased to 620 thousand fish; catch increased to 773 mt; and spawning biomass declined to 381 mt in 1987.
- D. Over the period 1987-1995, recruitment continued to average 620 thousand fish and average catch was 486 mt. Female spawning biomass continued to decline to 261 mt in 1993 and has increased to 400 mt recently, but is still below the overfished threshold.

Overview -

- A. Both areas have high historical catches which mined an accumulated biomass that is estimated to have been based upon a pre-historical recruitment level that substantially exceeds the recruitment levels occurring during the period of the assessments.
- B. Even though pre-historical recruitment was high, the southern area's stock was already below the overfished threshold by 1965. In the northern area, the decline was slower.

C. In the southern area, the stock continued to produce moderate levels of recruitment in spite of low spawning biomass and high fishing mortality rates. In the northern area, recruitment continued to decline through 1995. By the 1990s, both areas were producing 600-800 thousand recruits per year, but the southern area does it from a spawning biomass that is much smaller than the biomass in the north.

D. The high current "recruits per spawner" in the southern area indicates a resilient stock that would be expected to increase rapidly if fishing pressure was much reduced. In contrast, the current "recruits per spawner" in the northern area is extremely low and barely above the level that would allow the stock to recover even without fishing.

E. The increase in northern area recruitment in 1996-1998 is promising and consistent with the level of recruits per spawner found in the south, but these recent recruitment estimates are highly uncertain until these young fish have been seen in more than one survey and several years of fishery age composition data.

F. These north-south comparisons must be accompanied with a large caveat of uncertainty regarding stock structure. The division of the stock into north-south zones at Cape Blanco (Eureka-Columbia dividing line) does not represent knowledge of biological stock boundaries. Canary rockfish distribution in trawl surveys shows no break at this point of the coast and there is no other information with which to establish a biological stock boundary at that point. Although the northern and portions of the canary rockfish population are not likely to be completely separate, nor are they likely to be well-mixed annually, as evidenced by the different trends in stock abundance estimated in the two areas. There certainly is potential for oceanographic conditions to favor recruitment in the north versus recruitment in the south on a year-to-year and on a longer term basis. The degree of intermingling of these northern and southern recruits during their lifetime is unknown, and probably influenced by oceanographic conditions.

Projection model configuration

Projections were made using the synthesis assessment model in forecast mode. Most projections were done by resampling from the observed time series of recruits per spawner (R/S) and calculating the median time to rebuild among 500 trials.

Conditions for these projections were the same as those as estimated in Crone et al (1999) with the following exceptions:

1. Recent recruitments - Small fish occurring in the 1998 survey resulted in large estimates for recruitment of age 1 fish in 1996-1998. The assessment review in 1999 recommended an alternative scenario with these 3 recruitments set at half of their estimated value. Examination of the detailed model results support this alternative, and it is taken as the baseline conditions for this rebuilding analysis. Tables 1 and 2, and Figures 1,2,4 and 5 present the original "high" recruitment values. Recruitment in 1999 and 2000 is set equal to the average recruitment during 1987-1995.

2. Recent catch - The assessment was conducted with the assumption that 1999 catch would be the same as 1998 (996 mt). Available data indicate that total catch in 1999 was only 528 mt and this lower value is used in calculation the population numbers at age in 2001. Catch in 2000 is assumed to be 150 mt.
3. Maturity at age - These values were not correctly set in the 1999 analysis. Correcting these values changes the spawning biomass calculations presented in the 1999 assessment, but does not affect the fitting of the model because spawner-recruitment relationships were not included in the 1999 assessment. The corrected maturity schedule and spawning biomass calculations are used throughout this rebuilding analysis.

Scenario #1

Spawner-Recruit Relationship

The level of recruitment estimated in the most recent canary rockfish assessment exhibits a substantial decline. During 1987-1995, average recruitment was only 33% of the average that occurred during 1967-1977 (Table 1, Figure 1). As long as this low level of recruitment persists, the stock cannot rebuild to the 40% biomass level, even without fishing. The level of recruits per spawner for canary rockfish is barely above the replacement level throughout the time series (Figure 2). As long as similar levels of recruits/spawner occur, any rebuilding will be extremely slow. However, adding recruitment levels from the northern and southern regions moderates this decline, so that the 1987-1995 mean recruitment is 54% of the mean during 1967-1977.

Spawner-recruitment results of the canary rockfish assessment were used in the meta-analysis of general patterns of spawner-recruitment curvature for rockfish (Dorn 2000) based upon adding the northern and southern assessment results together. Dorn (2000) estimated a moderate level of steepness (0.55) in his examination of the combined northern and southern assessment results. The Beverton-Holt spawner-recruitment relationship was parameterized so that the steepness was defined as the level of recruitment when spawning biomass was at 20% of its unfished level.

Here we explore the parameters of the canary rockfish spawner-recruitment relationship for the northern area alone. The synthesis assessment model was rerun with the same data set as used in the 1999 assessment. The parameters for year-specific recruitment were kept at the same values as estimated in the 1999 assessment, so only the parameters of the spawner-recruitment relationship were estimated.

The estimated S/R steepness was only 0.381 (Figure 1). Hence, canary rockfish in the northern area are estimated to have a high level of decline in recruitment as spawning biomass is reduced to a low level. The low recruitments during 1987-1995 and the high recruitments during 1996-1998 create a poor fit to these spawner-recruitment information. If the 1996-1998 recruitments are replaced by half their value, then the estimated steepness is reduced and the overall fit is improved. If these 3 ending recruitments are deleted from the spawner-recruitment curve fitting, then the estimated steepness declines to 0.23 and the 1987-1995 recruitments are well fit by the estimated curve. When synthesis is allowed to re-estimate the year-specific recruitment

parameters while estimating the spawner-recruitment relationship, the estimated S-R curvature is 0.389 and the poorly estimated early and late recruitment values are moved towards the curve.

Unfished Abundance Level

Three possibilities are the level from the assessment model, the level from the fitted spawner-recruitment curve, and the level calculated from the mean recruitment level in the early years of the time series.

The highest value comes from the initial assessment where a recruitment level of 2,872 million age 1 recruits would produce an unfished female spawning biomass of 22,376 mt. In the initial assessment modeling, this initial recruitment level is acted on by a fishing mortality sufficient to produce a catch of 1,000 mt which reduces the initial spawning biomass down to 18,971 mt (Table 1, Figure 1).

The lowest level comes from the intercept between the estimated spawner-recruitment curve and the recruits/spawner replacement line. This level has 1,301 million recruits producing a spawning biomass of 10,136 mt. However, because this relationship is fitted to the logarithm of recruitment, a correction when backtransforming to mean recruitment is necessary. These transformed values are 1,598 million recruits producing an unfished spawning biomass of 12,450 mt (Table 1, Figure 1).

An intermediate level comes from taking the early mean recruitment level (1,859 million recruits in 1967 through 1977) which would produce a spawning biomass of 14,483 mt if unfished.

The intermediate level is taken as the best estimate of unfished spawning biomass (Figure 1). Note, however, that high historical catches were obtained while fishing down from an even higher level of biomass. The rebuilding target is set at 40% of the unfished spawning biomass level, which is 5,793 mt of female spawners.

This rebuilding target is essentially identical to the biomass level associated with MSY on the basis of the estimated spawner-recruitment curve. MSY is estimated to be approximately 725 mt which occurs at a spawning biomass of about 5,700 mt and a fishing mortality rate corresponding to a SPR of 63%. Note that because of the low S/R steepness for canary, fishing at an SPR of 65% is expected to produce a spawning biomass level equal to about 40% of the unfished level. The equilibrium catch at F50% to F70% ranges from 689 to 724 mt, but at F levels of F50% - F60% the equilibrium stock level would be less than the rebuilding target of 40%. Thus, upon completion of the rebuilding, the longterm harvest policy for canary rockfish should be no more aggressive than F65% if the goal is to keep the stock size above the 40% level.

Note that the canary rockfish stock is estimated to have declined rapidly through the 40% biomass level, so few recruitments were observed while the biomass was in its target range (Figure 1). The estimated spawner-recruitment curvature and projected rebuilding rates could easily change if the next several years of canary rockfish recruitment indicate that the stock has greater capacity to produce strong recruitment from intermediate stock levels.

Generation Time

This is calculated as the mean age of female spawners in an unfished population. It is calculated to be 16.8 years in scenario #1 in which female natural mortality increases at older ages.

Expected Recruitment Level

Three methods of calculating recruitment during rebuilding were considered. These are random resampling of observed recruitment levels, random resampling of observed levels of recruits/spawner (R/S) and random resampling of deviations from the estimated spawner-recruitment relationship. The first method is not used here because of the large change in recruitment level observed during the time series. The second method has been used in some other rebuilding analyses and will be the baseline approach here, but we note here that such a method incorporates no population compensation, so often leads to exponential model population growth as the stock increases above its current low level. The third method incorporates compensation in the form of the spawner-recruitment curve, and results from this method will be presented in comparison to the R/S method.

The main approach to estimating future recruitment levels is through randomly resampling the historical values of R/S (Figure 2) and multiplying the selected value by the previous year's spawning biomass to estimate the current year's recruitment of age 1 fish. These R/S values indicate very little ability of the population to compensate for fishing mortality. The 1996-1998 R/S values are higher, but these values are driven nearly solely by the highly variable occurrence of young canary rockfish in the 1998 triennial trawl survey. Most projections will be based upon resampling the R/S from 1978-1995. Sensitivity analyses will utilize different ranges of years for the resampling.

Rebuilding in the Absence of Fishing

The rate of rebuilding with no fishing mortality depends only upon the level of recruitment that occurs during the rebuilding period, which begins in 2001. It is informative to consider first how rebuilding would proceed if various constant levels of future recruitment occurred. As noted above, mean recruitment during 1987-1995 was less than 40% of the 1,859 thousand recruits in the "virgin" level, so if this low recruitment level persists the stock cannot rebuild to the 40% target. If the average recruitment immediately increased to 782 thousand (which is the mean recruitment during 1987-1991 as the spawning stock was declining through the 40% biomass level), then rebuilding to that 40% biomass level would occur in 23 years. This scenario with relatively constant recruitment (and increasing R/S) at lower spawning stock size is consistent with combining the northern and southern results. However, in the northern area alone, lower recruitment levels have occurred as the stock continued to decline and the relative constancy of R/S (Figure 2) indicates that resampling from recent R/S values is a more realistic characterization of the likely rate of rebuilding.

With resampling R/S, the time to rebuild is sensitive to the range of years from which this resampling occurs (Table 3) and to the level of the 1996-1998 recruitments. Using the reduced 1996-1998 recruitments in the calculation of the starting population in 2001, then resampling from 1978-1995 produces a median time to rebuild of 119 years (Table 3).

Preliminary calculations used the higher estimates of recruitment in 1996-1998. These higher recruitments start the rebuilding early and provided high R/S values in the future resampling. If the resampling includes 1987-1997, then 2 of the 10 possible values are from the uncertain high estimates. This provides an optimistic result with median rebuilding in 24 years. Even when the higher recruitments are not used in the resampling, their contribution to the starting population in 2001 reduces median rebuilding from 119 years to 82 years.

The range of years used to resample also has a great impact on the results. Higher R/S during 1978-1986 produces rebuilding in 74 years, but lower R/S in 1987-1995 delays rebuilding substantially. Adding the higher R/S values from 1996 and 1997 reduces the time to rebuild.

Similar calculations of time to rebuild occur if the calculations are based upon deviations from the estimated spawner-recruitment curve.

The time to rebuild ranges from an optimistic level of 23 or 24 years if either there is an immediate increase in recruitment to an intermediate level (782 thousand fish), or if the high estimated R/S values during 1996-1998 represent a substantial probability for future recruitment, respectively. More realistic scenarios are based upon lower recruitment levels in 1996-1998 and R/S levels observed over a longer period. These scenarios produce rebuilding time frames of at least 74 years, and the recommended result (resampling from 1978-1995) shows a median time to rebuild of 119 years.

The assessment of canary rockfish in the southern area (Eureka-Monterey) found continued moderate recruitment and high R/S values at low levels of spawner abundance (Figure 3). The combined average historical recruitment from north plus south would produce a spawning biomass of 18,477 mt if unfished (using unfished S/R from the northern analysis). The 1987-1995 average recruitment from the combined areas has no obvious trend and averaged 1,291 thousand fish. At this level of recruitment, the combined area population would rebuild in 16 years. This calculation should not be considered definitive. At this time we have not quantitatively combined the northern and southern results in a way that would allow rebuilding calculations based upon R/S deviations.

The target rebuilding time is equal to one generation time plus the time to rebuild with zero fishing.

Rebuilding

Rebuilding scenarios were conducted at various levels of constant catch. The level of catch that can be sustained during rebuilding is strongly related to the degree that R/S during rebuilding are above the $F=0$ replacement level. Under the scenario with lower 1996-1998 recruitment and resampling from 1978-1995, the stock can only sustain 13 mt of catch per year without delaying rebuilding beyond 136 years (Table 3). This extremely low level of potential catch is extraordinary in comparison to the >1000 mt catches that occurred for many years. The difference is due to the fact that the high catches were not sustainable and were reducing the stock size, and that R/S has been extremely low for canary rockfish. It is unknown what sort of

prolonged climate conditions would have allowed historical R/S to be sufficiently high to build up the biomass that supported the historical fishery.

Under the higher recruitment scenario with resampling from 1987-1997, the stock can rebuild in 42 years 67% of the time while catch is 150 mt per year. Preliminary calculations were also made with the higher recruitment scenario and constant exploitation rate rather than a constant catch level. In this case, fishing at F80% (without 40-10 adjustment) would allow rebuilding in 42 years. During early years (while biomass is low) the annual catch would be about 50 mt. As the stock approached the rebuilt level, the annual catch would be near 300 mt. Over the course of the rebuilding, the median total catch from this F80% policy would be 37% greater than that obtained from a constant catch of 150 mt per year.

Scenario #2

Spawner-Recruit Relationship

The level of decline estimated in scenario #2 is not as extreme as that estimated in scenario #1. In addition, the absolute level of recruitment has not declined as much (Table 3, Figure 4). During 1987-1995, average recruitment was 46% of the average that occurred during 1967-1977 (Table 3). However, the level of recruits per spawner in the late 1980s to mid 1990s is very low (Figure 5) and even closer to the replacement line than in scenario #1. As long as this low level of recruitment per spawner persists, any rebuilding will be very slow. As in scenario #1, the 1996-1998 recruitment estimates are higher, but based on limited data.

A spawner-recruitment curve fitted as in scenario #1 produces an estimate of curvature equal to 0.403 (Figure 4), which is similar to the 0.38 level estimated in scenario #1.

Unfished Abundance Level

Three possibilities are the level from the assessment model, the level from the fitted spawner-recruitment curve, and the level calculated from the mean recruitment level in the early years of the time series.

The highest value comes from the initial assessment where a recruitment level of 2,744 million age 1 recruits would produce an unfished female spawning biomass of 44,991 mt. Note that the level of female spawning biomass per recruit is much higher in scenario #2 than in scenario #1 because of the lower female natural mortality in the second scenario. In the initial assessment modeling, this initial recruitment level is acted on by a fishing mortality sufficient to produce a catch of 1,000 mt which reduces the initial spawning biomass down to 34,210 mt (Table 2, Figure 4).

The lowest level comes from the intercept between the estimated spawner-recruitment curve and the recruits/spawner replacement line. This level has 1,250 million recruits producing a spawning biomass of 20,495 mt. However, because this relationship is fitted to the logarithm of recruitment, a correction when backtransforming to mean recruitment

is necessary. These transformed values are 1,567 million recruits producing an unfished spawning biomass of 25,693 mt (Table 2, Figure 4).

An intermediate level comes from taking the early mean recruitment level (1,763 million recruits in 1967 through 1977) which would produce a spawning biomass of 28,909 mt if unfished.

The intermediate level is taken as the best estimate of unfished spawning biomass Figure 4. We note, however, that high historical catches were obtained while fishing down from an even higher level of biomass. The rebuilding target is set at 40% of the unfished spawning biomass level, which is 10,277 mt of female spawners. The spawning biomass in 1999 is at 25% of the unfished level according to scenario #2.

Generation Time

This is calculated as the mean age of female spawners in an unfished population. It is calculated to be 24.7 years in scenario #2.

Expected Recruitment Level

The main approach to estimating future recruitment levels is through randomly resampling the historical values of recruits per spawner (Figure 5) and multiplying the selected value by the previous year's spawning biomass to estimate the current year's recruitment of age 1 fish. These R/S values indicate very little ability of the northern portion of the stock to compensate for fishing mortality.

Rebuilding in the Absence of Fishing

The rate of rebuilding with no fishing mortality depends only upon the level of recruitment that occurs during the rebuilding period, which begins in 2001. With resampling R/S, the time to rebuild is sensitive to the range of years from which this resampling occurs (Table 3) and to the level of the 1996-1998 recruitments. Using the reduced 1996-1998 recruitments in the calculation of the starting population in 2001, then resampling from 1978-1995 produces a median time to rebuild of 192 years (Table 3).

Preliminary calculations used the higher estimates of recruitment in 1996-1998. These higher recruitments start the rebuilding early and provided high R/S values in the future resampling. If the resampling includes 1987-1997, then 2 of the 10 possible values are from the uncertain high estimates. This provides an optimistic result with median rebuilding in 20 years. Even when the higher recruitments are not used in the resampling, their contribution to the starting population in 2001 reduces median rebuilding from 192 years to 85 years.

The range of years used to resample also has a great impact on the results. Higher R/S during 1978-1986 produces rebuilding in 75 years, but lower R/S in 1987-1995 delays rebuilding beyond the timeframe of the simulations. Adding the higher R/S values from 1996 and 1997 reduces the time to rebuild to 98 and 84 years.

The time to rebuild ranges from an optimistic level of 20 years if the high estimated R/S values during 1996-1998 represent a substantial probability for future recruitment. More realistic scenarios are based upon lower recruitment levels in 1996-1998 and R/S levels observed over a longer period. These scenarios produce rebuilding time frames of at least 75 years.

Adding southern area results to this scenario #2 northern result probably will not have as great an impact as adding the south to the scenario #1 north. This is because the northern abundance in scenario #2 is larger, so adding the southern recruitments will have a diminished proportional contribution.

Rebuilding

Rebuilding scenarios were conducted at various levels of constant catch. The level of catch that can be sustained during rebuilding is strongly related to the degree that R/S levels during rebuilding are above the $F=0$ replacement level. Under the scenario with lower 1996-1998 recruitment and resampling from 1978-1995, the stock can sustain less than 15 mt of catch per year without delaying rebuilding beyond 217 years (Table 3). Even adding the R/S from 1996 and 1997 would only allow 25 mt of catch per year during rebuilding. Under the higher recruitment scenario with resampling from 1987-1997, the stock can rebuild in 45 years 51% of the time while catch is 185 mt per year.

Expansion for Southern Area

The estimate of female spawning biomass in the southern area in 1998 was 376 mt, which is 20.2% of the combined north-south female spawning biomass according to scenario #1, but only 4.7% according to scenario #2. A simple estimate of allowable catch in the combined north-south areas could be based upon these percentages. However, the level of recruitment in the southern area is nearly on par with that in the northern area, so this simple expansion based upon current distribution of biomass may underestimate the combined potential. The current $F_{50\%}$ yield (with no adjustment for the 40-10 OY policy) in the southern area is approximately 55 mt, which would represent an upper bound on possible short-term contribution from that area.

Table 1. Time series of canary rockfish abundance in the northern area according to scenario #1 in which fishery selectivity is asymptotic at older ages, and females are estimated to have increasing natural mortality (Crone et al 1999). The high recruitment values in 1996-1998 reported here are adjusted downwards by 50% for the baseline rebuilding analysis.

YR	Total Biomass	Female Spawning Biomass	Age 1 Recruits	Catch
Initial Equilibrium	53109	18971	2872	1000
67	53016	18971	526	2504
68	51145	18384	526	2802
69	48833	17639	3692	1731
70	47612	17366	1606	1607
71	46499	17110	3278	1427
72	45529	16856	847	1382
73	44538	16522	1312	4181
74	40492	14912	2333	860
75	40117	14773	1842	1351
76	39166	14421	1652	785
77	38831	14294	2834	1672
78	37528	13757	1309	2326
79	35583	12912	2423	3192
80	32857	11712	3170	3215
81	30269	10600	570	2608
82	28481	9801	1845	4352
83	24871	8298	1254	4277
84	21482	6995	1429	1839
85	20784	6873	1173	2084
86	19804	6696	1417	1848
87	19001	6613	652	2698
88	17161	6065	670	2578
89	15359	5497	946	2820
90	13185	4734	681	2174
91	11643	4205	960	2802
92	9381	3302	704	2433
93	7488	2556	540	1982
94	6034	1962	346	960
95	5631	1826	101	770
96	5420	1789	1351	974
97	4977	1644	936	920
98	4612	1480	1083	996
99	4197	1265	473	996

Alternative Calculations of unfished level:

S/R equil	30912	10136	1301	0
S/R, with bias adjust	37969	12450	1598	0
67-77 recr mean	44168	14483	1859	0
init. Equilibrium	68240	22376	2872	0

Table 2. Revised time series of canary rockfish abundance in the northern area according to scenario #2 in which fishery selectivity is dome-shaped and natural mortality is constant for all ages and both sexes (Crone et al 1999).

YR	Total Biomass	Female Spawning Biomass	Age 1 Recruits	Catch
Initial Equilibrium	67277	34210	2744	1000
67	67186	34210	433	2504
68	65297	33639	433	2802
69	62933	32822	3542	1731
70	61626	32467	1425	1607
71	60413	32112	3162	1427
72	59332	31752	723	1382
73	58226	31305	1277	4181
74	54024	29468	2226	860
75	53460	29147	1751	1351
76	52337	28626	1618	785
77	51857	28361	2805	1672
78	50423	27683	1270	2326
79	48326	26646	2395	3192
80	45405	25164	3140	3215
81	42563	23691	581	2608
82	40482	22509	1858	4352
83	36530	20500	1269	4277
84	32731	18657	1465	1839
85	31604	18050	1217	2084
86	30208	17402	1519	1848
87	29013	16859	749	2698
88	26805	15841	792	2578
89	24658	14815	1178	2820
90	22166	13593	898	2174
91	20337	12628	1286	2802
92	17819	11288	928	2433
93	15706	10132	764	1982
94	14049	9147	500	960
95	13468	8677	129	770
96	13127	8356	2240	974
97	12620	7961	1580	920
98	12270	7574	1840	996
99	11945	7157	960	996

Alternative Calculations of unfished level:

S/R equil	40545	20495	1250	0
S/R, with bias adjust	50827	25693	1567	0
67-77 recr mean	57190	28909	1763	0
init. Equilibrium	89004	44991	2744	0

Table 3. Summary results of rebuilding calculations. All scenarios present results from 500 trials. R/S refers to scenarios based upon resampling recruits per spawner. HR represents scenarios with the 1996-1998 recruitments at their original (high) level. Other scenarios have these 3 recruitments at half of their original level.

Scenario #1

Conditions	% Rebuilt	Years to Rebuild			Annual Catch
		Min	Max	Median	
Resamp R/S 78-95	-	55	249	119	0
Resamp R/S 87-97, HR	-	13	57	24	0
Resamp R/S 78-95, HR	-	39	231	82	0
Resamp R/S 78-86	-	47	165	74	0
Resamp R/S 87-95	-	114	999	369	0
Resamp R/S 78-96	-	38	176	74	0
Resamp R/S 78-97	-	37	129	64	0
Resamp R/S 78-95	53%	63	275	132	13
Resamp R/S 78-95	42%	75	344	144	20
Resamp R/S 87-97, HR	67%	17	97	35	150
Resamp R/S 78-97	47%	42	203	81	40

Scenario #2

Conditions	% Rebuilt	Years to Rebuild			Annual Catch
		Min	Max	Median	
Resamp R/S 78-95		58	797	192	0
Resamp R/S 87-97, HR		10	66	20	0
Resamp R/S 78-95, HR		23	675	85	0
Resamp R/S 78-86	-	35	180	75	0
Resamp R/S 87-95		999	999	999	0
Resamp R/S 78-96		37	312	98	0
Resamp R/S 78-97		33	228	84	0
Resamp R/S 78-95	34%	66	999	273	15
Resamp R/S 87-97, HR	51%	14	999	45	185
Resamp R/S 87-97, HR	68%	12	183	36	150
Resamp R/S 78-97	51%	51	338	108	25

Figure 1. Estimated recruitment and spawner levels for scenario #1

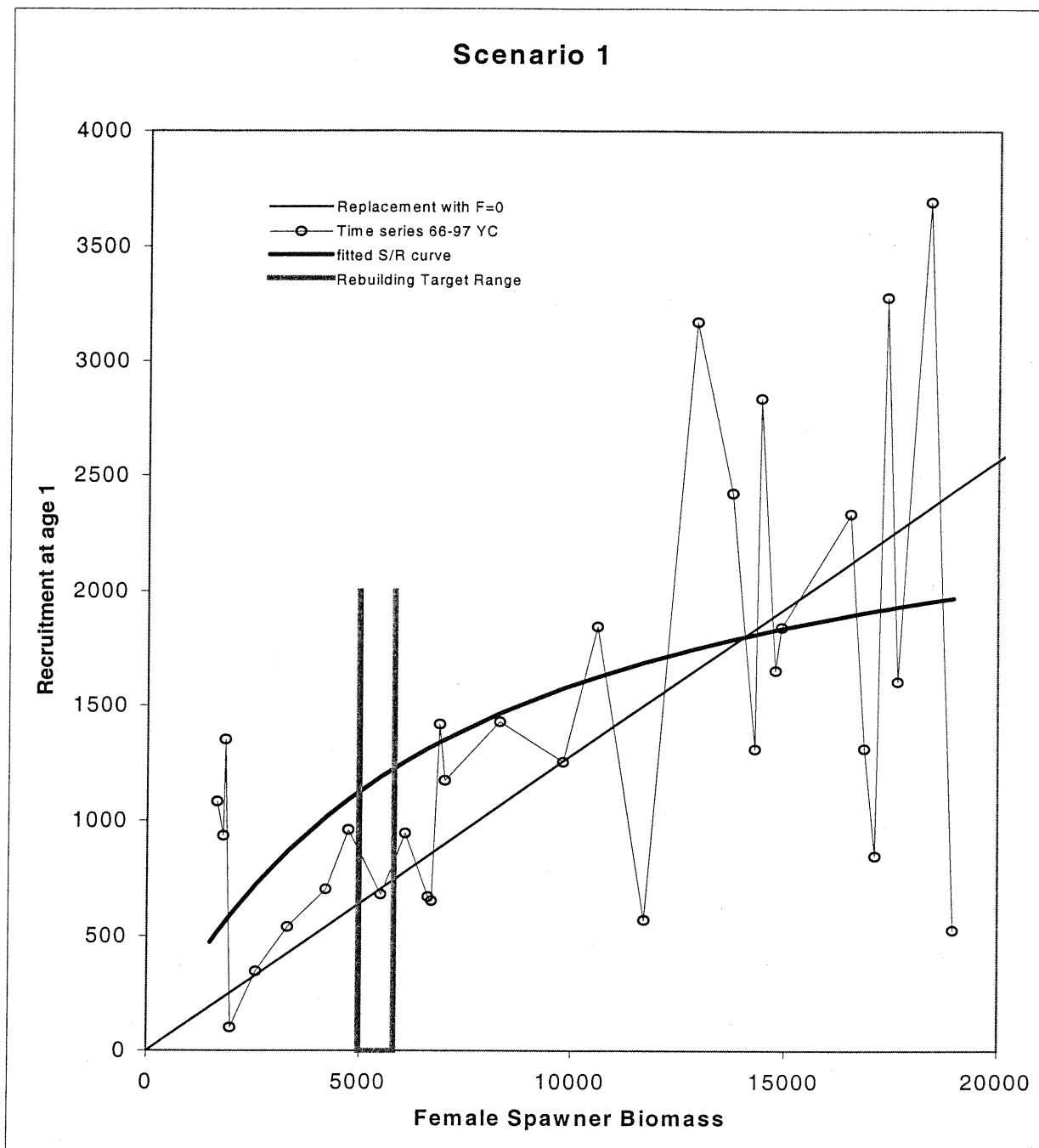


Figure 2. Recruits per Spawner time series for scenario #1. The bold horizontal line represents the replacement level with no fishing. The curved line is from the estimated recruitment-spawner relationship.

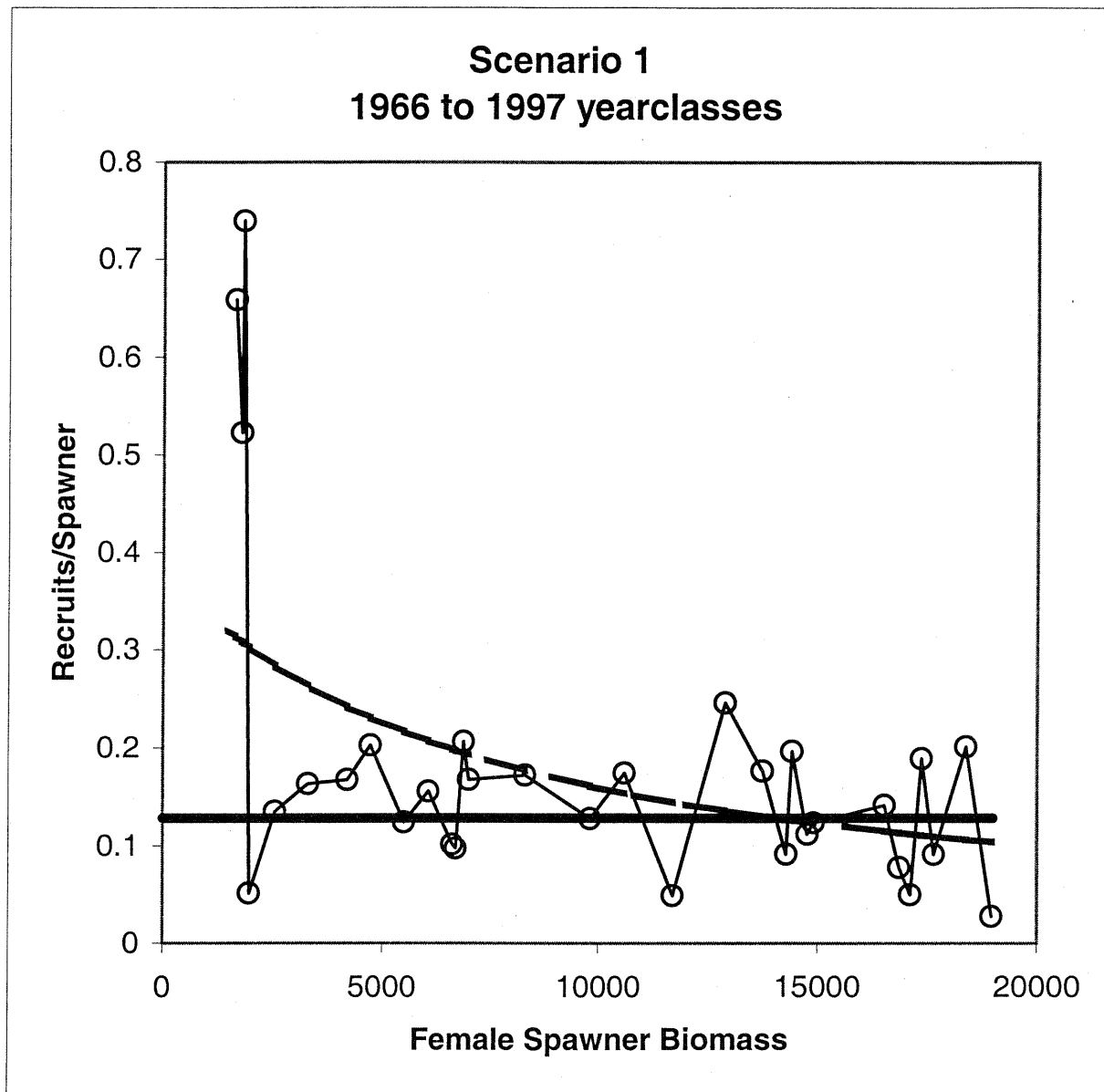


Figure 3. Comparison of recruits per spawner between the northern and southern assessment areas (based upon scenario #1 in the north). Unlike Figures 1 and 2, the recruitment values for 1996-1998 in the north are adjusted down to 50% of their original estimated value.

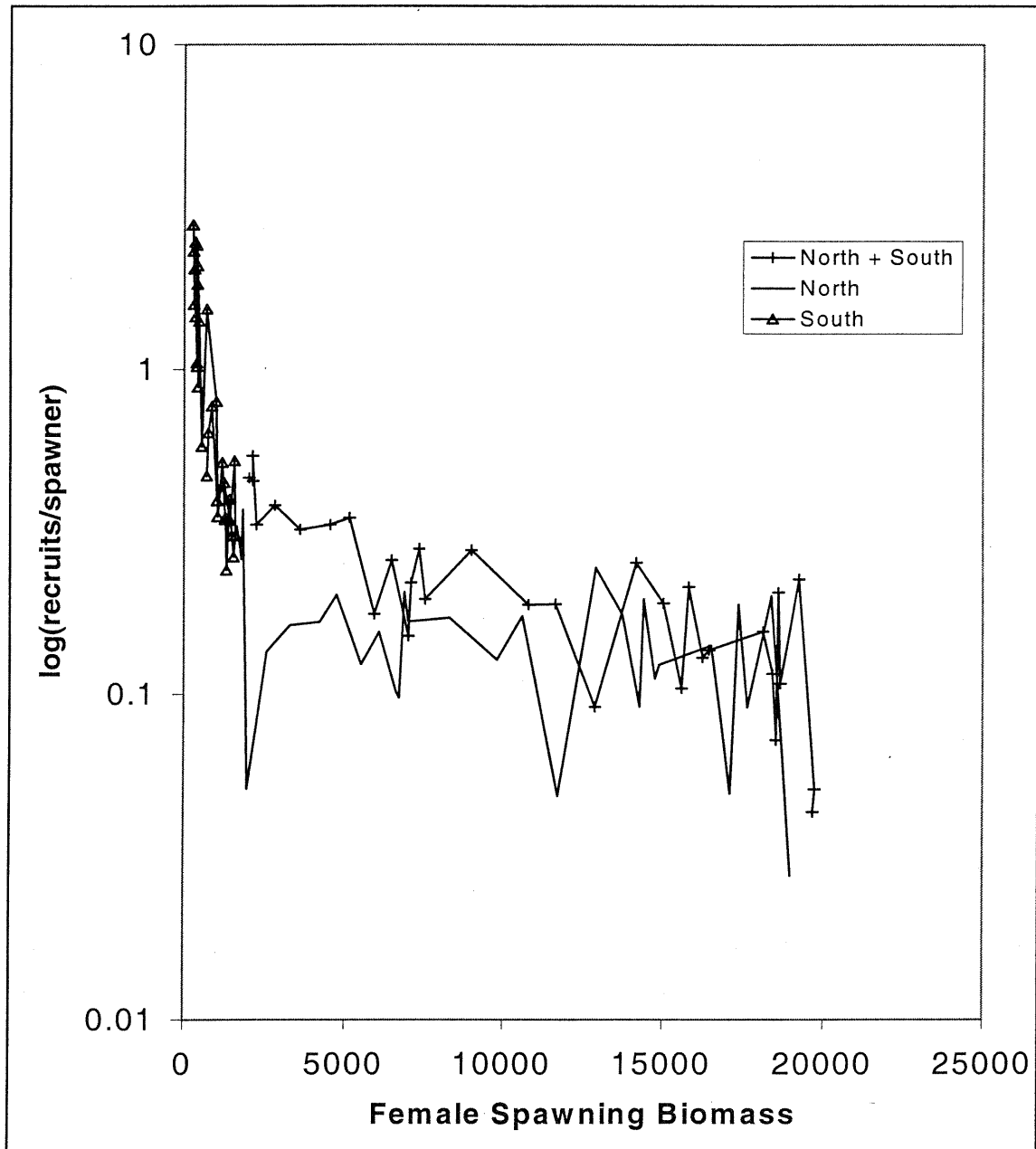


Figure 4. Estimated recruitment and spawner levels for scenario #2. Values for 1996-1998 are at their original estimated value (high recruitment).

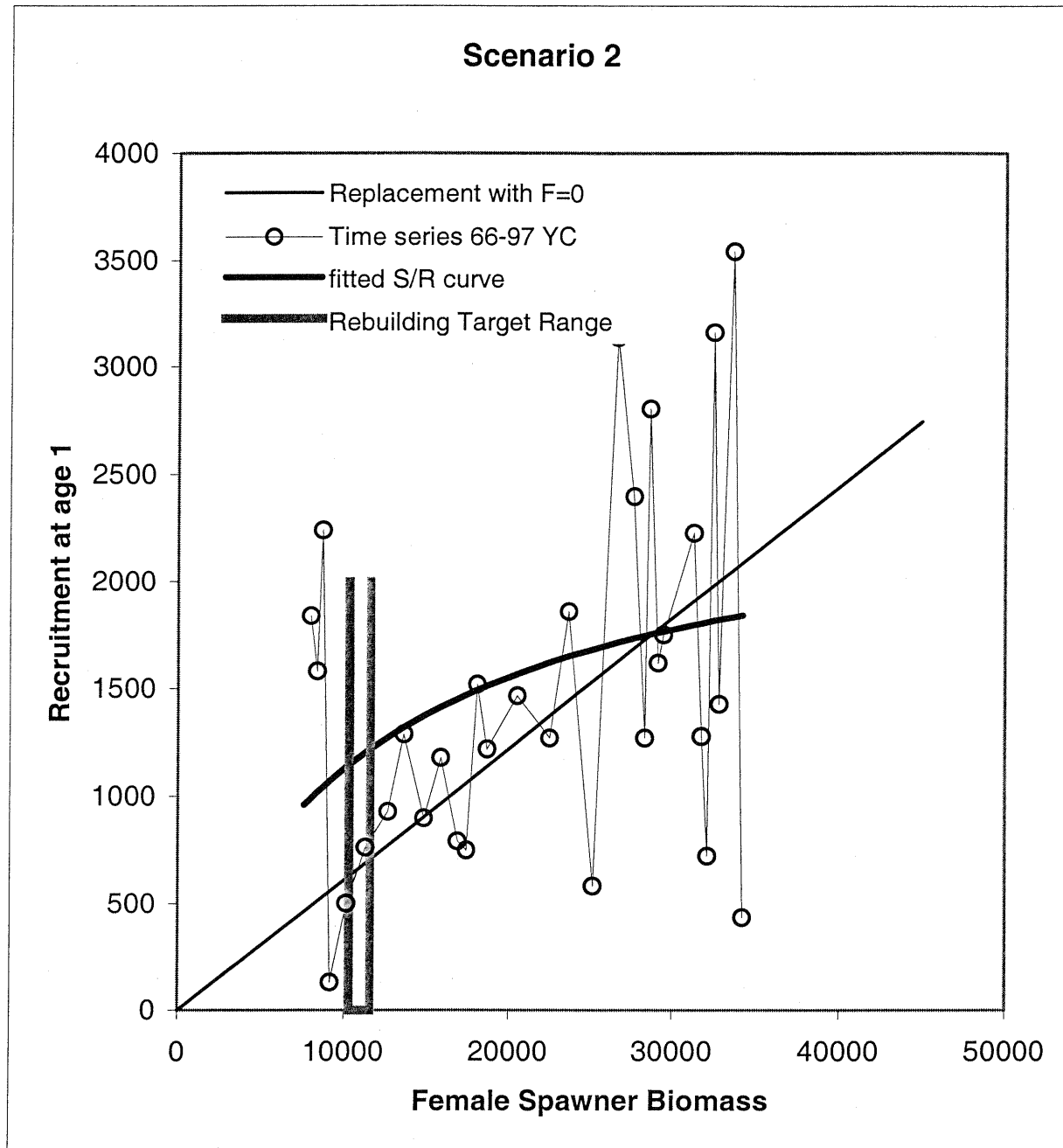
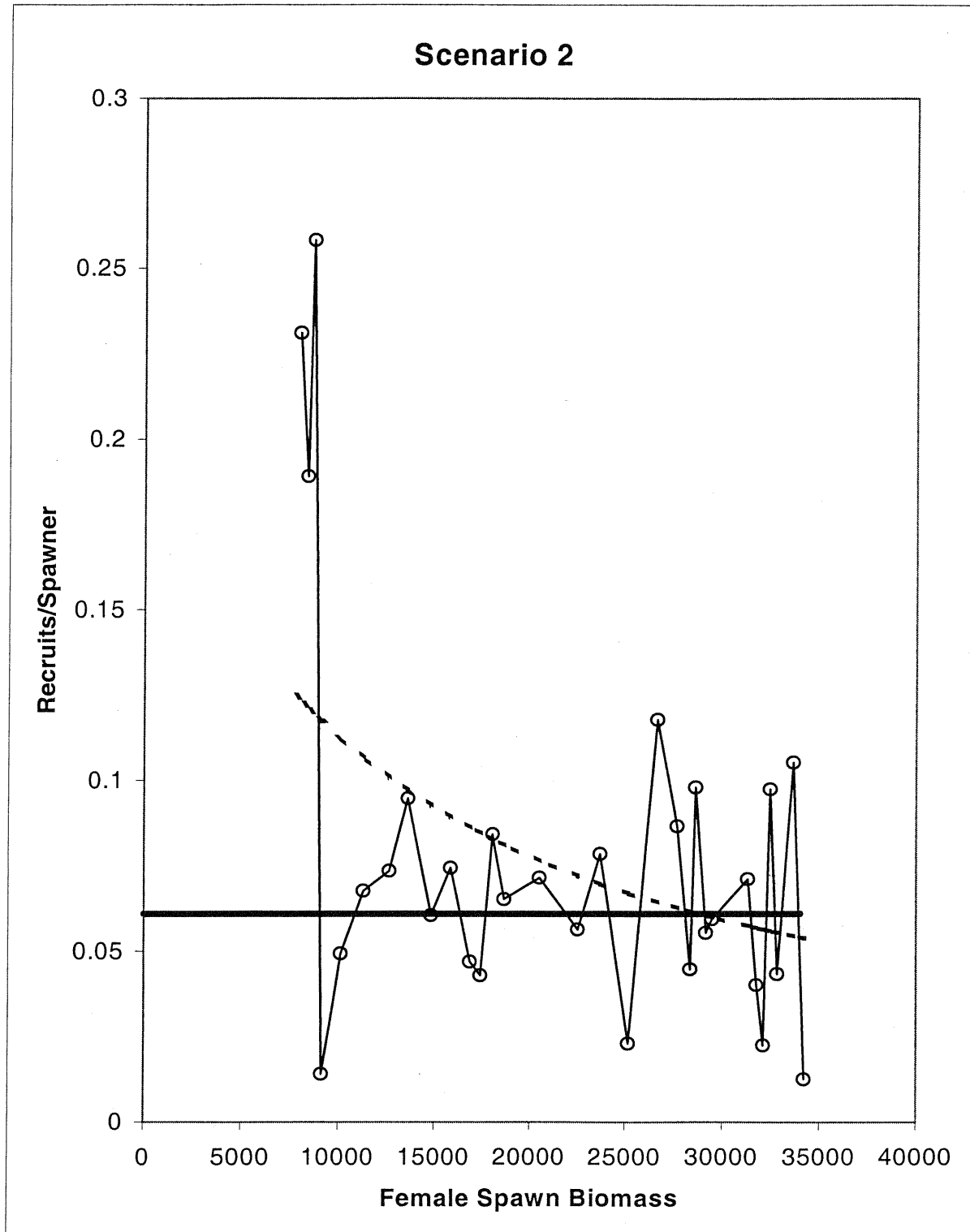


Figure 5. Estimated time series of recruits per spawner for scenario #2.



Cowcod Rebuilding

John Butler and Tom Barnes

Introduction

The cowcod (*Sebastes levis*) resource is currently considered to be one continuous population that extends from Washington south into Mexico. Fishable biomass is similar to spawning biomass because cowcod are recruited to the fishery near the size of first maturity. While cowcod spawning biomass will always be somewhat less than fishable biomass, for the purposes of the rebuilding analysis they are assumed to be approximately equal. The International North Pacific Fisheries Commission (INPFC) Conception Area portion of the stock was assessed by U. S. scientists in 1999 at which time the spawning biomass was determined to have fallen below 10% of its unfished size (Figure 1). The Pacific Fishery Management Council (PFMC) responded by imposing significant reductions in quotas.

Management Reference Points

B_{msy}: The rebuilding target is the spawning biomass level that produces MSY. Experience from other fisheries has shown the B_{msy} is often near 40% of initial biomass, which is also the biomass target for rebuilding the stock. Butler et al. (1999) estimated initial biomass at 3370 MT with 2840 MT and 3990 MT as lower and upper 95% confidence intervals. The rebuilding target for the Conception Area is then 1350 MT biomass with 1140 and 1600 MT as lower and upper 95% confidence intervals respectively.

Mean Generation Time

If the stock cannot be rebuilt within 10 years, then the maximum time allowed for rebuilding is the length of time required to rebuild at F=0 plus one mean generation time. Mean generation time (Pielou 1977) can be estimated from the net maternity function (product of survivorship and fecundity at age; Figure 2 and Table 2). Parameters used to estimate mean generation time are taken from Butler et al. (1999). Because larger and older cowcod females have high reproductive values, mean generation time is sensitive to maximum age. The oldest cowcod in a sample of 264 fish was 55 y (Butler et al. 1999), but it may not represent maximum age of this species. It is likely that older fish could be found if a larger sample size were available, or if samples were available from the un-exploited population. A plausible range of maximum age of cowcod is from 60-100 years which results in mean generation times of 35-40 years. Since data were not available to narrow this range, we used 75 y as the maximum age for cowcod and estimated mean generation time at 37 y. This long generation time is due in part to the fact that cowcod continue to grow after maturity, and thus older and larger female cowcod have very high reproductive value.

Simulation Model

We modeled cowcod rebuilding using a surplus production model because of the density dependent population growth inherent in the logistic equation (Appendix I). We also tried the delay difference model used in the cowcod stock assessment (Butler et al. 1999), but that model yielded longer rebuilding times (Average time = 145 y). Population simulations began with the 1998 cowcod biomass. Surplus production was modeled using a log-normal distribution fitted to recruitment during 1951-1998 (Butler et al. 1999). Population trajectories with a fixed mean r indicated that minimum time to B_{msy} with no fishing was 61 y.

The time series of recruitment from the stock assessment model is highly correlated with a lag of one year (Figure 3). In order to test whether the auto correlation affected rebuilding time, we incorporated an auto correlation of 0.8 into recruitment to the population. This changed the pattern of biomass trajectories but had no effect on the median time to rebuilding or the probability of success when averaged over 500 replicates.

The maximum time to rebuild to B_{msy} allowed by the Magnuson-Stevens Fishery Conservation and Management Act is the minimum time (61 y) plus one mean generation time (37 y) or a total of 98 y. Population trajectories with randomly sampled log-normal production were repeated 250 times with different constant values of F to find a fishing rate that provided some catch but resulted in a 60% probability of achieving B_{msy} within the maximum allowed time.

Initial Conditions

The cowcod stock assessment (Butler et al. 1999) found uncertainty in the 1998 biomass. Upper and lower 95% confidence intervals indicated that the 1998 cowcod biomass could be at 4-11% (126-451 MT) of unfished stock size. In order to capture the uncertainty in current cowcod stock size, population trajectories were initialized at 126, 238 and 451 MT. Mean time to B_{msy} with no fishing varies, which under different initial conditions, are 42, 62 and 80 y respectively.

Projections

The probability of rebuilding success under alternative fishing rates and three initial conditions are presented in Table 1. If the 1998 population is as low as 4% of the virgin biomass, almost no realistic quota achieves rebuilding. If the 1998 biomass is 7% of virgin biomass, which is the basecase scenario from the assessment, then a quota of 2.4 MT will achieve rebuilding in about 95 y. If the 1998 biomass is 11% of the virgin biomass, then a quota of 4.5 MT will achieve rebuilding in 67 y.

Discussion

The combination of an unproductive stock and extremely low current biomass level compounds the difficulties to rebuild cowcod. Rebuilding yields are very low compared to the large amount of fishing effort that is present in California waters. This provides the opportunity for target yields to be inadvertently exceeded due to inherent imprecision in catch statistics, and unrecorded fishing mortality from discarded bycatch. Calculations show that the long-term consequence of small over harvest could be significant. Unaccounted removals as small as 1-2 tons per year may sufficiently jeopardize the rebuilding plan. Although it will be necessary to closely monitor annual commercial and recreational landings, additional information will be necessary to provide assurance that rebuilding targets are not exceeded. Reliable estimates of discards are a critical element to rebuilding efforts, since discarded cowcod do not survive. Identification of geographic areas where cowcod density is comparatively high may also be of interest to managers seeking ways to assure that cowcod catches do not exceed rebuilding targets.

Future reassessments will demonstrate whether management measures have accomplished intended objectives. However, it is likely that many years will need to pass before it is possible to detect statistically significant change in abundance for an unproductive species such as cowcod.

Rebuilding yields have been calculated for that portion of the stock that is found in the Conception Management Area. The stock ranges much further to the north, and a significant fishery has also occurred in the Monterey Management Area. The Monterey Area was not included in rebuilding calculations because that portion of the stock is data poor, and consequently was outside the area of the stock assessment. However, significant catches have occurred in the Monterey Area over many years, and it is likely that the stock is also overfished in that portion of the range. One possible approach for estimating rebuilding yields for the Monterey Area is to take proportional catch reductions to that which are necessary in the Conception Area.

Literature cited

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Figure 2. Net maturity function of female cowcod.

Figure 3. Cowcod recruitment biomass and spawning biomass during 1951-1998.

Figure 1. Basecase model results for cowcod spawning biomass with 95% confidence interval.

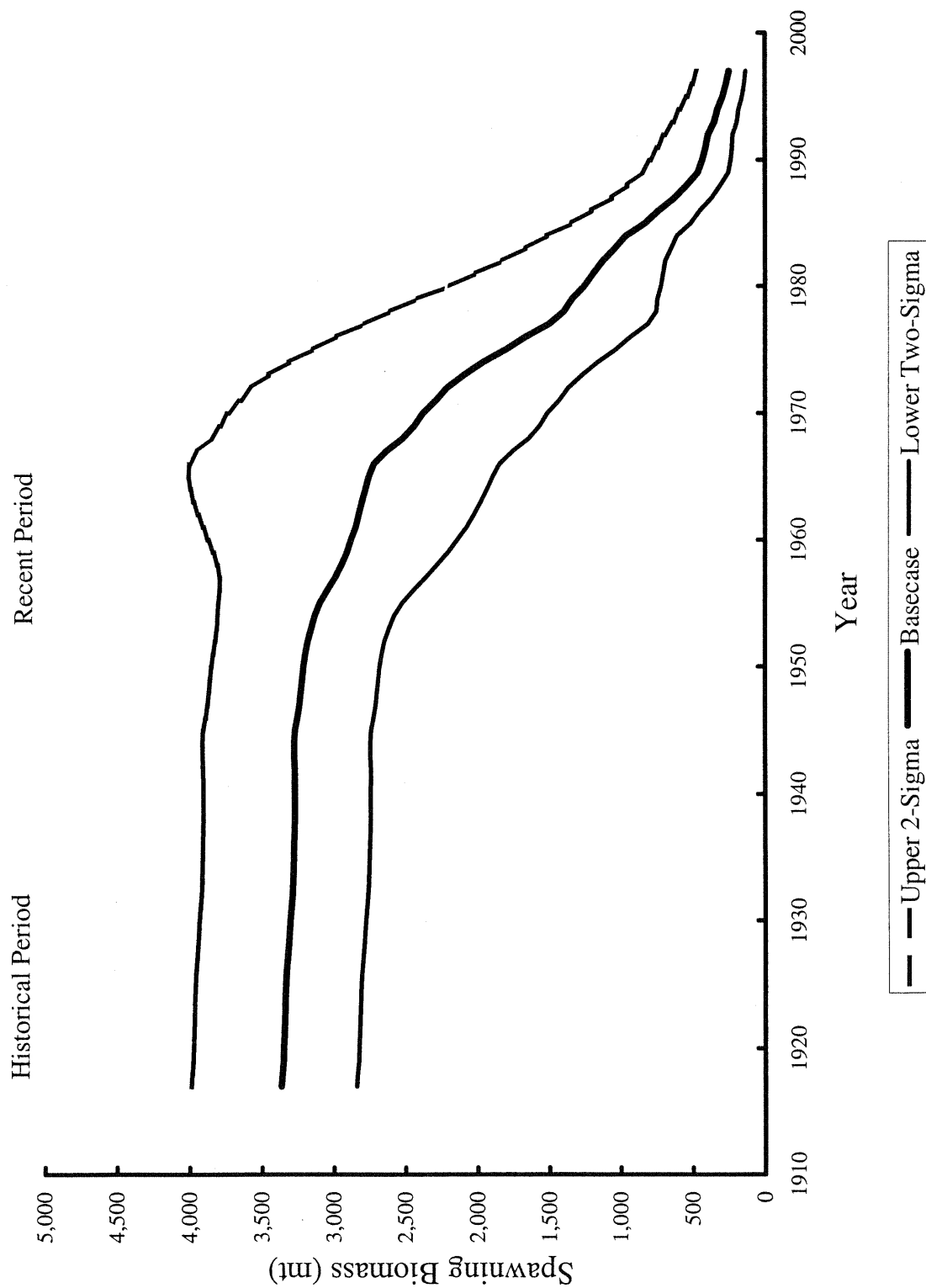


Figure 2. Net maturity function for female cowcod.

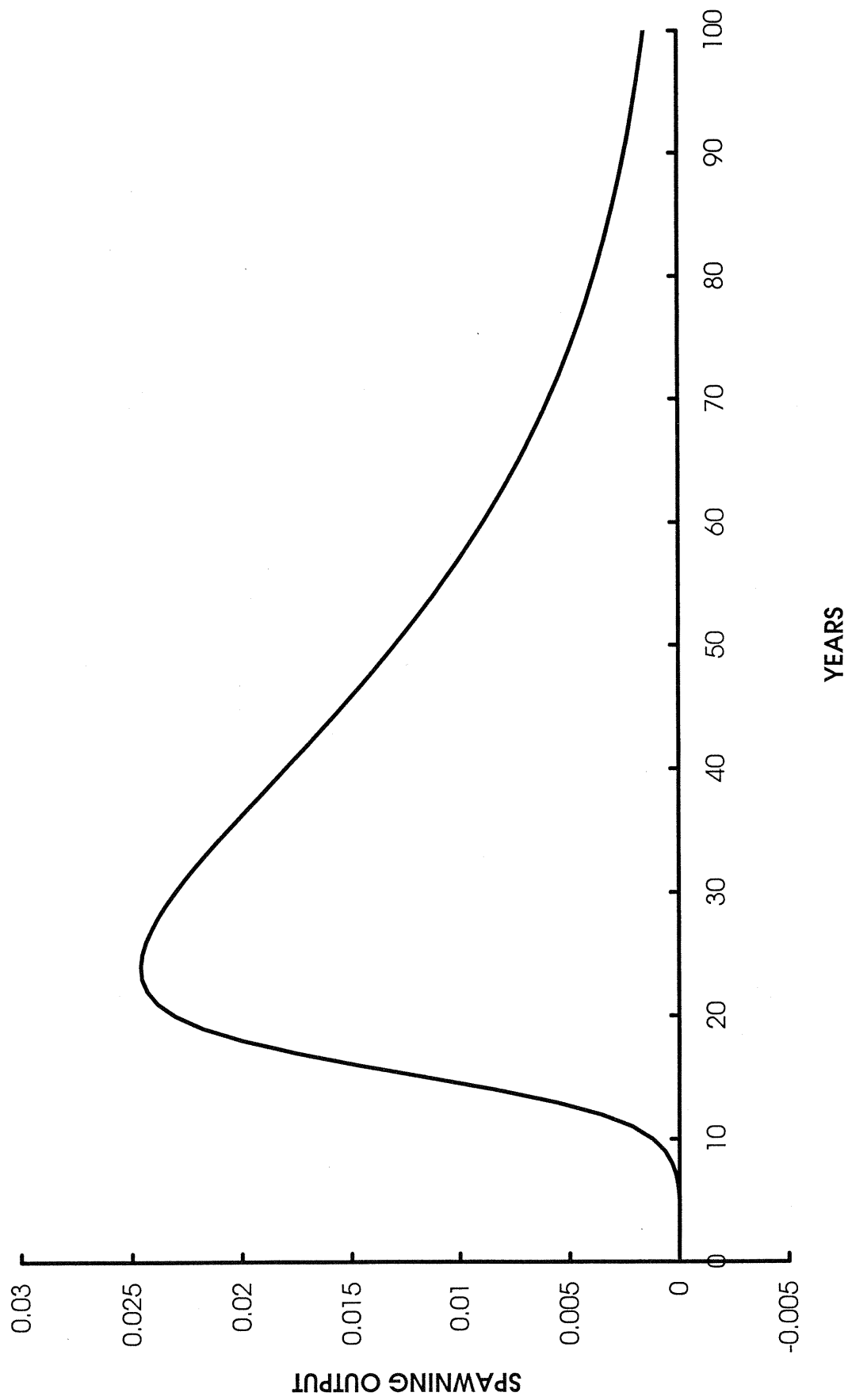


Figure 3. Cowcod recruitment biomass and spawning biomass from 1951-1998.

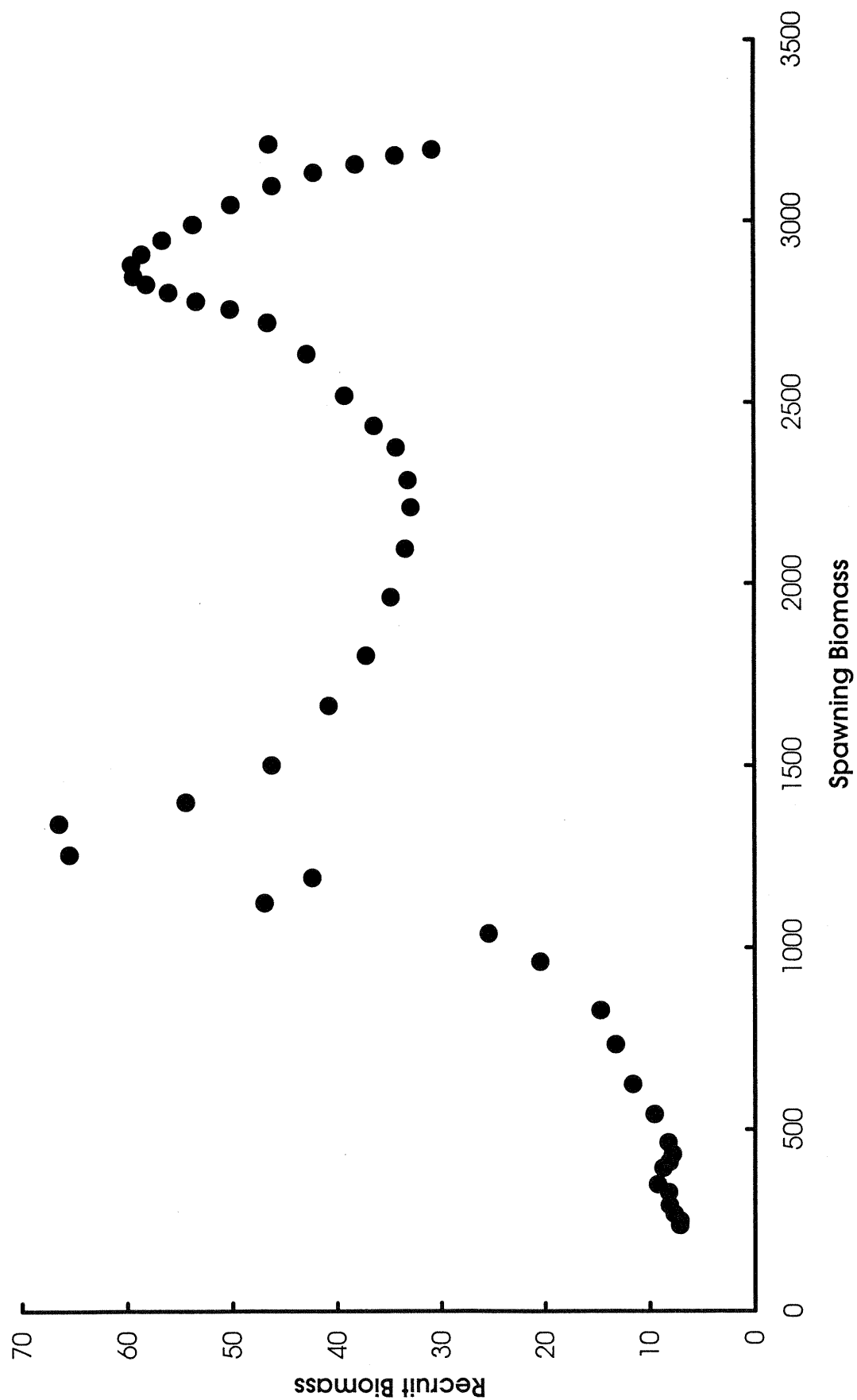


Table 1. Probabilities of cowcod rebuilding under a constant harvest rate, assuming three alternative 1998 biomass levels. **Catch** is the mean annual catch during the first three years of the projection period (1999-2000); **Percent Success** is the percentage of simulations that achieve rebuilding schedule; **Median Time** is median time (y) to reach Bmsy (=0.4*3370 MT). Bold values are base case run.

LOW 1998 BIOMASS (4 % OF VIRGIN BIOMASS)

F	CATCH MT	PERCENT SUCCESS	MEDIAN TIME
0	0	100	81
0.00425	0.55	60	94
0.01	1.3	1	121
0.02	2.5	0	277
0.03	3.7	0	>300
0.04	5	0	>300

MEDIUM 1998 BIOMASS (7 % OF VIRGIN BIOMASS)

F	CATCH	PERCENT SUCCESS	MEDIAN TIME
0	0	100	62
0.009	2.1	60	90
0.01	2.4	55	95
0.02	5	0	227
0.03	7	0	>300
0.04	9	0	>300

HIGH 1998 BIOMASS (11 % OF VIRGIN BIOMASS)

F	CATCH	PERCENT SUCCESS	MEDIAN TIME
0	0	100	42
0.01	4.5	99	67
0.014	6.4	60	92
0.02	9	0	186
0.03	13	0	>300
0.04	16	0	>300

Table 2. Weight at age, Maturity, Reproductive output (M_x) and Survivorship (L_x) of Cowcod (*Sebastes levis*)

Age	Weight	Maturity	M_x	L_x
1	-805.36302	0	0	1
2	-590.69241	0	0	0.94648515
3	-377.30596	0	0	0.89583414
4	-165.196	0	0	0.8478937
5	45.6451091	0	0	0.8025188
6	255.22496	0.01	2.5522496	0.75957212
7	463.551097	0.0189	8.76111573	0.71892373
8	670.631019	0.0308	20.6554354	0.68045064
9	876.472182	0.0497	43.5606675	0.64403642
10	1081.082	0.0794	85.8379105	0.60957091
11	1284.46783	0.1246	160.044691	0.57694981
12	1486.637	0.19	282.461029	0.54607443
13	1687.59678	0.2789	470.670742	0.51685133
14	1887.35442	0.3894	734.93581	0.48919211
15	2085.9171	0.5125	1069.03251	0.46301307
16	2283.29197	0.6341	1447.83544	0.43823499
17	2479.48614	0.7408	1836.80333	0.41478291
18	2674.50666	0.8249	2206.20055	0.39258587
19	2868.36057	0.8859	2541.08063	0.37157669
20	3061.05483	0.9276	2839.43446	0.35169182
21	3252.5964	0.9548	3105.57904	0.33287108
22	3442.99215	0.9721	3346.93267	0.31505754
23	3632.24895	0.9829	3570.13749	0.29819728
24	3820.37361	0.9895	3780.25968	0.2822393
25	4007.3729	0.9936	3981.72571	0.2671353
26	4193.25355	0.9961	4176.89986	0.2528396
27	4378.02226	0.9976	4367.515	0.23930892
28	4561.68567	0.9986	4555.29931	0.22650234
29	4744.25041	0.9991	4739.98058	0.2143811
30	4925.72303	0.9995	4923.26017	0.20290853
31	5106.11008	0.9997	5104.57825	0.19204991
32	5285.41805	0.9998	5284.36097	0.18177239
33	5463.65339	1	5463.65339	0.17204486
34	5640.82252	1	5640.82252	0.16283791
35	5816.93182	1	5816.93182	0.15412366
36	5991.98763	1	5991.98763	0.14587576
37	6165.99624	1	6165.99624	0.13806924
38	6338.96393	1	6338.96393	0.13068048
39	6510.89692	1	6510.89692	0.12368714
40	6681.80141	1	6681.80141	0.11706804
41	6851.68353	1	6851.68353	0.11080316
42	7020.54942	1	7020.54942	0.10487354
43	7188.40514	1	7188.40514	0.09926125
44	7355.25674	1	7355.25674	0.0939493
45	7521.11023	1	7521.11023	0.08892162
46	7685.97158	1	7685.97158	0.08416299

47	7849.84673	1	7849.84673	0.07965902
48	8012.74156	1	8012.74156	0.07539608
49	8174.66196	1	8174.66196	0.07136127
50	8335.61374	1	8335.61374	0.06754238
51	8495.6027	1	8495.6027	0.06392786
52	8654.6346	1	8654.6346	0.06050677
53	8812.71517	1	8812.71517	0.05726876
54	8969.85009	1	8969.85009	0.05420403
55	9126.04503	1	9126.04503	0.05130331
56	9281.3056	1	9281.3056	0.04855782
57	9435.6374	1	9435.6374	0.04595926
58	9589.04598	1	9589.04598	0.04349975
59	9741.53686	1	9741.53686	0.04117187
60	9893.11554	1	9893.11554	0.03896856
61	10043.7875	1	10043.7875	0.03688317
62	10193.5581	1	10193.5581	0.03490937
63	10342.4327	1	10342.4327	0.0330412
64	10490.4168	1	10490.4168	0.03127301
65	10637.5157	1	10637.5157	0.02959944
66	10783.7346	1	10783.7346	0.02801543
67	10929.0788	1	10929.0788	0.02651618
68	11073.5536	1	11073.5536	0.02509717
69	11217.1641	1	11217.1641	0.0237541
70	11359.9155	1	11359.9155	0.02248291
71	11501.813	1	11501.813	0.02127974
72	11642.8616	1	11642.8616	0.02014095
73	11783.0665	1	11783.0665	0.01906311
74	11922.4327	1	11922.4327	0.01804295
75	12060.9652	1	12060.9652	0.01707739
76	12198.6689	1	12198.6689	0.01616349
77	12335.549	1	12335.549	0.01529851
78	12471.6102	1	12471.6102	0.01447981
79	12606.8574	1	12606.8574	0.01370493
80	12741.2957	1	12741.2957	0.01297151
81	12874.9297	1	12874.9297	0.01227734
82	13007.7643	1	13007.7643	0.01162032
83	13139.8043	1	13139.8043	0.01099846
84	13271.0544	1	13271.0544	0.01040988
85	13401.5194	1	13401.5194	0.0098528
86	13531.2039	1	13531.2039	0.00932553
87	13660.1127	1	13660.1127	0.00882647
88	13788.2503	1	13788.2503	0.00835412
89	13915.6214	1	13915.6214	0.00790705
90	14042.2305	1	14042.2305	0.00748391
91	14168.0823	1	14168.0823	0.00708341
92	14293.1812	1	14293.1812	0.00670434
93	14417.5318	1	14417.5318	0.00634556
94	14541.1385	1	14541.1385	0.00600598
95	14664.0058	1	14664.0058	0.00568457
96	14786.1381	1	14786.1381	0.00538036

97	14907.5398	1	14907.5398	0.00509243
98	15028.2152	1	15028.2152	0.00481991
99	15148.1688	1	15148.1688	0.00456197
100	15267.4048	1	15267.4048	0.00431784

Appendix I

Annual surplus production during 1951-1998 was computed by:

$$P_y = B_{y+1} - B_y + C_y \quad 1)$$

Where B_y was a biomass estimate from the basecase run of the cowcod assessment model (Butler et al. 1999) at the beginning of the year y , K is the population carrying capacity or "virgin biomass," C_y was catch data and r is the slope of the production function at the origin. Production was modeled using the logistic model with process errors:

$$P_y = r B_y \left(1 - \frac{B_y}{K} \right) \quad 2)$$

Solving for r_y gives:

$$r_y = \frac{P_y K}{B_y (K - B_y)} \quad 3)$$

The recruitment parameter r_y was calculated for each year from 1951-1998 and modeled using the lognormal distribution. Then forward projections of biomass were obtained from rearranging Eq (1), giving:

$$B_{y+1} = B_y + P_y - C_y \quad 4)$$

Where P_y was obtained from Eq. (2) using a stochastic lognormal r .

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
NEW STOCK ASSESSMENTS FOR LINGCOD AND PACIFIC OCEAN PERCH

The Groundfish Advisory Subpanel (GAP) met jointly with the Groundfish Management Team (GMT) to review new stock assessments for lingcod and Pacific Ocean perch (POP) and their relationship to rebuilding plans for these species. The GAP offers the following comments.

LINGCOD

The GAP believes the 2001 acceptable biological catch (ABC) and optimum yield (OY) for lingcod should reflect the new stock assessment, as this will represent the best scientific information available. Further, the results of the new stock assessment should be used to update the existing rebuilding plan for this species.

PACIFIC OCEAN PERCH

The GAP notes the new stock assessment shows POP stocks are above the "overfished" level and in fact, probably should not have been designated as "overfished." The GAP recommends this be reported to NMFS, and the Council obtain clarification on what action is necessary when a species grows above the "overfished" level. At the same time, the GAP recognizes the need to manage conservatively while stock increases continue.

PFGC
09/13/00

SCIENTIFIC AND STATISTICAL COMMITTEE STATEMENT ON
NEW STOCK ASSESSMENTS FOR LINGCOD AND PACIFIC OCEAN PERCH

The Scientific and Statistical Committee (SSC) met with Mr. Jim Glock to discuss new stock assessments for lingcod, Pacific Ocean perch (POP), and widow rockfish. Lingcod and POP have been separated out for discussion, because each is managed under recently-adopted rebuilding plans, and this is the first time new assessments have been prepared for these species since the overfishing declaration. The new widow rockfish assessment indicates the biomass is at or below 25% of B_0 , so the potential for an overfishing declaration exists for this species as well.

The SSC held a lengthy discussion regarding timing of new stock assessment results for rebuilding species, particularly with respect to updating current rebuilding plans and applying changes for the upcoming management season. For example, rebuilding plans for lingcod and POP have just been approved by the National Marine Fisheries Service, immediately followed by new stock assessment results for each species. The Sustainable Fisheries Act (SFA) requires re-evaluation of rebuilding plans every two years, but the groundfish fishery management plan (FMP) states that stocks will be managed based on the best available information. This leaves the Council with two options, (1) re-establish rebuilding plans according to the new benchmarks each time new data are available, or (2) carry forward current rebuilding plans as approved, applying the new information in the next review period. The SSC favors the second option.

The SSC has the following specific comments regarding the new stock assessment results:

Widow Rockfish - Although there is a fair amount of uncertainty in the preferred model estimate of widow rockfish biomass, there is a 70% probability that current biomass is less than 25% of B_0 . The Groundfish Management Team (GMT) is currently developing preliminary optimum yields (OYs) based on this estimate and the assumption the stock will be declared overfished. In addition, the current assessment indicates year class strengths have been weak in recent years. The current 40-10 policy will likely be sufficient to rebuild widow rockfish within the next 10 years, and supplemental analysis, provided as an appendix in the stock assessment report, but not reviewed by the Stock Assessment Review (STAR) Panel, suggests widow rockfish biomass may be somewhat greater and not in an overfished condition. The SSC's groundfish subcommittee will review the supplemental analysis prior to the October Council meeting.

Pacific Ocean Perch - The previous POP rebuilding analysis estimated 20 to 30 years to rebuild the stocks. The latest analysis indicates a much shorter rebuilding time on the order of 10 years. The data used in the new rebuilding analysis are based on the new assessment, in which B_{MSY} was estimated from parameters in the model. There are many confounding factors associated with simultaneous estimation of steepness of the stock-recruitment relationship and survey catchability. This confounding and other technical issues affect the reliability of the B_{MSY} estimate, which subsequently impacts the rebuilding plan. The SSC does not recommend superceding the currently approved rebuilding plan with the new analysis. The new analysis has not yet been reviewed, but should be considered for the process in 2001.

Lingcod - The lingcod stock is still considered to be in an overfished state, but the most recent assessment results indicate the stock has started to rebuild. The stock assessment authors did not develop a modified rebuilding plan based on the latest results. The SSC recommends continued implementation of the recently approved rebuilding plan.

Rebuilding analyses of West-Coast Pacific ocean perch

August 8, 2000

James N. Ianelli

and

James Hastie

Alaska Fisheries Science Center, NMFS
7600 Sand Point Way N.E.
Seattle, Washington 98115-6349

Summary

We extend the results from this years stock assessment to evaluate different harvest policies related to rebuilding the Pacific ocean perch (POP) resource off the coasts of Washington, Oregon, and California. We selected 6 policies projected from 2001 to 2011: no fishing, 300 tons per year, 500 tons per year, 750 tons per year, an (unadjusted) F_{msy} policy, and an adjusted (40-10) F_{msy} policy. The expected value for time to rebuild for these policies ranges from slightly before 2003 to 2004 based on stochastic projections from the posterior distribution. The probability that the stock will be above the expected value of B_{msy} by the year 2011 is relatively high (>50%) for all of these harvest levels.

1 Introduction

Stock assessments for the US west coast Pacific ocean perch (POP) are generally conducted every three years. Since the early 1980s, this stock has been considered as a primary candidate for rebuilding stock levels by directed management measures. In 1981 the Pacific Fishery Management Council (PFMC) adopted a 20-year plan to rebuild the depleted Pacific ocean perch (*Sebastes alutus*) resource in waters off the Washington and Oregon coast. In 1998, the PFMC acted on NMFS' National Standards from the re-authorized Magnuson-Stevens Fisheries Management and Conservation Act and determined that rebuilding efforts needed to be re-focused. The purpose of this report is to evaluate a rebuilding program for POP based on the recently completed assessment of Ianelli *et al.* (2000) for the PFMC's Groundfish Management Team (GMT).

2 Methods

We begin with Model 1c results from Ianelli *et al.* (2000). Model 1c from the assessment was one that the PFMC's Stock Assessment Review (STAR) Panel recommended because it included a prior distribution on the value for steepness based on Dorn's (2000) analyses. We concur with this recommendation since the other models that used a uniform prior distribution on steepness (non-informative) resulted in a seemingly unrealistic high level of probability that the stock could be fished quite hard. That is, with steepness values approaching 1.0, the target stock size becomes very small.

These results are in the form of the joint multivariate posterior distribution over 311 parameters as represented by a Markov Chain Monte Carlo (MCMC) integration run with chain length of five million. We systematically thinned the chain by selecting every 1,000th simulation so that 5,000 parameter vectors represent the final posterior distribution. This thinning process avoids possible problems with autocorrelated MCMC simulations. The MCMC algorithm can result in significantly autocorrelated chains with difficult likelihood surfaces (e.g., surfaces with sharp and/or curved ridges). Some key parameter output for this posterior distribution is depicted in Fig. 1. The projection procedure is set up to simply run from each of the 5,000 vectors representing the posterior distribution. These parameter vectors can be thought of as a proportional sample from the “true” multivariate posterior distribution. Marginal distributions are compiled for any quantity of interest by constructing frequency histograms from the 5,000 unique function evaluations (a function evaluation represents a single model evaluation including the projections under different policy alternatives). Stochastic future recruitment is based on the stock-recruitment curve (as from a given parameter draw) and the level of recruitment variability as estimated. We assumed recruitment to be log-normally distributed about the stock-recruitment curve (as determined from each parameter draw).

We selected 6 policies projected from 2001 to 2011: no fishing, 300 tons per year, 500 tons per year, 750 tons per year, an (unadjusted) F_{msy} policy, and an adjusted (40-10) F_{msy} policy. The adjusted F_{msy} policy was based on the 40-10 policy adopted by the PFMC for other stocks.

Figure 2 shows how this rate is applied for different levels of stock size relative to the theoretical average unfished level of spawning biomass (B_0).

3 Results

The average catch and spawning biomass for the six different harvest scenarios are shown in Table 1. The adjusted (40-10) F_{msy} policy resulted in 1,612 tons average catch over the next 10 years and was expected to rebuild by the year 2004. The unadjusted F_{msy} policy also exceeded the B_{msy} target by the year 2004 and had an average yield of 1,876 tons. All other policies (fixed catch at 0, 300, 500, and 750 tons) indicate that rebuilding is expected to have occurred by the year 2003. These trends in expected values are also displayed in Figure 3.

The uncertainty in these spawning biomass levels given different harvest levels is quite high (Fig. 4). By the year 2011, the distribution of the spawning biomass under these harvest levels is projected to a reasonable range (between 10% and 90% probability) from 3- to 5-fold. However, for all policies except the unadjusted F_{msy} strategy, the probability that the stock will exceed the expected value of B_{msy} is greater than 50% (Table 2).

4 Discussion

These analyses indicate that rebuilding is fairly likely to occur within the next few years. Furthermore, there is considerable probability that the current level of stock size is greater than the target stock size (Ianelli *et al.* 2000). This analysis is predicated on a number of model assumptions. For example, the PFMC's STAR panel noted that a reasonable alternative should include the use of a Ricker stock-recruitment curve instead of the Beverton-Holt curve that was used. Ianelli *et al.* (2000) provides the Ricker model for comparison and found that the MSYL (the level of stock size relative to unfished where MSY occurs) is somewhat higher (~42% compared to ~33% for the Beverton-Holt case).

The use of Dorn's (2000) prior distribution on steepness influence the results presented here (when the Bayesian integration is performed). This brings up the question of whether there are more appropriate prior distributions to use. The sensitivity of the prior on the posterior mode was insignificant, but had a significant impact when the model was integrated. This type of sensitivity could be explored further. However, rationale for using an alternative prior distribution would need to be carefully developed.

5 Literature Cited

- Dorn, M. 2000. Advice on West Coast rockfish harvest rates from Bayesian meta-analysis of stock-recruit relationships. Paper presented at the West Coast groundfish productivity workshop, March 20-24, 2000.
- Ianelli, J.N. 2000. Simulation analyses testing the robustness of harvest rate determinations from west-coast Pacific ocean perch stock assessment data. Draft working paper submitted to the Harvest Rate Workshop, March 20-23rd, 2000, Seattle WA.
- Ianelli, J.N., M. Wilkins and S. Harley. 2000. Status and future prospects for the Pacific ocean perch resource in waters off Washington and Oregon as assessed in 2000. Draft submission for: Status of the Pacific coast groundfish fishery through 2000 and recommended acceptable biological catches for 2001. Pacific Fishery Management Council, Portland, OR.

6 Tables

Table 1. Average catch (tons) and spawning biomass (tons of mature female POP) for the different projection options. The expected value for B_{msy} is estimated 16,250 tons of mature female spawning biomass. NOTE: these values represent integrated “expected values” from Model 1c (Ianelli *et al.* 2000) and are different from the “modal values” presented in the assessment.

Year	C a t c h					
	$F = 0$	300 t/yr	500 t/yr	750 t/yr	F_{msy} 40-10	F_{msy} Unadj.
2001	0	300	500	750	1,377	1,853
2002	0	300	500	750	1,494	1,906
2003	0	300	500	750	1,620	1,935
2004	0	300	500	750	1,664	1,919
2005	0	300	500	750	1,670	1,900
2006	0	300	500	750	1,664	1,883
2007	0	300	500	750	1,656	1,868
2008	0	300	500	750	1,650	1,856
2009	0	300	500	750	1,647	1,846
2010	0	300	500	750	1,645	1,838
2011	0	300	500	750	1,644	1,830
Year	S p a w n i n g B i o m a s s					
	$F = 0$	300 t/yr	500 t/yr	750 t/yr	F_{msy} 40-10	F_{msy} Unadj.
2001	14,410	14,410	14,410	14,410	14,410	14,410
2002	15,792	15,651	15,556	15,439	15,143	14,919
2003	17,608	17,318	17,124	16,883	16,219	15,789
2004	19,089	18,647	18,353	17,985	16,881	16,290
2005	20,172	19,582	19,189	18,698	17,139	16,420
2006	21,034	20,301	19,813	19,204	17,197	16,372
2007	21,784	20,915	20,336	19,612	17,177	16,255
2008	22,482	21,482	20,816	19,983	17,138	16,128
2009	23,145	22,020	21,269	20,331	17,096	16,004
2010	23,787	22,540	21,709	20,669	17,060	15,890
2011	24,419	23,054	22,143	21,004	17,038	15,790

Table 2. Probability that the stock size will exceed the expected value of B_{msy} in the year 2011 for the different harvest levels.

Year	$F = 0$	300 t/yr	500 t/yr	750 t/yr	F_{msy} 40-10	F_{msy} Unadj.
2011	84.2%	79.9%	77.0%	69.9%	54.5%	40.7%

7 Figures

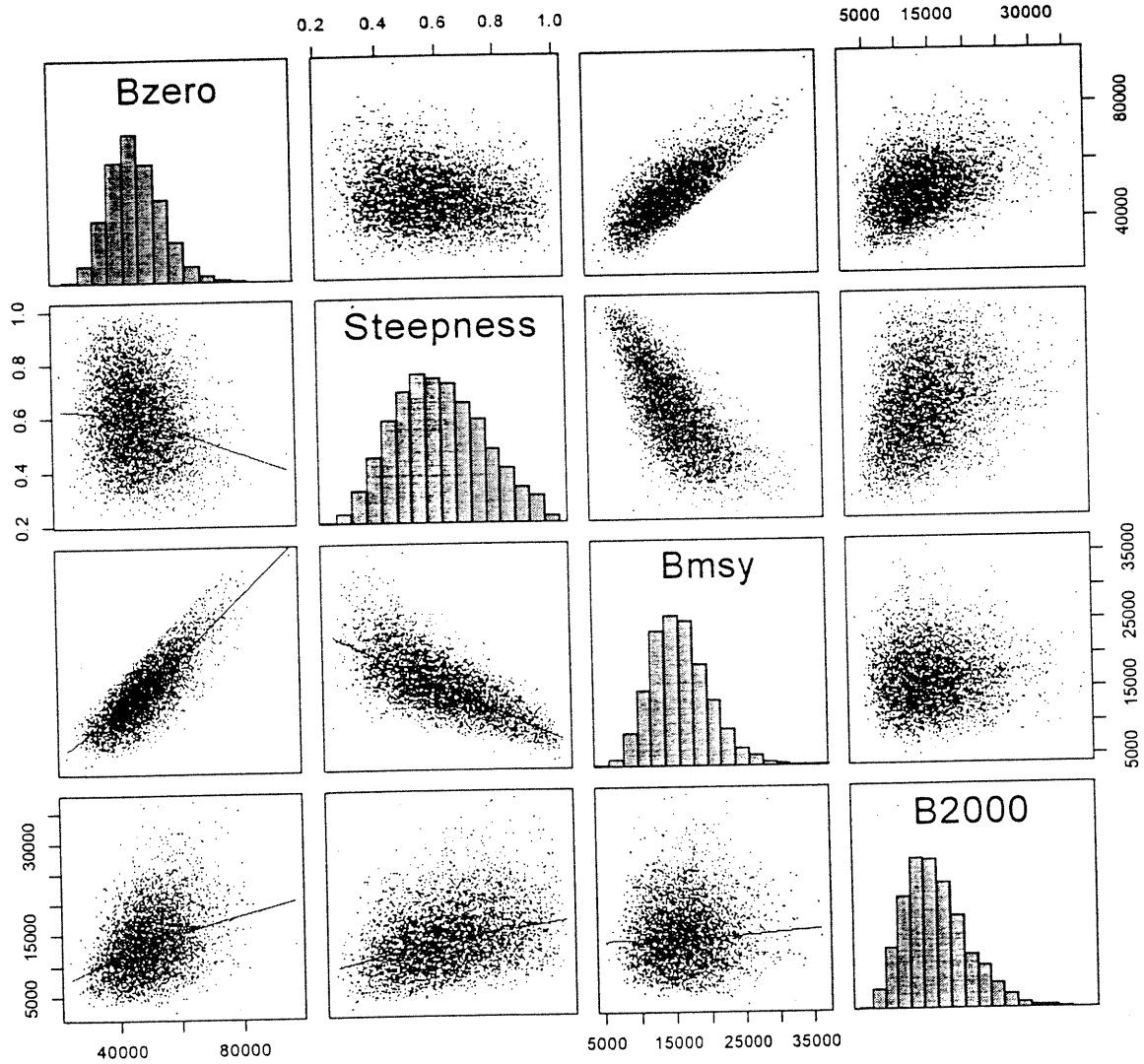


Figure 1. Pair-wise scatter among key model variables from Ianelli *et al.* 2000 Model 1c with marginal probabilities plotted in the diagonal frames.

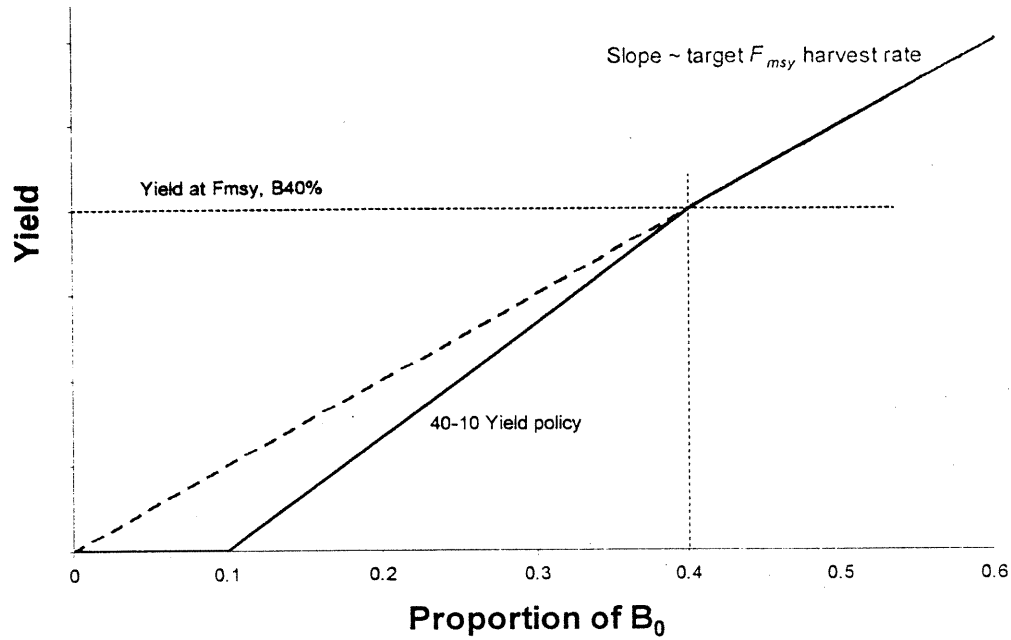


Figure 2. The 40-10 adjustment applied to the F_{msy} yield level relative to the estimate of B_0 .

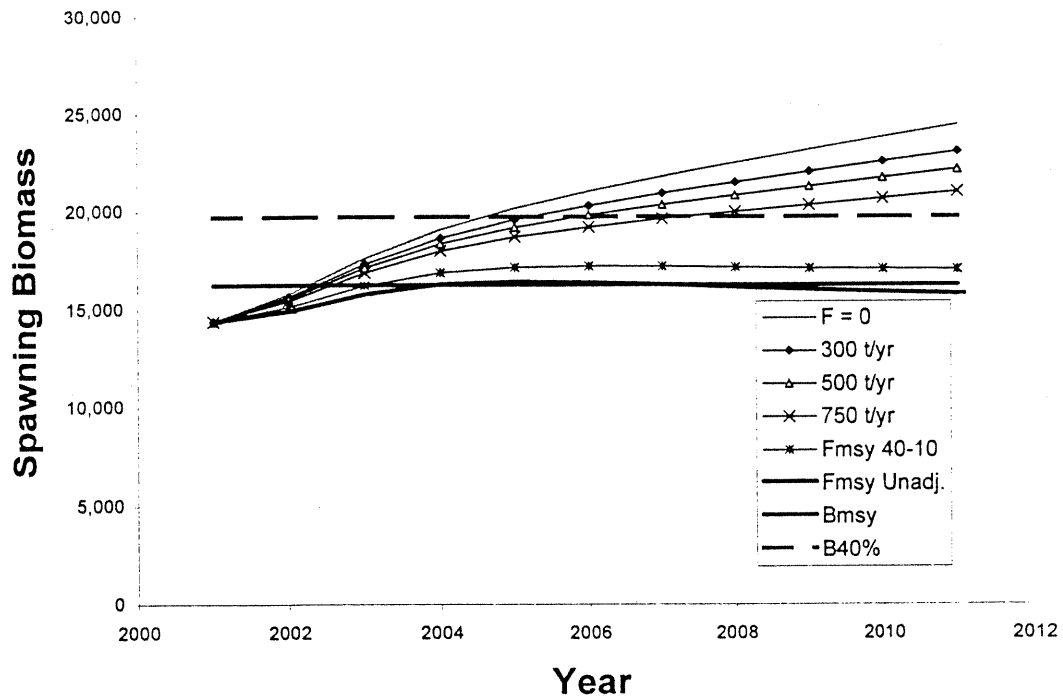


Figure 3. Expected values of spawning biomass trajectories under different future harvest policies relative to the B_{msy} level and 40% of B_0 .

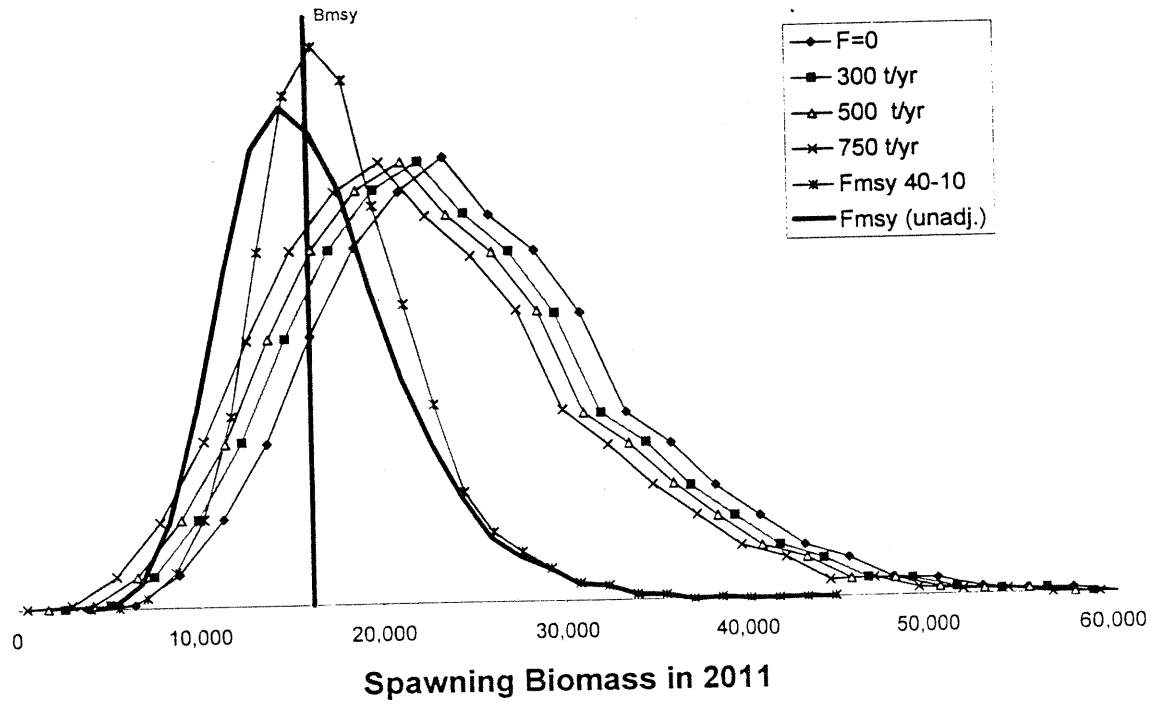


Figure 4. Probability distributions of projected POP female spawning biomass in the year 2011 under different harvest levels, and under adjusted (40-10) F_{msy} harvest rates. The vertical line represents the expected value for B_{msy} .

NEW STOCK ASSESSMENTS FOR LINGCOD AND PACIFIC OCEAN PERCH

Situation: Draft stock assessment documents and Stock Assessment Review (STAR) Panel summaries were distributed to Council members and advisory entities on August 1. **Please bring your copies.** A briefing on the stock assessments will be conducted on Monday, September 11, at 2:30 p.m. in the Sierra A Room. That will be the only opportunity to ask detailed questions of the authors and STAR Panel representatives about technical details of the assessments.

Lingcod and Pacific ocean perch have been separated out for discussion because each is currently managed under an existing rebuilding plan. This is the first time new assessments have been prepared for species already designated as overfished, and the Council will have to consider whether the new information is consistent with previous assessments and rebuilding plans or whether revisions to the plans might be necessary. Until rebuilding plans are revised, the Council is committed to developing management recommendations consistent with the plans.

The 1997 assessment of the lingcod stock in the Columbia and Vancouver areas (including the Canadian portion of the Vancouver management area) estimated egg production had dropped to about 9% of the unfished level. The 1999 assessment of lingcod in the Eureka, Monterey, and Conception areas reached similar conclusions: egg production was estimated to be about 7.5% of the unfished level. In March of 1999, NMFS notified the Council the lingcod stock is overfished, and the Council prepared a rebuilding plan. In 2000, a coastwide assessment has been prepared to update the two previous assessments and to provide a better basis for comparing the northern and southern regions. The new assessment confirms the overfished status in each region, but indicates the situation may be marginally better than portrayed in the earlier assessments. The Groundfish Management Team has tentatively recommended larger acceptable biological catch (ABC) levels for next year (see Exhibit G.6, Attachment 1). A range of optimum yield (OY) levels is presented.

Pacific ocean perch (POP) has been under a rebuilding policy since 1982. In 1999, the stock was declared overfished under the revised definition by Amendment 11 to the fishery management plan (FMP). The new (2000) POP assessment indicates the current population is larger than previous estimates and may no longer be overfished according to the FMP definition. However, the rebuilding plan will remain in effect until the stock has been rebuilt to its B_{MSY} level. According to the new rebuilding analysis (Exhibit G.5, Attachment 1), rebuilding may be achieved by 2011, in part because the estimate of the maximum sustainable yield biomass is smaller than $B_{40\%}$. The other main contributing factor is that harvest restrictions in recent years have apparently allowed the stock to grow, whereas harvest rates during the 1980s did not.

The Council may wish to take preliminary action on ABC and OY at this time for these species or action could be taken under the following agenda topic (Exhibit G.6). However, any initial action regarding rebuilding plans should be taken at this time.

Council Action:

1. Consider tentative adoption of preliminary ABCs and OYs.
2. Consider initiating revisions to current rebuilding plans.

Reference Materials:

1. Rebuilding Analyses of West Coast Pacific Ocean Perch (Exhibit G.5, Attachment 1).

2. Exhibit G.5.b, Supplemental @ap Report.

PFMC
08/25/00

3. Exhibit G.5.b, Supplemental SSC Report.

**Tribal Proposal Regarding
2001 Groundfish Harvests
Sept. 13, 2000**

Mr. Chairman:

The tribes are proposing essentially status quo harvest limits for 2001 tribal fisheries.

The Council should adopt the following options for 2001 tribal fisheries:

Black Rockfish - The 2001 tribal harvest guidelines will be set at 20,000 pounds for the management area between the US/Canada border and Cape Alava, and 10,000 pounds for the management area located between Destruction Island and Leadbetter Point. As with the non-treaty regulations, no tribal harvest restrictions are proposed for the management area between Cape Alava and Destruction Island.

Sablefish - The 2001 tribal set aside for sablefish will be set at 10 percent of the Monterey through Vancouver area OY.

Thornyhead rockfish - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries. This trip limit will be for short and longspine thornyheads combined.

Lingcod - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.

Canary rockfish - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.

Other rockfish species - The 2001 tribal longline and trawl harvest restrictions regarding the landing of other rockfish species will operate under trip and cumulative limits. For other rockfish, tribal fisheries will operate under the same trip limits as the limited entry fishery, provided that any time restrictions imposed on the non-treaty limited entry fisheries might not be imposed on Treaty fisheries. Because of the relatively small expected catches of the Treaty fisheries, the trip limits established at the beginning of the year will not be adjusted downward, nor will time restrictions be imposed, unless the harvest guidelines are achieved or unless in-season catch statistics demonstrate that the tribes have taken ½ of the harvest in the tribal area.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Sustainable Fisheries Division
7600 Sand Point Way N.E., Bldg. #1
Seattle, Washington 98115-0070

SEP 07 2000

F/NWR2: 1504-13-WOC-OB-010

Don McIsaac, Executive Director
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

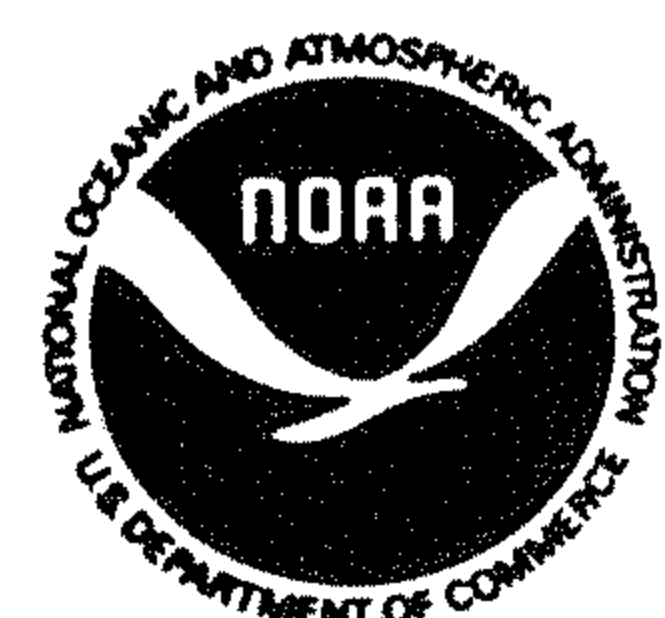
Dear Don:

Each year, the National Marine Fisheries Service (NMFS) determines the needs of the domestic processing and fishing industries regarding the use of underutilized species managed under the Pacific Coast Groundfish Fishery Management Plan (FMP). Underutilized species are those species that have not been fully utilized by the domestic processing industry and which potentially could be made available to joint venture or foreign fishing. Since jack mackerel (north of 39° N. lat.) was removed from the groundfish FMP in 1999, only shortbelly rockfish is considered for potential foreign operations.

NMFS also determines whether the limited entry fleet will use the entire harvest guideline for Pacific whiting, jack mackerel, and shortbelly rockfish. Designated species B permits may be issued if the limited entry fleet will not fully utilize these species.

These determinations seem to have outlived their usefulness. The whiting fishery has been fully utilized for years by the limited entry fleet, and jack mackerel are no longer covered by the groundfish FMP. Shortbelly rockfish are taken predominantly with groundfish trawl gear, which may be used only in the limited entry fishery. Even so, the open access fleet is not, and has not been, prohibited from taking shortbelly rockfish. For these reasons, the Council included in Amendment 12 to the FMP: (1) deletion of shortbelly rockfish from the list of underutilized species (so that no underutilized species exist in the groundfish fishery off Washington, Oregon, and California, until otherwise determined), and (2) removal of designated species B permits which never have been issued and are no longer needed.

Amendment 12 has not yet been approved by NMFS, although it is scheduled to be approved/disapproved before the end of the year.



Consequently, the following preliminary determinations are made under current regulations in effect during September 2000:

1. Joint Venture or Foreign Fishing: As in 2000, shortbelly rockfish is expected to be fully utilized by domestic harvesting and processing operations, and therefore there is no surplus available for joint venture or foreign fishing in 2001.

2. Designated Species B Permits: No Designated Species B permits have been issued, and no applications were received at the time this letter was written. NMFS preliminarily has determined that there will be no Designated Species B permits issued for Pacific whiting and shortbelly rockfish in 2001.

This letter constitutes consultation with the Council and requests comments from both the Council and the public on the 2001 determinations of: (1) full domestic utilization of shortbelly rockfish, so that none are available for foreign or joint venture fishing; and (2) designation of available amounts of whiting and shortbelly rockfish for the limited entry fleet, so that there is no surplus available for a target fishery under Designated Species B permits. These preliminary determinations are consistent with the Council's recommendations incorporated in Amendment 12 of the FMP.

Sincerely,

A handwritten signature in black ink, appearing to read 'William L. Robinson', with a long horizontal flourish extending to the right.

William L. Robinson
Assistant Regional Administrator
for Sustainable Fisheries

cc: F/SWR-Fougner
F/NWR-King(2)

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
PRELIMINARY 2001 HARVEST LEVELS AND SPECIFICATIONS

The Groundfish Advisory Subpanel (GAP) reviewed the preliminary Groundfish Management Team (GMT) acceptable biological catch (ABC) recommendations as presented in Exhibit G.6, Attachment 1, and offers the following recommendations. Except as noted, the GAP recommends the Council adopt the proposed ABC and optimum yield (OY) levels and ranges contained in the document.

Lingcod - The GAP recommends adopting the high end of the OY range. This number reflects the new stock assessment prepared this year.

Pacific Ocean perch - The GAP urges the Scientific and Statistical Committee (SSC) to resolve the issue of the level of Pacific Ocean perch (POP) and other rockfish in historic foreign catches. Two Stock Assessment Review (STAR) Panels suggested different and potentially conflicting approaches on this issue, which has a bearing on proposed ABCs.

Widow rockfish - The GAP recommends adoption of the high end of the OY range, which reflects application of the new harvest policy and management based on the Council's 40-10 control rule.

Canary rockfish - As noted in its comments on the canary rockfish rebuilding plan, the Council needs to decide on how to balance optimistic and pessimistic projections with the upcoming triennial trawl survey.

Longspine thornyheads - The GAP recommends adoption of the upper end of the OY range, consistent with the Council's previously stated policy of not applying the new harvest policy rates to species which have not had a new stock assessment and which are not considered at risk.

Dark blotched rockfish - As noted above in relation to POP, the SSC needs to resolve the issue of composition of historic foreign catch, as this has major bearing on the status of this species.

Dover sole - The GAP recommends adoption of the high end of the OY range. Two years ago, the Council selected the low end of an assessment range as a precautionary measure, even though Dover stocks were projected to increase. The low end of the OY range shown here represents application of the new harvest policy, even though no new stock assessment has been completed, and stocks are not at risk. This double precautionary approach carries conservative fisheries management to the extreme and should be rejected.

English sole, petrale sole, arrowtooth flounder, and other flatfish - In all cases, the GAP recommends adoption of the high end of the OY range, as the low end represents application of the new harvest policy to stocks that are not at risk and that have not been subject to a new assessments.

PFMC
09/13/00

SCIENTIFIC AND STATISTICAL COMMITTEE STATEMENT ON
PRELIMINARY HARVEST LEVELS AND OTHER SPECIFICATIONS FOR 2001

Dr. Richard Methot of the National Marine Fisheries Service, Northwest Fisheries Science Center, discussed the report *A Preliminary Analysis of Discarding in the 1995-1999 West Coast Groundfish Fishery* with the Scientific and Statistical Committee (SSC). An update of discard levels is needed as the data supporting the current estimates are 15 years old, and the current procedure for estimating discard as a fraction of the total catch of a target species is no longer applicable to today's fishery. The report uses a new model to analyze data from the Enhanced Data Collection Project (EDCP) for the Dover sole, thornyhead, sablefish (DTS) bottom trawl fishery during the 1995-1999 fishing seasons and proposes a new model for estimating DTS discards based on trip limits. The model has two important features, (1) it can be used to estimate discards from current fishery data, and (2) it can be used to predict discards for a given set of proposed trip limits.

The SSC finds the approach used to estimate discards in the DTS trawl fishery very promising. It has the potential to provide better estimates of discards than current procedures and explicitly accounts for changes in trip limits. The SSC recommends future work with the model examine the following:

1. Length frequency information from the data used to develop the model, to determine if there is evidence of high-grading and whether discards are having a significant impact on recruits to the population.
2. Associated economic data that may influence discard behavior in the fishery.
3. A tow-by-tow analysis of the data.
4. Availability of existing log book data (beyond the EDCP data) to support model development.

Although the SSC recognizes the preliminary nature of the current model, it does represent the best available science. Therefore, the SSC recommends using the proposed method for estimating discards in the DTS trawl fishery during the 2001 season. Because of the early stage of development of this model, future improvements to the model may result in changes to the DTS discard estimates and the estimation procedures. Furthermore, the proposed model is dynamic, and discard rate estimates may change annually. The SSC encourages further development of this model.

The restrictive 2000 and 2001 catch levels for many of the OY groundfish stocks will continue to create problems with bycatch in other fisheries and will adversely impact the collection of fishery-dependent data. Additional management efforts will need to be undertaken by the state agencies to reduce the bycatch in shrimp and prawn trawl fisheries and recreational fisheries to keep the catches below OY levels. In addition, fishers may become reluctant to land any catch of rockfish stocks with OY levels of just a few 100 tons to ensure landings do not exceed OY. This will likely contribute to additional unaccounted discards for rockfish stocks. The port sampling opportunity to collect biological data from commercial or recreational catches will then be jeopardized. Information on fish size and age composition is important to our efforts to evaluate the magnitude of incoming year classes and to track stock rebuilding. The lack of sufficient port samples will place more emphasis on the data from the coast-wide shelf and slope surveys.

The SSC reviewed with Dr. Jim Hastie, Chair of the Groundfish Management Team (GMT), the preliminary OY levels for a number of the stocks, particularly those judged to be overfished or near overfishing levels. The new harvest rate policy, and 40-10 reductions are being implemented as 2001 point estimates or as the lower bound of a range. Comments on OY levels for selected stocks are:

Canary rockfish - SSC supports the OY levels based on the preferred model of the Stock Assessment Review (STAR) Panel which reduced the estimates of recent recruitment levels by 50%. These result in OY ranges of 13 mt to 40 mt for the northern area. The extremely low harvests levels will severely impact shelf fisheries.

Pacific Ocean perch (POP) - With respect to the OY levels for Pacific Ocean perch there is confusion over the existing rebuilding plan, given the results of the new assessment which concluded that current biomass

is above 50% of B_{MSY} . The new rebuilding analysis provided in the briefing book has not been reviewed, and the SSC cannot endorse its use in setting the 2001 OY level. We recommended to the GMT they develop a range using last year's OY (294 mt) and a yield obtained using the current harvest policy ($F_{50\%}$ with the [40-10] reduction) applied to the most recent biomass estimate. This recommendation should be in place until the status of the POP rebuilding plan is resolved. Given the sophistication and complexity of the new models being used to assess rebuilding and to derive biological reference points, the current review process is being stretched beyond its capability to provide the in-depth evaluations required to make informed, valid, and pertinent judgments to resolve conflicting model outcomes similar to those for the POP assessment.

Widow rockfish – The updated assessment concluded the current biomass for the widow rockfish stock has a 70% probability of being less than 25% of B_0 , which indicates an overfished stock. However an existing analysis, which has not been reviewed or approved by the Stock Assessment Review (STAR) Panel or SSC, concludes a rebuilding plan for widow rockfish may not be required. If this is the case, the harvest rate would be based on the (40-10) policy. Prior to Council adopting OYs in October, the SSC will review the overfished status report appended to the assessment document and will provide advice on OY at that time.

Darkblotched rockfish – The OY range is based on uncertainty in the amount of darkblotched taken in the foreign rockfish fishery and initial rebuilding projections by the Stock Assessment Team (STAT) that assume the stock will be declared overfished. SSC recommends further analysis be undertaken to resolve the uncertainty of species composition in the foreign fishery. Until there is some resolution to this issue, SSC can offer no advice on any particular point estimate.

Lingcod – The lower value of the OY range is based on the existing rebuilding projections and the upper value is based on the new assessment results. The best available information is from the new assessment.

PFMC
09/13/00

**Tribal Motion for
Treaty Indian Harvest Guidelines
Sept. 13, 2000**

Mr. Chairman:

To facilitate Council Action on preliminary 2001 groundfish harvest limits for the Treaty tribes, I would like to make two separate Motions for tribal fisheries.

Motion 1:

15 Harp/Anderson

For Tribal groundfish fisheries other than Pacific whiting and halibut, I move that the Council adopt for public review the proposed limits as outlined in the Tribal proposal G.6.c. for the 2001 fisheries.

Motion 2:

16 Harp/Anderson

For tribal Pacific whiting fisheries, I move that the Council adopt for public review a tribal set aside of 32,500 metric tons for the 2001 fisheries.

Exhibit G.6
Attachment 2
September 2000

Year 2000 acceptable biological catch (ABC) and optimum yield (OY) specifications for the Washington, Oregon, and California region by management area (metric tons). (Page 1 of 3)

ROUNDFISH	Final 2000 ABC Recommendations					Final 2000 OY	1999 OY
	Vancouver ^{a/}	Columbia	Eureka	Monterey	Conception	U.S. Total (Total Catch)	
Lingcod ^{b/}	450		250			700 ^{b/}	378 ^{b/} 730
Pacific cod	3,200		^{c/}			3,200	NA ^{c/}
Whiting ^{d/}			232,000 ^{d/}			232,000 ^{d/}	232,000 232,000
Sablefish ^{e/}			9,692 ^{e/}			9,692 ^{e/}	7,919 ^{e/} 7,919
Conception area					472	472	472 472
ROCKFISH	Vancouver	Columbia	Eureka	Monterey	Conception	Total	Total Catch
Pacific ocean perch		713 ^{f/}		^{c/}		713 ^{f/}	270 ^{f/} 595
Shortbelly			13,900 ^{g/}			13,900	13,900 ^{g/} 23,500
Widow			5,750 ^{h/}			5,750 ^{h/}	4,333 ^{h/} 5,023
Canary ^{i/}			287 ^{i/}			287 ^{i/}	200 ^{i/} 857
Chilipepper				3,681 ^{j/}		3,681 ^{j/}	2,000 ^{j/} 3,724 ^{j/}
Bocaccio ^{k/}		^{c/}		164		164 ^{k/}	100 ^{k/} 230
Splitnose ^{l/}				820		820	615 ^{l/} 868
Yellowtail ^{m/}		3,539		^{c/}		3,539 ^{m/}	3,539 ^{m/} 3,435
Thornyheads							
Shortspine ^{n/}		1,261 ^{n/}				1,261 ^{n/}	970 ^{n/} 1,150
Conception area					175	175	175 175
Longspine ^{o/}		4,102 ^{o/}				4,102 ^{o/}	4,102 4,102
Conception area					429	429	429 429
Cowcod				19	5	24	<5 ^{p/}
Minor Rockfish N ^{q/}		5,693 ^{i/}				5,693 ^{q/}	3,814 ^{q/}
Minor Rockfish S ^{r/}				3,457		3,457 ^{r/}	1,899
Remaining rockfish ^{s/}		3,625		680 ^{s/}			
bank		^{c/}		81		81	NA
black ^{t/}		1,200				1,200	NA
blackgill ^{u/}		^{c/}		440 ^{u/}		440 ^{u/}	NA
bocaccio		424				424	NA
chilipepper		43				43	NA
darkblotched		237		19		256	NA
redstripe		768		^{c/}		768	NA
sharpchin		409		60		469	NA
silvergrey		51		^{c/}		51	NA
splitnose		322		^{c/}		322	NA
yelloweye		39		^{c/}		39	NA
yellowmouth		132		^{c/}		132	NA
yellowtail				155		155	NA
Other rockfish ^{v/}		2,068 ^{v/}		2,702 ^{v/}			NA

FLATFISH	Final 2000 ABC Recommendations						Final 2000 OY	1999 OY
	Vancouver	Columbia	Eureka	Monterey	Conception	Total ABC	(Total Catch)	
Dover sole ^{w/}	8,373				1,053	9,426	9,426 ^{w/}	9,426
English sole	2,000	1,100				3,100	NA	
Petrale sole	1,450 ^{x/}	500	800	200		2,950	NA	
Arrowtooth flounder	5,800					5,800	NA	
Other flatfish	700	3,000	1,700	1,800	500	7,700	NA	
OTHER FISH ^{y/}	2,500	7,000	1,200	2,000	2,000	14,700	NA	

a/ ABC applies to the U.S. portion of the Vancouver area, except as noted. For lingcod, the U.S. ABC is set at 44% of the total for the area.

- b/ Lingcod - the rebuilding analysis calculates the probability the northern (Vancouver-Columbia) stock would rebuild within 10 years if various levels of catch occur. The OY is based on the rebuilding plan and is intended as a first step towards rebuilding the stock in the specified time.
- c/ These species are neither common nor important in the areas footnoted. Accordingly, for convenience, Pacific cod in the areas footnoted is included in the non-numerical OY for "other fish." Rockfish species are included in either the "other rockfish" or "remaining rockfish" category for the areas footnoted only.
- d/ Whiting is believed to be at 37% of its unfished biomass. The U.S.-Canada average ABC of 310,000 mt for 1999-2000 is reduced to 290,000 mt following application of the 40-10 default harvest policy, and is based on an MSY proxy of $F_{40\%}$. The U.S. portion remains at 80%, or 232,000 mt. The treaty tribes' allocation will be subtracted from the final OY, and the remainder will be allocated 42% to the shore-based sector, 34% to the factory trawler sector, and 24% to the mothership processor sector.
- e/ Sablefish - the 9,692 mt ABC, based on $F_{35\%}$, is the same as 1999; the final OY (7,919 mt) is the same as 1999, it is based on $F_{35\%}$ and application of the default OY (40-10) policy. This OY will apply north of 36° N latitude. The stock is estimated to be at 37% of its unfished level, but there is substantial uncertainty in the biomass estimate. The landed catch equivalent for the northern area will be the total catch OY reduced by 10% for anticipated discard. Ten percent of the northern harvest guideline is set aside for the treaty tribes; the remainder is divided between the limited entry and open access fisheries. The limited entry portion will be allocated 58% to the trawl fishery and 42% to the nontrawl fishery. The ABC and OY for the Conception area (south of 36° N latitude), which are based on historical landings, also remain the same as 1999. There are no limited entry and open access allocations for the Conception area at this time.
- f/ Pacific ocean perch - the ABC for this overfished stock in the combined Vancouver, Columbia, and Eureka areas is based on the 1998 assessment for Vancouver and Columbia (695 mt), plus 18 mt for Eureka. OY is based on calculations in the rebuilding program.
- g/ Shortbelly rockfish remains a virtually unexploited stock, and is difficult to assess quantitatively. The 1989 assessment provided two alternative yield calculations of 13,900 mt and 47,000 mt. NMFS recruitment surveys indicate poor recruitment in most years since 1989, indicating low recent productivity and a naturally declining population. The ABC and OY are, therefore, set at the low end of the range in the assessment, 13,900 mt,
- h/ Widow rockfish - the 5,750 mt ABC, based on the $F_{40\%}$ harvest rate, is unchanged from 1999. The stock is estimated to be at 29% of its unfished reproductive potential. The final total catch OY (4,333 mt) is based on $F_{45\%}$ and the 40-10 default OY policy; the commercial total catch target of 4,291 mt is derived by subtracting 42 mt to account for an expected recreational catch. The open access allocation is determined by applying the open access percentage to the commercial total catch target. The limited entry allocation is determined by subtracting the open access allocation. The limited entry allocation is reduced by 300 mt for anticipated bycatch in the offshore whiting fishery, and the remainder is reduced by 16% to account for anticipated bycatch in the non-whiting fisheries, to derive a landed catch equivalent.
- i/ Two canary rockfish assessments addressed the northern and southern portions of the stock. The GMT combined the results, which resulted in a biomass range estimated to be between about 7% of unfished in the south to 20% of unfished in the north. The coastwide ABC (287 mt) is based on the upper end of each assessment, at $F_{40\%}$. The coastwide OY is 200 mt (based on the northern assessment). Recreational fisheries are expected to take 80 mt of the OY in 2000. The 1999 canary rockfish OY applied to the Vancouver and Columbia areas only; coastwide landings have been about 1,100 mt in recent years. The stock appears to be overfished, and a rebuilding plan will be required in 2001.
- j/ Chilipepper rockfish - In 1999, the 3,724 mt chilipepper ABC and OY included 43 mt for the Eureka area, which is moved to the northern remaining rockfish ABC in 2000. The 2000 ABC (3,681 mt) for the Monterey and Conception areas is based on the 1998 assessment and application of the $F_{40\%}$ harvest rate. The stock is estimated to be above the 40% precautionary threshold, so the default OY would equal ABC. However, the Council set OY at 2,000 mt, the recent average landed catch, to reduce bocaccio bycatch.
- k/ For bocaccio in the south, the ABC is based on $F_{40\%}$ and the OY of 100 mt is based on the rebuilding plan.
- l/ Splitnose rockfish (often called "rosefish") - a separate OY (868 mt) was established for the Eureka-Monterey-Conception area in 1999, equal to ABC. For year 2000, the southern ABC applies only to the Conception and Monterey areas. Accordingly, the southern ABC of 820 mt is derived by subtracting 48 mt for the Eureka area, and the northern ABC is increased by that 48 mt. The northern ABC for the Vancouver-Columbia-Eureka

- area is 322 mt. The 615 mt OY for the southern area reflects a 25% precautionary adjustment because of the less-rigorous assessment for this stock. In the north, splitnose is included in the minor rockfish OY.
- m/ Yellowtail rockfish - the ABC recommendation (3,539 mt) applies to the Eureka, Columbia, and U.S. portion of the Vancouver areas. The stock is estimated to be at 39% of its unfished level. The final OY recommendation is based on $F_{40\%}$ and application of the 40-10 policy. A landed catch equivalent for commercial fishers will be based on a 16% discard reduction for landings in the limited entry fishery and subtraction of anticipated discard in the at-sea fisheries for Pacific whiting.
 - n/ Shortspine thornyhead is estimated to be at 32% of its unfished level. The ABC (1,261 mt) for the area north of 36°N latitude (Vancouver through Monterey areas) is the same as 1999, calculated based on a synthesis of two stock assessments prepared in 1998 and application of the $F_{35\%}$ harvest rate. The 970 mt OY is based on $F_{40\%}$ and the 40-10 policy. A separate ABC and OY (based on historical catch) have been established for the part of the Conception area north of Point Conception in recent years. There is no ABC or OY for the southern Conception area.
 - o/ Longspine thornyhead - the ABC (4,102 mt) north of the Conception area is the same as in 1999, based on the average of the 3-year individual ABCs at $F_{35\%}$. The stock is estimated to be above the 40% precautionary threshold. The landed catch equivalent will reflect a 5% reduction to account for market discard. The ABC and OY for the Conception area apply north of Point Conception. The southern Conception area has neither an ABC or OY.
 - p/ Cowcod - the 1999 assessment of the Conception area indicates this stock is overfished, with abundance below 10% of the unfished level. The Council recommends ABC in the Conception area be 5 mt (based on the assessment) and 19 mt in the Monterey area (based on average landings from 1983-1997). The OY for the Monterey and Conception areas is no more than 5 mt in 2000.
 - q/ Minor Rockfish (north) - this new category includes the "Remaining Rockfish" and "Other Rockfish" categories in the U.S. Vancouver, Columbia, and Eureka areas combined. The "remaining rockfish" category includes the rockfish species that have been assessed by less-vigorous methods than stock synthesis, except for black rockfish. The "other rockfish" category includes the rockfish that have never been assessed. The total catch OY is the sum of 75% of the "remaining rockfish" total plus 50% of the "other rockfish." The reduction in the contribution of remaining and other rockfish is intended to address uncertainty in stock status due to limited information.
 - r/ Minor Rockfish (south) - this new category includes the "Remaining Rockfish" and "Other Rockfish" categories in the Monterey and Conception areas combined. The ABC is the sum of all those individual species ABCs in the two areas. The total catch OY is the sum of 75% of the "remaining rockfish" ABC plus 50% of the "other rockfish" ABC. This precautionary reduction reflects the extremely limited information on most rockfish species.
 - s/ Remaining rockfish includes all rockfish species below in the table except the "other rockfish" category; 75 mt of the blackgill rockfish ABC is included in the "other rockfish" category.
 - t/ Black rockfish: this 1,200 mt is the sum of the ABC calculated for the assessment area (700 mt) plus the average catch in the unassessed area (500 mt). This stock contributes 950 mt towards the Minor rockfish OY in the north: 700 mt for the assessed area and 50% of the unassessed area. The 50% reduction is a precautionary adjustment consistent with other recommendations.
 - u/ Blackgill rockfish - the 1998 stock assessment estimates the Conception area stock to be at about 51% of pristine levels with 365 mt as the ABC based on $F_{40\%}$; 75 mt was added for the Monterey area and is included in the "other rockfish" total below. Upon completion of the Conception area assessment in 1998, the ABC for that portion of the stock was moved from the "other rockfish" category to the "remaining rockfish" category. If annual landings reach 300 mt, the GMT will alert the Council to the possible need for management action or a stock assessment.
 - v/ Other rockfish includes rockfish species of the genus *Sebastes* not identified above in this table. The ABC recommendation is based on the 1996 *Sebastes* complex review of commercial landings and includes an estimate of recreational landings. These species have never been formally assessed.
 - w/ Dover sole - The 1997 assessment evaluated the resource north of 36° N latitude as a unit, and provided an ABC for landed catch based on the $F_{35\%}$ harvest rate. The Conception area ABC is at the level established in the original FMP. The ABCs represent total catch, and were converted by estimating that 5% of the total catch is discarded. Therefore, the coastwide ABC and OY of 9,426 mt are for total catch with a landed catch equivalent of 8,955 mt.
 - x/ Petrale sole - The 1999 assessment calculates the ABC in the Vancouver and Columbia areas at 1,447 mt, which is rounded to 1,450 mt. The stock size has been increasing and is estimated to be at 42% of its unfished size in 1999. The coastwide ABC (2,950 mt) is the sum of the areas.
 - y/ Includes sharks, skates, rays, ratfish, morids, grenadiers, and other groundfish species noted above in c/.

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GROUND FISH DISCARD ANALYSIS

A Preliminary Analysis of Discarding in the 1995-1999 West Coast Groundfish Fishery

August, 2000

Richard Methot
Thomas Helser
James Hastie

Northwest Fisheries Science Center
National Marine Fisheries Service

INTRODUCTION

Unmarketable catch occurs because of limits on the kinds, sizes and amounts of fish that can be retained and sold. Most unmarketable catch is discarded at sea, and some is donated to charities or processed into an alternative, lower valued product such as fish meal. For west coast groundfish, discard occurs because of processor/market limits on the acceptable species and sizes of fish, and because of regulatory limits on the amount of target species that can be retained. The west coast groundfish fishery uses regulatory catch limits in order to slow the cumulative pace of landed catch and obtain year-round fishing, processing and marketing opportunities. These limits began as per trip limits for widow rockfish in the early 1980s, evolved to a complex set of per trip and trip frequency limits for several species by the late 1980s, and evolved further to cumulative monthly limits by the mid-1990s. Today, cumulative limit periods range out to 3 months.

A voluntary observer program conducted primarily off Oregon in 1985-1987 estimated that the total discard from all causes was 16-20% of the total catch for each of several species that were subject to catch limits. During the 1990s, these levels of discard were kept at the same level and applied to more species. However, it is possible that the actual level of discard may have increased during the early 1990s as the trip limits became more restrictive, decreased as cumulative limits were introduced to give vessels more operational flexibility, then increased as these cumulative limits needed to be reduced further and applied to more sectors of the fleet.

An update of discard levels is needed to assure a safe sustainable fishery. If the assumed level is too high, then opportunity for increased landed catch is lost. If the assumed level is too low, then overfishing may be occurring. Accurate current information on discard is needed to determine the bioeconomic impact of today's fishery management approach and to improve the accuracy of stock assessments.

An update of discard levels is needed not only because the data supporting the current estimates are 15 years old, but also because the projection of discard as a fraction of the total catch of a target species is no longer applicable to today's fishery. With several species now

under severe restrictions to achieve rebuilding, we must shift to examining discard as a consequence of fishing strategies, rather than discard as a fixed fraction of the catch of a particular species. In addition, we need a new approach that will allow adjustment of estimated discard as catch limits are tightened and relaxed.

In 1995, the Enhanced Data Collection Project (EDCP) was started by the Oregon Trawl Commission and Oregon Department of Fish and Wildlife with National Marine Fisheries Service and other partners. This program placed observers and enhanced logbooks aboard volunteer trawl vessels during late 1995 to early 1999 (Saelens, et al 2000). In this report, we begin an analysis of these data. We will present limited summary information on the observed discard of all major species groups in these 215 observed fishing trips. However, our focus will be on developing and applying a model of discarding that can be calibrated with 1998 data from the EDCP program then applied to all fishing trips within appropriate fishing strategies. In this preliminary report, we will apply this model to the dover sole, thornyhead, sablefish trawl fishery (DTS) during the 1995-1999 fishing seasons.

DESCRIPTION OF DISCARD PATTERNS IN OBSERVER DATA

The EDCP database contains information from 235 trips with observers on board. Of these trips, 6 were classified as shrimp trawl and 14 as midwater trawl trips and are not considered further in this preliminary report. The 215 groundfish trawl trips occurred from Crescent City, CA in the south to Bellingham, WA in the north and extended from late 1995 through early 1999 (Table 1).

Table 2 presents the average level of discard for each species among the 215 trips. These averages should not be taken as a good estimate of the fleetwide average discard levels because the observed trips may not have been a representative sample of all trips that encounter and discard these species. Nevertheless, these summary statistics help guide us towards situations that warrant more detailed examination. For most species, high levels of discard is an infrequent occurrence, and these few trips account for a substantial fraction of the total discard for that species. Table 2 shows that less than 5 trips account for 30% of the observed discard for many species. Figures 1-4 present the trip-by-trip distribution of observed discard versus landed catch for each of the four DTS species. There is no strong positive relationship between the amount of landed catch and the amount of discard. For dover sole, the highest discard occurred on trips that landed little dover sole.

Of the 215 observed trips, 14 had no landed catch for any of the DTS species. Of these 14 trips with no DTS landings, 8 had 0-2 pounds of DTS discard. The remaining 6 trips averaged 2064 pounds of DTS discard (mostly sablefish and dover sole). It is highly unlikely that these 14 trips with no DTS provide an adequate representation of all non-DTS trips, so we will not attempt to extrapolate DTS discard in non-DTS trips at this time. Of the bottom trawl DTS trips, we further restrict the fitting of the discard model below to those 188 trips that occurred in 1996-1998 and for which there was adequate match to the fish ticket data.

STATISTICAL MODEL OF DISCARD LEVELS

The level of a species' discard to be expected on a given trip is not expected to increase in direct proportion to the landed catch of that species. Instead, it is logical to expect that discarding will increase as the remaining limit for any given DTS species decreased and increase as the total landings of the DTS assemblage increased. The use of a model that predicts the magnitude of species' discard as a function of DTS landings and the species' remaining limit may be more advantageous than a simple average discard rate applied for to each trip for several reasons. First, use of a predictive discard model allows extrapolation of discards even when limits change. And second, the discard model automatically adjusts for any non-proportional sampling of trips that are close to cumulative limits. Since DTS landings and remaining limit can be calculated for each trip in the fish ticket database the predictive model, when fitted to the observed trips, could be used to predict discards for the unobserved trips and total discards summed over all trips.

METHODOLOGY USED TO DETERMINE CUMULATIVE LIMIT ATTAINMENT

Initially, the structure and poundage of cumulative limits in effect for DTS species during the 1996-98 fisheries were identified, using the 1999 SAFE document. The limits used in the modeling are shown in Table 1. The structure of these limits changed somewhat over this three-year period. Bimonthly limit periods (with a maximum of 60% available in either month) were in effect from January through August in each year. This format continued throughout the remainder of the year in 1996, but was changed to single monthly time periods after August in 1997-98. A "B" platoon option was also introduced for the 1998 fishery. For vessels choosing this option, cumulative periods began on the 16th day of a month, instead of the first. In compensation for not being allowed to fish during the first 15 days of the year, cumulative limits available to the "A" platoon fleet during November and December were combined for the "B" fleet, and made available any time after November 15th. A list of "B" platoon participants was obtained from NMFS NW Regional office, and cumulative limit periods for those vessels were redefined accordingly.

In 1996, an overall DTS limit was set, along with individual limits for sablefish and shortspine thornyheads. The limit for longspine thornyheads was set at 20,000 lb per 2 months minus the amount of shortspine landed in that period. Similarly, from January through June, the limit for Dover sole was expressed as the overall DTS opportunity for a period minus the amounts of the other three species actually landed. This same structure for thornyheads was continued in 1997. The mid-1996 change to an individually specified limit for Dover sole was also continued throughout the next two years. A DTS limit continued to be specified throughout 1997, but was set equal to the sum of limits for Dover sole, sablefish, and thornyheads. In 1998, this transition continued, with individually specified limits for each of the four species, and no specification of an overall DTS limit.

In the first month of a two-month period, for each species, the limit available for the month was set to 60% of the two-month limit. During the second month, the limit was set to the lesser of [60% of the two-month limit, or, the two-month limit minus the first month's landings].

Single-month limits were used as specified. [Note that in Table 1, the 'Nov.+Dec.' limits were used for the period after November 15th for "B" platoon vessels.] In instances where limits for Dover sole and longspine thornyheads were specified with reference to other species, each month began with a limit equal to the full potential landings for that species. Thus, the January, 1996 limit for Dover sole was modeled as 60% of 70,000 lb, or 42,000 lb. The cumulative landed catch within each month was tallied for each species following each landing. For species with individually specified limits, the remaining limit was calculated as the available limit minus the cumulative landed catch after the landing. During the first 6 months of 1996, the total landings of all four species were subtracted from the DTS limit in calculating the remaining limit for Dover sole. Similarly, during 1996-97, the cumulative landings of all thornyheads were subtracted from the thornyhead limit in calculating the amount remaining for longspine.

For the portion of the analysis in which a functional relationship was estimated between observed discard and remaining limit and amount of DTS species landed, remaining limit poundage was calculated for all landings for a vessel, during 1996-98, within any cumulative period in which an observed trip with some DTS species occurred. For the second stage of the analysis, this same method was applied to all landings with groundfish by trawl-endorsed vessels during 1998, in order to evaluate the implications of applying the estimated discard relationships to the entire trawl fleet.

Comparison of the cumulative frequency distribution of remaining limit in all 1998 trips to the comparable distribution in the observed trips (selecting only trips with some DTS landings in both cases) illustrates several differences (Figures 5-6). Coastwide dover sole trips in 1998 tended to have a higher proportion of the trips operating at lower remaining limit levels, and coastwide shortspine thornyhead trips in 1998 tended to be less constrained by the catch limits than were the 188 observed trips included in the model calibration. Use of the statistical model, rather than the average observed discard level, will adjust for these differences.

APPLICATION OF DISCARD MODEL TO OBSERVED DTS TRIPS

The observed data indicated that discarding increased as the remaining limit for any given DTS species decreased and increased as the DTS landings increased (Figure 7). The functional form of the model used to predicted species' discard was the product of the logistic and exponential functions given as

$$\sqrt{D} = \left[\frac{\exp(\alpha L - \beta)}{1 + \exp(\alpha L - \beta)} \right] \left[\gamma \exp(-R / \delta) \right]$$

Where: D = discard in pounds, L = DTS landings in pounds, R = remaining DTS species limit in pounds and α , β , γ , and δ are estimable parameters. The parameters were estimated using PROC NLIN in SAS (1985) assuming a normal additive error structure. A total of 188 observed trips were available for modeling since some of the trips had no DTS landings recorded.

As expected, the discard data for each DTS species was highly variable and coefficients of determination from the fit of the nonlinear predictive model relatively low ($0.14 < r^2 < 0.37$). Despite this the response surface predicting species' discarding captured the general trends in the

magnitude of discards as DTS landings increased and remaining limit decreased. The functional form for each DTS species' response surface predicted by the discard model are shown in Figure 8, with residuals in Figure 9.

Using sablefish as an example, it is evident that discard for that species is low (< 100 pounds per trip) when the remaining sablefish limit is high. While the remaining limit is high sablefish discarding also remains relatively low even when DTS landings increase. However discarding of sablefish increases exponentially as individual vessel trips approach their limit for sablefish and as DTS landings increase. Thus, the highest rates of discarding for sablefish (> 1000 pounds per trip) are observed with low remaining limits in combination with high DTS landings. This discard pattern as predicted by the discard model was similar for dover sole, longspine thornyhead, and shortspine thornyhead with the difference only in the relative magnitude of discard between species. Further exploration with DTS species' landings indicated greater predictability (r^2 increased from 0.25 to 0.37) for longspine thornyheads when discards were modeled as a function of remaining limits and thornyhead landings only. Excluding sablefish and dover sole from the DTS ticket landings seemed logical since shortspine and longspine co-occur in deeper waters than either sablefish or dover sole. Overall, these results suggest that the model is quite flexible and may be applicable across a broad range of species subjected to individual vessel trip limits.

ESTIMATED DISCARD FOR 1995-1999 FISHERY

The predictive discard model was applied to all bottom trawl trips during the 1995-1999 fishing season with DTS landings greater than zero and the total discard by DTS species summarized by State and year (Table 4). The magnitude of discarding was greatest for sablefish followed by longspine thornyhead, shortspine thornyhead, and dover sole. This was not entirely unexpected since the discard model predicted the highest per vessel trip of discards of sablefish. Total sablefish discards was estimated to range between 1.8 to 4.4 million pounds or roughly 21% to 39% of the catch (landings+discards), respectively, between 1995 and 1999. Sablefish discards was distributed roughly equally between California and Oregon with only a minor fraction in Washington. Roughly equal proportions of the other DTS species' discards occurred in California and Oregon, however, their overall magnitude discard was less than that of sablefish; 0.5 to 1.2 million pounds (1.7% to 7%) for dover sole, 1.0 to 1.4 million pounds (9% to 20%) for longspine thornyhead, and 0.37 to .67 million pounds (9% to 25%) for shortspine thornyhead.

The estimate of % discard for sablefish of 39%¹ (Table 4) is similar to the 40% level observed in the EDCP trips (Table 2). For other DTS species, the estimates based on application of the model to coastwide data are generally less than averages in the EDCP data, especially for shortspine thornyheads. It is not surprising that the model produces a lower estimate of discard for shortspine because the observed trips tended to have a lower remaining limit that occurred on a fleetwide basis (Figure 5). However, comparable arguments would indicate that the model's

¹These coastwide estimates apply only to bottom trawl trips that landed some DTS.

estimate of dover sole discard should have been greater than the average in the EDCP.

The model's estimate of discard DTS species were also summarized relative to trips where an increasing fraction of the landings were composed of flatfish, large rockfish, and other groundfish categories. Specifically, the question asked was what is the pattern of DTS species' discarding as the total trip landings was composed of increasingly greater fraction of other species (cleaner trips targeting flatfish, large rockfish or other groundfish). In general, the magnitude of DTS species' discard declined rapidly as the percentage of flatfish, large rockfish and other groundfish increased per trip (Figure 10). In addition, the most notable decline in DTS species discard occurred for sablefish when landings per trip become progressively "cleaner". For instance, sablefish discarding was high (> 1.6 million pounds) when the percent flatfish landings per trip was 10%, but decreased to less than 0.5 million pounds at 20% percent flatfish per trip. The decline in sablefish discard was comparatively more substantial in terms of increasingly greater percentage of large rockfish and other groundfish per trip. Overall, the same pattern of DTS species' discarding were observed when percent landings per trip of flatfish, large rockfish and other groundfish were broken out by state.

CONCLUSION

We have developed a model to predict discard of DTS species for each trip that lands any DTS. The predicted discard is an increasing function of the amount of landed DTS and a decreasing function of the remaining limit available for that species. This approach automatically adjusts for routine changes in the level of catch limits that are the cause of much of the discard for these species. Once fully developed, this approach can replace current discard estimates that are based on a fixed fraction of the landed catch of the target species.

The present estimate is for bottom trawl with DTS landings only. Future work may consider application of the model developed here to other assemblages such as nearshore flatfish and shelf rockfish, examination of more detailed tow-by-tow discarding information, and examination of discard information recorded by fishers in the enhanced logbooks.

The present estimates for DTS bottom trawl may be improved by considering additional stratification, including: area, season, year, target species assemblage (DTS, nearshore flatfish, shelf rockfish, slope rockfish). However, the limited number of observed trips will prevent much improvement.

Most improvements in these estimates will require more comprehensive observer coverage. With this coverage, we will be able to get more samples from all along the coast and develop estimates for other sectors: non-DTS trips, midwater trips, shrimp trips, and nontrawl gear.

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LITERATURE CITED

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Table 1. Distribution of observed groundfish trawl trips among ports and years in EDCP database.

YEAR	PORT	N trips
95	Newport	1
	Westport	3
96	Astoria	32
	Brookings	2
	CoosBay	21
	NeahBay	1
	Newport	11
	Westport	15
97	Astoria	9
	Bellingham	7
	Brookings	4
	CoosBay	7
	Newport	30
	Westport	4
98	Astoria	11
	Bellingham	2
	CoosBay	22
	CresCity	10
	Eureka	2
	NeahBay	7
	Newport	6
99	Astoria	3
	Newport	5
Grand Total		215

Table 2. Summary statistics for the 215 groundfish trawl trips. Average landed catch and discard is across all 215 trips. The "N trips for x% of discard" describes the degree to which the total observed discard is concentrated into a few trips. For example, the 2 trips with the most shortspine thornyhead discard are less than 1% of the total number of trips but account for 10% of the total shortspine discard.

	Shortspine	Longspine	Dover sole	Sablefish
N trips with discard	152	117	168	184
Landed catch per trip (lbs)	500	1676	3834	1476
Average discard per trip (lbs)	203	225	379	976
total discard/(landed+discard)	29%	12%	9%	40%
N trips for 10% of total discard	2	1	1	2
N for 20%	3	2	2	5
N for 30%	6	4	3	11

	POP	Widow	Yellowtail	Canary	Small rock	Large rock	Other rock
N trips with discard	60	34	50	13	146	43	41
Landed catch per trip (lbs)	541	2071	2147	482	685	709	225
Average discard per trip (lbs)	62	27	525	67	745	3	117
total discard/(landed+discard)	10%	1%	20%	12%	52%	0%	34%
N trips for 10% of total discard	1	1	1	1	2	1	1
N for 20%	1	1	2	1	3	2	1
N for 30%	2	1	2	1	6	2	1

	Whiting	P Cod	Lingcod	Sharks	Skates	Misc&Unsp
N trips with discard	191	36	98	198	202	207
Landed catch per trip (lbs)	0	320	852	481	650	263
Average discard per trip (lbs)	1871	8	98	1428	529	803
total discard/(landed+discard)	100%	3%	10%	75%	45%	75%
N trips for 10% of total discard	3	1	1	1	3	3
N for 20%	7	1	1	2	6	7
N for 30%	11	2	2	2	11	12

	English	Petrals	Rex Sanddab	Arrowtooth	Other Flat	
N trips with discard	111	87	171	70	149	156
Landed catch per trip (lbs)	378	887	271	105	2437	23
Average discard per trip (lbs)	31	20	184	118	252	72
total discard/(landed+discard)	8%	2%	40%	53%	9%	76%
N trips for 10% of total discard	1	1	1	1	1	2
N for 20%	2	2	3	1	3	3
N for 30%	3	2	4	1	5	5

Table 3. Cumulative limits for DTS species used in determining limit attainment for individual vessels in the 1996-98 fisheries.

	DTS	Sablefish	Dover	Longspine	Shortspine
1996					
Jan/Feb	70,000	12,000	DTS-(Th+S)	20,000-S'spine	4,000
March/April	70,000	12,000	DTS-(Th+S)	20,000-S'spine	4,000
May/June	70,000	12,000	DTS-(Th+S)	20,000-S'spine	4,000
July/Aug	70,000	12,000	38,000	20,000-S'spine	4,000
Sept/Oct	70,000	12,000	38,000	20,000-S'spine	4,000
Nov/Dec	70,000	12,000	38,000	20,000-S'spine	4,000
1997					
Jan/Feb	70,000	12,000	38,000	20,000-S'spine	4,000
March/April	70,000	12,000	38,000	20,000-S'spine	4,000
May/June	57,000	12,000	30,000	15,000-S'spine	3,000
July/Aug	57,000	12,000	30,000	15,000-S'spine	3,000
September	28,500	6,000	15,000	7,500-S'spine	1,500
October	11,000	2,000	1,500	7,500-S'spine	1,500
November	11,000	2,000	1,500	7,500-S'spine	1,500
December	11,000	2,000	1,500	7,500-S'spine	1,500
1998					
Jan/Feb	N/A	5,000	40,000	10,000	4,000
March/April	N/A	5,000	18,000	10,000	4,000
May/June	N/A	6,000	22,000	12,000	5,000
July/Aug	N/A	6,000	22,000	12,000	5,000
September	N/A	3,000	11,000	6,000	2,500
October	N/A	5,000	18,000	7,500	1,500
November	N/A	5,000	18,000	7,500	1,500
December	N/A	5,000	36,000	7,500	1,500
Nov.+Dec.	N/A	10,000	54,000	15,000	3,000

Table 4. Summary of predicted total DTS species discarded (pounds) from 1995-1998 in bottom trawl gear by state*.

1995				
State	Sablefish	Dover Sole	Longspine	Short spine
CA	1,435,442	286,504	661,231	277,465
OR	1,311,960	278,757	550,878	215,943
WA	272,558	50,057	98,529	37,069
Total Discard	3,019,961	615,320	1,310,639	530,477
Total Landing	8,229,933	22,855,487	12,391,138	3,491,638
Percent	27%	2.6%	10%	13%
1996				
State	Sablefish	Dover Sole	Long spine	Short spine
CA	1,435,538	157,553	648,283	292,587
OR	1,398,263	237,457	533,486	220,947
WA	255,131	53,336	82,467	38,601
Total Discard	4,483,347	448,347	1,264,237	552,136
Total Landing	9,042,734	26,477,663	10,702,700	3,021,433
Percent	33%	1.7%	12%	9%
1997				
State	Sablefish	Dover Sole	Long spine	Short spine
CA	1,511,932	294,077	708,552	334,060
OR	1,455,913	607,031	581,427	262,087
WA	289,352	138,659	94,587	50,231
Total Discard	3,257,198	1,039,769	1,384,567	646,379
Total Landing	8,249,787	22,173,650	9,050,565	2,568,983
Percent	28%	4.5%	13%	20%

Table 4. Continued.....

1998				
State	Sablefish	Dover Sole	Long spine	Short spine
CA	1,389,984	566,688	518,678	185,355
OR	1,417,734	570,658	475,706	166,896
WA	249,064	88,870	59,768	19,076
Total Discard	3,056,782	1,226,216	1,054,153	371,327
Total Landing	4,732,829	17,541,852	5,139,310	2,358,539
Percent	39%	7%	17%	14%

1999				
State	Sablefish	Dover Sole	Long spine	Short spine
CA	784,394	300,773	531,965	255,152
OR	900,402	331,193	425,042	217,420
WA	158,173	56,744	53,786	29,040
Total Discard	1,842,970	688,710	1,010,793	501,612
Total Landing	6,881,499	19,849,320	3,989,357	1,489,992
Percent	21 %	3.4%	20%	25%

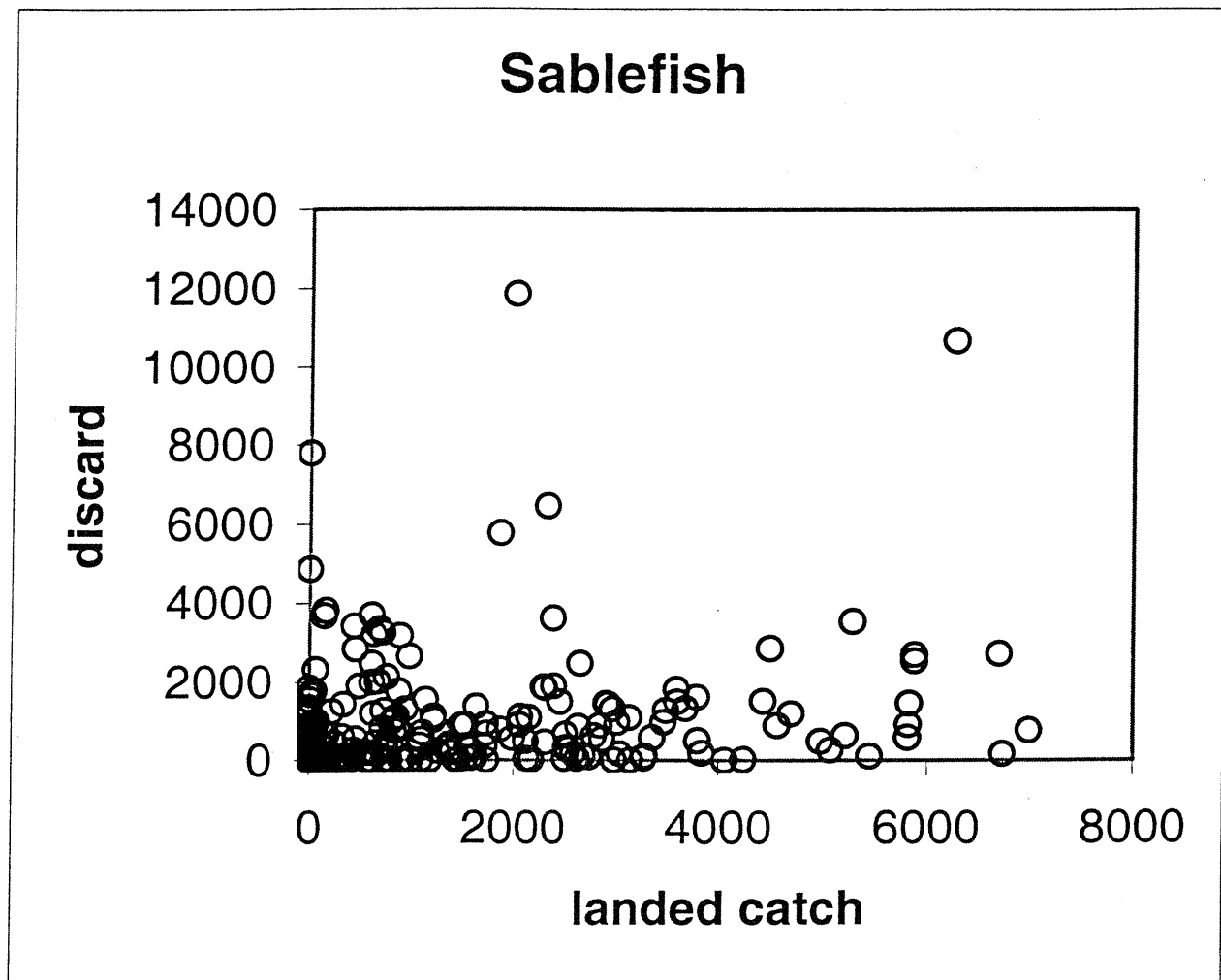


Figure 1. Scattergram of sablefish discard and sablefish landed catch among the 215 observed trips.

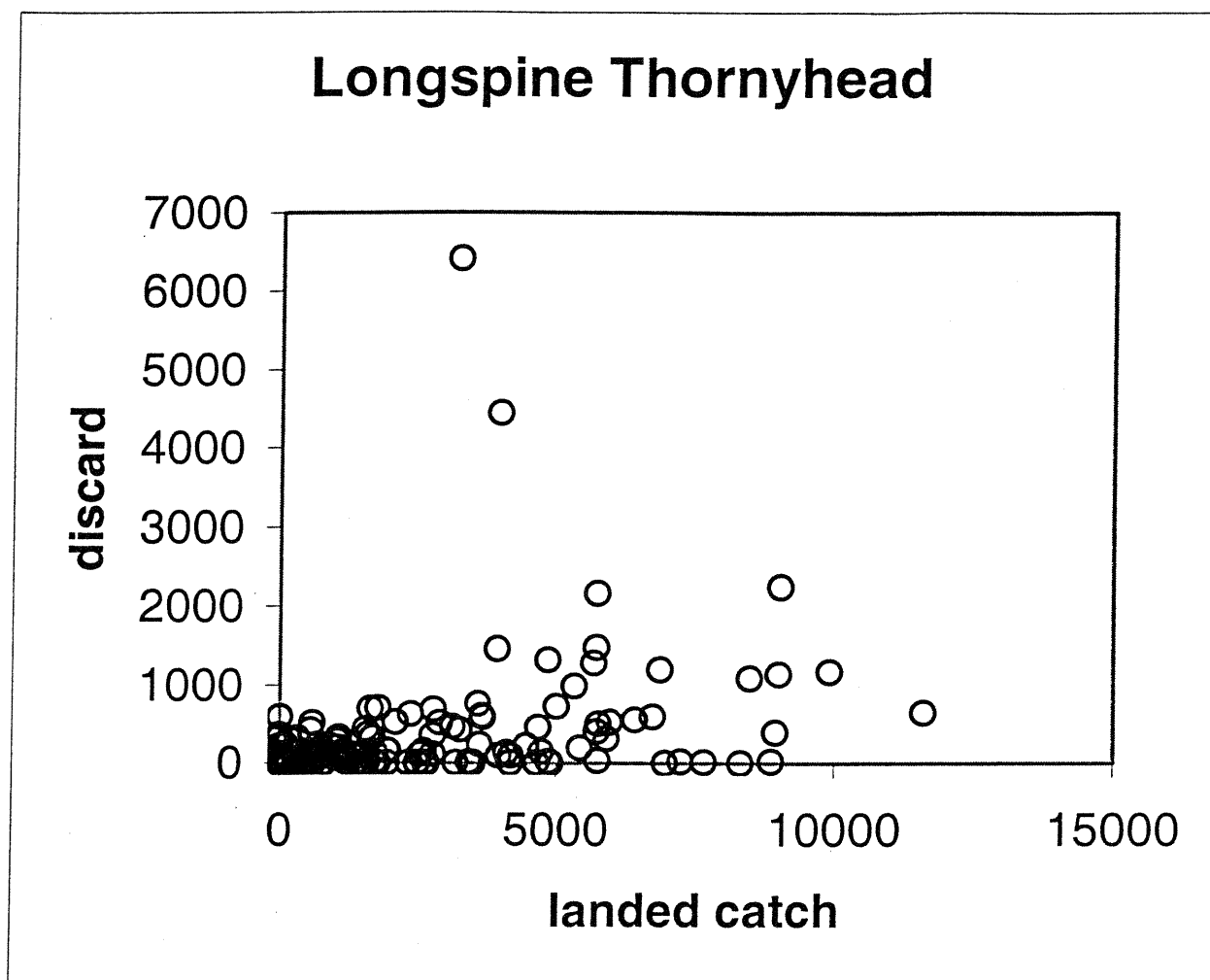
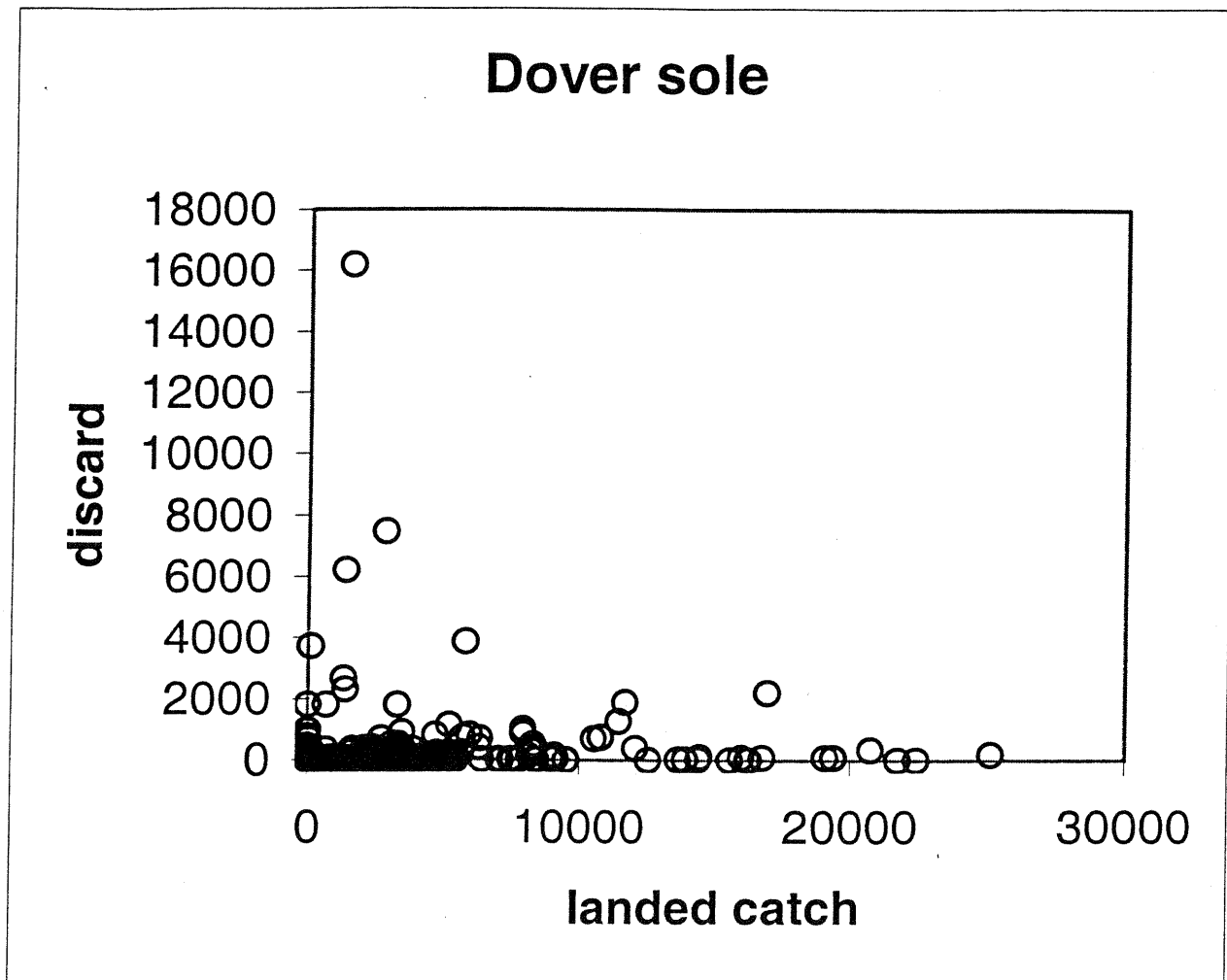


Figure 2. Scattergram of longspine thornyhead discard and landed catch among the 215 observed groundfish trawl trips.



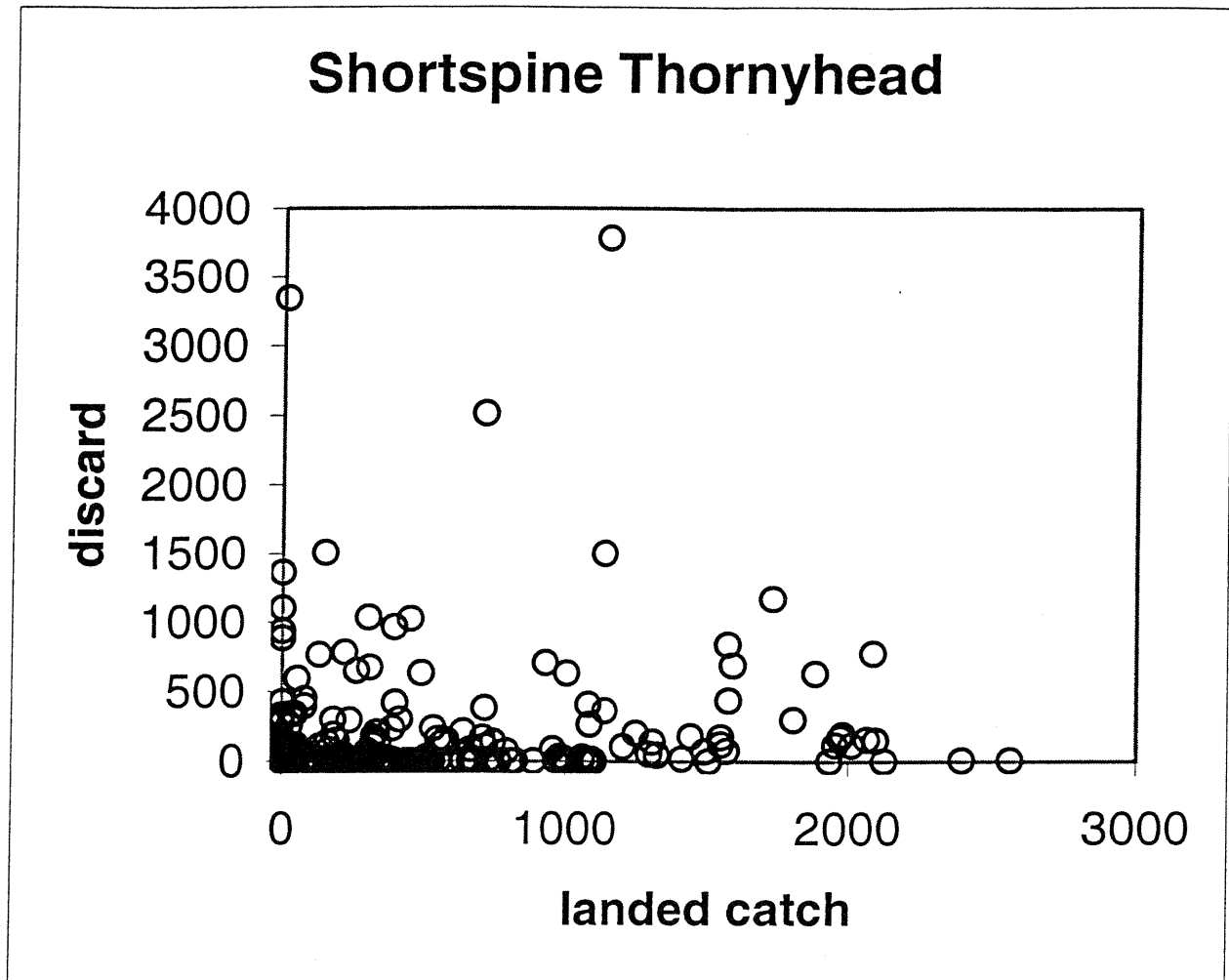


Figure 4. Scattergram of shortspine thornyhead discard and landed catch among the 215 observed trips.

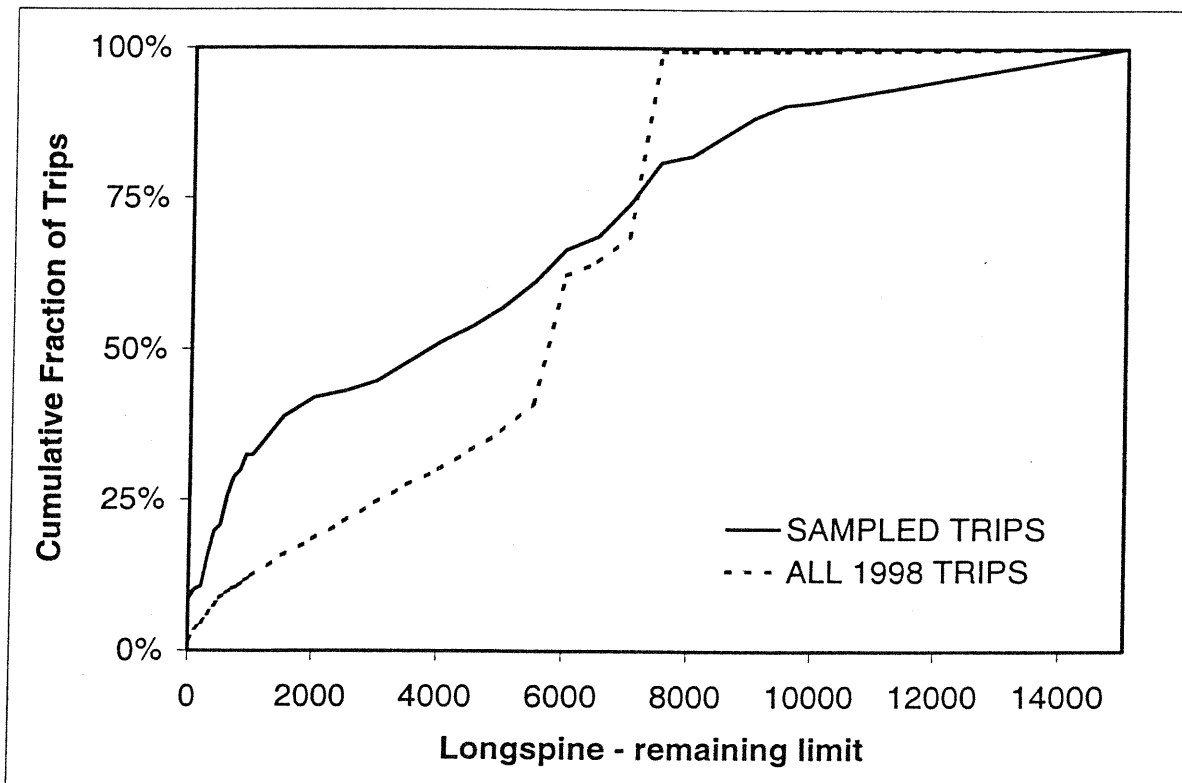
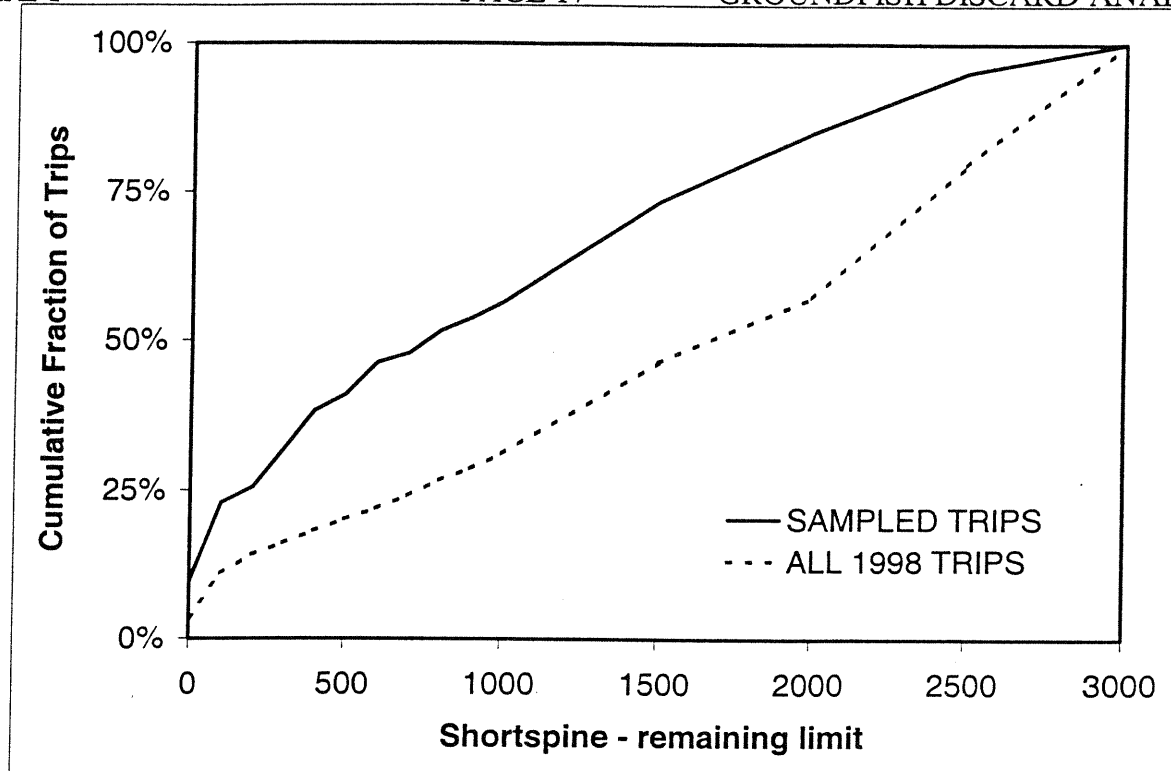


Figure 5. Cumulative distribution of calculated remaining limit for shortspine and longspine thornyheads in the 188 sampled trips in 1996-1998 with any landed DTS, and distribution for all trips in 1998 with any DTS landings.

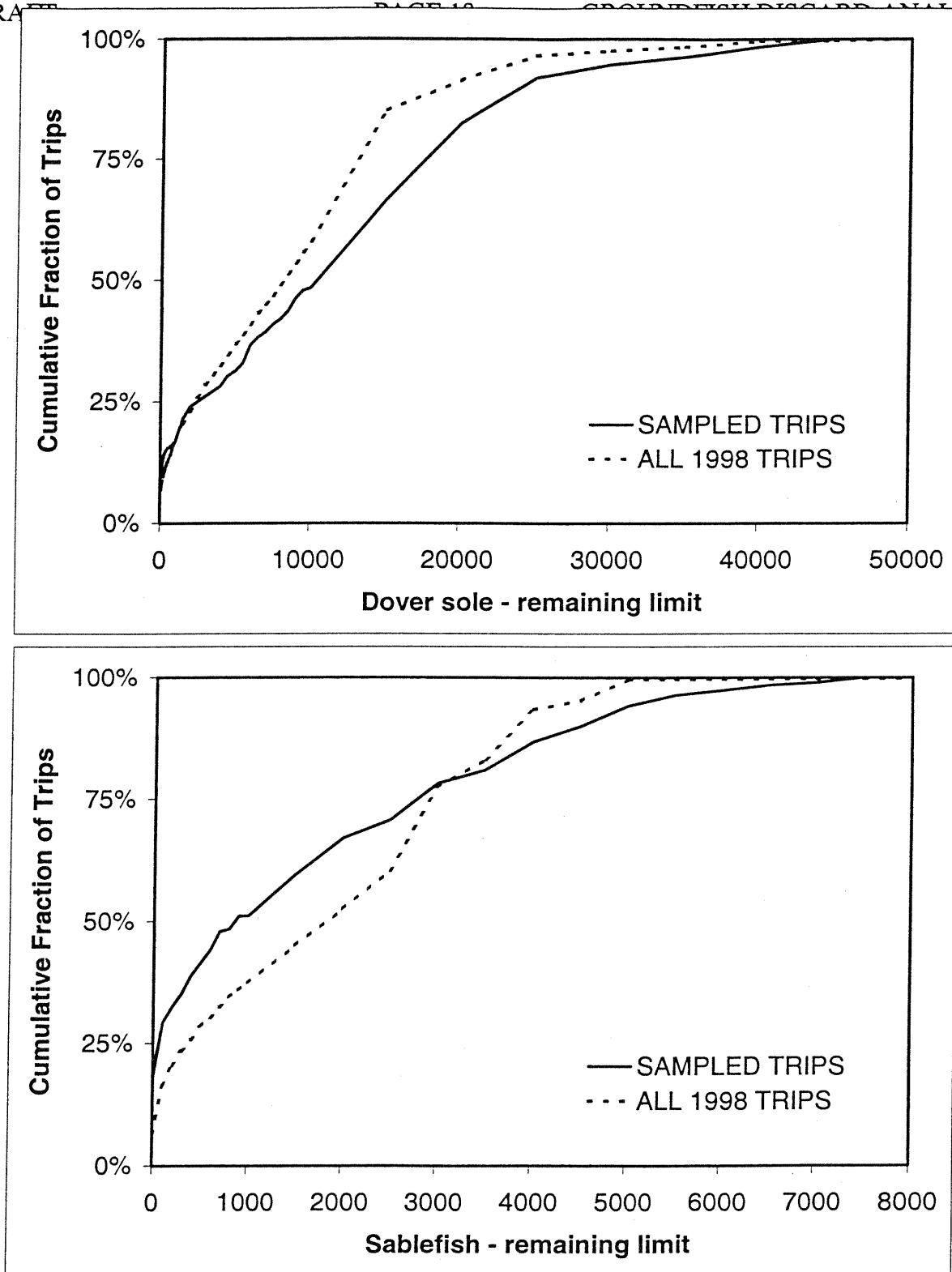


Figure 6. Cumulative distribution of calculated remaining limit for dover sole and sablefish in the 188 sampled trips in 1996-1998 with any landed DTS, and distribution for all trips in 1998 with any DTS landings.

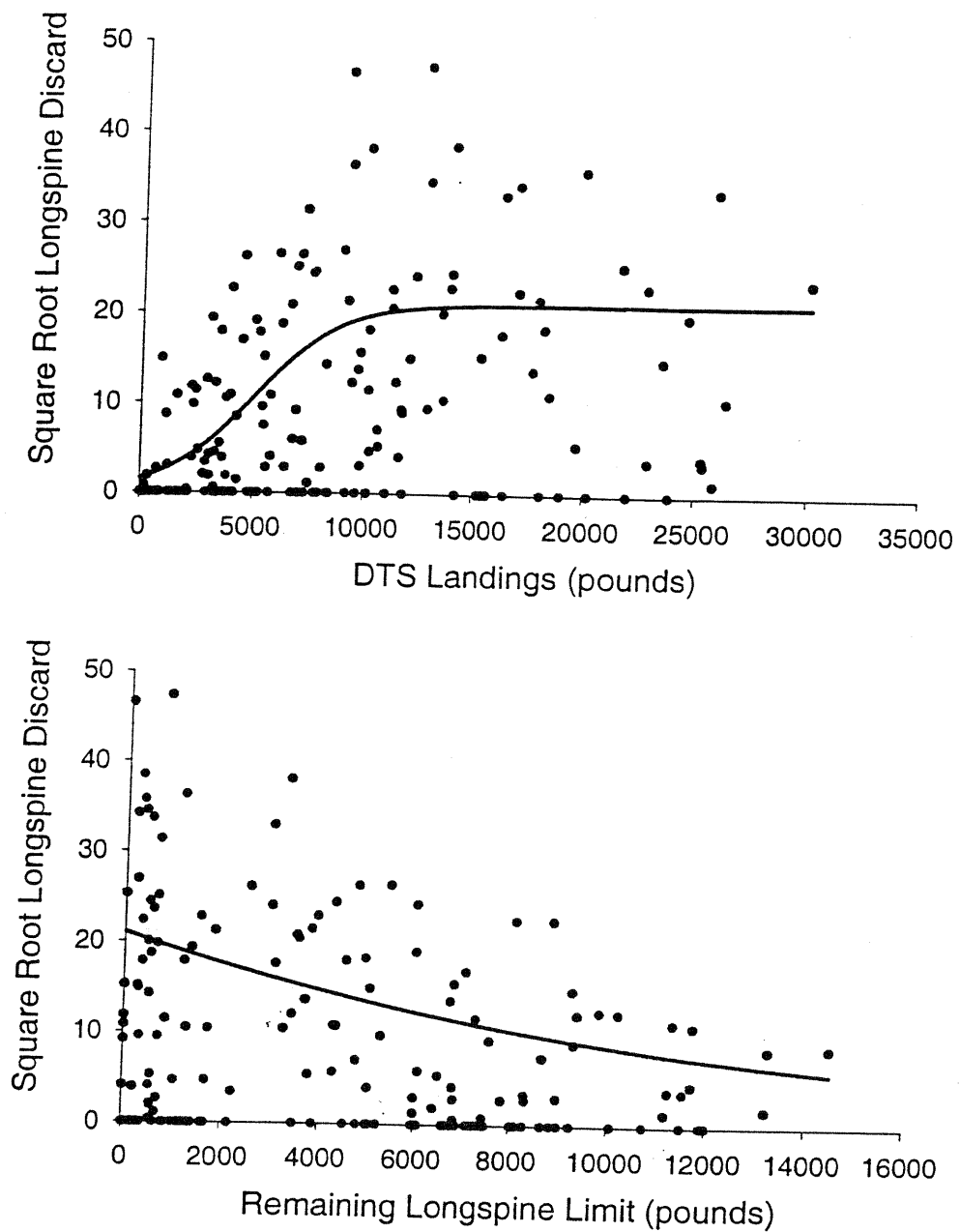


Figure 7. Longspine thornyhead discard as a decreasing function of the remaining limit for longspine and an increasing function of the total landed catch of all DTS species.

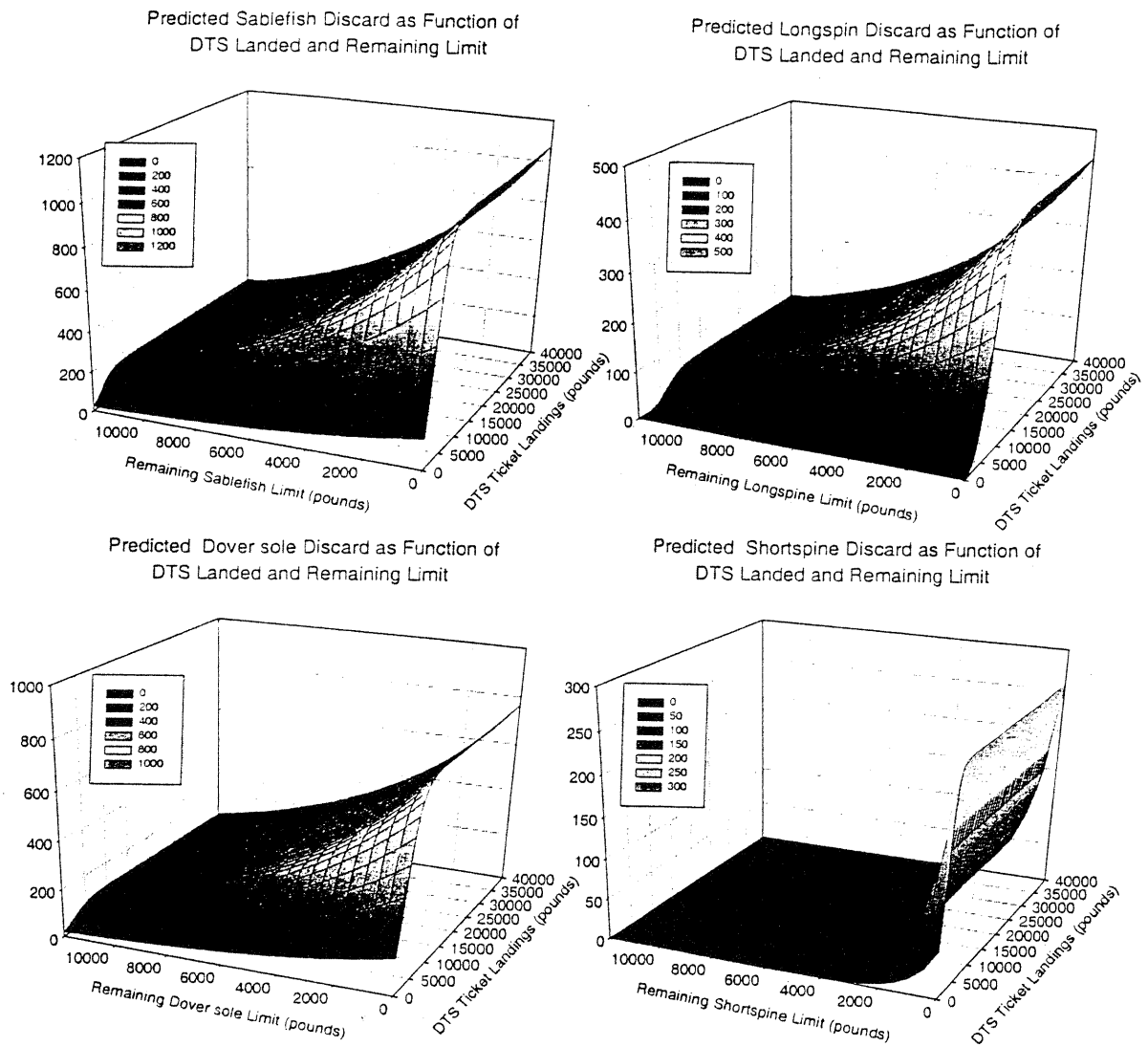


Figure 8. Fitted discard function for the four DTS species,

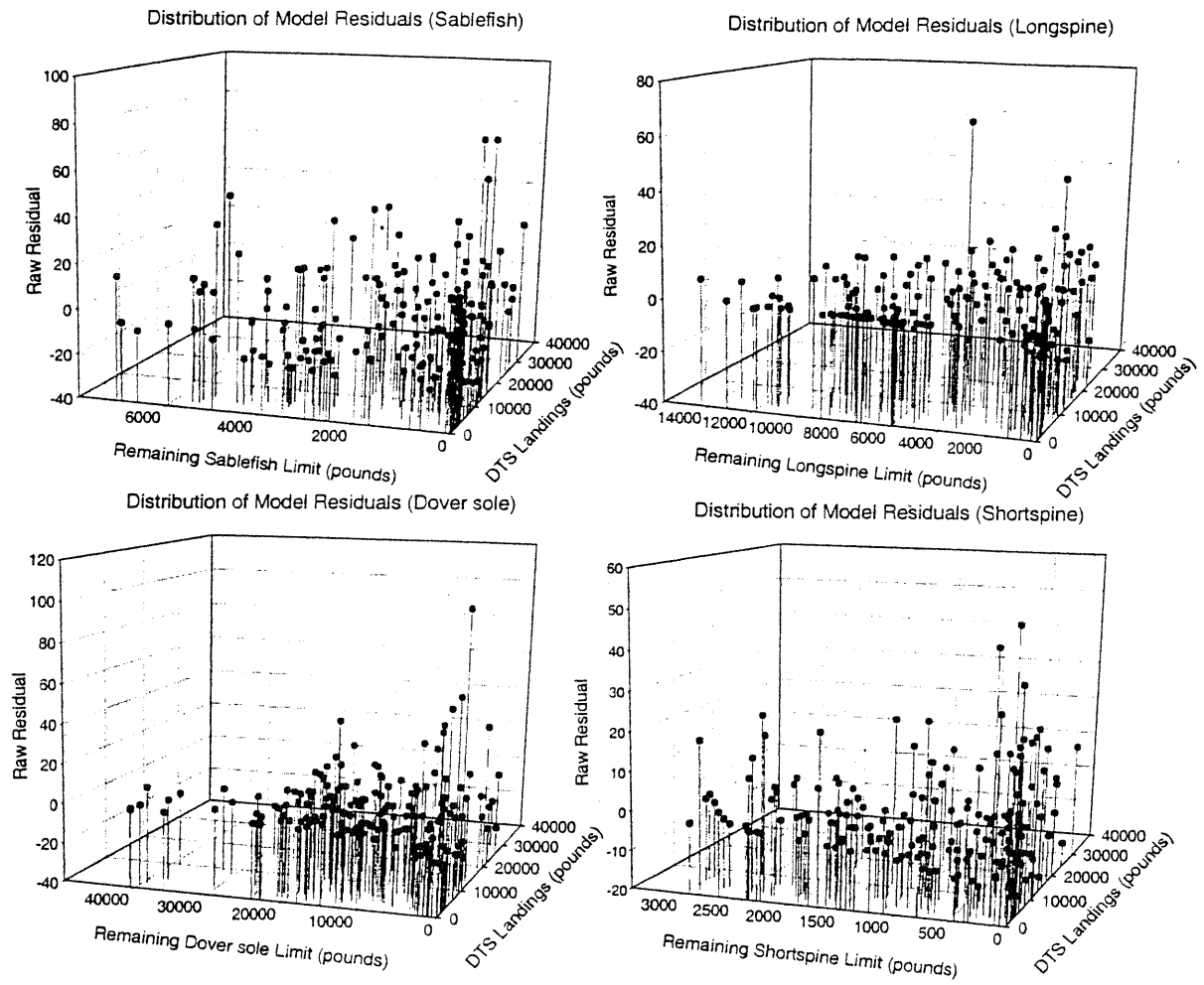
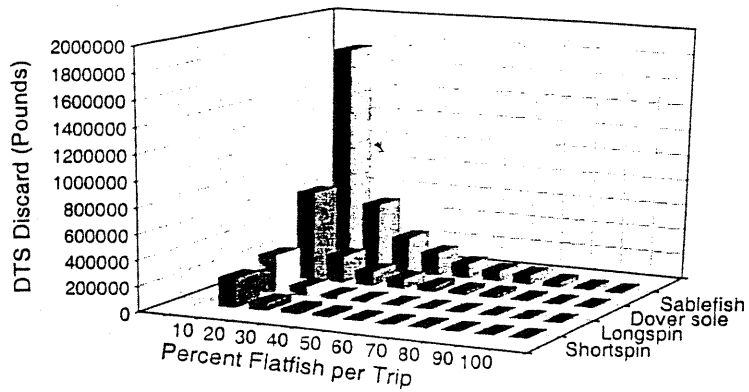
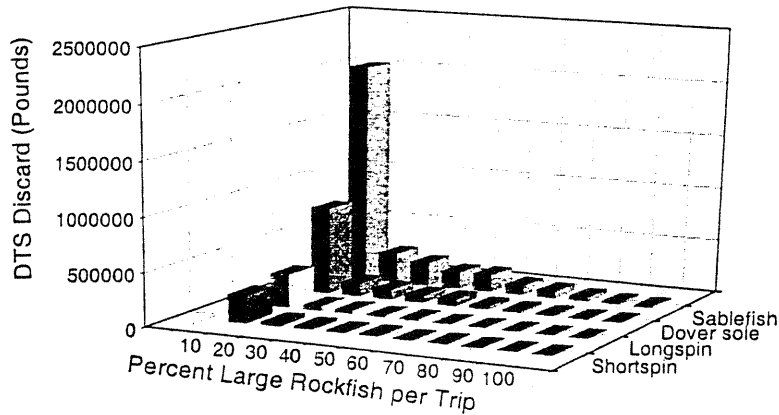


Figure 9. Residuals of fit to discard function for each of the four DTS species.

Estimated Bottom Trawl DTS Discard As Function of
Percent of Trip Comprising Flatfish



Estimated Trawl DTS Discard As Function of
Percent of Trip Comprising Large Rockfish



Estimated Bottom Trawl DTS Discard As Function of
Percent of Trip Comprising Other Groundfish

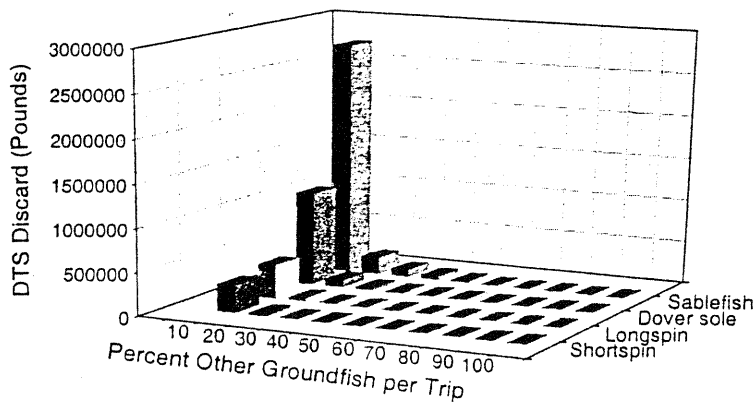


Figure 10. Estimated discard of DTS species in coastwide 1998 DTS bottom trawl fishery, stratified by the degree of dominance of the trip's catch by other species.

PRELIMINARY HARVEST LEVELS AND OTHER SPECIFICATIONS FOR 2001

Situation: Each year, the Council recommends harvest specifications for the upcoming year. This is a two-meeting process that begins with the Council making preliminary recommendations at the September meeting and final recommendations at the November meeting. The fishery management plan (FMP) requires the Council to establish reference points for each major species or species group: an acceptable biological catch (ABC), an optimum yield (OY), and overfishing threshold. In addition to the OYs, some species are allocated between the open access and limited entry fisheries. Tribal and recreational fisheries must be addressed, and the Council must make recommendations relating to foreign fishing and processing opportunities for Pacific whiting and shortbelly rockfish. (FMP Amendment 12 will eliminate the need to discuss foreign fishing after this year.)

Process for Developing Preliminary ABC and OY Recommendations

Draft assessment documents, Stock Assessment (STAT) Team summaries and Stock Assessment Review (STAR) Panel reports were mailed to Council family and others in August 2000. **(Please bring your copies to the meeting.)** Oral summaries of each new assessment, including the scientific conclusions, will be presented at a special briefing Monday, September 11, at 2:30 p.m. in the Sierra A Room. Assessment authors and other scientists will be available at that time to answer technical questions. **This information will not be presented again during the formal Council session on this topic.** The Groundfish Management Team (GMT) will present its ABC and OY recommendations during the Wednesday Council session. After deciding the preliminary ABC and OY recommendations, the Council will need to decide any changes to the list of species and species groups that are allocated between limited entry and open access fisheries. Management measures to achieve the harvest targets will be discussed later in the meeting.

Preliminary Assessment Results and Other Recommendations

Stock assessments were prepared in 2000 for darkblotched rockfish, lingcod (coastwide), widow rockfish, Pacific ocean perch (POP), and yellowtail rockfish. New ABC recommendations will result from these assessments. In addition, at its June 2000 meeting, the Council endorsed lower default harvest rates for groundfish stocks. The lower default harvest rates result in lower GMT harvest recommendations for several stocks that were not assessed this year. The Council announced it will consider phasing in some of the reductions, especially for stocks currently believed to be above their maximum sustainable yield (MSY) biomass levels (B_{MSY}).

The GMT met with STAR Panel, STAT Team, and Groundfish Advisory Subpanel (GAP) members in early August to review the new assessments and scientific advice. The GMT developed several preliminary ABCs and OYs based on those discussions (Exhibit G.6, Attachment 1). The GMT also calculated preliminary ABCs using the new default harvest rates for every stock with enough information. For comparison, the year 2000 ABCs and OYs are provided in Exhibit G.6, Attachment 2.

Limited entry and open access allocation shares are based on landings during the limited entry window period. In the northern area, the open access allocation is based primarily on groundfish harvest in the pink shrimp fishery. In the southern area, the open access allocation share reflects groundfish harvest by set net gear during that period. The set net fishery now catches only a small fraction of the open access share, while other gear types expanded substantially during the 1990s. The geographic distribution of open access harvest has undoubtedly changed, along with the species composition of the catch. However, much of the harvest, especially in California, was recorded as generic *Sebastes* rockfish. Division of the rockfish complex into slope, shelf and nearshore components has made it difficult to establish allocation shares that match both the current and historic harvest patterns. The GMT is attempting to develop options for Council consideration so that each sector has access to its fair share.

Revised Discard Estimates

National Marine Fisheries Service (NMFS) has prepared a preliminary analysis of discarding, as observed during the Oregon Enhanced Data Collection Program (Exhibit G.6, NMFS Report). In order to establish landed catch targets for various stocks and for various fishing sectors, the Council subtracts anticipated discards from the total catch OY. New information in this analysis should be considered in this process. In addition, this observer program analysis will be useful in designing future observer programs for west coast groundfish fisheries. NMFS will present an oral summary of the report.

Council Action:

1. **Recommend preliminary ABCs and OYs for 2001.**
2. **Recommend preliminary tribal allocations.**
3. **Provide guidance to GMT regarding species allocations between limited entry and open access sectors and identify options.**
4. **Develop preliminary recommendations for domestic annual processing, joint venture processing, and total allowable level of foreign fishing for whiting and shortbelly rockfish.**

Reference Materials:

1. Staff summary of Preliminary GMT ABCs and OY Recommendations for 2001 (Exhibit G.6, Attachment 1).
2. Year 2000 ABCs and OYs (Exhibit G.6, Attachment 2).
3. A Preliminary Analysis of Discarding in the 1995-1999 West Coast Groundfish Fishery (Exhibit G.6, NMFS Report).

PPMC
08/29/00

Draft Groundfish Management Team Preliminary Recommendations for
Acceptable Biological Catch and Optimum Yield Levels in 2001

Lingcod - Lingcod was designated as overfished in 1999 based on an assessment of the northern portion of the stock. A coastwide assessment was prepared in 2000 that confirmed the stock is overfished. Separate ABCs were calculated for the northern (Vancouver-Columbia) and southern (Eureka-Monterey-Conception) areas based on $F_{45\%}$. The 1999 rebuilding analysis for the north calculated the 2001 harvest level (275 mt), and the GMT's lower OY (550 mt) is calculated by applying this same amount to both the northern and southern areas. The upper OY (611 mt) is the sum of the yields (307 mt plus 304 mt) from the two new assessments associated with a constant exploitation rate where 60% of the simulated runs rebuilt in 9 years.

Sablefish - ABC (7,661 mt) is based on the $F_{45\%}$ harvest rate, and OY (6,895 mt) is based on application of the 40-10 harvest policy (the stock is currently estimated at 37% of the initial biomass). There is substantial uncertainty in the stock assessment, and incoming recruitment appears poor.

Pacific ocean perch (POP) - the ABC for this overfished stock is based on the 2000 assessment for the Vancouver and Columbia areas (1,523 mt at F_{msy}) plus 18 mt for the Eureka area. The preliminary OY range of 400-760 mt is based on precautionary evaluation of yields that have a high likelihood of achieving the rebuilding target in 10 years (low) and application of the 40-10 policy to the F_{msy} yield for 2001 (high).

Widow rockfish - the 2000 assessment indicates the stock has declined to about 24% of its unfished reproductive potential and is overfished. However, a preliminary rebuilding analysis prepared after the STAR Panel review indicates the stock is slightly above the overfished threshold (29%). The analysis used a different methodology, similar to the POP analysis. Because the rebuilding analysis had not been reviewed by the STAR Panel or SSC, the GMT based its preliminary ABC recommendation (3,727 mt) on the stock assessment using the $F_{50\%}$ harvest rate. One OY option (2,864 mt) is based on the 40-10 default OY policy; the second OY option (1,775 mt) is based on $F_{65\%}$. Initial analysis indicates the stock can rebuild within 10 years if fishing mortality is held to the $F_{65\%}$ level.

Canary rockfish - Two new assessments for canary rockfish were completed during 1999, in northern and southern areas, separated at Cape Blanco. Although each area was assessed separately, there is no definitive evidence for separate northern and southern stocks of canary rockfish. The division was made to simplify the assessment procedure for a variety of reasons (different data sets, etc.). Each assessment indicates the canary rockfish population is overfished at this time. Landings and survey data indicate an absence of older female canary rockfish, and two possible explanations for this are explored in the northern assessment. The first possibility (scenario 1) is that females die from natural mortality at a faster rate than males, and the difference becomes greater with age. The second possibility (scenario 2) is that female canary rockfish die at a consistent rate as they age (i.e., are subject to a constant mortality rate) but become more difficult to catch as they get older. At this time, the scientific community is uncertain which explanation is correct; the 1996 and 1999 STAR Panels concluded both assumptions were equally valid. However, Scenario 1 is consistent with the yellowtail rockfish assessment. The two scenarios lead to significantly different conclusions with respect to current abundance and the status of the stock compared to unfished conditions. Under scenario 1 (females die younger), current spawning biomass is estimated to be 949 mt for the northern area, which is 6.8% of the unfished spawning biomass. Under scenario 2 (female canary rockfish don't die young, but don't get caught), the northern population is in significantly better shape, with current spawning biomass estimated at 6,663 mt, which is 22.9% of the unfished spawning biomass. In either case, the canary rockfish stock is below 25% of the unfished biomass and therefore overfished.

The southern assessment was the first ever for that portion of the geographic range of the stock. The southern model performed better under the assumption of constant natural mortality than under the assumption of increasing mortality with age for females. Under base case conditions, the current spawning biomass in the southern area is estimated to be 529 mt, which is 7.7% of the unfished spawning biomass. If female canary rockfish actually die younger than males, the condition of the stock is substantially worse.

There is tremendous uncertainty in the rebuilding projections due to poorly estimated levels of recruits per spawner during 1996-1998. The 1996-1998 recruits per spawner level appear anomalously high relative to the 1987-1995 estimates due to a high number of young canary captured in the 1998 triennial trawl survey. If recent recruitment is similar to the earlier period, it will be difficult to rebuild to the current target biomass, even with no fishing mortality. If recent recruitment is high, and one of the three years is used in the projection, catch in 2001 would need to be only about 13-15 mt per year in order for the stock to begin to rebuild. If all three years are used, annual catches of 150-185 mt in the north would allow rebuilding. Such an optimistic scenario is risky because it is based upon three large, but poorly estimated, recruitments in 1996-1998. Intermediate scenarios using the 1996-1998 recruitments at a reduced level (as recommended by the 1999 STAR panel for canary rockfish) would reduce catches to 25-40 mt. The southern portion of the stock appears to be similar to the northern stock with respect to rebuilding. The GMT believes the coastwide total catch should be constrained within the overall range of 23-50 mt.

Chilipepper rockfish - The ABC (3,681 mt) for the Monterey and Conception areas is based on the 1998 assessment and application of the $F_{40\%}$ harvest rate. The stock is estimated to be above the 40% precautionary threshold, so the default OY would equal ABC. Application of $F_{50\%}$ results in an ABC of 2,700 mt. The GMT recommends OY remain at 2,000 mt. (The northern remaining rockfish ABC in 2000 includes 43 mt of chilipepper for the Eureka area.)

Splitnose rockfish (often called "rosefish") - ABC (615 mt) is a reduction from 2000 based on the revised F_{msy} harvest rate policy. ABCs for stocks assessed using $F=M$ are reduced 25% as a "risk neutral" adjustment. (For 2000, this was the OY adjustment). Consistent with the Council's precautionary policy, the GMT's OY recommendation (461 mt) reflects a 25% reduction from ABC because of the less-rigorous assessment method used for this stock.

Yellowtail rockfish - the ABC recommendation (4,495 mt) applies to the Eureka, Columbia, and Vancouver areas, including the Canadian portion. The stock is estimated to be at 63% of its pristine level. Subtracting the Canadian portion of the Vancouver area (30%) results in the U.S. ABC of 3,146 mt. This is less than the 2000 ABC due to application of the $F_{50\%}$ harvest rate. OY would equal ABC due to current stock abundance. However, even with this lower exploitation rate, the stock is expected to continue declining in the near future due to poor recruitment in recent years.

Shortspine thornyhead - the ABC recommendation (757 mt) is based on a synthesis of two stock assessments prepared in 1998 and application of the $F_{50\%}$ harvest rate. The assessment addressed the area north of 36° N latitude, which is the northern boundary of the Conception area. Therefore, this ABC and OY apply only to that area. The stock size was estimated to be 32% of the unfished abundance in 1999. The OY (689 mt) is based on $F_{50\%}$ and the 40-10 policy. The landed catch equivalent will reflect a reduction for discard. A separate ABC and OY (based on historical catch) apply to the part of the Conception area north of Point Conception; there is no ABC or OY for the southern Conception area.

Longspine thornyhead - the ABC (4,102 mt) north of the Conception area is the same as in 2000, based on the average of the 3 year individual ABCs at $F_{35\%}$. The stock is estimated to be above the 40% precautionary threshold. If the Council chooses to apply the $F_{50\%}$ harvest rate and the revised discard adjustment, the total and landed catch OYs would be 2,461 mt and 2,067 mt, respectively. The ABC and OY for the Conception area apply north of Point Conception. The southern Conception area has neither an ABC or OY.

Cowcod - the 1999 assessment indicates current biomass in the Conception area is 4 -11% of the initial biomass (best estimate is 7%) and therefore overfished. The 2000 ABC was set at 5 mt, and OY less than 5 mt. The rebuilding analysis confirms that total catch must be no more than 0.6 to 6.4 mt. The base case (60% probability of achieving rebuilding in the allotted time) is 2.1 mt.

Darkblotched rockfish - The 2000 assessment indicates the stock is overfished, with the best estimate of current biomass about 22% of the initial biomass. A major uncertainty in the assessment is historic catch of darkblotched rockfish in the Russian fishery from 1965-1978. It is likely some percentage of the red rockfish catch was really darkblotched rockfish. Only the model assuming no foreign catch or the model with variable

likelihood weights and priors given 37 mt catch would not be considered overfished in 2003. In all cases, the spawning biomass increased over the three year time period with the reduced catch and the estimated very large 1994 year class reaching maturity. The ABC range reflects a range of 10% darkblotched in the Russian catch and 0%. The lower OY (95 mt) is the constant annual catch that would rebuild the stock in 10 years, based on the 10% assumption. The upper OY (159 mt) is the constant catch to rebuild in 10 years, assuming 0%.

Minor Rockfish (north) - this category includes the "Remaining Rockfish" (ABCs based on $F=M$) and "Other Rockfish" (ABCs based on historical catch) categories in the U.S. Vancouver, Columbia, and Eureka areas combined. The ABC is the sum of all those individual species ABCs in these areas. Each of the ABCs for "remaining rockfish" was reduced by 25% from the 2000 value in line with the reduced (risk neutral) harvest rate (previously, this was an OY reduction). The total catch OY is the sum of 75% of the "remaining rockfish" ABCs plus 50% of the "other rockfish" ABCs in these three areas. The reduction in the contribution of remaining and other rockfish to OY is intended to address uncertainty in stock status due to limited information. The expected commercial landed catch target in 2001 will reflect recreational harvest and may also reflect a 16% discard adjustment for the limited entry fishery.

Minor Rockfish (south) - this category includes the "Remaining Rockfish" (ABCs based on $F=M$) and "Other Rockfish" (ABCs based on historical catch) categories in the Monterey and Conception areas combined. The ABC is the sum of all those individual species ABCs in these areas. Each of the ABCs for "remaining rockfish" was reduced by 25% from the 2000 value in line with the reduced (risk neutral) harvest rate (previously, this was an OY reduction). The total catch OY is the sum of 75% of the "remaining rockfish" ABCs plus 50% of the "other rockfish" ABCs in these three areas. The reduction in the contribution of remaining and other rockfish to OY is intended to address uncertainty in stock status due to limited information. The expected commercial landed catch target in 2001 will reflect recreational harvest and may also reflect a 16% discard adjustment for the limited entry fishery.

Bank rockfish - the GMT recommends ABC be increased from 81 mt in 2000 to 350 mt for 2001. This species will contribute 200 mt (75% of ABC, minus 25% as a precautionary adjustment) to the 2001 minor rockfish OY in the south.

Dover sole - The 1997 Dover sole assessment evaluated the resource north of 36° N latitude as a unit, and provided ABCs for landed catch based on the both the $F_{35\%}$ and $F_{40\%}$ harvest rates. The GMT has put forward the option of staying at the current ABC or reducing to the $F_{40\%}$ ABC. The Conception area Dover sole ABC is at the level established in the original FMP, which was based on average landings. The GMT reduced this by 50%, consistent with the new harvest policy. The ABCs represent total catch, and were converted by estimating that 5% of the total catch is discarded. Therefore, the coastwide ABC and OY range of 7,677 - 9,426 mt are for total catch with a landed catch equivalent of 7,293 - 8,955 mt.

"Risk neutral" ABCs for the other flatfish species were calculated by applying the same percent reduction as for petrale sole.

PFMC
GMT
09/13/00

3-year yields for POP using the STAR-panel preferred model (1d), and applying the 40-10 reduction to the Fmsy and F50% harvest amounts for the U.S. Vancouver - Columbia areas

	2001	2002	2003
% unfished spawning biomass	25%	25%	25%
Fmsy Yield			
F40-10 Yield @ Fmsy	1,523 762	1,592 796	1,651 826
Landed catch OY	640	669	693
<hr/>			
% unfished spawning biomass	25%	25%	25%
F50% Yield			
F40-10 Yield @ F50%	1,252 626	1,319 660	1,379 690
Landed catch OY	526	554	579

Recent historical landings and management of POP in the U.S. Vancouver - Columbia areas

Year	Landings	Cumulative limits	
		As implemented during each year	Monthly equivalent
1995	701	6,000 lb / month	6,000 lb
1996	645	10,000 lb / 2-months	5,000 lb
1997	515	8,000 lb / 2-months	4,000 lb
1998	472	8,000 lb / 2-months	4,000 lb
1999	544	4,000 lb / month	4,000 lb
2000	227 (OY)	200 lb / month	200 lb
<hr/>			
Average landings			
1995-99	575		
1996-99	544		

Comparison of DTS landed catch OYs using status quo discard assumptions versus rates from application of the EDCP analysis formula to fleet landings during 1997-99.

	Total catch OYs	Assumed discard rate			Landed catch OYs	
		2000	EDCP		2000	EDCP
			1997-99	as applied		
Sablefish	6,895	10%	29%	17.7%	6,206	5,675
Dover sole	7,677	5%	5%	5%	7,293	7,296
	9,426	5%	5%	5%	8,955	8,958
Shortspine	689	30%	20%	20%	482	553
Longspine	2,461	9%	17%	17%	2,240	2,051
	4,102	9%	17%	17%	3,733	3,418

Overview of approximate sablefish poundages available to various sectors under alternative discard accounting approaches.

	2001a	2001b	2001c		2001d		Sector discard mortality assumed
	mts	mts	mts	change from 2001b	mts	change from 2001b	
discard accounting	10% off the top	current method using EDCP (17.7%)	individual sector accounting using EDCP		individual sector accounting using EDCP		
LE allocation between trawl / fixed-gear	58% / 42% landed catch	58% / 42% landed catch	58% / 42% total catch		61% / 39% total catch (58% / 42% landed catch)		
Harvest Guideline (mt)	6,895	6,895	6,895		6,895		
Discard	690	1,220					
Tribal	621	567	621	9%	621	9%	10%
Open access	525	480	525	9%	525	9%	10%
Limited entry Trawl	2,935	2,684	2,315	-14%	2,435	-9%	29%
Limited entry fixed-gear	2,125	1,943	2,220	14%	2,061	6%	6%

Difference between landed catch and total catch allocations, based on the discard assumptions made during the late-1980s

	Landed catch		Total catch	
	mts	distribution	mts	distribution
Trawl	58	58%	68.2	61%
Fixed-gear	42	42%	42.9	39%
Total	100	100%	111.1	100%

REVISED staff summary of preliminary GMT acceptable biological catch (ABC) and optimum yield (OY) recommendations for 2001 for the Washington, Oregon, and California region by management area (metric tons). Page 1 of 3. (Species names in **BOLD CAPS** are overfished. Values in **bold** are different from previous year.)

ROUNDFISH	Preliminary GMT ABC Recommendations						Proposed 2000 OYs	
	Vancouver a/	Columbia	Eureka	Monterey	Conception	U.S. Total	Total Catch	
LINGCOD b/	610		509			1,119 b/	550 - 611	378
Pacific cod	3,200		c/			3,200	NA c/	
Whiting d/		232,000 d/				232,000 d/	232,000	232,000
Sablefish e/		7,661 e/				7,661 6,895 e/	6,895 e/	7,919
Conception area f/					472	472	472	

ROCKFISH	Vancouver	Columbia	Eureka	Monterey	Conception	Total for areas noted	Total Catch	
PACIFIC OCEAN PERCH		1,541 g/		c/		1,541 g/	400 - 760 g/	294
Shortbelly			13,900 h/			13,900	13,900 h/	13,900
WIDOW			3,727 i/			3,727 i/	1,775-2,864 i/	4,333
CANARY j/			228 j/			228 j/	160 23-50 j/	200
Chilipepper				2,700 - 3,681 k/		2,700-2,681 k/	2,000 k/	2,000
BOCACCIO l/		c/		122		122 l/	100 l/	100
Splitnose m/				615		615	461 m/	615
Yellowtail n/		3,146		c/		3,146 n/	3,146 n/	3,539
hornyheads								
Shortspine o/			757 o/			757 o/	689 o/	1,150 970
Conception area					175	175	175	
Longspine p/		2,461 4,102 p/				2,461 4,102 p/	2,461 - 4,102	4,102
Conception area					429	429	429	
COWCOD				19	5	24	2.4 2.1 q/	<5
DARKBLOTCHED r/			302 - 349			302-349	95-159	(256)
Minor Rockfish N s/		5,456 j/				5,456 s/	3,636 s/	3814
Minor Rockfish S t/				3,731		3,731 t/	2,053	1899
Remaining rockfish u/		3,625		680 u/				
bank		c/		350		350 v/	NA	
black w/		1,200				1,200	NA	
blackgill x/		c/		440		440 x/	NA	
bocaccio		420				420	NA	
redstripe		768		c/		768	NA	
sharpchin		409		60		469	NA	
silvergrey		51		c/		51	NA	
splitnose		322		c/		322	NA	
yelloweye		39		c/		39	NA	
yellowmouth		132		c/		132	NA	
yellowtail				155		155	NA	
Other rockfish y/		2,068 y/		2,777 y/			NA	

FLATFISH	Preliminary GMT ABC Recommendations						Proposed 2000 OYs 2001 OYs	
	Vancouver	Columbia	Eureka	Monterey	Conception	Total for areas noted	Total Catch	
Dover sole z/	7,151 - 8,373				1,053	7,677-9,426 z/	7,677	9,426
English sole	2,000			1,100		2,693-3,100 aa/	NA	
Petrale sole aa/	1,450		500	800	200	2,567-2,950 aa/	NA	
Arrowtooth flounder			5,800			5,046-5,800aa/	NA	
Other flatfish	700	3,000	1,700	1,800	500	6,699-7,700aa/	NA	
OTHER FISH bb/	2,500	7,000	1,200	2,000	2,000	14,700	NA	

a/ ABC applies to the U.S. portion of the Vancouver area, except as noted. For lingcod, the U.S. ABC is set at 44% of the total for the area.

b/ Lingcod - designated as overfished in 1999; the new coastwide assessment calculates separate ABCs for the northern (Vancouver-Columbia) and southern (Eureka-Monterey-Conception) stocks based on $F_{45\%}$. The lower OY(550 mt) is based on applying the year 2001 harvest limit in the north (275 mt) to both areas; the upper OY (611 mt) is the sum of the yields (307 mt plus 304 mt) from the two new assessments associated with a constant exploitation rate where 60% of the simulated runs rebuilt in 9 years.

c/ These species are neither common nor important in the areas footnoted. Accordingly, for convenience, Pacific cod in the areas footnoted is included in the non-numerical OY for "other fish." Rockfish species are included in either the "other rockfish" or "remaining rockfish" category for the areas footnoted only.

d/ The preliminary whiting ABC and OY (232,000 mt, U.S. only) are unchanged from 2000. Values are based on the 1999 stock assessment and continuation of the 1998 OY. The ABC and OY are 80% of the coastwide value. The treaty tribes' allocation (32,50 mt in 2000) will be subtracted from the final OY, and the remainder will be allocated 42% to the shore-based sector, 34% to the factory trawler sector, and 24% to the mothership processor sector.

e/ Sablefish - ABC (7,661 mt) is based on $F_{45\%}$, and the preliminary total catch OY (6,895 mt) is based on application of the 40-10 adjustment. As in the past, this OY applies north of 36°N latitude. The stock is estimated to be at 37% of its unfished level, but there is substantial uncertainty in the biomass estimate; incoming recruitment appears poor. The GMT recommends the Council no longer deduct discard "off the top," but rather deduct discard from each sector individually. The landed catch OY for the northern area is the sum of the separate amounts. Ten percent of the total catch OY, minus 10% for discard in tribal fisheries, is set aside for the treaty tribes. The remainder is divided between the limited entry and open access fisheries. Ten percent of the open access amount is deducted for discard. The limited entry portion will be allocated 58% to the trawl fishery and 42% to the nontrawl fishery; 29% of the trawl amount is deducted for discard, and 10% of the nontrawl amount is deducted.

f/ The ABC and OY for the Conception area (south of 36° N latitude), which are based on historical landings, remain the same as 2000. There are no limited entry and open access allocations for the Conception area at this time.

g/ Pacific ocean perch - the ABC for this overfished stock is based on the 2000 assessment for Vancouver and Columbia (1,523 mt, at F_{msy}), plus 18 mt for Eureka. The preliminary OY range for the Vancouver-Columbia-Eureka area is 400 mt - 760 mt (which is based on F_{msy} and the 40-10.

h/ Shortbelly rockfish remains an unexploited stock, and is difficult to assess quantitatively. NMFS recruitment surveys indicate poor recruitment in most years since 1989, indicating low recent productivity and a naturally declining population. The GMT recommends ABC and OY remain at 13,900 mt.

i/ Widow rockfish - the 2000 assessment indicates the stock has declined to about 24% of its unfished reproductive potential and is overfished. The 3,727 mt preliminary ABC is based on the $F_{45\%}$ harvest rate. One OY option (2,864 mt) is based on the 40-10 default OY policy; the second OY option (1,775 mt) is based on $F_{65\%}$. Initial analysis indicates the stock can rebuild within 10 years if fishing mortality is held to the $F_{65\%}$ level.

j/ Two canary rockfish assessments in 1999 addressed the northern and southern portions of the stock estimated current abundance to be between about 7% of unfished in the south to 20% of unfished in the north. The coastwide ABC (228 mt) is based on $F_{50\%}$. The preliminary OY range (50 - 150 mt) is based on the initial rebuilding analysis.

k/ Chilipepper rockfish - The ABC (3,681 mt) for the Monterey and Conception areas is based on the 1998 assessment and application of the $F_{40\%}$ harvest rate. The stock is estimated to be above the 40% precautionary threshold, so the default OY would equal ABC. Application of $F_{50\%}$ results in an ABC of 2,700 mt. The GMT recommends OY remain at 2,000 mt. (The northern remaining rockfish ABC in 2000 includes 43 mt of chilipepper for the Eureka area.)

l/ Bocaccio in the south is overfished; the preliminary ABC (122 mt) is based on $F_{45\%}$. The proposed OY is unchanged from 2000, which was set based on the rebuilding plan.

m/ Splitnose rockfish (often called "rosefish") - ABC (615 mt) is a reduction from 2000 based on the revised F_{msy} harvest rate policy. Consistent with the Council's precautionary policy, the GMT's OY recommendation (461 mt) reflects a 25% reduction from ABC because of the less-rigorous assessment method used for this stock.

- Yellowtail rockfish - the ABC recommendation (3,146 mt) applies to the Eureka, Columbia, and U.S. portion of the Vancouver areas. The stock is estimated to be at 63% of its pristine level. OY would equal ABC due to current stock abundance. However, the stock is expected to continue declining in the near future due to poor recruitment in recent years. Discard of yellowtail rockfish in the at-sea fisheries for Pacific whiting will be taken into account when setting the landed catch equivalent.
- o/ Shortspine thornyhead - the ABC recommendation (757 mt) is based on a synthesis of two stock assessments prepared in 1998 and application of the $F_{50\%}$ harvest rate. The assessment addressed the area north of 36° N latitude, which is the northern boundary of the Conception area. Therefore, this ABC and OY apply only to that area. The stock size was estimated to be 32% of the unfished abundance in 1999. The OY (689 mt) is based on $F_{50\%}$ and the 40-10 policy. The landed catch equivalent will reflect a reduction for discard. A separate ABC and OY (based on historical catch) apply to the part of the Conception area north of Point Conception; there is no ABC or OY for the southern Conception area.
- p/ Longspine thornyhead - the ABC (4,102 mt) north of the Conception area is the same as in 2000, based on the average of the 3 year individual ABCs at $F_{35\%}$. The stock is estimated to be above the 40% precautionary threshold. If the Council chooses to apply the $F_{50\%}$ harvest rate and the revised discard adjustment, the total and landed catch OYs would be 2,461 mt and 2,067 mt, respectively. The ABC and OY for the Conception area apply north of Point Conception. The southern Conception area has neither an ABC or OY.
- q/ Cowcod - the 1999 assessment of the Conception area indicates this stock is overfished, with abundance below 10% of the unfished level. The GMT recommends ABC in the Conception area be 5 mt (based on the assessment) and 19 mt in the Monterey area (based on average landings from 1983-1997). The GMT recommends the total catch OY be less than 5 mt and the landed catch should be zero for both areas combined.
- r/ Darkblotched rockfish - The 2000 assessment indicates the stock is overfished, with current biomass about 22% of the initial biomass. The lower ABC (302 mt) is based on 10% catch in the Russian fishery; the upper ABC (349 mt) assumes 0%. The lower OY (95 mt) is the constant annual catch that would rebuild the stock in 10 years, based on the 10% assumption; the upper OY (159 mt) is the constant catch to rebuild in 10 years, assuming 0%.
- s/ Minor Rockfish (north) - this new category includes the "Remaining Rockfish" and "Other Rockfish" categories in the U.S. Vancouver, Columbia, and Eureka areas combined. The total catch OY is the sum of 75% of the "remaining rockfish" total plus 50% of the "other rockfish" in these three areas. The reduction in the contribution of remaining and other rockfish is intended to reflect the new default harvest rate, and an additional 25% reduction is made to address uncertainty in stock status due to limited information. The expected commercial landed catch target in 2001 will reflect recreational harvest and may also reflect a 16% discard adjustment for the limited entry fishery.
- t/ Minor Rockfish (south) - this new category includes the "Remaining Rockfish" and "Other Rockfish" categories in the Monterey and Conception areas combined. The ABC is the sum of all those individual species ABCs in these areas. The reduction in the contribution of remaining and other rockfish is intended to reflect the new default harvest rate, and an additional 25% reduction is made to address uncertainty in stock status due to limited information. The expected commercial landed catch target in 2001 will reflect recreational harvest and may also reflect a 16% discard adjustment for the limited entry fishery.
- u/ Remaining rockfish includes all rockfish species below in the table except the "Other rockfish" category.
- v/ Bank rockfish - the GMT recommends ABC be increased from 81 mt in 2000 to 350 mt for 2001. This species will contribute 200 mt (75% of ABC, minus 25% as a precautionary adjustment) to the 2001 minor rockfish OY in the south.
- w/ Black rockfish: this 1,200 mt is the sum of the ABC calculated for the assessment area (700 mt) plus the average catch in the unassessed area (500 mt). This stock contributes 950 mt towards the Minor rockfish OY in the north: 700 mt for the assessed area and 50% of the unassessed area. The 50% reduction is a precautionary adjustment.
- x/ Blackgill rockfish - the 1998 stock assessment estimates the Conception area stock to be at about 51% of pristine levels. The 365 mt ABC is based on $F_{40\%}$; 75 mt was added for the Monterey area. Upon completion of the assessment in 1998, this stock was moved from the "other rockfish" category to the "remaining rockfish" category. The GMT will continue to monitor landings, if landings reach 300 mt, the GMT will alert the Council to the possible need for management action or a stock assessment.
- y/ Other rockfish includes rockfish species of the genus *Sebastes* not identified above in this table. The ABC recommendation is the same as 2000; it is based on the 1996 *Sebastes* complex review of commercial landings and includes an estimate of recreational landings. These species have never been formally assessed.
- z/ The 1997 Dover sole assessment evaluated the resource north of 36° N latitude as a unit, and provided ABCs for landed catch based on both the $F_{35\%}$ and $F_{40\%}$ harvest rates. The GMT has put forward the option of staying at the current ABC or reducing to the $F_{40\%}$ ABC. The Conception area Dover sole ABC is at the level established in the original FMP, which was based on average landings. The GMT reduced this by 50%, consistent with the new harvest policy. The ABCs represent total catch, and were converted by estimating that 5% of the total catch is discarded. Therefore, the coastwide ABC and OY range of 7,677 - 9,426 mt are for total catch with a landed catch equivalent of 7,293 - 8,955 mt.
- aa/ English and petrale soles, arrowtooth flounder and other flatfish - The 1998 petrale sole assessment provided ABC values based on both $F_{35\%}$ and $F_{40\%}$. The same ratio (.87) was used to calculate ABCs at $F_{40\%}$ for the other species of flatfish.
- bb/ Includes sharks, skates, rays, ratfish, morids, grenadiers, and other groundfish species noted above in c/.

GROUND FISH ADVISORY SUBPANEL STATEMENT ON SABLEFISH PERMIT STACKING CONCEPT

The Groundfish Advisory Subpanel (GAP) reviewed the draft analysis of permit stacking (Exhibit G.7, Attachment 1) and provides the following comments on the options proposed. In most cases, GAP comments on these options are not unanimous; majority and minority views are indicated where appropriate. The GAP comments follow the outline of provisions listed in the draft analysis.

Provision 1: Basic Stacking

A majority of the GAP believes that the Council should not proceed further with a permit stacking system if the individual transferable quota (ITQ) moratorium continues; if the moratorium expires, then stacking should be considered as outlined below. A minority of the GAP disagreed, believing the Council should proceed with a stacking option regardless of the status of the ITQ moratorium.

Provision 2: Base Permit and Gear Usage

The consensus of the GAP is that option 2b (using any gear allowed by stacked permits, length endorsement applies) is the preferred option.

Provision 3: Limits on Stacking

The majority of the GAP believes limits are desirable, but the limits should be based on poundage, not on the number of permits. They suggest ownership be limited to the equivalent of 5% of the fixed gear allowable catch, although current ownership of permits/endorsements in a greater amount should be "grandfathered". They request the Council establish a control date as soon as possible to signal the potential cut off of "grandfather" rights. A minority of the GAP believes - if permit stacking is considered a free market system - ownership should not be artificially constrained, and thus opposes limits on ownership.

Provision 4: Combination of Stacked Permits

After considerable debate in which majority/minority opinions changed several times, the majority of the GAP supported option 4a (allowing permits to be unstacked) as the preferred option, suggesting this will provide greater economic benefits and to allow new entrants an opportunity to buy into the fishery. A minority of the GAP supported option 4c as the preferred option, pointing out this option will provide capacity reduction (a goal of the Council) and still provide economic benefits through trade of endorsements. All parties suggested the Council consider breaking tier endorsements into smaller pieces in order to allow more flexibility in stacking.

Provision 5: Fishery duration

While the GAP recognizes the limitations imposed on the Council if the ITQ moratorium remains in effect, the GAP prefers the fishery be of a longer duration, and an ITQ system be developed.

Provision 6: At-Sea Processing

A majority of the GAP chose option 6a as the preferred option, with the proviso that it be modified to allow freezing at sea by any vessel that had frozen at least 2000 pounds of sablefish in any of the years 1998, 1999, or 2000. The GAP recognizes some investment in freezer capacity has already been made and this should not be precluded. A minority of the GAP supported option 6b, suggesting this is not a fisheries management issue and thus should not be regulated.

Provision 7: Owner on Board

A majority of the GAP supports option 7b (status quo) as the preferred option, suggesting the current system works well and has not led to outside corporate ownership of the fishery. A minority of the GAP supports a modification of option 7a, requiring the owner to be on board only in the case of "2nd generation" ownership; establishing an emergency exemption in the case of death, injury, or other unavoidable circumstances; and - in the case of corporations or partnerships - requiring only one member of the corporation or partnership be on board.

Provision 8: Nonsablefish cumulative limit stacking

The GAP agreed that this issue needs further discussion and analysis before judgement can be rendered.

Provision 9: Vessels without sablefish endorsements

The consensus of the GAP is that option 9b [no limitation on the daily trip limit fishery] should be the preferred option.

PFMC
09/13/00

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON
SABLEFISH PERMIT STACKING CONCEPT

Mr. Jim Seger briefed the Scientific and Statistical Committee (SSC) on the *Draft Analysis of Permit Stacking for the Limited Entry Fixed Gear Sablefish Fishery*.

The analysis includes a placeholder in Section 1.3.3 for a discussion of the relationship between the permit stacking proposal and the goals and recommendations of the Groundfish Strategic Plan, should the plan be adopted by the Council. This is a good example of how groundfish plan amendments should be routinely related to the strategic plan. The document also contains placeholders for other portions of the analysis that have not yet been completed, including Section 2.0 (description of fishery) and portions of Section 3.3.x (safety, windfall profits, etc.). The analysis, however, was sufficiently complete to allow the SSC to evaluate the essential elements of the voluntary stacking proposal.

The SSC concurs with the following conclusions from the analysis: unless the individual quota (IQ) moratorium is lifted, voluntary permit stacking *per se* is not likely to increase the duration of the fixed gear sablefish season, alleviate the safety concerns and complex management decisions associated with short seasons, or result in significant capacity reduction. In order to accomplish those things, voluntary stacking will need to be followed by a properly designed IQ system (an uncertain prospect at this time, given the moratorium) or some other stringent capacity reduction mechanism. The SSC is concerned about the limited benefits that would accrue from voluntary stacking if the IQ moratorium is not lifted. However, we also realize that it is up to the Council to decide whether that risk is acceptable.

The SSC has several suggestions for clarifying and simplifying the analysis:

Section 1.3 includes nine objectives. Prioritization or elimination of some objectives may help to simplify the analysis.

Section 1.5 describes three possible future scenarios regarding the IQ moratorium: (1) moratorium expires/no new requirements constraining creation of IQs, (2) moratorium expires/some new requirements constraining creation of IQs, (3) continuation of moratorium. The SSC recommends that scenario (2) be eliminated from consideration. While it is a plausible scenario, it is not specific enough to be very useful for the analysis.

Provisions 1-9 should be distinguished in terms of whether they pertain to design features of a stacking program that the Council must decide in advance, or outcomes that are contingent on whether voluntary stacking is followed by an IQ program. For instance, the two fishing duration options presented under provision 5 (extended season vs. modified derby) represent alternative outcomes. Similarly, the two options under provision 9 (open vs. close the daily-trip-limit fishery during the primary fixed gear sablefish fishery) also represent alternative outcomes.

DRAFT ANALYSIS OF PERMIT STACKING FOR THE LIMITED ENTRY FIXED GEAR SABLEFISH FISHERY

1.0 Introduction

Action contemplated: Permit stacking. Define what this means.

Purpose of this document.

Time line for Council process for completing consideration of this issue.

1.1 Background

Trawl/Fixed gear split late 1980s

Decision to manage fixed gear fishery with seasons.

ITQ considerations in early 1990s.

Council decision to delay and subsequent moratorium on ITQs.

Series of shortening seasons.

Sablefish endorsements.

Year of equal limits. Reallocation.

Creation of tiers. Reallocation.

The current management dilemma (include explanation of overhead)

1.2 Purpose and Need for Action

Overcapacity in the West Coast groundfish fleet is well documented (**cite SSC Report**). Overcapacity results in inefficiencies and regulatory constraints that distort rational action. A prime example is the current modified fixed gear sablefish fishery (three-tiered system) which can put pressure on fishers to go out in unsafe conditions. Additionally, the efforts to control harvest through the three-tier system has caused a substantial reallocation of catch from larger producers to smaller producers (**cite three-tier analysis**). This reallocation from the distribution that existed during the open fishery resulted in a misalignment and dislocation of resources such that capital invested in larger producers goes unused while smaller producers increase their investment in order to take their catch in the short seasons allotted under current management.

as to allow
Permit stacking for the limited entry fixed gear sablefish fishery is being considered as a measure to reduce capacity and right the fishery by allowing ~~larger~~ producers to accumulate harvest privileges more in line with their capital investment. This accumulation would occur through the voluntary transfers of permits from those enticed by the prices offered. An additional possible benefit of this consolidation of permits for the purpose of harvesting fixed gear sablefish is that harvest rights for nonsablefish groundfish species would be consolidated but not accumulated when permits are stacked. Therefore, there may be a net reduction in the capacity to target nonsablefish groundfish species.

1.3 Management Objectives to be Addressed

This section lists the national standards and management objectives of the Council's groundfish FMP that Council actions are required to meet. Also included is a section on recommendations of the strategic plan that relate to permit stacking.

In particular, permit stacking is expected to help the Council address National Standards 4, 5, 6, 7, 8, and 10. It will also affect achievement of Goals 2 (Economics) and 3 (Utilization) of the groundfish FMP through impacts related to Objectives 4, 9, 11, 12, and 13. These standards, goals and objectives that are closely related to this stacking proposal are italicized in the following sections.

The primary objectives for permit stacking are:

- o rationalize the fleet (reduce overcapacity) and promote efficiency
- o maintain or direct benefits toward fishing communities
- o prevent excessive concentration of harvest privileges
- o mitigate the reallocational effects of recent policies (3-tier system and equal limits)
- o promote equity
- o resolve or prevent new allocation issues from arising
- o promote safety
- o improve product quality and value
- o take action without creating substantial new disruptive effects

1.3.1 National Standards

The following are the national standards that must be met by any action recommended by the Council. The national standards most relevant to permit stacking are italicized.

- need to be reflected in the primary objectives.*
- (1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.
 - (2) Conservation and management measures shall be based upon the best scientific information available.
 - (3) To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.
 - (4) *Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.*
 - (5) *Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.*
 - (6) *Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.*
 - (7) *Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.*

- (8) *Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities.*
- (9) Conservation and management measures shall, to the extent practicable, (A) minimize bycatch and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.
- (10) *Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.*

1.3.2 Groundfish Fishery Management Plan

The following are the goals and objectives of the groundfish FMP. The goals and objectives most relevant to permit stacking are italicized.

Management Goals.

Goal 1 - Conservation. Prevent overfishing by managing for appropriate harvest levels, and prevent any net loss of the habitat of living marine resources.

Goal 2 - Economics. *Maximize the value of the groundfish resource as a whole.*

Goal 3 - Utilization. *Achieve the maximum biological yield of the overall groundfish fishery, promote year round availability of quality seafood to the consumer, and promote recreational fishing opportunities.*

Objectives. To accomplish these management goals, a number of objectives will be considered and followed as closely as practicable:

Conservation.

Objective 1. Maintain an information flow on the status of the fishery and the fishery resource which allows for informed management decisions as the fishery occurs.

Objective 2. Adopt harvest specifications and management measures consistent with resource stewardship responsibilities, for each groundfish species or species group.

Objective 3. For species or species groups which are below the level necessary to produce MSY, consider rebuilding the stock to the MSY level and, if necessary, develop a plan to rebuild the stock.

Economics.

Objective 4. *Attempt to achieve the greatest possible net economic benefit to the nation from the managed fisheries.*

Objective 5. Identify those sectors of the groundfish fishery for which it is beneficial to promote year round marketing opportunities and establish management policies that extend those sectors fishing and marketing opportunities as long as practicable during the fishing year.

Objective 6. Gear restrictions to minimize the necessity for other management measures will be used whenever practicable.

Utilization.

Objective 7. Develop management measures and policies that foster and encourage full utilization (harvesting and processing) of the Pacific coast groundfish resources by domestic fisheries.

Objective 8. Recognizing the multispecies nature of the fishery, establish a concept of managing by species and gear, or by groups of interrelated species.

Objective 9. *Strive to reduce the economic incentives and regulatory measures that lead to wastage of fish.*

Objective 10. Provide for foreign participation in the fishery, consistent with the other goals to take that portion of the OY not utilized by domestic fisheries while minimizing conflict with domestic fisheries.

Social Factors.

Objective 11. *When conservation actions are necessary to protect a stock or stock assemblage, attempt to develop management measures that will affect users equitably. Develop management measures that minimize bycatch to the extent practicable and, to the extent that bycatch cannot be avoided, minimize the mortality of such bycatch. Promote and support monitoring programs to improve estimates of total fishing-related mortality and bycatch, as well as those to improve other information necessary to determine the extent to which it is practicable to reduce bycatch and bycatch mortality.*

Objective 12. *Minimize gear conflicts among resource users.*

Objective 13. *When considering alternative management measures to resolve an issue, choose the measure that best accomplishes the change with the least disruption of current domestic fishing practices, marketing procedures and environment.*

1.3.3 Strategic Plan

The strategic plan has yet to be adopted. However, when it is adopted there are likely to be goals and recommendations in the plan that relate closely to this stacking proposal, particularly with respect to capacity reduction. These will be noted in this section if the plan is adopted prior to final Council action on permit stacking.

1.4 Alternatives

The following is a description of the two major alternatives, permit stacking and status quo. The rationale for the provisions of the permit stacking alternative and the general implications are discussed in Section 3.1. Sections 3.2 and 3.3 discuss the biological, economic and social implications in more depth.

1.4.1 Alternative 1: Status Quo.

No change other than those that will occur from changes in capitalization, stock size etc., under the current management regime.

1.4.2 Alternative 2: Permit Stacking.

The following is the Council staff's interpretation of the Council motion on permit stacking. Options are listed for most of the provisions of this alternative. In most cases, "Option a" is the option most consistent with the original main motion proposed to the Council. The exception is in Provision 2 where there was some uncertainty regarding how to interpret the Council's motion. For other provisions, options were added as

friendly amendments to the main motion, for the purpose of analysis and soliciting public comment, or added by Council staff to fill out the suite of reasonable alternatives (italicized text). Where an FMP amendment is required, the related amendment language is provided in Appendix B.

Provision 1: Basic Stacking.

Participants in the limited entry fixed gear (longline and fishpot) primary sablefish fishery would be allowed to register multiple fixed gear sablefish endorsed permits for a single vessel (allowed to stack permits). A vessel would be allowed to take up to the full fixed gear sablefish cumulative limit associated with each permit registered to the vessel. The primary fixed gear sablefish fishery includes the current directed sablefish fishery and the mop-up fishery.

Provision 2: The Base Permit and Gear Usage.

One of the permits would be designated by the vessel owner as the base permit. The base permit would be required to have a fixed gear sablefish endorsed permit that meets the length requirement for that vessel. Permits of different fixed gear types could be stacked together.

- Options:
- 2a. The vessel must fish fixed gear sablefish with the gear endorsed on the designated base permit.
 - 2b. The vessel may fish fixed gear sablefish with any fixed gear endorsed on any of its stacked permits if the length endorsement associated with the permit is equal to or greater than that of the base permit. For example, a 45 foot longline permit could be stacked with a 55 foot fishpot permit designated as the base permit and the longline permit tier endorsement would add to the cumulative limit for the 55 foot vessel, but the vessel could only use fishpot gear. On the other hand, if both the base permit and the stacked permit had length endorsements 55 feet or greater then the vessel could use either longline or fishpot gear.
 - 2c. The vessel may fish with any fixed gear endorsed on at least one of its stacked permits.

Additionally, if one of the stacked fixed gear sablefish endorsed permits includes an endorsement for trawl gear and the length endorsement is equal to or greater than that of the base permit, the vessel may continue to use trawl gear, but not in the fixed gear fishery. In such a case, if the permit is stacked on a vessel that is more than 5 feet smaller than that specified by the size endorsement for the trawl gear permit, the requirement that the trawl endorsed permit be downsized will be waived (Section 14.2.9 paragraph 3 of the FMP), unless permits are permanently stacked as specified in Options 4b and 4c.

Provision 3: Limits on Stacking.

No more than 3 permits may be stacked on a single vessel. *The analysis will include discussion of other permutations such as 2 and 4 permit stacking limits.*

Provision 4: Combination of Stacked Permits.

- Options:
- 4a. **Permits May Be Unstacked.** Permits that are stacked would retain their original length, gear, fixed gear sablefish and tier endorsements and could be transferred to other vessels in the future (i.e. stacked permits would not take on the gear and length endorsement of the vessel's designated base permit when unstacked).
 - 4b. **Permits May Not Be Unstacked and Tier Endorsements are Not Tradeable.** When permits are stacked on a single vessel they would be reissued as a single permit that could not be redivided and endorsements remaining on the permit would confer the fishing opportunities specified in Provisions 1 and 2. The length endorsement would be the length endorsement on the permit designated as the base permit.
 - 4c. **Permits May Not Be Unstacked and Tier Endorsements are Tradeable Among the Endorsed Fleet.** Same as Option 4b except that Tier endorsements could be

transferred separate from the permit to another permit with a fixed gear sablefish endorsement. However, at least one tier endorsement must remain with the base permit. Permits would be limited to a maximum number of endorsements consistent with the maximum number of permits that can be stacked as specified in Provision 3 (a maximum of 3 endorsements per permit).

Provision 5: Fishery Duration.

- Options:
- 5a. The fishery would extend over a number of months (the initial recommended season is April 1 thru Oct. 31). *There would be no preseason and postseason closures and vessels would be required to make their final deliveries prior to closure of the season. There would be no mop-up fishery.*
 - 5b. Current Situation: The fishery would continue to be managed as a modified derby followed by a mop-up. *The current preseason and postseason closures would continue to apply and vessels would be required to cease fishing upon closure of the fishery. Permits would have to be stacked before some deadline prior to the start of the seasons in order to provide analysts and the Council sufficient time to assess and recommend appropriate cumulative limits and season durations. The steps would include (1) setting the allocation in November, (2) making a preliminary estimate of season lengths and limits and setting season opening date in March, (3) a deadline for stacking of May 15, and (4) final season duration and limits set in June.* (Seasons would continue to be set short enough that many vessels would be unable to fully take the allowed catch. In recent years the season duration has been slightly more than one week. Maintenance of this abbreviated fishery has been necessary to prevent the program from being classified as an individual quota program. Such programs are currently prohibited under the Magnuson-Stevens Act.)

Provision 6: At-Sea Processing.

Note that "processing," as defined under the West Coast groundfish FMP includes such activities as freezing but **excludes heading and gutting**).

- Options:
- 6a. At-sea processing would be prohibited in the fixed gear sablefish fishery.
 - 6b. Current Situation: At-sea processing would be allowed in the fixed gear sablefish fishery. (Note: At-sea processing has not played a significant role in the fishery in recent years because of the short seasons in place since 1996.)

Provision 7: Owner-on-Board Provisions.

- Options:
- 7a. The permit owner would be required to be onboard the vessel during fishing operations, however there would be an exception for those owning permits as of the time the stacking program is established (provisions would be as per draft Amendment 8, see the description of this option in Section 3.1 of this document).
 - 7b. Current Situation: The permit owner would not be required to be on board the vessel during fishing operations.
 - 7c. *Same as 7a, except that the onboard requirement would apply only when permits are stacked.*

Provision 8: Nonsablefish Cumulative Limits.

The stacking of permits with sablefish endorsements would not allow vessels to harvest more than one cumulative limit for non-sablefish species.

Provision 9: Vessels Without Sablefish Endorsements.

- Options:
- 9a. *Current Situation: The limited entry daily-trip-limit fishery for vessels without sablefish endorsements would be closed during the primary fixed gear sablefish fishery.*
 - 9b. The limited entry daily-trip-limit fishery for vessels without sablefish endorsements would be allowed to run at the same time as the primary fixed gear sablefish fishery.

1.5 Individual Quota Moratorium

The management system that would be created under Option 5a (a long season) would likely be categorized as an individual quota program.^{1/} The Magnuson-Stevens Act prohibits the implementation of new individual quota programs until October 1, 2000. Option 5b maintains short, derby-like seasons and avoids the individual quota classification. There are a number of scenarios that may affect the option selected in Provision 5 of the alternative:

Scenario 1. **The IQ moratorium expires and no new requirements constrain creation of individual quotas.** Option 5a or 5b could be selected.

Scenario 2. **The IQ moratorium expires and Magnuson-Stevens Act reauthorization or other congressional action establishes criteria for the creation of new IQ programs (e.g., must be self funding, must be approved by a referendum of the affected fishers).** Option 5a (a long season) might be selected but a number of additional provisions may have to be added and processes followed before Option 5a could be recommended to NMFS for implementation. In this scenario, all other provisions might be recommended as a package and action on Option 5a delayed until other requirements are met.

Scenario 3. **The IQ moratorium is continued either under a Magnuson-Stevens Act reauthorization or other congressional action.** Prior to the Sustainable Fisheries Act (the act that last reauthorized the M-S Act) a rider was placed on a budget bill that prohibited the expenditure of Federal funds on development and implementation of IQ programs. A rider similar to that in place prior to Magnuson-Stevens Act reauthorization could require the halt of all work related to development and analysis of Option 5a.

1.6 Decision Procedures

Under the groundfish FMP, the proposal to allow the stacking of permits would likely be considered an allocative measure and would therefore have to meet the requirements of section 6.2.3 of the FMP (the socio-economic framework) and would require that the full rulemaking procedures be followed (section 6.2(D) of the FMP) and/or the procedures for amending an FMP. These procedures require that analytical documents be developed, approved by the Council and released for public review prior to a final decision.

The following table specifies which actions to implement the stacking alternatives would require plan amendments and which would require regulatory amendments. Where a plan amendment is required, specific language is provided in Appendix B.

1/ Allowing sablefish cumulative limits to be separable from the permit may also make permit stacking more like an IQ program (Option 4c); however, the maintenance of "overhead" under Option 5b would largely alleviate this concern.

Provision	No Action Needed (Provision/ Option)	Plan Amendment Required (Provision/Option)	Regulatory Amendment Required	
			Provision/Option	Authorizing Framework Language
1 Basic Stacking			1	FMP Sec 14.2.4, para 3
2 Base Permit and Fixed Gear Usage		2 and 4a, Waiver of downsizing requirement for trawl vessels (FMP Sec 14.2.7 and 14.2.9 para 3).	2a Gear is that on base permit 2b Gear is that on any stacked permit with sufficient length endorsement. 2c Gear is that on any stacked permit	FMP Sec 14.2.4, para 3
3 Limits on Stacking			3	FMP Sec 14.2.4, para 3
4 Combination of Stacked Permits		4c Permits may not be unstacked but endorsements are tradeable (FMP Sec 14.2.6, para 4)	4a Permits may be unstacked 4b Permits man not be unstacked	FMP Sec 14.2.4, para 3
5 Fishery Duration	5b		5a April 1-Oct 31 Fishery	FMP Sec 6.2.2
6 At-Sea Processing	6b		6a At-sea freezing is prohibited	FMP Sec 6.2.3
7 Owner-on-Board	7b	7a Owner-on-board required except for those grandfathered in (FMP Sec 14.2.12) 7a and 7c Grandfather provision (FMP Sec 14.2.4 para 3)	7c Owner-on-board requirements (7a) applies only when permits are stacked	FMP Sec 14.2.4, para 3
8 Non-sablefish Limits	8			
9 Season for Vessels without Sablefish Endorsements	9a	9b (FMP Sec 14.2.6 para 1 and 14.2.8 para 6)		

2.0 Description of the Fishery

(To be completed.)

3.0 Analysis

The biological and economic impacts of the stacking options may vary widely depending primarily on whether or not the season can be extended beyond the six to nine day modified derby season provided in recent years. An extension of the season is possible only with the lifting of the current IFQ moratorium or an exemption from the moratorium for the West Coast fixed gear sablefish fishery. The first part of the analysis summarizes impacts of the permit stacking provisions, provision by provision (section 3.1), then covers biological (section 3.2) and economic and social impacts (section 3.3).

3.1 General Description and Implication of the Options

Provision 1: Basic Stacking.

Participants in the limited entry fixed gear (longline and fishpot) primary sablefish fishery would be allowed to register multiple fixed gear sablefish endorsed permits for a single vessel (allowed to stack

permits). A vessel would be allowed to take up to the full fixed gear sablefish cumulative limit associated with each permit registered to the vessel. The primary fixed gear sablefish fishery includes the current directed sablefish fishery and the mop-up fishery.

Permit stacking would facilitate a certain amount of voluntary rationalization in the West Coast limited entry fixed gear groundfish fishery. Fishers would arrange among themselves for multiple permits to be assigned to the same vessel. Rationalization would occur as a result of the reduction of the number of harvesting vessels. Total utilized sablefish capacity would remain the same and the percent of sablefish capacity utilized for vessels that stacked permits would likely increase. Because limits for other groundfish species would not accumulate with the stacking of permits, there may be some reduction in total fixed gear groundfish species with respect to nonsablefish groundfish. If the sablefish season length is extended (Option 5a), individual cumulative limits for vessels that do not stack permits would decline and hence the percent utilized capacity for these vessels would decline. Overall, the sablefish harvest and harvest of other nonsablefish groundfish fishes would be consolidated among fewer vessels with the excess vessels either moving on to other fisheries or tying up at the dock.

Permit stacking would allow businesses able to acquire additional permits to increase their harvest. For operations that lost harvest as a result of the reallocation entailed in implementing the three-tier system, there would be an opportunity to move back toward previous harvest levels. Operations that had invested in equipment but had not yet scaled-up their harvest operations would also have an opportunity to more fully utilize their investments.

The more constraints that are put on the stacking option the less stacking will occur. Examples of such constraints include limits on the number of permits which can be stacked and the owner-on-board provision. A substantial amount of stacking may not occur unless the current IQ moratorium is lifted (Section 1.5) so that Option 5a may be adopted. The stacking program with Option 5b (short seasons) will put the Council in a position to more readily move to an IQ program that would reduce capacity, if the moratorium is lifted.

Provision 2: The Base Permit and Gear Usage.

One of the permits would be designated by the vessel owner as the base permit. The base permit would be required to have a fixed gear sablefish endorsed permit that meets the length requirement for that vessel. Permits of different fixed gear types could be stacked together.

- Options:
- 2a. The vessel must fish fixed gear sablefish with the gear endorsed on the designated base permit.
 - 2b. The vessel may fish fixed gear sablefish with any fixed gear endorsed on any of its stacked permits if the length endorsement associated with the permit is equal to or greater than that of the base permit. For example, a 45 foot longline permit could be stacked with a 55 foot fishpot permit designated as the base permit and the longline permit tier endorsement would add to the cumulative limit for the 55 foot vessel, but the vessel could only use fishpot gear. On the other hand, if both the base permit and the stacked permit had length endorsements 55 feet or greater then the vessel could use either longline or fishpot gear.
 - 2c. The vessel may fish with any fixed gear endorsed on at least one of its stacked permits.

Additionally, if one of the stacked fixed gear sablefish endorsed permits includes an endorsement for trawl gear and the length endorsement is equal to or greater than that of the base permit, the vessel may continue to use trawl gear, but not in the fixed gear fishery. In such a case if the permit is stacked on a vessel that is more than 5 feet smaller than that specified by the size endorsement for the trawl gear permit, the requirement that the trawl endorsed permit be downsized will be waived (Section 14.2.9 paragraph 3 of the FMP), unless permits are permanently stacked as specified in Options 4b and 4c.

The main issue this provision deals with is the gears that would be usable on a vessel with stacked permits. The options on this issue revolve closely around the length endorsements. Length has been used as a

proxy for capacity in the groundfish fishery. It is assumed that vessels of similar length using the same gear have similar capacity, an admittedly rough assumption (**reference earlier length analyses**). Under the current limited entry program, if permits are combined in order to create a permit with a larger length endorsement, any gear endorsements that do not match between the permits being combined are not carried over to the new permit. In this provision, it is proposed that, at a minimum, the sablefish tier limit be carried over to a stacked permit, even if the gear endorsements on the stacked permits do not match. This is suggested in part as a matter of equity as there would be relatively little stacking opportunity for the 31 fishpot permit holders as compared to the 132 longline permit holders. Similarly, requiring that all stacked permits have length endorsements that match vessel size would substantially limit the ability of larger vessels to stack permits. Additionally, as discussed for Provision 1, permit stacking will redistribute the utilization of fixed gear sablefish capacity among the vessels in the groundfish fleet while leaving the total amount of sablefish harvest unchanged. With respect to sablefish, it would appear to make little difference as to whether the fish is caught with longline gear or with pot gear, or from a larger or smaller vessel, the same amount of sablefish will be caught. Therefore, in terms of total measured sablefish catch, maintaining the gear distinctions between pot and longline vessels may have little value.

With respect to other groundfish species, maintaining the distinction between pot and longline gear may continue to be important. When two permits are stacked on a single vessel, capacity for other groundfish species will be removed from the limited entry fleet. For those other species, the question may be, for example, if a 50 foot fishpot vessel stacks a longline permit and is then allowed to use longline gear, does the fishpot vessel using longline gear have greater capacity to land nonsablefish groundfish than the longline vessel from which the permit was removed. Fishpot vessels generally target only sablefish and have little bycatch of other species. If the longline permit is for a much smaller vessel than the fishpot vessel, the addition of the fishpot vessel to the longline fleet could expand the limited entry longline fleet capacity to take non-sablefish groundfish (Option 2c). This expansion could be limited by allowing vessels to use the gear on the stacked permit only if the size endorsement on the stacked permit is adequate for the vessel (Option 2b). However, the size capacity relationship holds only very roughly when the gear is the same. If gear varies, the relationship may be even weaker, i.e. a 50 foot fishpot vessel may not have the same capacity as a 50 foot longline vessel. The potential for expansion could be eliminated by allowing vessels to use only the gear designated on their base permits (Option 2a).

Taking sablefish with fishpot or longline gear may make little difference in the total sablefish harvest. However, other differences between the gear types may be important (e.g., differences in the size distribution of sablefish taken and the mortality rates of discards associated with highgrading sablefish).

An option not given significant consideration here would be to require that a vessel harvest each tier limit with the gear specified on the stacked permit. Thus a vessel might be able to harvest 37,000 pounds with longline gear and 37,000 pounds with pot gear. Such a requirement would be very difficult to track and enforce and would be relatively easy to circumvent by misreporting gear types on the fish ticket.

There are very few permits with endorsements for both trawl and fixed gear. However, should one of these permits be involved in a stacking situation this provision recommends waiving the requirement that trawl permits be downsized when used on a vessel more than 5 feet shorter than specified on the permit. This waiver would be recommended to encourage consolidation in the fishery and would apply only if unstacking of the permits is allowed (Options 4b and 4c). Not waiving this requirement would create a disincentive for stacking trawl-fixed gear permits as the permit owner would face a financial loss from the reduction of the size endorsement on the trawl permit.

Provision 3: Limits on Stacking.

No more than 3 permits may be stacked on a single vessel. *The analysis will include discussion of other permutations such as 2 and 4 permit stacking limits.*

The amount of stacking that is likely to occur will depend on the season length (Provision 5). If short seasons need to be maintained to avoid the IFQ classification, then the amount of stacking will be limited

by the short time fishers will have to take their full limits. If the season is extended to six months, it is not inconceivable that the equivalent of 5 or more Tier-1 permits would be stacked on a single vessel (given current allocations to the fixed gear fishery).

Reduction of the fleet to a relatively few vessels would risk concentration of the sablefish fleet and harvest benefits into a relatively few coastal communities and processors. In a six month season, larger capacity vessels could easily harvest over a half million pounds. Some simple calculations based on year 2000 limits show that given unlimited stacking, harvest may be consolidated on fewer than 15 vessels. This is an overestimate of the minimum number of vessels, because under an extended season limits would decline by at least 20 percent, increasing the number of permits that would need to be stacked to harvest a half million pounds and decreasing the number of vessels in the fleet.

	Tier 1	Tier 2	Tier 3	Total
Number of Endorsements	31	44	89	164
Year 2000 Limits (Pounds)	81,000	37,000	21,000	
Reduced Limits Under an Extended Season	64,800	29,600	16,800	
Number of permits to be stacked to approximately reach 500,000 pounds	8	17	30	
Number of 500,000 pound harvesters that could be supported given unlimited stacking	4	2.6	3	10

Given this potential for the consolidation of permits under the long season scenario, the Council is considering an option to limit the number of permits stacked on a single vessel to three. For analysis purposes, information is also presented on stacking with limits of 2 and 4 permits. In general, with the limits on permit stacking, there would be many vessels unable to harvest at close to their full capacity, even if they stacked three Tier-1 permits.

	Limit on Number of Permits Stacked		
	2	3	4
Minimum Number of Vessels (Assuming Maximum Amount of Stacking)	82	55	41
Maximum Harvest for a Vessel (Based on Stacking 3 Tier 1 Limits of 64,800 pounds)	129,600	194,400	259,200
Number of Vessels Believed Capable of Harvesting the Above Specified Maximum During a 6 month Fishery	Most	Most	Most
Number of Vessels Believed Capable of Harvesting 500,000 pounds in a 6 month season	(To be provided.)		

Another alternative would be to vary the stacking depending on whether or not a Tier-1 permit was included among the stacked permits:

	Limit on Number of Permits Stacked	
	3 if a Tier 1 is included; 4 if no Tier 1 Permit is Stacked	3 if a Tier 1 is included; 5 if no Tier 1 Permit is Stacked
Minimum Number of Vessels (assuming maximum amount of stacking)	44	38

While limits on permit stacking may increase the minimum number of vessels on which harvest will be concentrated, it does not limit concentration of ownership. In particular, those who retain the opportunity to harvest without being present on board the vessel (are exempted by the Provision 7 on grandfathering) may acquire an unlimited number of permits and fish those permits on different vessels as long as they have some share in ownership of those other vessels (***under Provision 7 of the stacking proposal, the Council may wish to specify the share of vessel ownership required in order for permit owners to exercise their options under the Provision 7 "grandfather provision".***

Provision 4: Combination of Stacked Permits.

- Options:
- 4a. **Permits May Be Unstacked.** Permits that are stacked would retain their original length, gear, fixed gear sablefish and tier endorsements and could be transferred to other vessels in the future (i.e. stacked permits would not take on the gear and length endorsement of the vessel's designated base permit when unstacked).
 - 4b. **Permits May Not Be Unstacked and Tier Endorsements are Not Tradeable.** When permits are stacked on a single vessel they would be reissued as a single permit that could not be redivided and endorsements remaining on the permit would confer the fishing opportunities specified in Provisions 1 and 2. The length endorsement would be the length endorsement on the permit designated as the base permit.
 - 4c. **Permits May Not Be Unstacked and Tier Endorsements are Tradeable Among the Endorsed Fleet.** Same as Option 4b except that Tier endorsements could be transferred separate from the permit to another permit with a fixed gear sablefish endorsement. However, at least one tier endorsement must remain with the base permit. Permits would be limited to a maximum number of endorsements consistent with the maximum number of permits that can be stacked as specified in Provision 3 (a maximum of 3 endorsements per permit).

The stacking issue involves a balance between the incentive to stack and the degree to which consolidation is permanently locked in. If permits cannot be unstacked (Option 4b) individuals who stack permits would have to own the permits. As compared to freely stacking and unstacking (Option 4a), inability to unstack permits (Option 4b) would reduce future options for reorganizing business operations or liquidating some fishing privileges (i.e., impose a higher opportunity cost for stacking). While any gains from fleet consolidation would be permanently captured under a permanent stacking rule, the incentive for permit stacking would be less and hence the degree of consolidation less than if unstacking were allowed.

Some flexibility could be preserved if permits were stacked permanently but tier limits could be traded separately (Option 4c). This would make the system more like an ITQ program with sablefish trading in large blocks. The gains in capacity reduction for nonsablefish species would be locked in while flexibility in sizing the sablefish operations and expanding or contracting participation would be maintained. Additionally, the sablefish fleet could not be expanded because a minimum of one sablefish tier would have to remain with each permit. Thus a person with an unstacked permit could not sell the sablefish endorsement off the permit. Some consolidation of the sablefish harvesters would be locked in. When one permit is stacked with another, the number of sablefish endorsed permits would decline and the sablefish tier endorsements could only be traded to one of the remaining permits with sablefish endorsements.

Provision 5: Fishery Duration.

- Options:
- 5a. The fishery would extend over a number of months (the initial recommended season is April 1 thru Oct. 31). *There would be no preseason and postseason closures and vessels would be required to make their final deliveries prior to closure of the season. There would be no mop-up fishery.*
 - 5b. Current Situation: The fishery would continue to be managed as a modified derby followed by a mop-up. *The current preseason and postseason closures would continue to apply and vessels would be required to cease fishing upon closure of the fishery. Permits would have to be stacked before some deadline prior to the start of the seasons in order to provide analysts and the Council sufficient time to assess and recommend appropriate cumulative limits and season durations. The steps would include (1) setting the allocation in November, (2) making a preliminary estimate of season lengths and limits and setting season opening date in March, (3) a deadline for stacking of May 15, and (4) final season duration and limits set in June. (Seasons would be continue to be set short enough that many vessels would be unable to fully take the allowed catch. In recent years the season duration has been slightly more than one week. Maintenance of this abbreviated fishery has been necessary to prevent the program from being classified as an individual quota program. Such programs are currently prohibited under the Magnuson-Stevens Act.)*

Fishery duration will be one of the most important features determining the impacts of permit stacking provisions. If the current short seasons must be maintained to avoid individual quota classification (Option 5b), the amount of stacking will be less, new more complicated preseason procedures will have to be established, seasons would have to be shortened and more vessels would be pressed to harvest their limits in the allotted time, increasing safety concerns. More complicated preseason procedures would be created because the cumulative limits would be determined by the amount of stacking and season length. In order to know whether they wanted to stack permits, fishers would have to be provided with initial estimates of the cumulative limits. These initial estimates would then have to be adjusted after amount of stacking and season length is determined.

Under the longer season (Option 5a), every vessel would be assumed capable of fully taking its cumulative limit, therefore cumulative limits would not need to be adjusted to maintain overhead and avoid the IFQ classification. Moreover, the preseason openings and closures that affect all fixed gear vessels would no longer be required. For short seasons, these closures were needed to ensure that all vessels had a fair start and that the fishery could be closed at-sea (vessels cease fishing at the closure time but do not have to be in port).

If a longer season is allowed (Option 5a), there will be more stacking and consolidation in the fleet; there would be some involuntary reallocation with the decline in cumulative limits and with the elimination of the mop-up fishery (under which every vessel had an equal limit); opportunity for selective targeting or onboard highgrading of larger fish would increase; safety would improve; and preseason and post season closures would be unnecessary, simplifying the enforcement and management system (as previously mentioned). Highgrading may have positive or negative biological and economic consequences, depending on the degree of associated mortality and accurate measurement and accounting of the mortality (Section 3.2.1).

Under a longer season, permits may be transferred mid-season, unless the Council specifies otherwise. This would create a situation in which the buyer of a permit would be relying on the seller to inform him or her about the poundage already taken on the permit during the year. There is considerable delay between when fish tickets are filled out (complete with vessel information) and when those fish tickets are tied to a permit in the data base. To reduce this "buyer-be-ware" situation, sellers might be required to provide buyers with true and complete copies of all fixed gear sablefish fish tickets for the period prior to the transfer. To assist in enforcement, the buyer could be required to keep these fish tickets on board, along with the receipts for all landings by the vessel to which the permit is transferred.

Provision 6: At-Sea Processing.

Note that "processing," as defined under the West Coast groundfish FMP, includes such activities as freezing but **excludes heading and gutting**).

- Options:
- 6a. At-sea processing would be prohibited in the fixed gear sablefish fishery.
 - 6b. Current Situation: At-sea processing would be allowed in the fixed gear sablefish fishery. (Note: At-sea processing has not played a significant role in the fishery in recent years because of the short seasons in place since 1996.)

At one time there were some freezer-pot vessels and freezer-longline vessels that took sablefish off the West Coast. These vessels have not participated in the abbreviated seasons that generally characterized the fishery in the 1990s. Vessels generally deliver their catch to shoreside processors iced but not frozen. If permits can be stacked and the fishing season is extended (Option 5a), it is possible that freezer vessels may accumulate permits and return to the West Coast to take advantage of the flexible fishing opportunities. This would relocate processing jobs from smaller coastal communities to the freezer vessels and the offloading ports. Freezer vessels may draw their workers from many noncoastal and coastal communities and in the past have typically offloaded their catch in major city-ports such as Los Angeles. Prohibition of at-sea freezing would reduce the relocation of processing jobs and prevent on-shore off-shore allocation disputes from arising, such as the disputes that have occurred in the whiting fishery. However, if at-sea freezing is the most efficient way to harvest and process sablefish, the provision would also result in the loss of some economic benefit to the nation.

Provision 7: Owner-on-Board Provisions.

- Options:
- 7a. The permit owner would be required to be onboard the vessel during fishing operations, however there would be an exception for those owning permits as of the time the stacking program is established (*Question: Does this provision apply to permits that are not stacked?*)

Grandfathered Absentee Owners: Corporations, partnerships, and individuals who hold sablefish permits when stacking becomes permissible will not be required to be onboard the vessel on which the permit will be used, so long as they also own the vessel. These persons may acquire additional permits to stack with the permits they own, subject to accumulation caps, and still maintain their status under this provision. Additionally, this exemption from the permit-owner on board requirement will cease if there is any change in the identity of a corporation or partnership owning the stacked permits as follows:

A change in the identity of the corporation or partnership will be deemed to occur with a change in the corporate or partner membership, except a change caused by the death of a member providing the death did not result in any new members. Additionally, membership is not deemed to change if a member becomes legally incapacitated and a trustee is appointed to act on his behalf, nor is membership deemed to have changed if the ownership of shares among existing members changes, nor is membership deemed to have changed if a member leaves the corporation or partnership. Changes in the ownership of publicly held stock will not be deemed changes in ownership of the corporation.^{2/}

Emergency Exemption: NMFS may grant exemptions from this provision for medical and personal emergencies beyond the control of the permit owner.

- 7b. Current Situation: The permit owner would not be required to be on board the vessel during fishing operations.
- 7c. *Same as 7a, except that the onboard requirement would apply only when permits are stacked.*

Owner-on-board requirements were first discussed by this Council when a program was being developed for sablefish individual quotas. The intent of the owner-on-board requirements is to prevent control of the

2/ The North Pacific Fishery Management Council language did not address corporations with publicly held stock.

fishery from falling into the hands of absentee owners that are not part of the traditional fishing communities. Concern had been voiced about income leaving fishery dependent communities. Fishers voiced concern about becoming "share croppers" instead of having the opportunity to be independent fishers. The concern was that wealthy individuals would accumulate fishing rights and not be willing to sell the rights at prices fishers could afford, given the fishers levels of wealth, liquidity, and available collateral. These concerns may be more prominent in situations such as that proposed here where access rights can only be acquired in large lumps (the tier levels associated with limited entry groundfish permits).

In developing the owner-on-board provisions the Council was concerned about disrupting existing fishing practices. Therefore, a "grandfather provision" was created to allow those already in the fishery to continue to hire skippers to fish their vessels or use their fishing rights. Initially it appeared that the "grandfather" status could be maintained indefinitely or circumvented either through leasing or by transferring ownership of the business owning a permit without registering a name transfer for the permit. Therefore, two clauses were added. The first required that in order to be exempt from the owner-on-board provision, the fishing right owner also had to own the vessel, essentially preventing leasing of the fishing rights. The second provision defined a change in ownership to occur with a change in the composition of those owning the business that owned a permit (with the exception of companies that were publicly owned). All of these provisions (owner-on-board, leasing prohibition, and definition of a change in ownership) were modeled after the North Pacific Fishery Management Council individual quota programs for sablefish and halibut.

Requiring the permit owner to be on board the vessel will make it very difficult for individuals, corporations, or partnerships not qualifying under the grandfather provision to establish any kind of absentee owner relationship to the fishery. However, any corporation, partnership, or individual with a permit when the program is put into place will be able to buy more permits and vessels, hire skippers and circumvent the owner-on-board requirement. The difficulties of getting all members of some corporations or partnerships on board a vessel would restrict the business organization opportunities for fishers that had not set themselves up in corporations or partnerships prior to the creation of the permit stacking program. The permit would have to be transferred into the name of a single individual who could always be on board and that individual would have to be at least part owner of the vessel. The option of requiring the permit owner to be on board only when permits are stacked (Option 7c) may achieve the objective of limiting the growth in absentee ownership in the fishery while maintaining business organization options for owners that do not choose to stack permits.

The option requiring a permit owner be on board the vessel would effectively create two classes of people: those grandfathered in, who would be allowed to designate skippers to use their permits either in response to temporary conditions (e.g., sickness, injury, vacations, conflicting business activities) or to become absentee owners, and those who must be on board their vessel at all times while their permit is being used, except when excused for unspecified personal emergencies by the NMFS. Traditional fishing practices have involved a certain amount of leasing and absentee interests in vessels and permits. These practices provide flexible business conditions that can facilitate gradual transitions into or out of the fishery or adjustment to other changing circumstances of the fishing business. Leases provide access to capital and, for those who lease assets out, the leasing may provide an important part of the income for their overall fishing operations. In general, regulations that reduce flexibility reduce efficiency (net benefits).

Requiring the permit owner to be on board would rule out the acquisition of sablefish harvest privileges by municipalities or other non-fishing entities for the purpose of stabilizing local economic activity.

Requiring the permit owner to be on board could lead to increased discards of sablefish if a mixed species fishery that includes some sablefish is pursued while the owner is not on board.

Provision 8: Nonsablefish Cumulative Limits.

The stacking of permits with sablefish endorsements would not allow vessels to harvest more than one cumulative limit for non-sablefish species.

The stacking proposal would allow the stacking of limits for only the most lucrative of the fixed gear groundfish species, sablefish. Sablefish management has been the primary fixed gear fleet issue occupying Council time and attention. Because sablefish is so lucrative, it is expected that permits would be stacked even if stacking does not confer the opportunity to harvest more cumulative limits for other species. The consolidation in the limited entry fixed gear fleet may result in greater per vessel cumulative limits for nonsablefish species than would have otherwise occurred.

If cumulative limits for nonsablefish species are also stacked, there may be even greater incentive to stack permits. However, stacking within the tiered system takes some account of differing production levels among vessels. Stacking where every vessel has an equal cumulative limit could result in more substantial expansion of catch rates as permits flow from less active to more active vessels. One of the consequences would be a decline of cumulative limits for vessels that do not stack permits. If stacking of nonsablefish cumulative limits is to be allowed, additional provisions would have to be developed for permits without sablefish endorsements.

Provision 9: Vessels Without Sablefish Endorsements.

- Options:
- 9a. *Current Situation: The limited entry daily-trip-limit fishery for vessels without sablefish endorsements would be closed during the primary fixed gear sablefish fishery.*
 - 9b. *The limited entry daily-trip-limit fishery for vessels without sablefish endorsements would be allowed to run at the same time as the primary fixed gear sablefish fishery.*

The original prohibition on harvest by fixed gear limited entry vessels during the primary fixed gear sablefish fishery was an attempt to simplify the situation for enforcement. Given the brevity of the primary fishery and that the daily-trip-limit fishery was managed with two-month cumulative limits, there was plenty of opportunity for limited entry fixed gear vessels without sablefish endorsements to make up fishing time lost during a closure for the primary fishery. The effort to simplify enforcement was not entirely successful because the open access daily-trip-limit fishery was allowed to run during the primary fishery. If the season length is extended to seven months (Option 5a), the limited entry fixed gear vessels without sablefish endorsements would be prohibited from fishing during the period when most of their catch is taken. Given this changed situation, the Council should reevaluate the balance between adverse impact to the unendorsed fleet and the additional enforcement burden and either reconfirm the current prohibition or make an adjustment such as that suggested in Option 10b.

3.2 Biological Impacts

The total allowable harvest will not change with stacking. Management problems with biological implications will vary depending on whether the fishery is managed under extended season (Option 5a) or as a modified derby (Option 5b).

3.2.1 Highgrading

The Problem

When there is a price-per-pound differential between different sizes of fish there may be incentive to highgrade. For sablefish, highgrading involves discarding small sablefish in order to retain larger sablefish. The degree to which this presents a biological problem is related to the discard mortality rate and the degree to which discard mortalities are not accounted for in stock assessment. If discard mortality is properly estimated and allowed harvest properly adjusted and controlled, the problem is more one of economic wastage than conservation.

When the situation is such that a vessel can take its limits with additional fishing time leftover, it is possible that the net revenue from continuing to fish and highgrade for larger fish may be greater than the net revenue from switching effort to the next best fishery. Highgrading has been reported for some fisheries

(e.g., IFQ in New Zealand) and appears to be minimal for other fisheries (e.g. halibut and sablefish fisheries in Alaska) (NRC, 1990). An economic calculation using IPHC data from the halibut fishery indicated that highgrading the smallest halibut out of a 75,000 pound catch would increase revenues by \$5,300 (3.7%). Achieving this additional \$5,300 of revenue would require catching an additional 18,217 pounds of halibut to replace the 14,600 pounds of small fish discarded (NRC, 1990). This is the equivalent to extending the length of a trip and incurring related effort costs in order to harvest a fish that would bring \$0.296 per pound (\$5,300/18,217) at a CPUE similar to that in the halibut fishery. A similar analysis conducted for this Council in 1994 showed that highgrading sablefish would yield gross revenues similar to catching a fish that would bring between \$0.20 and \$0.27 per pound dockside, depending on the price differential between size categories (Council, 1994).^{3/} Whether or not highgrading is worthwhile depends on the price spreads between different size categories of sablefish and the ratios in which different sized fish are caught. If time constraints and grounds crowding are relieved, fishers are better able to target on larger sablefish (reduce the proportion of small sablefish in their catch), there is an increase in the gross revenue per pound of fish caught to replace discarded fish. In the 1994 Council analysis, a one third reduction in the extra small category (from 54% to 36% of the catch) increased the expected gross revenue per additional pound caught from the \$0.20 to \$0.27 range to a \$0.28 to \$0.38 range. In order to determine whether these incentives to highgrade are significant, the question to be answered is whether once out on the grounds would fishers deploy some additional gear if there were an opportunity to harvest additional fish in the price ranges just discussed.

Fishery evidence shows that at a minimum, the average size of fish landed is substantially greater in slower paced West Coast fixed gear sablefish fisheries (Table A and following).

Assumed distribution of sablefish sizes after distribution of "unspecified grade" fish using average price for all landings of the same condition and size, based on data from the 1999 fishery.

	Daily-Trip-Limit Fishery		Three-Tiered Fishery		Mop-Up Fishery	
Large	22.0%	63.6%	11.0%	43.1%	22.2%	61.2%
Medium	41.7%		32.0%		39.1%	
Small	30.1%	36.4%	42.0%	56.9%	32.8%	38.8%
Extra-Small	6.2%		14.9%		6.0%	

Such highgrading may be achieved either through discarding from the deck/side or by targeting on larger fish that may be caught in certain geographic locations or in complexes with other species. It has also been suggested that pot vessels may highgrade by adjusting the mesh size in the panels. Fishers may have more ability to target larger size fish when there is less competition on the fishing grounds. Sablefish do not have swim bladders and anecdotal evidence from fishers suggests that discard mortality rates for sablefish taken in the fixed gear sablefish fishery are relatively low. The most important conservation issue is whether highgrading results in discard mortality and if so whether that discard mortality is properly accounted for in the management process. If highgrading for larger fish can be achieved with little or no discard mortality, the reduction of the amount of smaller fish in the harvest could increase the average annual growth rate of the sablefish biomass.

Status Quo

Under status quo management, some vessels are able to easily take their cumulative limit in the time allotted by the regular opening of the primary fishery and most vessels can easily take their cumulative limits in the time allotted for the mop-up fishery. For these openings and vessels, highgrading may be an issue.

3/ This analysis used size composition reported by Washington port samplers in the early 1990s and prices from 1991-1993.

Stacking for an Extended Season (Option 5a)

In an extended season of 6 months, most vessels would likely have ample opportunity to harvest their limits within the allotted time, even for vessels that stack permits. Highgrading would be expected to increase if it is economically viable and provides more net revenue than the next best fishing opportunity.

Stacking for a Modified Derby (Option 5b)

If a short season must be maintained to avoid the IFQ classification, season length would likely be reduced as compared to status quo (see Appendix A). This would reduce the amount of excess time for any vessels that do not stack permits, reducing the opportunity for highgrading. Similarly, vessels that do stack permits would spend more time catching their limits and have less time for highgrading.

Relation to Other Aspects of the Stacking Proposal

The ability to stack pot and longline permits on a single vessel may result in a shift in the proportions of fish caught by each gear type. If one gear type is more conducive to unmeasured discard mortality from highgrading than the other gear type, there may be some effect on highgrading (either positive or negative) from allowing the two permit types to be stacked on a single vessel.

3.2.2 Unreported and Underreported Landings

Unreported or underreported landings can result in harvest in excess of target harvest levels, resulting in conservation problems for the stock.

The incentive and opportunity for cheating is greatest when a vessel has not yet fully taken its cumulative limit. In such a situation, the window of highest vulnerability to detection is relatively brief: the period of time between when the landing paperwork is completed and the fish is mixed with other landings of sablefish in a plant or shipped out of the landing area. The sablefish in a plant may include fixed gear, open access and trawl landings. For plants handling large volumes of sablefish, cheating by some vessels may be hidden as slightly higher than average recovery rates.

Status Quo

Under status quo management, many vessels have capacity far in excess of that needed to take the available cumulative limits during the season. For such vessels, advantage may be gained by underreporting the vessel's first landing(s) so that more fish may be landed later in the season, however, the opportunity for making additional landings is very brief.

Stacking for an Extended Season (Option 5a)

Incentives and opportunities for cheating under an extended season would be similar to those available for other groundfish species under the current cumulative limit managements system. The additional harvest opportunity gained by underreporting a particular landing would be available over several months. The primary difference in incentives for the fixed gear sablefish fishery as compared to other groundfish fisheries managed under cumulative limits is that the fixed gear sablefish is more valuable on a per pound basis than most other groundfish species, hence there may be a greater incentive for underreporting.

Stacking for a Modified Derby (Option 5b)

Stacking of permits would shorten the season. Both vessels that stack and do not stack permits will have less time to harvest the additional fish needed to take advantage of underreporting their landings. Thus with stacking and continued short seasons, the amount of incentive for underreporting would decline.

3.2.3 Collection of Biological Samples

An increase in at-sea dressing (heading and gutting) may make it more difficult to collect biological samples. Increased dressing at sea might be expected if the fishing season were extended, giving vessels more time to harvest their allotted limits (Option 5a). Table B shows that in 1996, landings for which condition was reported had more at-sea dressing during the daily-limit-fishery and mop-up than during the regular derby season (however, it should be noted when fish with unreported condition of landing are included in the calculation, the proportion of dressed fish increases during the derby season). Allowing the stacking of permits without relieving the individual quota constraint (Option 5b) may shorten the season, focusing more attention on completely harvesting the vessel limits than spending time dressing fish.

3.3 Social and Economic Impacts

3.3.1 Season Duration and Vessel Allocation

The stacking of permits would affect the allocation of fish among vessels and season duration. The basic stacking provision (Provision 1) would provide an opportunity for voluntary reallocation of fish among vessels.

Base Permits and Gear Usage (Provision 2)

Administratively, the easiest way to create a stacking program would be to associate the current cumulative limits with the permit rather than the vessel. However, with 132 longline permits and only 31 pot permits having sablefish endorsements (and hence sablefish tier endorsements), pot permit holders who wanted to stack would be at a considerable disadvantage in finding permits of the same gear type. Similarly, permits for large vessels are fewer in number than those for small vessels, thus owners of large vessels would be at a disadvantage compared to smaller vessels.

There is a groundfish fleet capacity reduction advantage to be gained from the stacking of permits. When permits are stacked, while usable harvest capacity in the fixed gear sablefish fishery will remain constant, limits for other groundfish species will not be combined. Thus, if three permits are stacked, where there was previously a potential for three vessels with cumulative limits for groundfish species other than sablefish, only one vessel will remain. To provide a more consistent opportunity for stacking across the fleet and to encourage stacking, Provision 2 would eliminate any length endorsement requirement for stacked permits (so long as one permit had the proper length endorsement) and provide three options for flexibility in the fixed gear to be used when permits are stacked.

Limits on Stacking (Provision 3) and Owner-on-Board Provisions (Provision 7)

Vessels would be able to increase their share of the catch by stacking up to three permits (Provision 3) except to the degree that their harvest share is constrained by season length (Option 5b). The limit on stacking permits is not an ownership limit. Therefore a single person could control and fish more than three permits. Owner-on-board requirements (Provision 7) would make fishing multiple vessels more difficult during short seasons (Option 5b), but during a longer season (Option 5a) the permit owner could move between vessels to fish multiple permits. Additionally, the owner-on-board provision would not apply to current permit holders. Therefore, current owners would be less constrained in accumulating larger shares of the harvest by leasing permits to other vessels.

Combination of Stacked Permits (Provision 4) and Nonsablefish Cumulative Limits (Provision 8)

When permits are stacked there would be some capacity reduction for nonsablefish species in that the stacked permits would confer the opportunity to harvest more sablefish but not more of other groundfish species. If stacked permits have been used by vessels to target other species there could be some reallocation of nonsablefish groundfish harvest toward other vessels. Under Option 4a, permits could be unstacked and capacity for targeting groundfish reintroduced. Preventing permits from being unstacked (Option 4b), or allowing only sablefish endorsements to be traded off stacked permits (Option 4c), would

permanently capture the reduced harvest capacity. On the other hand, the permanency of the decision to stack increases the investment risk of stacking and thus may reduce the amount of stacking which occurs. Allowing tier endorsements to be traded but requiring the permits remain stacked (Option 4c) would provide more investment flexibility than Option 4b while still capturing any gains in capacity reduction for nonsablefish groundfish.

Fishery Duration and Cumulative Limits (Provision 5)

Under Option 5a, there would be a shift of harvest toward lower capacity vessels. Under status quo, seasons are set short enough that vessels with small capacity relative to their cumulative limits are unable to take all of their cumulative limits in the allotted time. Managing to ensure cumulative limits are not a guaranteed amount of fish that vessels are able to harvest distinguishes the current management system from an individual quota system. If every vessel fully harvested its cumulative limit, harvest would exceed the amount allocated to the limited entry fixed gear primary fishery by an amount that has been termed "overhead." The overhead has generally been set at 25% of the expected harvest. The lengthened season under Option 5a provides opportunity for every vessel to take its full cumulative limit, thus cumulative limits would have to be reduced (overhead eliminated) so that the allocation to the fishery is not exceeded. Cumulative limits would decline by about 20%. This would imply a reduction in harvest opportunity for vessels able to take close to their full cumulative limits under the short status quo seasons and an increase in harvest opportunity for vessels that harvest substantially below their cumulative limits during the status quo season.

Under Option 5b, there would be a shift toward higher capacity vessels that stack permits and away from lower capacity vessels. Tier cumulative limits would not change substantially, however, season length would decline. Example modeling for the year 2000 indicated that season length might be reduced from nine days to seven or eight days if permit stacking were allowed under the current moratorium on individual quota programs (permit stacking were allowed but season lengths had to be set to maintain overhead, Table 3 in Appendix A). The reduction in season length would adversely impact lower capacity vessels not able or just able to take their cumulative limits in a nine-day fishery.

Prohibition on At-Sea Freezing (Provision 6)

Prohibitions on at-sea freezing would prevent a shift of shore based processing operations to at-sea vessels (Option 6b). Currently, landing codes on fish tickets show no at-sea freezing is occurring.

Limits on the Number of Transfers Per Year (Provision 9)

In addition to simplifying harvest tracking and enforcement, the limit on the number of transfers per year has a capacity reduction effect such that a vessel owner must choose to forego all groundfish fishing for a year if a permit is leased. This makes it somewhat more costly for a vessel choosing to forgo the sablefish fishery in a given year in favor of an alternative fishery (e.g. tuna) to lease out its permit. Increasing the probability that a permit may remain dormant for a sablefish opening shifts allocation to active vessels. In an extended season (Option 5a), the likelihood that vessels would have to choose between the fixed gear sablefish fishery and other fisheries would be substantially reduced, reducing the capacity reduction and allocational effect of the limit on number of transfers per year.

Vessels Without Sablefish Endorsements (Provision 10)

Under status quo management, limited entry fixed gear vessels without sablefish endorsements are not allowed to harvest daily-trip-limits during openings of the primary fixed gear fishery. Because of the monthly cumulative limits that apply to the daily-trip-limit fishery, the loss of fishing time during the primary season openings is easily made up when the primary fishery is closed. If the primary season is extended to 6 months, the restriction prohibiting harvest by these unendorsed vessels during the primary fishery may severely constrain their harvest, allocating fish away from those unendorsed vessels most active during the extended primary season (proposed as April 1 through October 31, Option 5a). An alternative would be to allow fixed gear limited entry vessels without sablefish endorsements to fish their daily-trip-limits during the

primary fishery (Option 10b). The primary reason for not allowing these two segments of the fleet to operate concurrently was the additional complexity that would be added to the enforcement task. However, given that the open access fleet is allowed to continue to harvest its daily sablefish limits during the primary fishery there is likely a minimal additional detrimental impact on enforcement efforts from allowing between 70 and 80 other fixed gear permitted vessels to fish daily limits concurrently with the sablefish endorsed fleet's primary season.

3.3.2 Equity

National Standard 4 dictates that allocations be made in a fair and equitable manner. Because of the wide-ranging views in our society about what constitutes equitable allocation, there are not widely accepted standards against which an objective analysis can conclude that one allocation decision is more fair and equitable than another. There are no widely accepted measuring sticks for equity similar to those for evaluating such factors as efficiency. Therefore, analysis is limited to pointing out the major decision which would likely affect the allocation, perceived fairness and equity of a limited entry system and the rationale for those decisions. It will be up to each individual involved in the process to evaluate for him or herself whether the alternative adopted is, or would be evaluated by the general public to be, on the whole, fair and equitable.

3.3.3 Income and Employment

Effects on income and employment are discussed below in sections on groups affected. In particular the effects are discussed in sections on crew and communities. In general, a system which generates more efficient use of resources to generate the same amount of production will lead to an increase in income. Permit stacking is expected to have this effect, more so if Option 5a is selected than if Option 5b is selected. The amount of associated employment may, however, go up or down.

3.3.4 Relative Bargaining Strength

The main change in relative bargaining strength would occur if the season for fixed gear sablefish were extended (Option 5a). An extended season would give harvesters more delivery alternatives increasing the pressure on processors during price negotiations.

The owner-on-board requirement (Option 7a) would effectively prevent vertical integration into the harvesting sector by processors that do not currently own permits (assuming that the processors are not owned by a single individual willing to go to sea during sablefish harvest operations). Those processors that currently own a permit could continue to acquire additional permits and vertically integrate to secure control over a supply of sablefish.

The additional harvest flexibility and harvest certainty provided by an extended season (Option 5a) will likely increase the value of permits with tier endorsements. Those holding these permits will be made wealthier and thus will be more able to control and acquire additional permits for stacking.

(Following sections to be completed.)

3.3.x Safety

3.3.x Windfall Profits

3.3.x Fisher Job Satisfaction and Life Style

3.3.x Risk of Foreign Control

3.3.x Privatization of a Public Resource

- 3.3.x Entry and Exit**
- 3.3.x Geographic Distribution**
- 3.3.x Enforcement Costs**
- 3.3.x Administrative Costs**
- 3.3.x Council Workload and Process**
- 3.3.x Benefit-Cost (Efficiency) Analysis**
- 3.3.x Effects on Other Fisheries**
- 3.3.x Summary of Effects on Groups**

Include processors.

4.0 Other Applicable Law

4.x Small Business Impacts (Regulatory Flexibility Act)

The actions considered in this document may have significant impacts on small entities. Public comment is invited on adjustments that would reduce the impacts on small entities and on whether the analysis adequately takes impacts on small entities into account.

5.0 References

Council, 1994 (Supplemental IFQ Analysis)

NRC, 1999

TABLE A. Amounts of 1996 fixed gear sablefish catch by condition and size category for the daily-trip-limit, derby, and mop-up fishery.^{a/}

	Daily Trip Limit	Derby	Mop-Up
Dressed Condition			
(percent of all dressed condition fish, excluding unspecified size)			
Large	7%	3%	8%
Medium	27%	20%	27%
Small	64%	57%	54%
Extra-Small	3%	20%	10%
Pounds of Dressed Condition and Specified Size	237	2,077	244
Unspecified Size as a Percent of Total Dressed Pounds	4%	3%	4%
Round Condition			
(percent of all round condition fish, excluding unspecified size)			
Large	39%	1%	17%
Medium	26%	3%	50%
Small	29%	91%	33%
Extra-Small	6%	4%	0%
Pounds of Round Condition and Specified Size	31	143	18
Unspecified Size as a Percent of Total Round Pounds	49%	85%	68%
Unspecified Condition			
(percent of all unspecified condition fish, excluding unspecified size)			
Large	15%	16%	0%
Medium	54%	71%	83%
Small	31%	13%	17%
Pounds of Unspecified Condition and Specified Size	123	408	53
Unspecified Size as a Percent of Total Unspecified Condition Pounds	70%	60%	64%
Dressed, Round, and Unspecified Combined			
Pounds			
Large and Medium	184	830	143
Small and Extra-Small	190	1,798	172
Percent of Total (excluding unspecified sizes)			
Large and Medium	49%	32%	45%
Small and Extra-Small	51%	68%	55%

a/ All poundage are expressed in round pound equivalents.

TABLE B. Amounts of 1996 limited entry fixed gear sablefish catch, by condition category for the dail- trip-limit, derby, and mop-up fishery.

	Daily-Trip-Limit	Derby	Mop-Up
Total Pounds Landed, by Condition Category	Thousands of Pounds		
Dressed	248	2,150	254
Round	80	970	57
Unspecified	496	1,016	148
Total	824	4,136	459
Portion of Specified Condition Pounds Landed, by Condition Category	Portions		
Dressed	0.76	0.69	0.82
Round	0.24	0.31	0.18
Portion of Total Pounds Landed, by Condition Category			
Dressed	0.30	0.52	0.33
Round	0.10	0.23	0.70
Unspecified	0.60	0.25	0.60

APPENDIX A

Supplemental GMT Report D.15.
June 2000

PRELIMINARY EVALUATION OF THE EFFECTS OF PERMIT STACKING ON SEASON LENGTH AND LIMITS IN THE THREE-TIERED, LIMITED ENTRY, FIXED GEAR FISHERY FOR SABLEFISH

Prepared by Dr. James Hastie
of the National Marine Fisheries Service Northwest Fisheries Science Center

The draft version of the Strategic Plan presented to the Council at this meeting identifies the development of a voluntary stacking program for the three-tiered sablefish fishery as a high priority. In support of that discussion, this document summarizes the results of a modeling exercise intended to provide insight into the changes in season length and cumulative limits that would be required to maintain the desired level of "overhead" in the fishery. As such, this analysis is predicated on the assumption that the moratorium on new IQ programs remains in force.

If the moratorium were to lapse in 2000, a season length of at least two months would be anticipated in 2001. Since season length would be far less constraining under those circumstances, the number of permits that might reasonably be used for stacking would be higher and the distribution of stacked permits would be quite different than portrayed in this analysis. Without the need for overhead, cumulative limits would fall to the point where the cumulative limits times the number of endorsed permits in each tier equaled the target poundage for the fishery. Given the current target, the Tier 1 limit would be 66,510 pounds, with limits for Tiers 2 and 3 roughly 30,000 pounds and 17,000 pounds, respectively. A conservative expansion of the currently estimated permit catching capacities to reflect a 2-month season suggests that at least 62 permits could catch at least 200,000 pounds--about three Tier-1 limits--in that amount of time. Of course, this represents the ability of these 62 permits to catch the equivalent of 186 Tier-1 limits, and there are only 164 sablefish-endorsed permits, and just 27 of those are Tier 1. Given this circumstance, the ultimate disposition of stacked permits in a two-month fishery without overhead considerations would be highly uncertain.

In the modeling scenario developed for this analysis, 30 permits are assumed to be stacked in a fishery with the same target poundage as in 2000. The primary criterion used in determining which permits would add an additional permit was the poundage difference between the estimated catching capacity of the permit and the amount of its current cumulative limit. The degree to which that catching capacity has actually be utilized in recent fisheries was also considered. Determining which permits would be included in the group providing the stacked permits was more complicated. Factors included in developing a ranking permits according to their likelihood of being stacked included 1) the difference between a permit's current limit and its projected landings; 2) the difference between a permit's current limit and its recent sablefish landings; 3) the value of its sablefish limit poundage relative to recent earnings from other groundfish and non-groundfish species; and 4) ownership of multiple permits and whether any such permits are currently leased.

To simplify the modeling, no more than one permit was stacked on any other, and the original permit attached to a vessel was always retained by that vessel if it remained in the fishery. In other words, a vessel currently having a Tier-2 permit was only evaluated with regard to adding another permit, not with regard to selling it and buying two Tier-3 permits. The analysis does not evaluate how many permits would be stacked if the opportunity were available. No consideration of the cost of obtaining permits or the effects of doing so on vessel profitability was included. Permits selected to add another permit were assigned a permit from a tier having a limit poundage that was less than, or near, the estimated difference between their catching capacities and existing limit poundages.

The number of 30 stacked permits was selected, during the evaluations described above, because it did not appear that many more permits would have an ability to make full use of an additional limit, given the time constraints placed on the fishery. Therefore, 30 probably represents a reasonable estimate of the largest number of permits that would be stacked under a voluntary program subject to existing overhead

considerations. Uncertainties regarding the limit poundage that would be realized through stacking, as well as the time that would be available to catch it, could discourage some potential stackers from doing so. Additionally, market conditions might be such that the expected financial benefits from stacking would not exceed the costs of permit acquisition for many vessels that have the physical capability of landing additional limits. Because those who acquire additional permits to stack will be buying permits conveying access to a suite of groundfish species--not just sablefish--the status of rockfish allocation, fixed gear rockfish endorsements, changes in groundfish limits for 2001 (and beyond), and the ability to obtain higher rockfish limits through stacking will also affect the willingness of individuals to purchase permits for stacking. On the basis of current ownership of multiple permits and permits that have few or no landings in recent fisheries, a reasonable estimate for the minimum number of stacked permits would be in the 7-10 range.

Table 1 provides a summary of permit shifts used in this scenario. The pool of 30 stacked permits is drawn from all three tiers: three from Tier 1, nine from Tier 2, and 18 from Tier 3. This represents about 11% of the Tier-1 permits, and about 20% of the permits in each of the other tiers. The stacked Tier-1 permits were distributed to one permit in each of the three tiers. Of the 9 stacked Tier-2 permits, three went to Tier-1 permits, two to Tier-2 permits, and four to Tier-3 permits. Of the 18 stacked Tier-3 permits, three were assigned to Tier-1 permits, seven to Tier-2 permits and eight to Tier-3 permits.

Each of the two models used to provide recommendations for the 2000 fishery (Attachment D.6.a.) was used to project limit size and season length under this assumed distribution of permits. Table 2 summarizes the overhead results using these model configurations, with the addition of stacking. Also, the last row shown for each model indicates the estimated amount of overhead if this stacked fleet were provided with the season length and limits recommended for the 2000 fishery (with that model). The right-hand columns illustrate the difference in the contribution to estimated overhead between the group of permits fishing a single limit and those fishing two.

Table 3 provides a more detailed summary of limit amounts, season lengths and overhead for the two model configurations. For each case, the 2000 model results without stacking are provided first, for comparative purposes. With stacking, an 8-day fishery, under Model 1, would meet the worst-case overhead goal of exceeding 15%, however the expected overhead is slightly below the current minimum target of 25%. As a result, both models indicate that in order to meet both overhead standards, the fishery would need to be constrained to seven days. This would represent a reduction of two days from the 2000 Model-1 recommendation and one day from the Model-2 recommendation. Due to the greater reduction in length under Model 1, the limits available for a seven-day fishery with 30 stacked permits would be about 6% higher than recommended for a nine-day fishery in 2000. Because the eight-day scenario is so close to achieving the overhead objectives, reduction of another full day produces much higher overhead than necessary (41%). Projected limits for seven days under the more conservative Model 2 are lower than the Model-2 recommendations for 2000, but the estimated overhead is closer to the minimum standards.

Assuming that sufficient overhead will continue to be a concern, the difference between these results and projections for the 2000 fishery underscores the need for a management structure which will allow final parameters for the fishery to be determined after a deadline has passed marking the close of permit stacking that can be utilized during that year's fishery.

TABLE 1. Distribution of three-tiered sablefish endorsements in the hypothetical modeling of 30 stacked permits.

	Original tier assignment			Total
	1	2	3	
# of Tier 1 endorsements after stacking	25	1	1	27
# of Tier 2 endorsements after stacking	3	36	4	43
# of Tier 3 endorsements after stacking	3	7	84	94
Total endorsements after stacking	31	44	89	164
# of stacked permits	3	9	18	30
Tier 1 only	17			17
Tier 2 only		24		24
Tier 3 only			63	63
Tier 1+1	1			1
Tier 1+2	3	1		4
Tier 1+3	3		1	4
Tier 2+2		2		2
Tier 2+3		7	4	11
Tier 3+3			8	8

TABLE 2. Comparison of estimated overhead for the entire fleet with values for vessels stacking permits or fishing a single permit in the hypothetical stacking scenario.

	Fleet Overhead	Overhead among Vessels With:	
		Stacked Permits	Single Permits
Model 1 configuration			
8 days	22%	9%	33%
7 days	41%	18%	61%
9 days and 2000 limits	19%	8%	26%
Model 2 configuration			
7 days	30%	10%	46%
8 days and 2000 limits	25%	8%	38%

TABLE 3.--Comparison of recommendations for the duration and cumulative limits for the 2000 primary fishery with projections for a fishery in which 30 underutilized permits were stacked.

	Tier 1	Tier 2	Tier 3	Total	Worst Case (1-day differential)
# of permits	27	43	94		
Model 1: (less conservative)					
with a general landings reduction of 1% and landings reductions for permits not fishing in [1999:1998:1997] of (30%:20%:10%) and/or landings reductions for achieving less than [50%:70%] of their available 1999 limit (20%:10%)					
Tier-specific capacity reductions	2%	13%	33%		
Model results for the 2000 fishery					
Duration				9 days	
Cumulative Limit	81,278	36,731	21,101	5,757,435	5,757,435
Expected landings	68,009	29,664	14,774	4,500,524	4,711,315
Overhead	20%	24%	43%	28%	22%
Model results with 30 stacked permits					
Duration				8 days	
Cumulative Limit	77,753	35,139	20,186	5,507,774	5,507,774
Expected landings				4,496,899	4,711,315
Overhead				22%	17%
Duration				7 days	
Cumulative Limit	86,054	38,890	22,341	6,095,734	6,095,734
Expected landings				4,309,769	4,711,315
Overhead				41%	29%
Model 2: (more conservative)					
with a general landings reduction of 2% but smaller landings reductions for permits not fishing in [1999:1998:1997] of (20%:10%:10%)					
Tier-specific capacity reductions	4%	15%	35%		
Model results for the 2000 fishery					
Duration				8 days	
Cumulative Limit	85,712	38,735	22,252	6,071,510	6,071,510
Expected landings	64,706	29,083	14,817	4,390,424	4,711,315
Overhead	32%	33%	50%	38%	29%
Model results with 30 stacked permits					
Duration				7 days	
Cumulative Limit	80,095	36,197	20,794	5,673,622	5,673,622
Expected landings				4,355,905	4,711,315
Overhead				30%	20%

APPENDIX B

Needed Changes to Groundfish FMP

This appendix outlines changes to the FMP text that would be needed to implement those aspects of the stacking alternative that would require an FMP amendment (see Section 1.6). Text to be added is highlighted in bold italics and text to be deleted is struck through.

Existing FMP Language Authorizing Permit Stacking

Section 14.2.4 of the FMP authorizes the stacking of permits and reads as follows (bolded text added as part of Amendment 13):

14.2.4 Ownership Restriction and Changes in Ownership

1. Only entities (human beings, corporations, etc.) qualified to own a U.S. fishing vessel may be issued or may hold (by ownership or otherwise) an LE permit. (Foreign ownership of LE permits should be limited to the maximum degree possible given what is allowed under the law.)
2. Ownership of a permit will be considered to change when there is an ownership change on U.S. Coast Guard documents, however, an owner can submit documents to demonstrate that the controlling interest has not changed and therefore the change in documentation is not a change in ownership.
3. **An entity qualified to hold an LE permit may hold more than one LE permit. If the Council authorizes a LE permit stacking program, in which a vessel could use more than one permit simultaneously, each LE fishery participant would be required to hold at least one LE "base" permit. An LE base permit is the initial permit necessary to participate in the LE fishery, and subject to all of the requirements described herein for LE permit ownership qualifications, and gear and length endorsements. Requirements and additional priorities for permits "stacked" on to base permits may be authorized in a federal rulemaking.**

Any Provision 2 Stacking Option Combined with Option 4a of the Stacking Alternative

Section 14.2.4 gives the Council the authority to create a permit stacking program, however, Provision 2 of the stacking alternative specifies that where a trawl endorsement is involved in permit stacking (i.e. a permit has both a trawl endorsement and at least one fixed gear endorsement), if permits can be unstacked (Option 4a), the downsizing requirement for trawl permits will be waived. The following the changes to the FMP needed to implement any Provision 2 option combined with Option 4a.

14.2.7 Size Endorsement Will Specify the Vessel Length

The LE permit will be endorsed with the length overall (as defined for purposes of U.S. Coast Guard documentation) of the vessel for which the LE permit is initially issued. The length for which the LE permit is endorsed will be changed only when LE permits are combined, as per Section 14.2.10, or, in the case of LE permits endorsed for trawl gear, when the size of the vessel used with the permit is more than five feet less than the originally endorsed length. In the latter case, the LE permit will be reissued with a size endorsement for the length of the smaller vessel. ***Regulations may be promulgated to waive this downsizing requirement if the permit was transferred to a smaller vessel for the purpose of stacking (See Section 14.2.4 paragraph 3).*** Vessels which do not have documents stating their length overall will have to be measured by a marine surveyor or the U.S. Coast Guard and certified for that length.

14.2.9 Transfer of an LE Permit to Different Owners or Vessels of the Same Owner

3. LE permits may be used with vessels greater in length than the endorsed length provided the increase does not exceed five feet of the endorsed length. Original size endorsements will change only when LE permits are combined as per Section 14.2.10, or when an LE permit with a trawl endorsement is transferred to a vessel five feet less in length than the endorsed length. In the latter case, the LE permit will be reissued with a size endorsement for the length of the smaller vessel. ***Regulations may be promulgated to waive this downsizing requirement if the permit was transferred to a smaller vessel for the purpose of stacking (See Section 14.2.4 paragraph 3).***

Option 4c of the Stacking Alternative

Section 14.2.4 gives the Council the authority to create a permit stacking program and require that once permits are stacked they cannot be unstacked. However, tier limits are associated with the sablefish endorsement. In order to allow tier limits to be transferred separately from the sablefish endorsements, as specified in Option 4c, Section 14.2.6 paragraph 4 of the FMP would be amended to read:

4. ***If permits are stacked such that a single permit has multiple sablefish endorsements, sablefish endorsements and associated cumulative limits may be transferred to other sablefish endorsed permits so long as at least one sablefish endorsement and associated tier limit remains with the permit. Fixed gear sablefish endorsements may not be transferred from permits on which there is only one fixed gear sablefish endorsement.*** ~~are not separable from the LE permit and therefore may not be transferred separately from the LE permit.~~

Options 7a and 7c of the Stacking Alternative

Section 14.2.4 gives the Council the authority to create a permit stacking program and require that permit owners be on board the vessel when permits are stacked. However, Option 7a would require all permit owners to be on board while a vessel is participating in the primary fixed gear sablefish fishery, even when permits are not stacked. Additionally, for the purpose of implementing a grandfather clause, Options 7a and 7c would create a definition of change in ownership different from that in the FMP. To implement the grandfather clause Section 14.2.4 of the FMP would need to be modified as follows.

14.2.4 Ownership Restriction and Changes in Ownership

....

4. ***For the purpose of provisions specifically identified by the Council, NMFS may promulgate regulations which define a change in ownership of a permit as a change in the identity or ownership interest of a corporation or partnership owning a permit.***

To implement the owner-on-board requirement for permits that are not stacked (Option 7a), a new section (Section 14.2.12) would be added to the FMP:

14.2.12 Owner-on-board Requirements

In order to preserve the social and historic characteristics and practices in the fishery or to encourage the flow of fishery benefits into fishing communities, on the Council's recommendation, as it deems appropriate and consistent with the goals of the groundfish FMP and National Standards, NMFS may require permit owners to be on-board a vessel during fishing operations.

Option 9b of the Stacking Alternative

Under the extended season specified in Option 5a, vessels with fixed gear limited entry permits that do not have sablefish endorsements would not be able to operate for a substantial portion of the season. If these vessels are to be provided a fixed gear sablefish opportunity during the primary fixed gear fishery, the following changes would be needed in the FMP language.

14.2.6 Fixed Gear Sablefish Endorsements

1. The permit and gear endorsement requirements of the license limitation program limit the number of vessels which may participate in the groundfish fishery, however, there is still substantial opportunity for vessels to shift between segments of the groundfish fishery. One of the segments of the limited entry fishery subject to an increase in the number of vessels participating is the limited entry fixed gear sablefish fishery. To prevent the movement of vessels from nonsablefish segments of the limited entry fixed gear groundfish fishery to the sablefish segment of the fishery, a fixed gear sablefish endorsement for limited entry permits is required for longline and fishpot gear limited entry vessels to take sablefish against the fixed gear limited entry allocation **and as part of the primary fishery, the major limited entry fixed gear sablefish harvest opportunities north of 36°N latitude. Such endorsements are not required to harvest under fixed gear limited entry daily-trip-limit or other regulations intended to allow low level or incidental harvest.** ~~during periods of time specified in the regulations. The general intent is to require an endorsement to take part in the major limited entry fixed gear sablefish harvest opportunities north of 36°N latitude, but not when management measures are intended to allow only small or incidental sablefish harvests.~~

14.2.8 An LE Permit and Necessary Gear and Sablefish Fixed Gear Endorsements Will Be Held by the Owner of Record of the Vessel

6. A vessel owner may not use a vessel, or allow a vessel to be used, to catch any Council-managed sablefish with longline or fishpot gear against the LE fixed gear sablefish allocation ~~and under LE fixed gear sablefish regulations during fishing periods~~ **as part of the primary fixed gear sablefish fishery** specified in the regulations and north of 36°N latitude, unless the vessel owner holds an LE permit with a longline or fishpot gear endorsement and a fixed gear sablefish endorsement, and the LE permit has been registered with National Marine Fisheries Service (NMFS) for use with that vessel. **Sablefish endorsements are not required to harvest under fixed gear limited entry daily-trip-limit or other regulations intended to allow low level or incidental harvest.**

SABLEFISH PERMIT STACKING CONCEPT

Situation: At its June meeting, the Council directed the preparation of a draft analysis of permit stacking. A partial draft of that analysis is provided as Attachment 1 to this exhibit. The stacking alternative and options are listed in section 1.4. The key portion of the analysis is provided in section 3.1, where most of the main implications of the options for each of 9 provisions of the stacking alternative are presented. A supplemental attachment completing section 3.3 will be provided at the Council meeting.

Depending on the options selected, regulatory amendments, plan amendments, or both may be required to implement the stacking provision (see section 1.6). Additionally, whether or not the Magnuson-Stevens Act moratorium on new individual quota programs is lifted or continued (section 1.5) will affect the season length of the stacking alternative (Options 5a and 5b).

In order to implement the stacking alternative for 2001, final action will need to be taken at the November 2000 meeting.

Council Action:

1. **Approve options and analysis for public review.**
2. **Specify preferred options (if any).**

Reference Materials:

1. Draft Analysis of Permit Stacking for the Limited Entry Fixed Gear Sablefish Fishery (Exhibit G.7, Attachment 1).
2. Material completing section 3.3 of the draft analysis (Exhibit G.7, Supplemental Attachment 2).

PPMC
08/25/00

Fixed Gear Sablefish Permit Stacking

(September 2000)

Key Concepts from Strategic Plan

- Capacity Reduction
- Profitable and Flexible Operations
- Efficient and Effective Management
- Stable and Enforceable Regulations

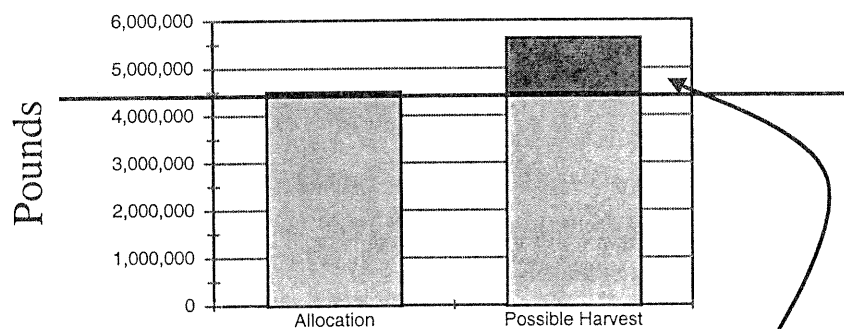
Today's Presentation

- Review Identified Objectives
- Review Provisions and Major Impacts
- Some Possible Council Actions
 - ☐ Confirm Objectives
 - ☐ Modify Provisions. In particular evaluate
 - o Owner-on-board provisions
 - o Ownership limit
 - ☐ Approve for Public Review
(Must be approved for public review at this meeting if program is to be in place for 2001)

Implied Objectives

- Rationalize, promote efficiency
- Maintain benefits for fishing communities
- Prevent excessive concentration of ownership
- Mitigate reallocation effects of recent policies
- Promote equity
- Resolve onshore-offshore allocation (preserve 100% onsh)
- Promote safety
- Improve product quality and value
- Avoid substantial new disruptive effects
- Transition to IFQ program with multimonth season

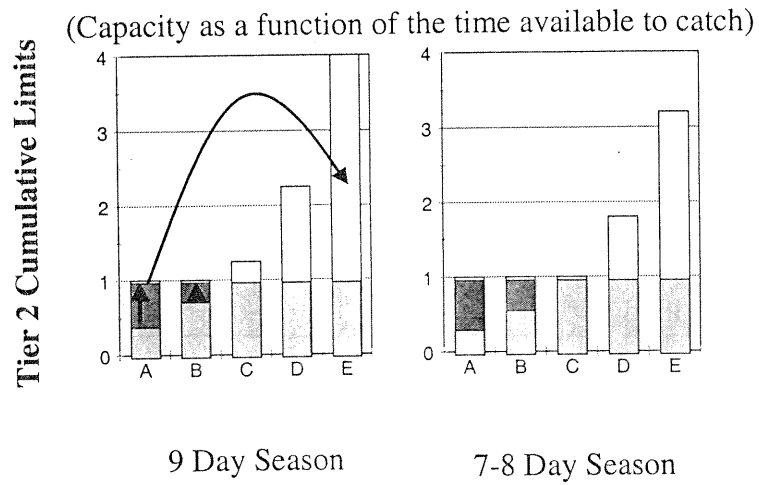
Overhead Revisited (avoiding the IFQ classification)



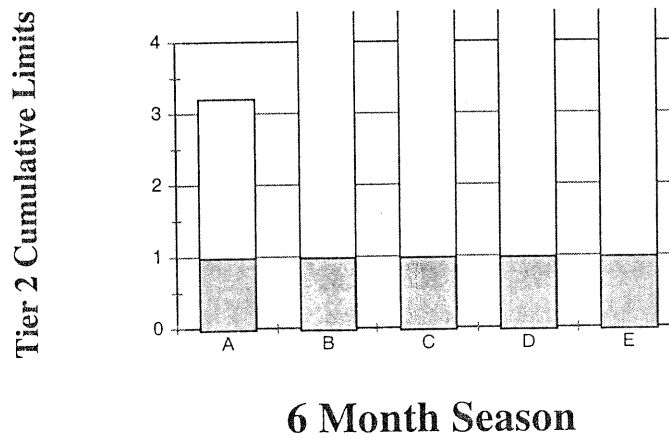
Possible harvest = cum limits * permits

Overhead

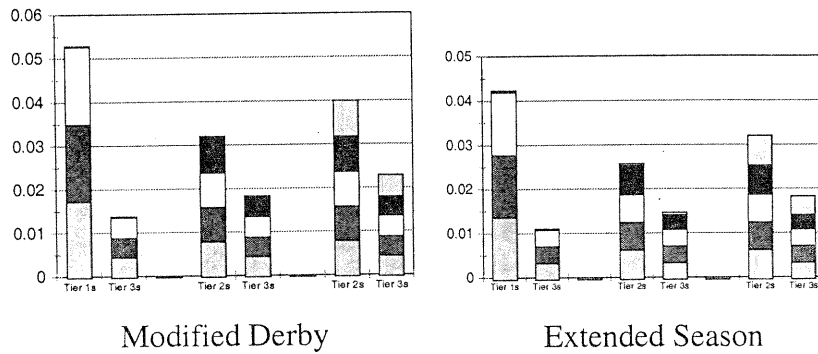
Prov-1. Basic Stacking Prov-5. Season Length



Prov-1. Basic Stacking Prov-5. Season Length



Prov-3. Stacking Limit



4%=Roughly 180,000 pounds

27 Tier-1; 43 Tier-2; 94 Tier 3

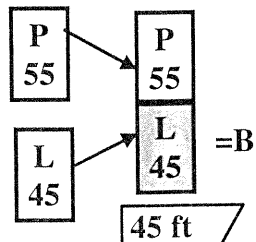
(Limit on number of permits per vessel but not on ownership)

Prov-3. Stacking Limit

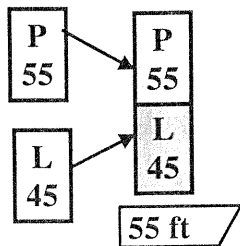
StackingLimit	Min Ves	Max Hvst Extended Season (3 Tier-1)
2	82	129,600
3	55	194,400
4	41	259,200
4 (no Tier 1)	44	194,400
5 (no Tier 1)	38	194,400

(Limit on number of permits per vessel but not on ownership)

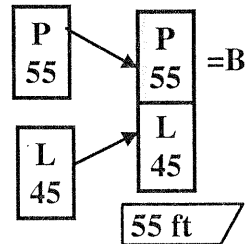
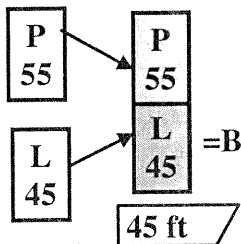
Prov-2. Gear Usage



Option 2a



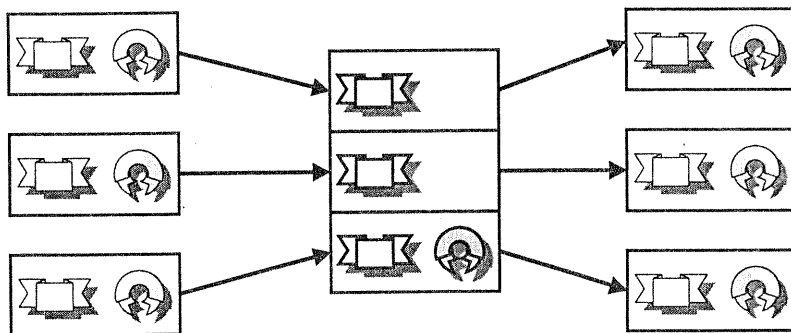
Option 2c



Option 2b

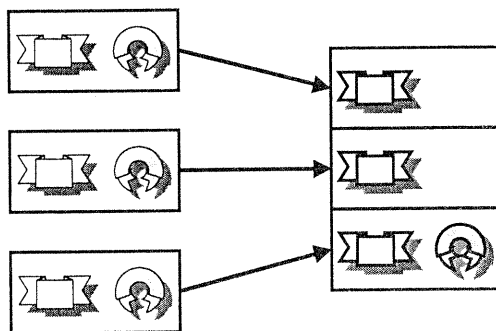
(Trawl Permits Not Downsized)

Prov-4. Combination of Stacked Permits (Prov-8. Non-sablefish Cum Limits)



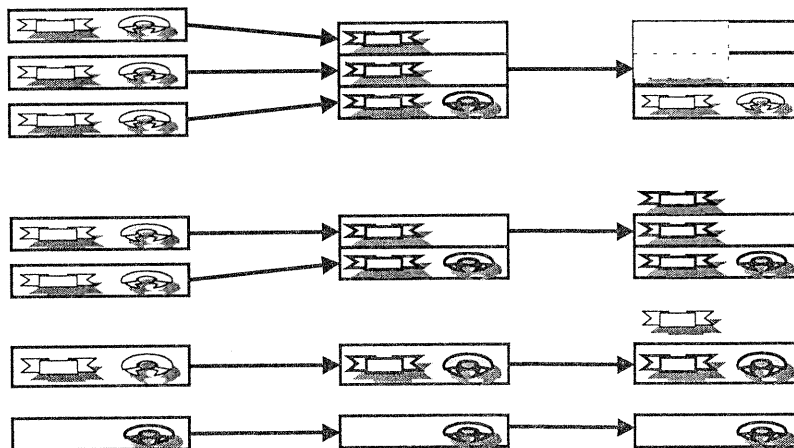
4a. Permits can be unstacked

Prov-4. Combination of Stacked Permits (Prov-8. Non-sablefish Cum Limits)



4b. Permits can NOT be unstacked

Prov-4. Combination of Stacked Permits (Prov-8. Non-sablefish Cum Limits)



**4c. Permits can NOT be unstacked,
transferable tier endsmnts**

Prov 6. No At-Sea Processing

Establishes allocation based on current of at-sea processing (none).

- Prevents allocation controversy from developing
- Ensures benefits flow through communities where landings occur
- May prevent more efficient modes of harvest and processing
- Does not prevent at-sea H&G

Prov 7. Owner-on-Board

- Grandfather provisions
 - Must own vessel (AK = 20%)=>No Leasing
 - Can acquire additional permits
 - Ceases with change in identity of corp or partnership (addition of new members). Does not cease on trade of public stocks.
- AK Provisions
 - If corp or partnership owns, must designate fishing master on annual basis
 - Complete ownership info must be submitted annually (multiple levels).
 - Resource intensive exercise (public and private).
 - Can only be sold to initial recipient or IFQ qualified crew (150 days)

Ownership Limits AK

- Alaska Ownership Provisions
- Any percent ownership of a block constitutes ownership of the entire block (2 block limit)
- Percent cap: If a person owns part of two corporations:
 - Percent of A Corp * QS of A Corp +
 - Percent of B Corp * QS of B Corp
- Phantom financing is accepted, most financing is by financial institutions
- Sale contract and amount paid must be provided

Prov 9. DTLs for Vessels Without Sablefish Endorsements

- Limited entry vessels without sablefish endorsements CANNOT their DTLs fish during the primary sablefish fishery
- Open access vessels CAN fish their DTLs during the primary sablefish fishery
- If Limited entry vessels are prohibited from fishing their DTLs during an extended primary season (Option 5a) the bulk of their fishing opportunity will be eliminated.

Time Line

- Sept 2000 - Adopt for public review at this meeting
- Nov 2000 - Public hearing and final action
- June 2001 - Regulations finalized
- July 2001 - Abbreviated stacking declaration and limit setting process (reduced Council consultation or alternative consultation process). Season
- Mid-August 2001 – Season starts
- October 31 2001 – Season ends (if IQ moratorium lifted)

Possible Council Actions

- ☐ Confirm Objectives
- ☐ Modify Provisions, as necessary
 - In particular evaluate council direction on
 - o Owner-on-board provisions
 - o Ownership limit
- ☐ Approve for Public Review
 - (Must be approved for public review at this meeting if program is to be in place for 2001)

NMFS PROPOSED ADDITIONS TO TRANSFER REGULATION CHANGES

NMFS Northwest Region's Fisheries Permits Office administers the Council's limited entry permit program, including permit transfers. The Permits Office acts under the authority of, and is governed by, the groundfish regulations at 50 CFR §660.333-341. Experience with implementing the permit transfer regulations has shown that office several areas where the permits regulations might be modestly updated and changed to make the regulations more clear and less burdensome while still achieving the original goals. Given that experience, NMFS asks that the Council consider the following suggestions as it develops larger changes to the permit transfer regulations:

- Restrictions on frequency of transfers would apply only to when a permit is transferred from one vessel to another vessel, not from one permit holder to another permit holder. By restricting permit transfers between vessels, these regulations would continue to constrain effort by limiting the number of vessels associated with a permit in any one year. Allowing more freedom for permit transfers between permit holders who are not changing the vessel associated with the permit would end the confusion of whether to apply the once-per-year restrictions to minor changes in permit owner names (such as an individual becoming a corporation, or a permit owner adding a spouse to the owner name). It would also allow a permit and vessel to be sold together, without being restricted to the one year limit. This change would not allow new effort into the fishery or otherwise weaken the effects of the regulations
- Clarify permit transfer requirements for participating in a fishery at the start of a cumulative limit period. Restricting the effectiveness date of permit transfers to the start of the cumulative limit period following the date of the transfer was designed to ensure that no more than one vessel would be associated with a permit per cumulative limit period.

Transferring a permit requires that the persons involved assemble several different documents (original permit, NMFS transfer request form, US Coast Guard or state vessel document, marine survey of vessel length). Often, the Permits Office will receive an incomplete permit transfer request within the last few days of a cumulative limit period, and the person making the transfer will expect NMFS to make the transfer immediately to ensure his participation in the new cumulative limit period. Transfers cannot be made until the Permits Office receives all of the required documents, which can take permit holders several days to assemble. Immediate transfers are impossible because the Permits Office must conduct a violations check with NMFS enforcement before each transfer.

To reduce frustration for permit holders and the Permits Office, NMFS proposes a change to the regulations that would allow a permit holder who submits his original permit and his NMFS transfer request form before the start of a cumulative limit period to participate in the fishery during that period. The Permits Office would not complete the transfer until receiving all necessary documents, but the permit holder would not be prevented from fishing for the length of a cumulative limit period because of timing mishaps. This change is suggested for the convenience of permit holders and would not change the effect of the regulations because the permit would still only be able to be used on one vessel per period.

- The suite of permit regulations was initially written to implement the limited entry permit program, and subsequently amended to accommodate the sablefish endorsement program, the three-tier program, and the permit transfer regulations. All of these changes have resulted in a somewhat convoluted set of regulations. NMFS would like to make additional housekeeping changes to update and clarify some of the language in the regulations. These housekeeping changes would not change the effect of the regulations, but would make those regulations easier to read and understand.

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
PERMIT TRANSFER REGULATIONS

The Groundfish Advisory Subpanel (GAP) discussed the issue of limited entry permit transfer regulations. The GAP supports initiating a regulatory amendment to modify permit transfer regulations as follows:

1. Permits may be transferred once in any calendar year.
2. The transfer will take effect on the first day of the cumulative limit period following the date of transfer.

PFMC
09/14/00

PERMIT TRANSFER REGULATIONS

Situation: At its June meeting, the Council recommended the season for the limited entry fixed gear (three-tier) fishery be opened on August 16, 2000. A major concern expressed during the debate was the fate of several vessels that would be prevented from participating before September 1 due to the regulation that restricts permit transfers (see Option 3 below for regulation language in effect in June, 2000). Several fishers testified the effective date of their permits would be delayed until September 1, the date of the beginning of the next major cumulative trip limit period, due to the change in timing of the trip limit periods between 1999 and 2000. The Council recommended National Marine Fisheries Service (NMFS) take action to allow these vessels to participate in the 2000 fishery. In addition, the Council stated its intention to reconsider its original recommendation, perhaps endorsing a calendar year cycle rather than the current 12-month approach.

The Council made its final recommendation on the current regulations in October 1996. The proposal to limit the frequency of transfers of groundfish limited entry permits originated in the groundfish fishing industry and was intended as a step towards stabilizing and ultimately reducing capacity in the industry. The intention of the restriction was to slow down the transfer of permits by restricting the frequency of transfers to not more than once per 12 months. To avoid "double dipping" by two vessels taking the same trip limit, transferred permits do not become valid until the beginning of the next cumulative period.

At this time, the Council has scheduled consideration of whether to initiate an amendment to the groundfish regulations that would modify the current permit transfer restrictions. The options considered in the environmental assessment (EA) for the current regulations were:

- Option 1. No action, status quo.
- Option 2. Require permit transfers to take place only on the first day of a cumulative period. Alternatively, temporarily link cumulative period limits to either the permit or the permit and the vessel to tally and divide cumulative limit for the period of the transfer.
- Option 3. (Final recommendation.) Limit the transfer of individual limited entry permits to one time in any 12-month period, in combination with any one of the following sub-options:
 - a. Permits may be transferred at any time, but cumulative limits must be temporarily linked to either permits or to permits and vessels combined to tally and divide cumulative limit for the period of the transfer.
 - b. Permits may be transferred only on the first day of the month.
 - c. (Final recommendation.) Permits may be transferred only on the first day of a cumulative limit period.

Council Action:

- 1. Decide whether to initiate a regulatory amendment to modify the permit transfer regulations.**

Reference Materials: None.

PFMC
08/25/00

1. Exhibit G.8.a, Supplemental NMFS Report.
2. Exhibit G.8.b, Supplemental GAP Report.

STOCKS TO BE ASSESSED IN 2001 AND AGENCY COMMITMENTS

Situation: At the June 2000 Council meeting, the following species were proposed to be assessed next year: sablefish, shortspine thornyhead, black rockfish (southern area), silvergrey rockfish, Dover sole, cabezon, remaining rockfish complex, and yelloweye rockfish. The Scientific and Statistical Committee identified sablefish, shortspine thornyhead, and Dover sole as the most important. This is more species than usual and would likely require a fourth Stock Assessment Review Panel meeting. At this meeting, the Council should provide any additional guidance and support of agency commitments.

Council Action:

1. Discussion and guidance for 2001 stock assessments.

Reference Materials: None.

PFMC
08/25/00

2. Exhibit G.9, Supplemental nmFS Report.
3. Exhibit G.9, Supplemental WDFW Report.

PROPOSED ASSESSMENTS & STAR PANELS IN 2001

	STAR PANEL A	STAR PANEL B	STAR PANEL C
Species	"Remaining Rockfish" including yelloweye, silvergray, black rockfish (south)	Cabazon Dover Sole	Sablefish Shortspine Thornyhead
Location	Santa Cruz	Newport or Santa Cruz	Newport
STAT Teams (leaders)	SWFSC, NWFSC, WDFW	<u>Cabazon</u> SWFSC, CDFG <u>Dover Sole</u> OSU, NWFSC	<u>Sablefish</u> NWFSC <u>Shortspine Thornyhead</u> NWFSC
STAR Panel Chair External SSC GMT GAP	ODFW CDFG	WDFW SWFSC	CDFG WDFW

Species Proposed for Assessment:

Sablefish
Shortspine Thornyhead
Dover Sole
Yelloweye Rockfish
Silvergray Rockfish
Black Rockfish (south)
"Remaining Rockfish"
Cabazon

Given by Crye is

WHITING

ASSESSMENT & REVIEW IN 2000: (For 2001 Fishery)

Update with 1999 US&Canadian fishery information
No new survey since previous assessment.
Assessment by AFSC&NWFSC is nearly complete.

Option A: Conduct STAR review in time for November PFMC meeting.
No Canadian participation unlike previous review.

Option B: Conduct STAR review before March PFMC meeting.
Canadians able to participate in review.

ASSESSMENT & REVIEW IN 2001: (For 2002 Fishery)

New survey conducted during summer 2001
Assessment completed by February 2002
Review completed in time for March PFMC meeting
Canadians likely able to participate in assessment and review.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE COMMITMENT
TO THE 2001 STOCK ASSESSMENT PROCESS

The Washington Department of Fish and Wildlife (WDFW) reviewed a draft Stock Assessment Review (STAR) Panel schedule for 2001. The proposed schedule includes participation by WDFW assessment scientists on two STAR Panels. WDFW fully supports the STAR process and will provide the names of our reviewers to the National Marine Fisheries Service prior to the November Council meeting. Additionally, WDFW will support 2001 stock assessment efforts by providing summarized catch and biological information and possibly by direct participation on stock assessment team(s).

PFMC
09/14/00

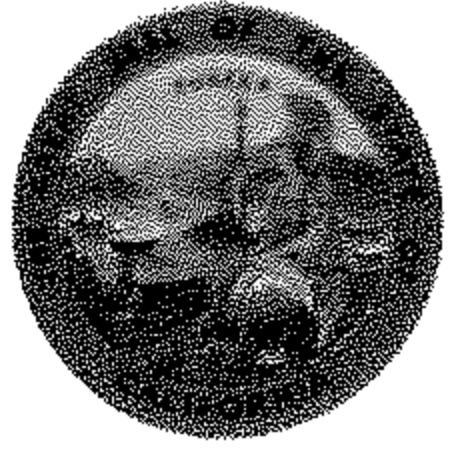


DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

1416 Ninth Street
Sacramento, CA 95814

Exhibit G.10.b
Supplemental CDFG Report
September 2000



RECEIVED

SEP 11 2000

September 8, 2000

PFMC

Dr. Don McIsaac
Executive Director
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Dear Dr. McIsaac:

Attached please find a summary of the groundfish regulation options that we will recommend for groundfish fishery management off California commencing January 1, 2001. Mr. Tom Barnes will be prepared to give a brief power point presentation providing background information on the options on Thursday, September 14, 2000 of our upcoming meeting.

These same options, and complimentary options as they apply to state-managed species, were recently approved by the California Fish and Game Commission for consideration in regulation of fisheries that come under their authority. Commission hearings on the options will be held during late September and October with a final decision on December 8, 2000.

The options were developed assuming: 1) the bocaccio optimum yield (OY) south of Cape Mendocino in 2001 will continue to be set at 100 metric tons, 2) the recreational regulations in the area will need to be adjusted to stay with the 100 metric ton OY for the combined fisheries, 3) we may need to reduce the recreational lingcod harvest south of Cape Mendocino, based on stock assessment discussions at the recent ad hoc allocation committee meeting, 4) there will be no need to adjust the regulations to provide further protection for canary rockfish (again, based on input provided at the ad hoc committee meeting), and 5) the incidental catch of cowcod south of Point Conception must be reduced by about 50 percent from recent years' levels. You will note that bottom fish species that associate with nearshore and shelf rockfish appear in the options. This is because of reports and observations this year that indicated that fishing for those species during the rockfish and lingcod closures (i.e., January-February south of Point Lopez and March-April between Lopez and Cape Mendocino) was causing bycatch problems for nearshore and shelf rockfish, the two groups the regulations were intended to protect.

Dr. Don McIsaac
September 8, 2000
Page Two

Please note: While there are a lot of options included in the summary, we expect very few of them will actually be needed in the final regulations, either by the Council or the Commission. Our final assessment of bocaccio catch in the recreational fishery south of Cape Mendocino this year will be critical in this regard.

We look forward to discussing our proposals at the meeting.

Yours truly,

A handwritten signature in black ink, appearing to read "LB Boydston". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

LB Boydston
Representative
Intergovernmental Affairs Office

Attachment

cc: Robert C. Hight, Director

Robert Treanor, Executive Director
Fish and Game Commission

**PROPOSED GROUNDFISH FISHERY REGULATION
OPTIONS FOR CALIFORNIA FISHERIES¹**

1. The southern rockfish and lingcod management line should be moved from Lopez Point to Point Conception. This would place Avila Beach and Morro Bay in the central California management area and be consistent with the statistical area boundary used by the MRFSS.
2. Rockfish and lingcod closure periods south of Cape Mendocino should be extended to November-February in the south and January-April or March-June in the central area. These additional closure periods may be needed to reduce the bocaccio catch to under 100 mt in the combined commercial and recreational fisheries in 2001. The catch of lingcod in the combined fisheries would be projected to be at or under 130 mt (the statewide catch assumed for 2000 management). These closures would apply to the recreational fishery and the LE and OA fixed gear commercial fisheries for nearshore and shelf rockfish and lingcod.
3. Reduce the rockfish bag limit to between 3 and 9 fish, either year round or in lieu of a complete fishery closure (see previous regulation option). This would be done to meet biological and allocation objectives for the complex.
4. Fishing for and retention of cabezon, greenlings, scorpionfish, and sanddabs would be prohibited during the rockfish and lingcod closures south of Cape Mendocino. These closures would apply to the recreational and fixed gear commercial fisheries, as described above, and are intended to minimize bycatch of rockfish and lingcod when fishing for these species.
5. Reduce the bag limit for bocaccio from three to two or one fish. This would be done to further reduce targeting on bocaccio, but could increase discard of dead fish.
6. Reduce the number of hooks that anglers may use when fishing for rockfish or lingcod from three to two or one. This would be done to reduce the chances of catching more than a limit of bocaccio on a single drop.
7. Close the season or part of the season for lingcod, cabezon, and greenlings south of Cape Mendocino during September-April. This would apply to fishing for, and possession of any of these species, both sport and commercial. These closures are being considered by the California Fish and Game Commission (FGC) and would be intended to meet biological and allocation objectives for the individual species and at the same time protect nesting fish.
8. Reduce the lingcod bag limit from two to one fish. This would be done to meet biological and allocation objectives for the species.
9. Increase the minimum size limit for cabezon from 14 to 15-18 inches. Increasing the size limit will save immature fish and contribute to meeting biological and allocation objectives for the species. This action is being considered by the FGC.
10. Provide for the transport, pursuant to California regulations, of recreational groundfish through restricted areas under terms and conditions specified on an annual permit that may be issued by the Manager of the Marine Region.
11. Prohibit fishing for and retention of cowcod. This option is intended to eliminate targeting on cowcod, but could increase discard of dead fish. It would apply to all recreational and commercial fisheries off California.
12. Prohibit recreational and commercial fishing year round for federal groundfish (Option 1) as follows: Area 1--The area bounded by 118° 50' W. Long., 33° 50' N. Lat., 120° W. Long., and 32° 20' N. Lat. Area 2--The area bounded by 117° 50' W. Long., 32° 50' N. Lat., 118° W. Long., and 32° 30' N. Lat. Option 2: Is the same as Option 1, but excludes nearshore rockfish, cabezon, greenlings and scorpionfish. The FGC will adopt complementary regulations affecting state-managed fisheries for bottom fish species (sheephead, ocean whitefish, California halibut, in addition to all commercial trawling).

¹ Prepared by the California Department of Fish and Game for consideration by the Pacific Fishery Management Council for use in managing California groundfish fisheries commencing January 1, 2001. Complimentary regulations are being considered by the California Fish and Game Commission.

ENFORCEMENT CONSULTANTS STATEMENTS ON PROPOSED MANAGEMENT MEASURES FOR 2001

The Enforcement Consultants (EC) have reviewed management measures for 2001. Most of our time has been spent discussing the options proposed by California. I will reference Exhibit G.10.b dated September 2000 & the California proposed options.

The EC had some difficulty in dealing with 12 separate ideas, because enforcement impacts can change drastically depending on how the options interact.

We will go throughout each item and give comments; however, several will be grouped together due to their similarity.

Measure 1 - Enforcement supports the change. Moving the line would eliminate the need for Morro Bay fisherman to land catch by skiff, and transporting fish back to port by vehicles. This would reduce a safety issue identified by the Coast Guard.

Measure 2 (option A) - This is generally the same measure that was applied in 2000 with an extension of time period.

- a. Clearly define fish species restricted from harvest, (i.e., federal managed or state federal managed species?) (Would like federal notice to footnote that the state managed species are also prohibited?)
- b. Will California close shore based commercial open access?

EC notes the enforceability of this management measure can be very high with clear definitions and limited exemptions for different gear types.

Measure 4 (option B) - When used in conjunction with measure 1 (Option B) this addresses some of the previous noted questions. This would be the preferred option.

Measure 7 (option C) - This option appears to eliminate the state managed species.

Measures 3, 5, 6, 8, 9, and 11 - These measures are all types of measures that have been used in the past. With adequate notice, we don't anticipate problems.

Measure 10 (California measure 2) - The EC needs more information to evaluate this.

- a. We are not sure where this would apply?
- b. We are not sure what California listed in the permits for restrictions (i.e., can the vessel fish for other species in the closure?)
- c. Can fish be transported and landed in a closed area?

We have met with California staff, but still need a clearer idea of what they are trying to accomplish and how large an area will be impacted. This could greatly impact the effectiveness of enforcement to enforce area management measures.

Measure 12 - We spent considerable amount of time discussing this option. Our understanding from the California Fish and Game Commission is that this is largely a protection plan for cowcod.

EC recognizes this option raises the same questions that will need to be answered for the Council in

Phase II of the marine reserves discussion.

1. Two options are listed for comment. Enforcement sees option 2 as opening the door for abuse by allowing some species to be harvested, but not others. We recommend option one as the preferred option. We also request the California Fish and Game Commission adopt the complementary regulations affecting state managed fisheries.
2. The type of other fisheries and number of participants in the area will greatly effect the amount of law enforcement presence needed to assure compliance. This relates to the number of at-sea contacts required.
3. The EC would recommend that possession of groundfish as well as the prohibition of fishing be added.
4. The size of Area 1 and its location 60 miles offshore create some enforcement challenges. This relates mainly to availability of assets and their costs. Preliminary analysis identifies that an enforcement vessel and some kind of air support would be required to monitor the closure. No assets have been identified for use at this time. The following is an estimate of some costs:

California Fish and Game Boat - \$2,000 per day	USCG 41' Patrol Boat - \$1,334 per hour
California Twin Engine Aircraft - \$ 750 per hour	HH 60 Helicopter - \$6,306 per hour
USCG 110' Patrol Boat - \$1,010 per hour	HH 65 Helicopter - \$4,559 per hour
USCG 82' Patrol Boat - \$ 790 per hour	

The EC suggest consideration of a smaller bag limit and a possession limit of one daily limit for recreational groundfish with no retention of cowcod. Currently, some vessels engage in multiple day trips that allow them to fish further offshore where cowcod are found. This may curtail effort by the recreational fleet and greatly reduce the number of vessels fishing groundfish in this area.

See the attached Coast Guard closed area enforcement cost estimate paper.

Coast Guard Closed Area Enforcement Costs Associated with Groundfish Fishery Regulation Options for 2001 California Fisheries:

Assumptions:

- Unable to fly all portions of Closed Area 1; exceeds mission capability of rotary wing aircraft
- Probability of detecting a violator at night is very low particularly from aircraft.
- 5 patrol boats are homeported in SOCAL region.
- The current AIRSTA San Diego Aviation Management Plan contains only 539 hrs for Law Enforcement; with 100 hrs designated for fisheries.
- The current AIRSTA Los Angeles Aviation Management Plan contains less than 100 hrs for Law Enforcement.

Area 1

Example Enforcement Plan:

AIRSTA Los Angeles (HH65)

- 2 flights/week. 2 hour flights w/ 1.5 hrs in closed area. 156 hours annually in closed area; 210 hours (including transit to/from patrol area)
- Cost = 210 hrs X \$4560/hr = \$958,000

AIRSTA San Diego (HH60)

- 1 flight/week. 4.5 hour flights w/2.5 hrs in closed area. 130 hours annually in closed area; 234 hours (including transit to/from patrol area)
- Cost = 234 hrs X \$6300/hour = \$1,474,000

Cutters (110' or 82' Patrol Boat)

- 1 patrol boat day/week in closed area. 1250 hours annually in closed area (doesn't include transit time)
- 12 response events (i.e. helo sighting w/o surface asset in area). 12 X 24 hrs/event= 288 hours
- Cost = 1550 hours X 1010/hr= \$1,566,000

Total Area 1 Annual Enforcement Cost = \$3,998,000

Area 2

Example Enforcement Plan:

AIRSTA San Diego (HH60)

- 4 flights/week in conjunction with other Law Enforcement flights. .75 hrs in closed area/flight. 156 hours annually in closed area; 16 hours add'l enforcement hours gained from helo flight transiting to/from Area 1. 172 total hours in Closed Area 2.
- Cost = 156 hrs X \$6300/hr=\$983,000

Cutters/Boats (110' or 82' Patrol Boat; 41' Utility Boat)

- ½ patrol boat day/week in closed area. 625 hours annually in closed area (doesn't include transit time). Cost = 625 hrs X \$1010/hr = \$631K
- 1 utility boat patrol/week. 5 hour mission w/ 2.5 hrs in closed area. 130 hours annually in closed area; 260 hours (including transit to/from patrol area). Cost = 260 hrs X \$1335/hr = \$347K.
- 12 response events (i.e. helo sighting w/o surface asset in area). 12 X 8 hrs/event= 96 hours. Cost = 96 hours X 1010/hr= \$97K.
- Total Cutter/Boat Cost= \$1,075,000

Total Area 2 Annual Enforcement Cost = \$2,058,000

Additional Comments:

- Aviation requirements for above sample enforcement plan (210 hours AIRSTA Los Angeles; 390 hours AIRSTA San Diego) well exceed the annual resource hours those units have for Fisheries Enforcement.
- The 2225 patrol boat hours to patrol closed areas 1 and 2 per the plan outlined above alone exceed 25% of the available patrol boat hours from the 5 USCG patrol boats homeported in SOCAL region.

PFMC
09/14/00

GROUND FISH ADVISORY SUBPANEL STATEMENT ON PROPOSED MANAGEMENT MEASURES FOR 2001

The Groundfish Advisory Subpanel (GAP) had an extensive discussion on proposed groundfish management measures for 2001, including those proposed by the Council's Ad Hoc Allocation Committee and options developed by the GAP.

Since the Allocation Committee options primarily involved reductions in fishing time, the GAP first reviewed this general issue. The GAP - as it has in the past - strongly opposes "time off the water" options.

The GAP recommends the Council adopt the following season structure options for public review:

1. Status quo.
2. Divide the season into two cumulative limit periods.
3. Treat the entire year as one cumulative limit period.
4. As a sub-option to status quo for trawl limited entry vessels, require vessels to declare which cumulative limit choices they will make, based on fishing strategy. The GAP intends to recommend differential limit choices which reflect the diversity of the fishery.

Members of the GAP note the management structure used in 2000 involving gear, species, and area restrictions have already accomplished removing vessels from the water during extensive periods of the year. Several GAP members related their own experiences and those of others regarding an observed reduction in fishing effort coast wide and among all gear types.

An analysis of 2000 effort, including logbooks, landings, and other data, will be important prior to making major changes in the management structure. Moving to a formal "time off the water" system will result in several problems that will only exacerbate the economic difficulties faced by the industry. The ability to employ crews both on vessels and in processing plants will be significantly reduced. Vessels will be unable to access those species which are not subject to trip limits, and which comprise an important economic component of the fishery. At the same time, the data available suggests a formal "time off the water" system will result in only slightly increased trip limits.

The GAP is concerned the Council seems eager to once again change the management system without looking at the disruptions that will occur to vessels, processing plants, and long-term business planning. No analysis has yet been conducted of the 2000 management system to see if it is working, which the GAP believes it is. For these reasons, the GAP strongly recommends maintaining the current system as the preferred option.

The GAP is aware Washington and Oregon will propose options for the 2001 recreational lingcod and rockfish fisheries. The GAP recommends the Council adopt the options for public review.

Finally, the GAP reiterates its support for individual quotas as a preferred management option at such time as the Council is able to establish a quota system for all sectors.

CALIFORNIA MANAGEMENT PROPOSALS

The GAP used Exhibit G.10.b - Supplemental CDFG Report as the basis for its comments.

1. Movement of the southern rockfish/lingcod management line - The GAP opposes moving the line from Lopez Point to Point Conception. Location of the line has no biological impact, but will affect recreational effort and create an economic impact on recreational fishing operations.
2. Rockfish and lingcod closure periods - The GAP suggests the proposed November - February closure in the southern management zone be changed to a December - March closure. This will allow recreational charter operations to take advantage of the Thanksgiving holiday period.

3. Rockfish bag limit - The GAP suggests establishing a combined rockfish and lingcod bag limit of 10 fish, not to exceed the legal limits for individual species.
4. Prohibition on fishing for and retention of certain species - The GAP has no objections to this proposal if sanddabs are not included. The GAP notes the language describing “commercial and recreational fisheries” should be re-worded to be track proposal number 2.
5. Reduction of bocaccio bag limit - The GAP supports reducing the bag limit for bocaccio to two fish.
6. Reduction of number of hooks used in angling - The GAP supports reducing the number of hooks used to two.
7. Season closure for lingcod, cabezon, and greenling - The GAP believes this proposal needs significant clarification before it is considered. For example, does the closure apply to all trawl gear or only exempted trawl gear? How does this closure relate to the proposed closure in option #2, which applies only to fixed gear? How would a prohibition on “fishing” for three particular species be defined and enforced? The GAP recommends the language on “commercial” be modified to track the language in proposal number 2; it is the GAP’s understanding this is the intent of the proposal.
8. Lingcod bag limit - The GAP supports maintaining the two-fish bag limit, but achieving conservation through an increase in the minimum size to 28 inches.
9. Increase in cabezon size limit - The GAP supports increasing the minimum size of cabezon to 16 inches.
10. Transport provisions - The GAP believes transportation allowances through restricted areas should be made available for both recreational and commercial vessels.
11. Prohibition of cowcod retention - The GAP suggests allowing one cowcod to be retained per boat, unless a zero retention option provides sufficient conservation savings to avoid the need for the closures proposed in option 12.
12. Area closures - The GAP recognizes the proposed closures support the conservation of species other than cowcod. However, the GAP has concerns about the enforceability of this proposal, especially sub-option 2. Further, some members of the GAP note this proposal creates a de facto marine reserve without the benefit of public discussion and analysis envisioned by the Council - and supported by the GAP - under the Council’s marine reserve policy.

PFCM
09/14/00

Exhibit G.10.c
Public Comment
September 2000

RECEIVED

AUG 24 2000

PFMC

Kenyon Hensel
871 Elk Valley rd
Crescent City Ca.
95531

To The P.F.M.C.,

At the last council meeting I was asked how I have been affected by the reductions in the near shore quotas this year. I will answer that question in depth with this letter.

HISTORY

As you know I have fished for rock cod commercially since 82, this fishing has sustained me over the years as I married and raised my family. Last year, the council cut the near shore catches 50%. This was a hard blow to my business, but I was able make up some of the lost fish by fishing in deeper water for yellowtail and widow rockfish.

This year my access to yellowtail was cut to 100lbs a month. This was to keep me from catching canary as a byproduct of my fishing effort. The council was concerned since many boats fish with trolled snake gear. This gear is fished by being trolling 100's of hooks in a horizontal manner through the water. Thus, if this gear is fished too deep it might catch too many canaries before the operator knew he was in a school of them.

I tried to educate the council as to the differences of the vertical line fishery, that fishes fewer hooks in a vertical matter. This way the hooks are drifted through the water in an upright matter and thus catch fewer canaries in the first place. Also that the catch rate of fish is slower which allows the operator to move if he does encounter a school of canary which seem to want to climb the hook rigs. All of my effort was to no avail.

PRESENT

As of this writing I am allowed 1500lbs of near shore minor rockfish, 100lbs of yellowtail, 100lbs shelf, 3000lbs of widow, and 50lbs of canary rock fish. With my vertical gear, I can fill the 1500lbs of M.N.S.R in two trips. I have only filled my shelf and canary limit once all year. I have found less then 600lbs of widow in the waters I can safely access with my boat, and could have caught many 100s of lbs of yellowtail.

CONSEQUENCES

This year I have been reduced to an income that is less then minimum wage. My wife had to leave the work force to have an operation this winter. She was unable to work until now. I had no warning of the council's impending action. I had already adjusted to a 50% cut last year. The council cut us 80% this year. How could I adjust to that? I have used almost all of the credit I have to pay my costs of the medical work my wife needed. That

had been planned a year in advance. That's how you deal with life. Just as the dental and eye work my kids need gets done each summer. Not this year. I have to pay back the credit I used this spring when my cash flow was negative as I waited for each period to pass, so I could fish again. I will need that credit again next January to buy licenses which take over 2000\$ each year. I was able to finally make enough money in the July/August period, to keep some in my account, and pay off part of a high interest credit card debt. All of the normal boat maintenance has been put off, as has all house maintenance that is a never-ending cycle. There is no other species of fish I can land in this area with my 25ft boat. I acquired a family, a house, and a boat without ever knowing that the council would take the fish I have used to live on away. I could not just walk away from these parts of my life. I never would have settled in Crescent City if I knew I could not fish for a living. Though several times this year the minimum jobs available would have made me as much as my fishing. I have not yet found any job here in my area that will offer me a new career. There is no assistance for fishermen that make money the month before, so I have to be poor for a full quarter before the local assistance will help me. At least I get some help with medical, though, my prescriptions are not covered. These are the personal effects on me of what the council did last November.

The business affects are a little different, but need to be addressed. The biggest business effect is that I have lost half of my clients to readily available shatter pack cod. They are now using this product instead of mine. The price was lower and the supply steady. Next, is the fact that if I could have had some kind of advanced warning, so I could have invested capital in a way that could have taken advantage of the changes in my business. Perhaps I could have bought more fish from other fishermen, or started a retail outlet to bring in still more value for my catch. Now my earnings this year will not support any kind of credit to allow me to make that kind of move. I am working with the S.B.A., but I must spend most of my time trying to keep the council on track with the summer fish quotas. The council's actions this year help foster the take it all as fast as you can mentality by not allowing fishermen to set up stable niches, where the most value for the product can be gained.

THE FUTURE

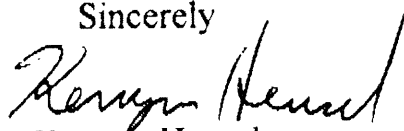
So what is the reason for all of this whining? I have a duty to tell you what you have done to the small boat fishermen in my port. I know they are going through the same kind of pain. Our port is small and we rub shoulders as we work. Sure, some of us are older, and can handle this kind of reduced income for a while. Some are even doing worse than I am. These are private

people and not willing to bleed out to strangers, as I just did. These stories are just in my port. I try not to speak of areas other than my own, but from my travels, the suffering seem to be wide spread.

What could have helped us all would have been to have some warning of what was coming. Time to adjust would have helped us considerably. I am sure the council knew what it wanted in the future for the open access fleet. I have heard us called a bunch of small boats that catch a little fish. Yet the small size of our landings supported many boats. My own landings are the highest among the open access and A permitted boats in Crescent City. I have landed over 40000lbs in 98, so here I cannot even be called a minor contributor. It is a shame that the council did not learn our value before creating such havoc among us. As for our right to fish, when the congress provided for open access, the fact that the sport catch was taken out of all of the commercial catch before the split to open access was made, shows that the open access was to be for the commercial fishermen who did not fit the closed access gear requirements, and not meant to supply the near shore sport catch.

I hope that my time has been helpful to the council. At the September meeting, I hope to present a number of ways that will help keep the small boats fishing in some manner. I like the new management plan, if that's what it is, and not just window dressing for business as usual. I know that area management is going to be the cure for some of the problems I have seen. I also know that area management will be hard to work out in the short run. I am hopeful that this council will apply the many long-range goals of this plan. I also hope the council will be more understanding of the short term consequences of it's actions in both the near shore, and it appears, in the rest of the fisheries who look to follow in our wake.

Sincerely



Kenyon Hensel



G/O

SPORT FISHING & SCUBA DIVING

Tuesday, September 10, 2000

Pacific Fishery Management Council

2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Mr. Jim Lone and council members,

I have been active in the recreational fishing industry for over thirty years. I presently operate a sportfishing landing out of Morro Bay, Ca. This is one of just two sportfishing landings for over 100 miles in either direction on this isolated part of the California coast.

Last year you moved the closure line so that we would be included with southern California because closing in March and April would have left us completely unemployed with nothing else to do. We do not have a reliable salmon season in March and April like the landings to the north, or other surface fisheries like the landings to the South. However in January and February we can run enough whale watching tours to stay off unemployment.

The first option on the list of the summary or recreational fishery options proposed by the California Department of Fish and Game is to include us with the northern California zone. This would change our seasons and have severe impact on our businesses with no benefit to the fishery. We have planned a huge whale watching advertising campaign for whale watching tours instead of fishing during January and February to keep our boats busy enough to keep our doors open. Changing our closure dates now would be a devastating blow.

The hardest part of the changes that were made last year was that we did not have time to adapt our businesses. Changing our season again now that we have had time to adapt to the changes made last year would have a severe and unfair financial impact to our businesses and these small fishing and tourist based communities. We will be out of work again, completely unemployed and have wasted our efforts and money to adapt ourselves to the changing regulations.

For these reasons I implore that you would not move us into the Northern closure zone. Also that the transportation issue would be resolved by allowing the transport of rockfish through restricted areas without any special permits just as salmon and all other species are presently.

I would like to also comment on some of the other proposals. Because of our relatively remote location on a long stretch of coastline, our fishery on the central coast is very healthy. We have as many lingcod as I have ever seen but on average they are smaller than they were 20 years ago. Presently we release about 25 lingcod for every one that is over 26 inches. And 20 of those released are over 20 inches. So I think the size restrictions for lingcod are working well and sufficient as they are.

I would like to see the size limit on cabazon raised to 16 inches. Years ago I used to see cabazon up to 18 pounds regularly. I have not seen one that big for three years now.

We have been cooperating with fishery observers for many years but I would support a requirement for CPFV's to do so provided space is available. The same requirements need to be applied to all user groups.

I don't think a one or two hook restriction will accomplish the goals intended. The chances of catching three bocaccio at the same time are the same as one hook set three times. Probably less because typically one hook is set with less weight and will sink slower allowing midwater fish (bocaccio, widows, etc.) more opportunity to bite. Our passengers tend to use larger baits or jigs with single hook set-ups as well. Larger baits tend to catch fish with larger mouths like bocaccio and lingcod.

The closure of area 1 as defined by the summary of recreational fishery options does not effect our area so it is easy for me to say it is a good idea.

However, that proposal closes an area that has been fished hard for many years. The closure designed to protect cow cod will protect all species, reduce the overall take and provide a breeding ground for all species. This is such a huge area that this proposal alone should be enough to allow rebuilding of the fishery without further restrictions. The benefits of year round, closed areas for ground fish need to be explored.

All prawn trawling should be converted to traps. I know several prawn boat captains that tell me "off the record" what their bycatch really is. I have seen many pictures as well. The trawl waste of rockfish species and particularly bocaccio is far greater than most people suspect. It is wrong to put such harsh restrictions on the public because they might impact bocaccio when the prawn fishery has such a huge, undocumented bycatch.

In summary, I ask you will not change our seasons in central California by moving the zone boundary. I cannot stress this enough. This would be financially disastrous for the central coast landings and have no real benefit to the fishery. The coastal zone we fish in is huge and our impact is very small comparatively. Providing for rebuilding by closing specific zones that have been over fished is perhaps the best solution. But we will need to provide for transportation of fish through these closed areas.

I am sure there are other solutions to the problems we are facing. I hope you will let us work with you to find a solution that will rebuild and conserve our fisheries for future generations.

Very sincerely yours,

Darby Neil
Vice President

PROPOSED MANAGEMENT MEASURES FOR 2001

Situation: In response to harvest reductions in 2000, the Council adopted a new management approach that included gear restrictions and seasons. Several provisions required implementation through emergency federal regulations. For 2001, substantial restructuring of the groundfish management program may be necessary to implement the rebuilding programs, achieve bycatch reduction mandates, keep total catch within the proposed harvest levels, and achieve optimum benefits to the various user groups and fishing communities. Lower harvest levels have been proposed for several important stocks in 2001, bycatch concerns have been expressed, and there appears to be widespread displeasure with regulations that require fishers to discard valuable fish. In June, Council members suggested there may not be year-round groundfish fishing opportunities for all commercial vessels, and individual vessels may be restricted to substantially reduced fishing periods.

Several management measures (such as recreational bag limits and most commercial trip limits) have been designated as routine measures that may be established or adjusted at a single Council meeting. Additional measures were defined as routine in the 2000 groundfish emergency rule and Amendment 13, including certain seasons, area closures, and gear restrictions. However, in order to alert the public of possible changes, the Council should develop specific management options at this meeting to help focus public attention on the extent of changes that may be necessary. Both open access and limited entry management proposals must be developed. A major goal would be to selectively harvest more abundant groundfish species without impacting overfished and depleted stocks.

Canary and cowcod rockfish have been designated as overfished, and the Groundfish Management Team (GMT) has proposed very low optimum yields (OYs) to initiate the rebuilding plans. For cowcod, which are taken in both recreational and commercial fisheries, it may be possible to close certain areas and achieve most of the needed protection. Trip and bag limits may also be appropriate. Canary rockfish are distributed more widely and caught by a variety of fishing sectors coastwide, including pink shrimp trawls and recreational fisheries. Canary rockfish is a shelf species, and the rebuilding plan will likely result in curtailed fishing on many shelf species. Methods to selectively harvest yellowtail rockfish, flatfish, and other species without canary bycatch should be discussed. In addition, widow rockfish and darkblotched rockfish may require rebuilding plans and reduced fishing impacts. Reduction of darkblotched rockfish catch may require changes to management of fisheries on the continental slope, such as the Dover sole, thornyheads, and trawl-caught sablefish (DTS) complex fishery.

The Ad-Hoc Allocation Committee Report (Exhibit G.4.b) proposed a range of management approaches for 2001. The GMT considered these proposals at its August and September meetings. The Groundfish Advisory Subpanel (GAP) began meeting Sunday, September 10 to address these issues. Both advisory entities will likely have suggestions for Council consideration.

NMFS has informally told the Council that, in addition to the overall harvest levels, individual management measures must now be addressed in the environmental assessment for the annual harvest specifications. This is likely to be a substantial workload increase. Therefore, the Council should be selective in choosing the management options to be considered in November.

Council Action:

1. Identify specific options for 2001 (final action in November).

Reference Materials:

1. Exhibit G.4.b, Ad-Hoc Allocation Committee Report.
2. Exhibit G.10.c, Public Comment.

PPMC
08/28/00

PROPOSALS FOR 2001 RECREATIONAL LINGCOD AND ROCKFISH REGULATIONS OFF OREGON

The Oregon Department of Fish and Wildlife (ODFW) proposes the following options for the 2001 Oregon recreational lingcod and canary rockfish fisheries:

Lingcod

Option 1

A one fish daily bag limit and a 24 to 34 inch legal length slot open year round for hook-and-line anglers (status quo). Spear fishing would be open year round subject to the one fish daily bag limit and a 24-inch minimum length (i.e. no 34-inch maximum length).

Option 2

A two fish daily bag limit and 26-inch minimum length restriction. Closed March and April for boat based anglers (i.e. remains open for shore anglers who are estimated to take less than two percent of total Oregon recreational lingcod landings).

Option 3

A one fish daily bag limit and 24-inch minimum length restriction open year round.

Option 3 reflects the increase in lingcod OY for 2001.

Rockfish

Status Quo

A daily bag limit of 10 rockfish with a three canary rockfish sublimit open year round.

PROPOSALS FOR 2001 RECREATIONAL LINGCOD AND ROCKFISH REGULATIONS OFF WASHINGTON

Lingcod

The Washington Department of Fish and Wildlife (WDFW) proposes the following options for the 2001 Washington recreational lingcod fishery:

Option 1 (Status Quo)

A one fish daily bag limit and 24-inch minimum length restriction. The fishery would be closed from October 31 through March 31.

Option 2

A two fish daily bag limit and a 24-inch minimum length restriction. The fishery would be closed from October 31 through March 31.

Justification:

Inseason projections of Washington recreational landings for 2000 indicate a 24% reduction in catch (which is primarily the result of the reduction in the daily bag limit from 2 fish in 1999 to 1 fish in 2000).

The lingcod OY is likely to be increased from 47% to 62% (378 mt to 555 - 611 mt). If this increase is to be distributed equitably, consistent with the goal of equitable distribution of impacts, then the 2 fish bag limit (24% increase) seems reasonable.

Rockfish

WDFW proposes the following options for the 2001 Washington recreational rockfish fishery:

Option 1 (Status Quo)

A daily bag limit of 10 rockfish with sublimits of 2 canary rockfish and 2 yelloweye rockfish. The fishery would be open year-round.

Option 2

A daily bag limit of 10 rockfish, no more than 2 of which may be canary or yelloweye rockfish. The fishery would be open year-round.

Cumulative Recreational Catch Estimates for California for 2000 (mt)
Based on catch information thru June

Bocaccio		J-F	M-A	M-J	J-A	S-O	N-D
CDFG	North	CDFG	CPFV	11	17	29	31
		MRFSS other	0	3	4	7	8
	South	CDFG	CPFV	23	36	63	85
		MRFSS other	0	5	8	14	19
	Statewide	Total	32	42	65	113	143
MRFSS	North	MRFSS	CPFV	39	58	100	108
		MRFSS other	0	3	4	6	8
	South	MRFSS	CPFV	34	53	93	126
		MRFSS other	0	5	8	14	19
	Statewide	Total	36	81	123	213	261
Combined CDFG/MRFSS	North	MRFSS	CPFV	5	8	13	14
		MRFSS other	0	3	4	6	8
	South	MRFSS	CPFV	34	53	93	126
		MRFSS other	0	5	8	14	19
	Statewide	Total	2	47	73	126	167

Cumulative Recreational Catch Estimates for California for 2000 (mt)
based on catch information thru June

Lingcod		J-F	M-A	M-J	J-A	S-O	N-D
CDFG	North	CDFG	CPFV	4	9	14	17
		MRFSS other	27	64	152	240	278
	South	CDFG	CPFV	2	2	4	12
		MRFSS other	2	2	2	4	12
	Statewide	Total	33	72	165	262	319
MRFSS	North	MRFSS	72	78	185	295	339
		CPFV	27	64	152	240	278
	South	MRFSS	0	0	0	0	0
		CPFV	2	2	2	4	12
	Statewide	Total	96	144	339	539	629
Combined CDFG/MRFSS	North	MRFSS	2	8	19	30	35
		CPFV	27	64	152	240	278
	South	MRFSS	0	0	0	0	0
		CPFV	2	2	2	4	12
	Statewide	Total	26	74	173	274	325



National Marine Fisheries Service
Northwest Region

PUBLIC NOTICE

7600 Sand Point Way, NE, Seattle, WA 98112

Contact: William L. Robinson or Svein Fougner
(206) 526-6140 (562) 980-4000

FOR IMMEDIATE RELEASE: July 17, 2000 NMFS-SEA-00-05

**CHANGES TO GROUND FISH LANDINGS LIMITS OFF WASHINGTON, OREGON,
AND CALIFORNIA, EFFECTIVE JULY 17, 2000**

Adjustments to the trip limits for groundfish taken off Washington, Oregon, and California are announced by the National Marine Fisheries Service. These changes were recommended by the Pacific Fishery Management Council (Council) in consultation with the states of Washington, Oregon, and California, and are **effective July 17, 2000**. Reductions to the limited entry limit for minor shelf rockfish south of 40°10' N. lat., and closure of the open access fishery for lingcod are **effective August 1, 2000**, as described below. The changes are intended to keep landings within the 2000 harvest guidelines and allocations for Pacific coast groundfish species.

◆ For yellowtail rockfish taken in *limited entry* small footrope trawl fisheries north of 40°10' N. lat., the 2-month cumulative trip limit is increased to: No more than 33% (by round weight) of all flatfish except arrowtooth flounder, plus 10% (by round weight) of arrowtooth flounder, but may not exceed 7,500 lb per trip and 30,000 lb per 2-month period. Yellowtail rockfish may not be landed without flatfish.

◆ For arrowtooth flounder taken in *limited entry* large footrope trawl fisheries, a new per trip limit is set at 5,000 lb.

◆ For minor slope rockfish **south** of 40°10' N. lat., the *limited entry* 2-month cumulative trip limit for both trawl and fixed gear is increased to 7,000 lb.

◆ For minor nearshore rockfish, the *limited entry*, fixed gear 2-month cumulative trip limit is increased to: **North** of 40°10' N. lat., 5,000 lb per 2-month period, with a maximum of 1,800 lb other than blue or black rockfish; **south** of 40°10' N. lat., 2,000 lb per 2-month period.

◆ For both the *limited entry* and *open access nontrawl* fisheries **north** of 36° N. lat., the 2-month cumulative trip limit for sablefish is increased from 2,400 lb to 3,300 lb. The 300 lb daily trip limit remains in effect. Details for the limited

entry, primary fixed gear sablefish fishery will be announced via a separate public notice, to follow immediately.

♦ For minor slope rockfish **south** of 40°10' N. lat., the *open access* 2-month cumulative trip limit is increased to 1,000 lb.

♦ For minor nearshore rockfish, the *open access* 2-month cumulative trip limit is increased to: **North** of 40°10' N. lat., 3,000 lb per 2-month period, with a maximum of 900 lb of minor nearshore rockfish other than blue or black rockfish; **south** of 40°10' N. lat., 1,600 lb per 2-month period.

The following changes are **effective on August 1, 2000**:

♦ For minor shelf rockfish **south** of 40°10' N. lat., the *limited entry* monthly cumulative trip limit for both trawl and fixed gear is reduced to 500 lb **on August 1**.

♦ For lingcod, the *open access* fishery **closes August 1**. There will be no further lingcod landings for the remainder of the 2000 open access fishing season.

For more information, contact: NMFS NW Region at 206-526-6140 (<http://www.nwr.noaa.gov>, click on "Pacific Coast Groundfish") or, NMFS SW Region at 562-980-4000; Washington Department of Fish and Wildlife at 360-249-4628; Oregon Department of Fish and Wildlife at 541-867-4741; or the California Department of Fish and Game at 415-688-6361.

#



Exhibit G.11
Attachment 2
September 2000



National Marine Fisheries Service
Northwest Region

N E W S

7600 Sand Point Way, NE, Seattle, WA 98112

Contact: William L. Robinson Svein Fougner
(206) 526-6140 (562) 980-4000

FOR IMMEDIATE RELEASE: July 18, 2000

NMFS-SEA-00-06

**LIMITED ENTRY, THREE-TIER SABLEFISH CUMULATIVE LIMIT SEASON OFF
WASHINGTON, OREGON AND CALIFORNIA ANNOUNCED
ALL GROUND FISH FIXED GEAR OUT OF WATER 48 HOURS BEFORE**

The National Marine Fisheries Service (NMFS) announces the 2000 limited entry, tiered cumulative limit, fixed gear fishery (or "regular season") for sablefish off Washington, Oregon, and California, north of 36° N. lat. This fishery will **begin at noon on August 6 and end at noon on August 15**. Only limited entry permit holders with sablefish endorsements may participate in the regular season.

A participant in the regular sablefish season may catch no more than the amount associated with the tier assigned to his permit. Tiered limits are: 81,000 lb for Tier 1; 37,000 lb for Tier 2, and 21,000 lb for Tier 3. No vessel may catch more than one cumulative limit. In addition to the overall tiered cumulative limits for the regular season, there is a trip limit for sablefish smaller than 22 inches total length, which may comprise no more than 1,500 lb or 3 percent of all legal sablefish 22 inches or larger, whichever is greater. This limit applies per vessel per trip. All limits are stated in *round weight*.

For enforcement purposes, there is a pre-season closure for all fixed gear north of 36° N. lat. during the 48-hours before the start of the regular season, between noon August 4 and noon August 6. All fixed gear (open access or limited entry) used to take and retain groundfish must be out of the water during the pre-season closure. Also, sablefish taken with fixed gear may not be retained or landed during the pre-season closure, even if caught before noon on August 4. Shrimp, prawn or crab pot vessels may set their gear during the 48-hour closure only if groundfish are not retained or landed from noon August 4 through noon August 6.

Immediately after the end of the regular season, there will be a 30-hour post-season closure, during which time no sablefish may be taken with fixed gear (limited entry or open access). During the 30-hour post-season closure, which ends at 1800 hrs on August 16, sablefish taken and retained during the regular season may be possessed and landed. Gear that was set during the regular season may remain in the water during the post-season closure;

however, gear used to take and retain groundfish may not be set or retrieved during this period. If a vessel offloads more than 300 lb of sablefish taken and retained during the regular season, then that **offloading must begin before 1800 hrs August 16**, and be completed before the vessel returns to sea, or else the 300 lb daily trip limit will apply to fish remaining on board after 1800 hrs August 16.

During the regular season, there is no limited entry, daily trip limit fishery north of 36° N. lat., and limited entry fixed gear vessels without sablefish endorsements may not harvest any sablefish. After the end of the post-season enforcement closure, at 1800 hrs on August 16, daily trip limits currently in effect will resume. These limits are 300 lb per day, and 3,300 lb cumulative per two-month period, north of 36° N. lat. The regular season does not apply to the open access fishery coastwide, or to the limited entry fishery south of 36° N. lat. However, the pre- and post-season closures north of 36° N. lat. do apply to the open access fishery.

About 3 weeks after the end of the regular season, if an adequate amount of the fixed gear sablefish allocation remains, there may be a "mop-up" fishery for limited entry permit holders with sablefish endorsements. Any mop-up fishery will be announced in the *Federal Register*. The mop-up fishery would be followed by resumption of the daily trip limit fishery.

These federal regulations apply 3-200 nautical miles offshore Washington, Oregon, and California. These actions were recommended by the Pacific Fishery Management Council in consultation with the States of Washington, Oregon, and California, which are taking similar actions in State waters (0-3 nautical miles offshore). All weights are in round weight or round-weight equivalents. For dressed sablefish, a product recovery rate of 1.6 is used by the States of Washington, Oregon, and California.

For more information, contact: NMFS NW Region at 206-526-6140 (<http://www.nwr.noaa.gov>, click on "Pacific Coast Groundfish") or, NMFS SW Region at 562-980-4000; Washington Department of Fish and Wildlife at 360-249-4628; Oregon Department of Fish and Wildlife at 541-867-4741; or the California Department of Fish and Game at 415-688-6361.

#

PACIFIC FISHERY MANAGEMENT COUNCIL

**2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201**

**Telephone: (503) 326-6352
Fax: (503) 326-6831
www.pcouncil.org**

Exhibit G.11
Attachment 3
September 2000

**EXECUTIVE DIRECTOR
Donald O. McIsaac**

**CHAIRMAN
Jim Lone**

July 17, 2000

Mr. Robert Treanor, Executive Director
California Fish and Game Commission
PO Box 944209
Sacramento, CA 94244-2090

Re: Recreational fisheries for bocaccio, lingcod, canary rockfish, and cowcod south of Cape Mendocino.

Dear Mr. Treanor:

The Pacific Fishery Management Council (Council) is responsible for recommending management measures to the federal government for marine fish in the exclusive economic zone, the area beyond state jurisdiction out to 200 nautical miles, off Washington, Oregon, and California. The National Marine Fisheries Service (NMFS) implements federal fishery management measures in that area, typically adopting the Council's recommendations. Groundfish resources and fisheries are managed in accordance with the Pacific Coast groundfish fishery management plan.

In 1999, NMFS designated the bocaccio stock off California and the lingcod stock off all three West Coast states as overfished, by federal definition. In response, the Council developed plans and initial management measures to rebuild these stocks, as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The measures adopted for 2000 were based on preseason expectations of catch of these three species by recreational fishers. The Council recommended, and NMFS implemented, reduced recreational bag limits, seasons, and other measures to reduce recreational catch from previous levels. Based on recreational catch levels anticipated from these measures, the Council developed regulations for commercial fisheries. In effect, the remaining harvest is allocated among commercial fishing sectors.

At the Council's June 26-30, 2000 meeting in Portland, Oregon, the Council received a report that recreational harvest of bocaccio and lingcod south of Cape Mendocino appears to be proceeding much more rapidly than anticipated. In fact, recreational take of bocaccio in this area has already exceeded the preseason estimate and threatens to reach the entire annual quota for all fisheries. Similarly, the catch rate of lingcod taken by recreational fishers is also higher than anticipated. The Council is extremely concerned about the status of these important groundfish stocks, the effectiveness of the rebuilding plans, and management of all fisheries that impact these stocks. At its recent June meeting, the Council voted to request the California Fish and Game Commission to take appropriate action to ensure the preseason estimates of recreational catch of bocaccio, lingcod, cowcod, and canary rockfish south of Cape

Mr. Robert Treanor

July 17, 2000

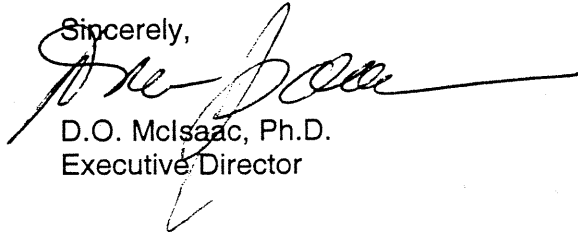
Page 2

Mendocino are not exceeded in 2000. It is our understanding the California Department of Fish and Game is making a similar recommendation, and the Commission will address this situation at its August 5-6, 2000 meeting. An immediate response will be necessary.

Achieving the rebuilding goals for these stocks, as well as allowing other depleted stocks to recover to more productive levels, will require close coordination and cooperation between state and federal management agencies. In this regard, the Council has advised NMFS to take similar action in federal waters, using its inseason groundfish management authority.

Thank you for your attention to this request, and we look forward to your positive response.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. O. McIsaac', with a long horizontal flourish extending to the right.

D.O. McIsaac, Ph.D.
Executive Director

JWG:kla

c: Council Members

COMMISSIONERS
Mike Chrisman, President
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San Francisco
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Sacramento

GRAY DAVIS
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ROBERT R. TREANOR
EXECUTIVE DIRECTOR
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax

STATE OF CALIFORNIA

Fish and Game Commission

RECEIVED

AUG 24 2000

PFMC

August 21, 2000

Dr. Donald O. McIsaac
Executive Director
Pacific Fishery Management Council (PFMC)
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Dear Dr. McIsaac:

The Commission, at its August 4, 2000, meeting, received a recommendation from the Department of Fish and Game (Department) to retain current fishing regulations affecting bocaccio rockfish and lingcod south of Cape Mendocino. This was in response to the letter that the PFMC recently sent to the Commission regarding the need to implement emergency regulations in the recreational fishery to slow or halt the catch of these two important groundfish species in the recreational fishery south of Cape Mendocino. The Department presented a report on the status of landings through the first four months of the year and concluded that:

- 1) the estimates of bocaccio and lingcod catch using California fishery data were 29-40 percent and 5 percent, respectively, of the estimates generated by the federal Marine Recreational Fishery Statistical Survey (MRFSS), and
- 2) it is likely—but not certain—that the catch for the year in the commercial and recreational fisheries will exceed 100 metric tons (m.t.) of bocaccio and 130 m.t. of lingcod.

Public testimony was received at the meeting on the Department's recommendations and the status of California's rockfish and lingcod fisheries. The charterboat representatives were very concerned about the use of the federal MRFSS estimates for managing the fisheries on a real time basis. They expressed concern about the manner in which the federal data are collected, especially by the telephone survey. It was pointed out by former Council member Robert Fletcher that no fishery independent data are collected by the National Marine Fisheries Service (NMFS) on the status of the bocaccio stock south of Point Conception. Rather, the primary source of data for the stock is NMFS' triennial trawl survey, which occurs north of that landmark and, by necessity, avoids primary habitats occupied by bocaccio and other rockfish species. Finally, the presenters believe that the "overfished" situation for bocaccio and lingcod was not caused by the recreational fishery, but that they are now being asked to carry a major portion of the burden for rebuilding the stocks.

The NMFS, Southwest Region, testified at the meeting that they were in agreement with the Department's recommendation to not implement emergency regulations at this time.

Based on the above, the Commission took no action with regard to implementing emergency fishing regulations to affect the catch of bocaccio and lingcod in the recreational fishery south of Cape Mendocino. The Department will report back to the Commission on the status of bocaccio and lingcod landings at its October 20, 2000, meeting in San Diego. If necessary, emergency regulatory action can again be considered at that time.

Dr. Donald O. McIsaac
August 21, 2000
Page Two

The Department's status report on bocaccio and lingcod catches through April 2000 was previously forwarded to you. In addition to assessing the status of the fisheries, the report lists possible regulation options affecting bocaccio and lingcod for consideration by the Commission and PFMC which could become effective on January 1, 2001. The preliminary options are aimed at better ensuring that recreational fishery catches do not exceed the rebuilding plan levels that have been adopted for bocaccio and lingcod. The Commission will likely file notice of intent to modify its regulations following its August 25, 2000, meeting. The Council will be copied on those regulation options for use at the its September meeting.



Also at our recent meeting, Ms. Patty Wolf, Department of Fish and Game, presented an overview of the PFMC's Draft Groundfish Strategic Plan. The presentation primarily focused on fishery management, but briefly described the plan's goals and recommendations for science and Council process as well. The Commission is highly supportive of the mission and goals expressed in the document and at the same time recognizes the difficulty of their implementation. For example, reducing the groundfish fleet size by more than 50 percent will be difficult at best without Congressional assistance.

We were very pleased to learn that the plan proposes to transfer management responsibility for some nearshore groundfish species to the states and to require a permit in all fisheries that land federal groundfish. In that regard, the Commission expects to receive a recommendation from the Department at its next meeting to conform the Commission's list of nearshore species to those identified by the PFMC as nearshore rockfish. These would be in addition to the federal groundfish species that the Commission has already identified as nearshore species; namely, cabezon, greenlings, scorpionfish, and black and yellow, gopher, kelp, China, and grass rockfishes. A management plan for nearshore species is under development by the Department's Marine Region and is scheduled to be submitted to the Commission by January 1, 2002.

At its August 25, 2000, meeting in Oakland, the Commission also expects the Department to submit interim regulation recommendations for the nearshore commercial fishery which could become effective January 1, 2001. Be apprized that some federal groundfish may be part of the recommendations. For example, the Department is expected to recommend that optimum yields be established for cabezon and greenlings and that a higher minimum size limit be adopted for cabezon south of Cape Mendocino. If adopted by the Commission, it may be necessary for the Council to adopt the same regulations for federal waters.

For your information, Robert R. Treanor, the Commission's Executive Director, will be available at the Council's September 11-15, 2000, meeting in Sacramento to update the Council of any management actions taken by the Commission affecting federal groundfish species in state waters and the need to coordinate state and federal regulatory efforts.

Sincerely,


Mike Chrisman 
President

cc: Director Robert C. Hight
National Marine Fisheries Service, Southwest Region
LB Boydston, Intergovernmental Affairs Office
DeWayne Johnston, Marine Region—Monterey
Patty Wolf, Marine Region—Long Beach
Rob Collins, Marine Region—Monterey

GROUND FISH MANAGEMENT TEAM RECOMMENDATIONS FOR
INSEASON CHANGES IN MANAGEMENT LIMITS FOR GROUND FISH

	Current and scheduled cumulative limits		Proposed changes for cumulative limits	
	Sep. - Oct.	Nov. - Dec.	Sep. - Oct.	Nov. - Dec.
Limited-entry Trawl				
Minor slope rockfish - South	7,000 lb / 2 mo	1,500 lb / mo	20,000 lb / 2 mo	10,000 lb / mo
Sablefish	10,000 lb / 2 mo	3,500 lb / mo	12,000 lb / 2 mo remove 22" size limit	6,000 lb / mo remove 22" size limit
Arrowtooth flounder		10,000 lb / trip		20,000 lb / trip
Other flatfish - large footrope		400 lb / trip		1,000 lb / trip
Yellowtail rockfish mid-water gear	30,000 lb / 2 mo	10,000 lb / 2 mo	30,000 lb / 2 mo	30,000 lb / 2 mo
bycatch with flatfish	33% of flatfish ¹ + 10% of arrowtooth up to 7,500 lb / trip		33% of flatfish ¹ + 10% of arrowtooth up to 7,500 lb / trip	33% of flatfish ¹ + 10% of arrowtooth up to 2,500 lb / trip

¹ The allowance calculated using 33% includes poundage for all flatfish other than arrowtooth flounder. This amount of yellowtail would then be summed with an amount equal to 10% of the arrowtooth flounder landed in order to calculate the total amount of yellowtail that could be landed (up to the specified absolute poundage limit per trip [7,500 lb or 2,500 lb]).

	Current and scheduled cumulative limits		Proposed changes for cumulative limits	
	Sep. - Oct.	Nov. - Dec.	Sep. - Oct.	Nov. - Dec.
Limited-entry Fixed-gear				
Minor slope rockfish - South	7,000 lb / 2 mo	1,500 lb / mo	20,000 lb / 2 mo	20,000 lb / 2 mo
Minor nearshore rockfish - North	5,000 lb / 2 mo with up to 1,800 lb, other than black/blue	3,000 lb / 2 mo with up to 1,400 lb, other than black/blue	10,000 lb / 2 mo; with up to 4,000 lb other than black/blue	10,000 lb / 2 mo; with up to 4,000 lb other than black/blue
Minor nearshore rockfish - South	2,000 lb / 2 mo	1,300 lb / 2 mo	6,000 lb / 2 mo	6,000 lb / 2 mo
Sablefish - Daily trip limit fishery (North of Conception)	300 lb /day up to 3,300 lb / 2 mo	300 lb /day up to 2,400 lb / 2 mo	[400 lb /day, or 1,000 lb once per week] up to 8,000 lb / 2 mo remove 22" size limit	[400 lb /day, or 1,000 lb once per week] up to 8,000 lb / 2 mo remove 22" size limit
Open-access fixed gear				
Minor slope rockfish - South	1,000 lb / 2 mo	500 lb / 2 mo	3,000 lb / 2 mo	3,000 lb / 2 mo
Minor nearshore rockfish - North	3,000 lb / 2 mo up to 900 lb, other than black/blue	1,000 lb / 2 mo up to 500 lb, other than black/blue	6,000 lb / 2 mo; up to 2,000 lb other than black/blue	6,000 lb / 2 mo; up to 2,000 lb other than black/blue
Minor nearshore rockfish - South	1,600 lb / 2 mo	800 lb / 2 mo	4,000 lb / 2 mo	4,000 lb / 2 mo
Sablefish - Daily trip limit fishery (North of Conception)	300 lb /day up to 3,300 lb / 2 mo	300 lb /day up to 2,400 lb / 2 mo	[300 lb /day, or 1,200 lb once per week] with no 2-month limit	[300 lb /day, or 1,200 lb once per week] with no 2-month limit

Note: For both limited entry and open access, proposed fixed-gear sablefish management includes an additional option for one landing per week above the daily limit amount. Each fisher may choose whether to make a series of daily-limit landings within a week, or a single landing up to the specified poundage. A fisher may elect to utilize different options over the course of a 2-month period, but only **one** of these options may be exercised within any particular week.

STATUS OF FISHERIES AND INSEASON ADJUSTMENTS

Situation: In the current groundfish management program, the Council sets annual harvest targets (optimum yield [OY] levels) and individual vessel landing limits for specified periods, with the understanding these vessel landing limits will likely need to be adjusted periodically through the year in order to reach, but not exceed, the OYs. The initial vessel landing limits are based on predicted participation rates, estimates of how successful participants will be at achieving their limits for each period, and comparisons with previous years. The Groundfish Management Team (GMT) tracks landings data throughout the year and periodically makes projections based on all the information available. The GMT presents these landings data and projections to the Groundfish Advisory Subpanel (GAP), and they discuss adjustments that may be necessary to achieve, but not exceed, the annual limits. The Council considers GMT and GAP recommendations, along with public comment, before making recommendations to the National Marine Fisheries Service (NMFS) for inseason adjustments. At the June 2000 meeting, several adjustments were recommended, and NMFS implemented the changes July 17 (Attachment 1). The Council's task at this meeting is to review the available information and projections and recommend further adjustments as appropriate. In addition, the Council recommended tier limits and season duration for the primary nontrawl sablefish fishery (Attachment 2). Preliminary landings information should be available in time for the Council to develop recommendations for a "mop-up" fishery.

The next cumulative period begins October 1, and reductions would take effect at that time. Some increases to cumulative vessel landing limits may be appropriate, and these might be implemented prior to October 1 in order to provide more opportunity for fishers to take the increased limits. Vessels will have to wait until the regulations change before they have access to the larger limits.

At the June meeting, the GMT reported recreational catch of bocaccio and lingcod in California appeared to be far ahead of expectations. The Council directed staff to send a letter to the California Fish and Game Commission, requesting recreational catch be held to preseason expectations (Attachment 3).

Council Action:

1. Adopt inseason adjustments, if necessary.

Reference Materials:

1. NMFS Public Notice: Changes to Groundfish Landings Limits off Washington, Oregon, and California, Effective July 17, 2000 (Exhibit G.11, Attachment 1).
2. NMFS Public Notice: Limited Entry, Three-Tier Sablefish Cumulative Limit Season off Washington, Oregon, and California Announced; All Groundfish Fixed Gear out of Water 48 Hours Before (Exhibit G.11, Attachment 2).
3. Letter from D. O. McIsaac to Robert Treanor and California Fish and Game Commission responses (Exhibit G.11, Attachment 3).

PPMC
08/25/00

Exhibit G.11

~~Exhibit D.2.a~~

Supplemental ODFW Report
September 2000

DRAFT

A Preliminary Assessment of The Impact of The
"Small Footrope" Regulation on The Spatial Distribution
of Oregon Bottom Trawl Effort In 2000

Robert W. Hannah
Mark Freeman

September 2000
Oregon Department of Fish and Wildlife
Marine Resources Program

Analysis Conducted

Oregon bottom trawl logbooks were analyzed to determine how the new "small footrope" regulation might have changed fishing patterns so far this year. The emphasis was placed on determining the degree to which trawl fishing effort had been shifted away from traditional shelf rockfish fishing grounds.

To delineate traditional rockfish grounds, the 1993-95 logbook data were used. All bottom trawl tows resulting in a combined rockfish catch per unit effort (CPUE) greater than 800 lbs/h were identified. Tows with depths greater than 250 fathoms were not included (about 30 out of 5800 tows). The start locations for these tows were then mapped (Figure 1) and polygons were drawn around the clusters of tow start locations. These areas were assumed to roughly represent the traditional shelf rockfish grounds for Oregon bottom trawlers.

Mapping analysis was then conducted on the Oregon trawl logbooks for January through June 2000. Tow start locations were mapped for gear code 392 (sole trawl). This gear code in Oregon's 2000 logbook database is equivalent to the "small footrope" category. These start locations are shown overlaid on the high rockfish polygons in Figure 2. The data in Figure 2 suggest that the "small footrope" regulation significantly shifted fishing effort away from traditional rockfish grounds. In most of the polygons, no effort is shown. In some of the polygons, some fishing effort is shown near the edges of the "high rockfish" areas. Since these are only tow start locations, caution should be used in interpreting the data; the edge tows in particular. While these tows may have started at the edge of the "high rockfish CPUE" areas, the lack of start locations in the middle of the polygons suggests the tows may have proceeded away from, or along the side of, rocky areas rather than directly across these areas. The great abundance of tows in the 1993-95 data that originate within these polygons suggest that those tows were targeted at these areas.

We also examined trawl logbook data for gear code 391 (roller trawl) for January through June 2000 (Figure 3). We restricted our analysis to tows with a bottom depth less than 250 fathoms. These tows also largely avoided traditional shelf rockfish grounds, however in a few instances the tows were heavily clustered along the edges of the "high rock CPUE" polygons.

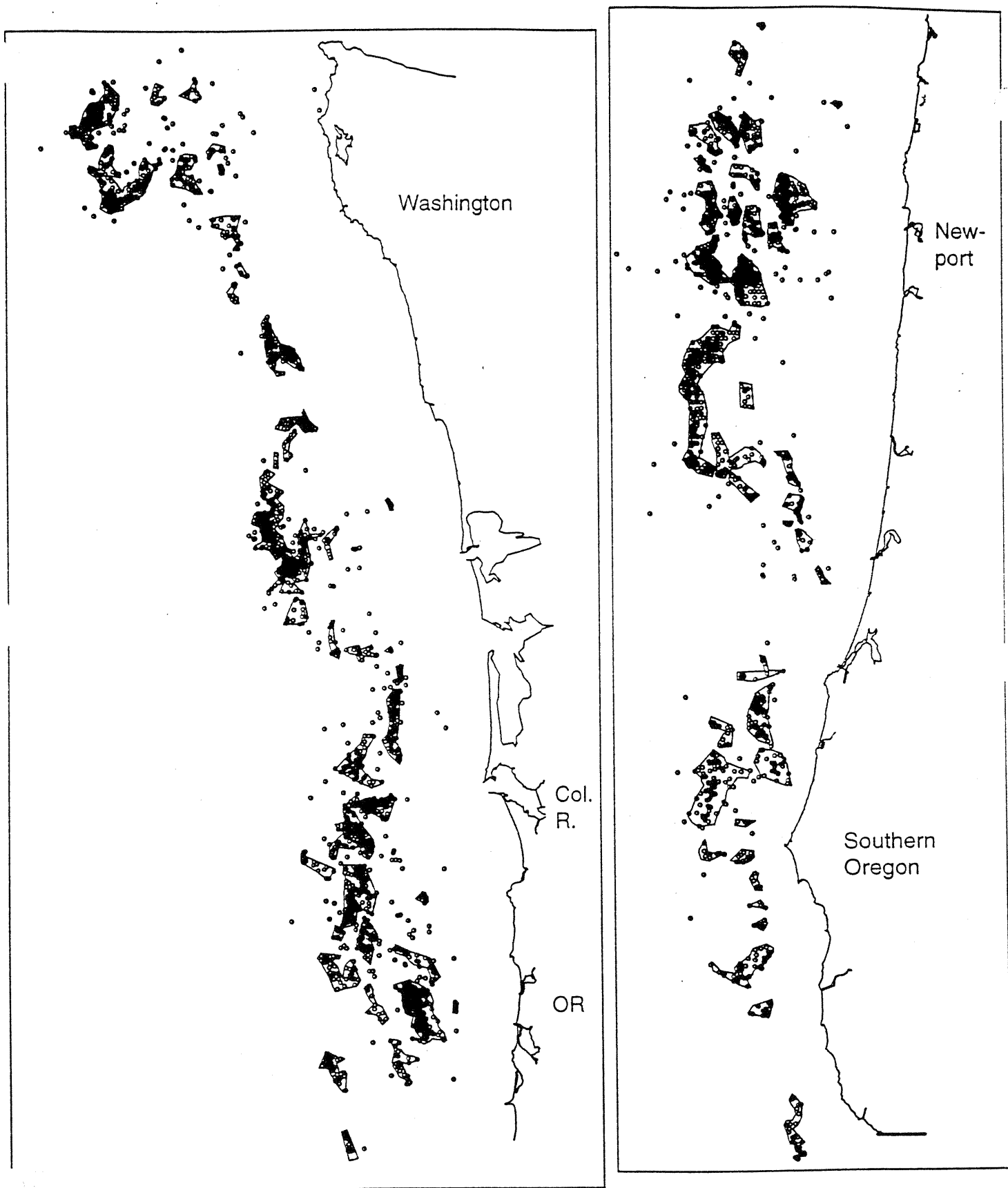


Figure 1. Distribution of high CPUE (>800 lbs/h) rockfish tows (Oregon logbooks) from 1993-95. Polygons enclose clusters of productive tows.

DRAFT

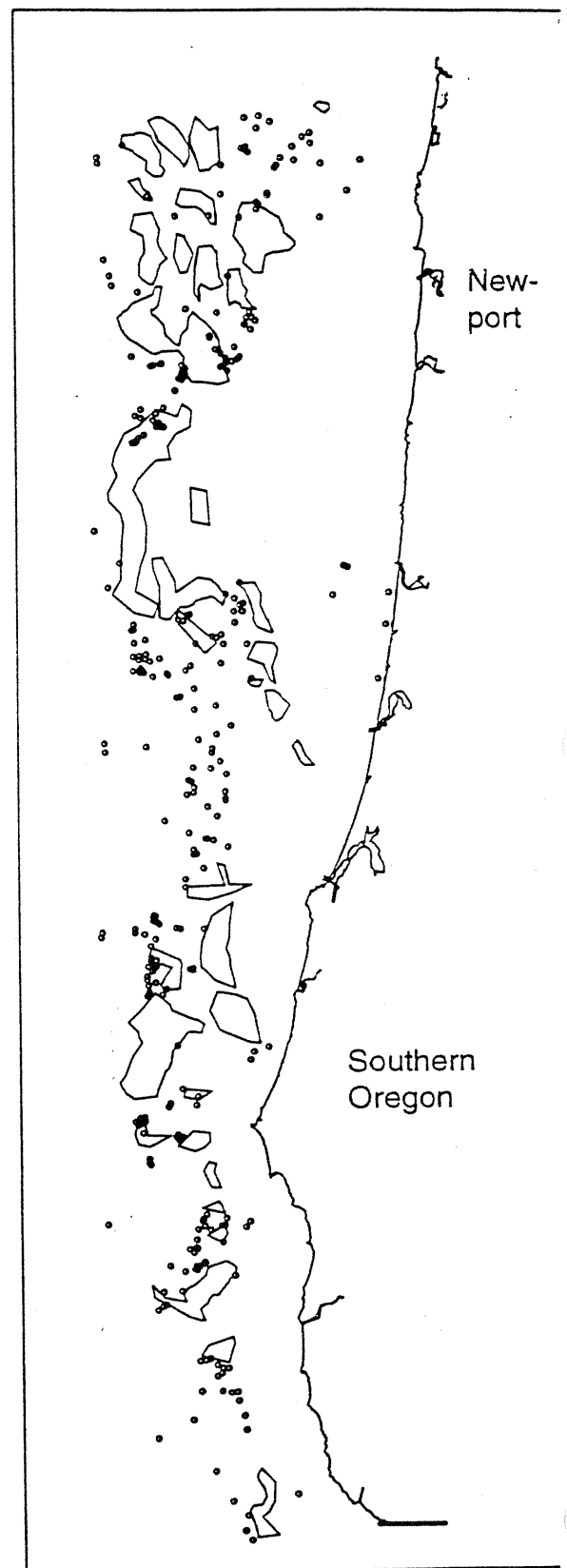
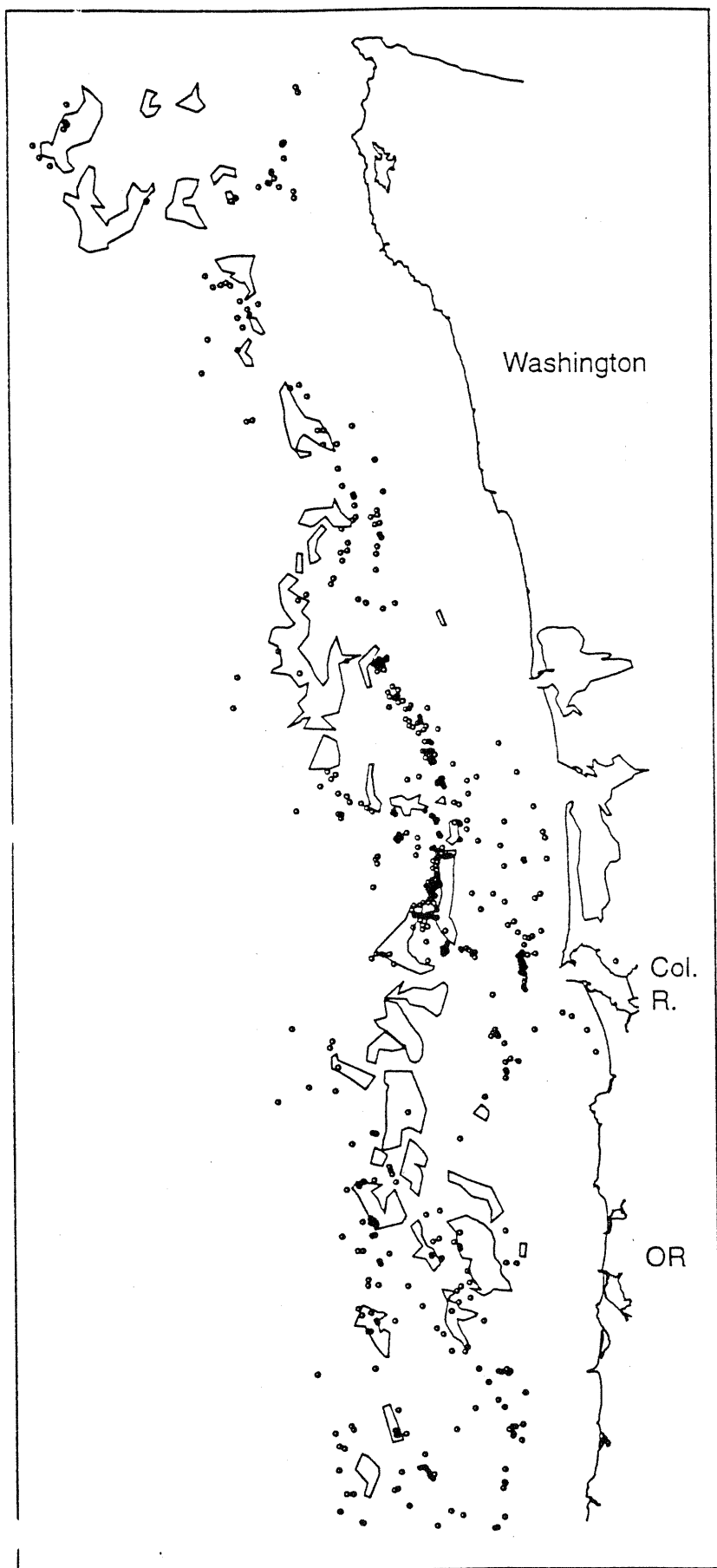


Figure 2. Comparison of geographic distribution of Oregon small footrope trawl effort (small circles-gear 392) with high rockfish CPUE areas (polygons) from 1993-95.

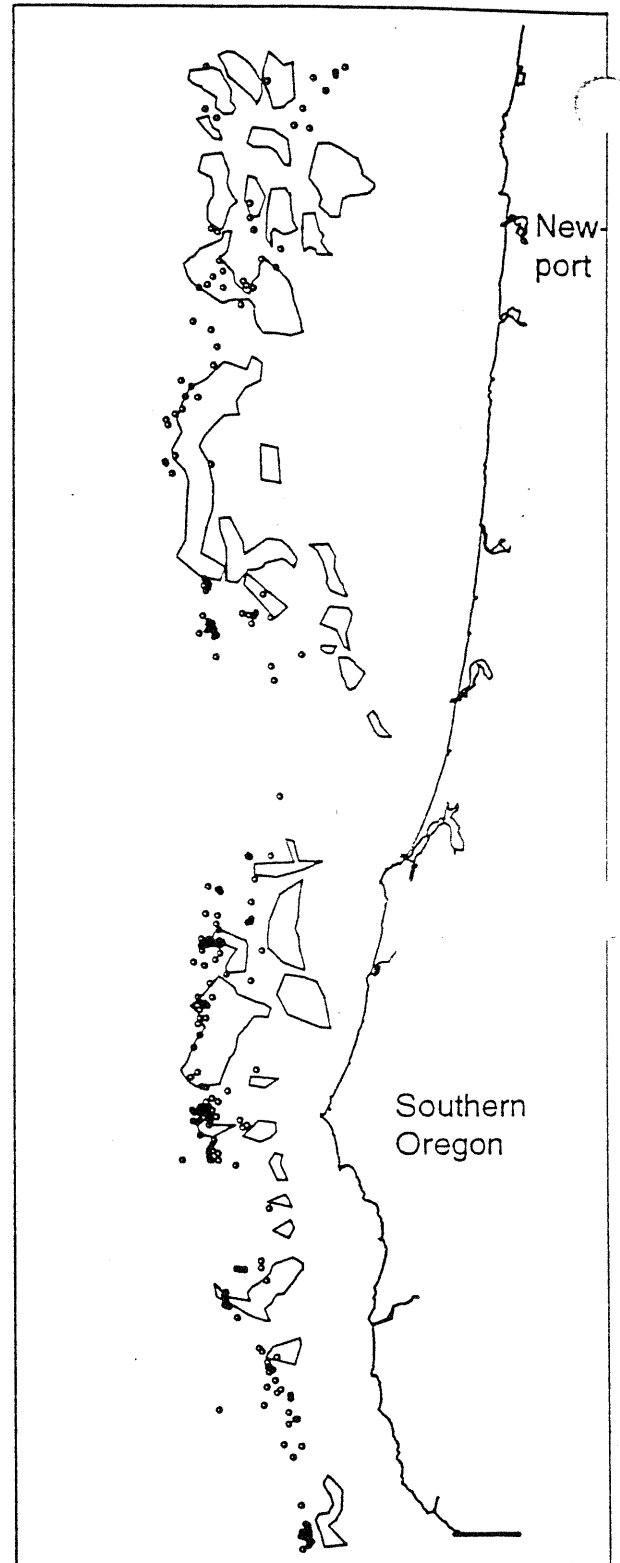
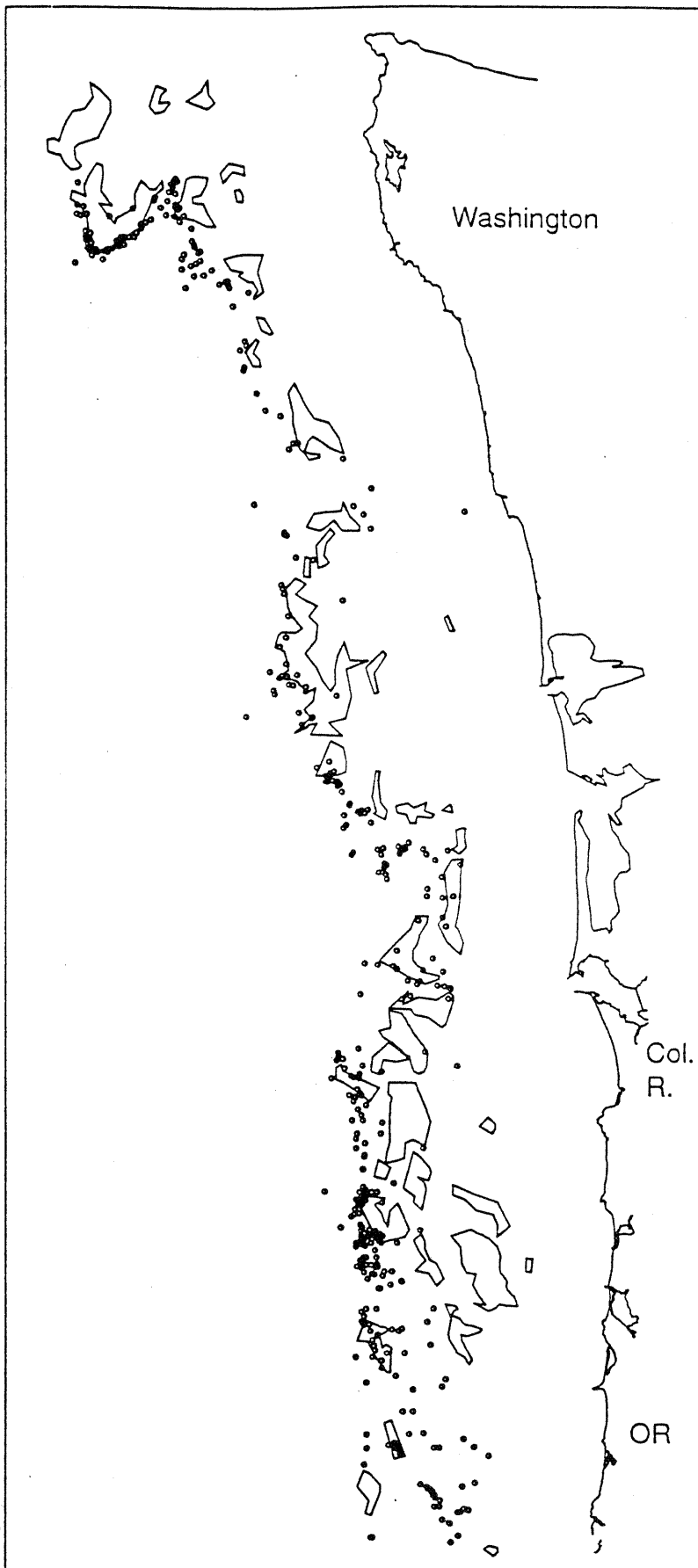


Figure 3. A comparison of January through June 2000 roller trawl gear (391) versus high rockfish CPUE areas (polygons) from 1993-95.

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
STATUS OF FISHERIES AND INSEASON ADJUSTMENTS

The Groundfish Advisory Subpanel (GAP) met jointly with the Groundfish Management Team to discuss inseason adjustments and offers the following consensus recommendations. Except as noted, the adjustments are to be made for the cumulative period beginning September 1, 2000.

Limited Entry Trawl

1. For minor slope rockfish in the south, increase the limit to 20,000 pounds per two-month cumulative period through the remainder of 2000.
2. For yellowtail rockfish using midwater trawl gear, maintain a 30,000 pound limit per two-month cumulative period through the remainder of 2000.
3. For yellowtail rockfish taken incidentally by vessels using small footrope gear while harvesting flatfish and arrowtooth flounder, maintain through the remainder of 2000 the regulations currently in effect, except the total amount of yellowtail per trip taken in association with arrowtooth flounder and/or other flatfish may not exceed 2,500 pounds. ***This change to go into effect beginning November 1, 2000.***
4. The limit for other flatfish taken using large footrope trawl gear will be increased to 1,000 pounds per trip. ***This change to go into effect beginning November 1, 2000.***
5. The cumulative limit for arrowtooth flounder will be increased to 20,000 pounds per trip. ***This change to go into effect beginning November 1, 2000.***
6. For the cumulative period beginning September 1, 2000, the cumulative limit for sablefish will be increased to 12,000 pounds. For the months of November and December, 2000 the monthly limit for sablefish will be increased to 6,000 pounds.
7. The limit on taking sablefish under 22 inches in length is repealed for the remainder of 2000.

Limited Entry Fixed Gear

1. The cumulative limit for nearshore minor rockfish in the north will be increased to 10,000 pounds per two-month cumulative period for the remainder of 2000, with no more than 4,000 pounds being species other than black or blue rockfish.
2. The cumulative limit for nearshore minor rockfish in the south will be increased to 6,000 pounds per two-month cumulative period for the remainder of 2000.
3. The cumulative limit for minor slope rockfish in the south will be increased to 20,000 pounds per two-month cumulative period for the remainder of 2000.
4. For the daily-trip-limit fishery north of 36°, vessels may take 400 pounds per day, with a cumulative limit of 8,000 pounds per two-month period; or 1,000 pounds per week with a cumulative limit of 8,000 pounds per two-month period. Vessels may not apply both the daily and weekly limits within the same week.
5. For the remainder of 2000, the prohibition on taking sablefish less than 22 inches in length is repealed.

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1. The limit for minor slope rockfish in the south will be increased to 3,000 pounds per two-month period for the remainder of 2000.
2. The limit for minor nearshore rockfish in the south will be increased to 4,000 pounds per two month period for the remainder of 2000.
3. The limit for minor near shore rockfish in the north will be increased to 6,000 pounds per two-month period for the remainder of 2000, with no more than 2,000 pounds being species other than black or blue rockfish.
4. Vessels operating in the daily-trip-limit sablefish fishery north of 36° may take 300 pounds of sablefish per day or 1,200 pounds of sablefish per week with no cumulative limit for the remainder of 2000. Vessels may not apply both the daily and weekly limits within the same week.