

## CONSIDERATION OF INSEASON ADJUSTMENTS FOR GROUNDFISH TRAWL SECTORS

Management measures for groundfish are set by the Council with the general understanding that these measures will likely need to be adjusted within the biennium to attain, but not exceed, the annual catch limits (ACLs). This agenda item will consider inseason adjustments to ongoing 2014 groundfish trawl fisheries based on recent catch data and year-end projections (Agenda Item B.1.a, Attachments 1 and 2). Any adjustments would be intended to achieve the Pacific whiting total allowable catch, while mitigating impacts to overfished and protected species. Potential actions include adjustments to the off-the-top deductions from the darkblotched rockfish ACL (hereinafter ACL set-asides) and subsequent increases to the darkblotched rockfish catcher-processor and mothership sector allocations. Additionally, the Council may consider implementation of bycatch reduction areas for the Pacific whiting sectors to reduce Chinook salmon bycatch.

### *Pacific Whiting Fishery and Darkblotched Rockfish Adjustments*

The Pacific whiting mothership cooperative closed itself October 11, 2014 when their darkblotched rockfish allocation was exceeded by 1 metric ton (mt). Approximately 30 percent of the mothership sector Pacific whiting allocation remains unharvested, at an ex-vessel value of approximately \$10 million, given recent price structure. Subsequently, the Midwater Trawlers Cooperative and United Catcher Boats requested the National Marine Fisheries Service (NMFS) transfer 3 mt of darkblotched rockfish to the mothership sector cooperative necessary to achieve their whiting quota (Agenda Item B.1.a, Attachment 2). The request was based on projections that indicate the total catch of darkblotched rockfish will remain well below the ACL by year end (Agenda Item B.1.a, Attachment 3). Additionally, such transfer would not result in a change to another sector's allocation nor have an impact on an existing fishery.

On October 17, 2014, participants in the catcher-processor sector of the Pacific whiting fishery indicated that fishing for whiting will cease for the remainder of the 2014 calendar year at such time as (1) the participants have harvested all whiting quota made available to the catcher-processor sector (including any reapportionments from the tribal whiting allocation) or (2) upon the harvest of a total of 6.0 mt of darkblotched rockfish plus any additional darkblotched rockfish allocated to the catcher-processor sector after the date of this letter, whichever occurs first (Agenda Item B.1.a, Attachment 4). Therefore, the catcher-processor sector has formally announced they do not intend to harvest 3.0 mt of darkblotched rockfish from their current allocation, and as such, NMFS may redistribute this 3.0 mt of darkblotched rockfish to the mothership sector. It is expected that NMFS will immediately transfer the 3.0 mt of darkblotched rockfish which would allow the mothership sector to recommence fishing operations.

The NMFS has indicated it may soon reallocate unused whiting quota from the tribal fishery to non-tribal sectors. If this occurs, it is probable that insufficient darkblotched rockfish allocation will remain to attain a higher Pacific whiting total allowable catch in these non-tribal fisheries.

Council action under this agenda item is to consider increasing the catcher-processor and mothership darkblotched rockfish allocations through a routine inseason adjustment of the ACL

set-asides for darkblotched rockfish. The ACL set-asides for darkblotched rockfish were recommended during the biennial process and implemented in regulation to account for groundfish mortality in the Pacific Coast treaty Indian tribal fisheries, scientific research, non-groundfish target fisheries (hereinafter incidental open access fisheries), and, as necessary, exempted fishing permits. The ACL set-asides, except for the Pacific Coast treaty Indian tribal fisheries amounts, can be modified through inseason action and made available to other fisheries based on inseason projections (see regulations at 660(c)(3)).

Current landings, projections, and recent year data indicate that total darkblotched rockfish mortality will be significantly below the ACL by year end (Agenda Item B.1.a, Attachments 1 and 3). Most notably, the darkblotched rockfish ACL set-aside for the incidental open access fisheries is substantially higher (18.4 mt) than the current fishery landings (0.0 mt) or the most current year estimate of landings and discard (5.0 mt). The majority of the darkblotched rockfish impacts in the incidental open access fishery come from the pink shrimp fishery. The west coast pink shrimp fisheries are scheduled to close on October 31.

The Council should review the current fishery projections and recommend full reapportionment, partial reapportionment, or no reapportionment of the ACL set-asides for darkblotched rockfish. When recommending such adjustments, the Council should also consider the allocation framework criteria outlined in the Fishery Management Plan (FMP) and the objectives to maintain or extend fishing and marketing opportunities, taking into account the best available information on sector needs (Agenda Item B.1.a, Attachment 5).

#### *Chinook Salmon Bycatch*

The Pacific whiting fishery operates under regulations and an Endangered Species Act biological opinion for Chinook salmon that include a threshold of 11,000 Chinook salmon or a ratio of 0.05 ratio of the number of Chinook salmon to metric tons of Pacific whiting. Additionally, the biological opinion includes a threshold of 6,000-9,000 Chinook per year in the bottom trawl fishery. Attainment of the threshold requires NMFS to implement the Ocean Salmon Conservation Zone, which would prohibit fishing shallower than 100 fm (see regulations at 660.131(c)(3)), and to reinitiate Endangered Species Act (ESA) consultation.

The latest data on the Pacific whiting fishery indicate the 11,000 Chinook salmon threshold is projected to or has been attained (Agenda Item B.1.a, Attachment 1, Table 1). NMFS has indicated that ESA consultation has been re-initiated and the agency intends to implement the Ocean Salmon Conservation Zone.

Pacific whiting bycatch reduction areas are another routine mitigation measure that could be implemented to reduce Chinook salmon bycatch. The bycatch reduction areas would apply to vessels using midwater trawl gear during the primary whiting season and would prohibit vessels from fishing shoreward of a boundary line approximating the 150 fm depth contours (see regulations at 660.72 and 660.73). The Council should consider the latest information on Chinook salmon interactions in the Pacific whiting fishery, including the pending implementation of the Ocean Salmon Conservation Zone, and determine whether additional measures are needed to reduce Chinook salmon bycatch.

**Council Action:**

1. **Consider recent information on catches of darkblotched rockfish and determine whether to reduce the darkblotched rockfish ACL set-aside for the incidental open access fisheries.**
2. **Consider the allocation framework criteria in the FMP if the darkblotched rockfish ACL set-aside is made available to another sector.**
3. **Consider the latest information on Chinook salmon interactions in the Pacific whiting fishery, including the pending implementation of the Ocean Salmon Conservation Zone, and determine whether additional measures are needed to reduce Chinook salmon bycatch.**

**Reference Materials:**

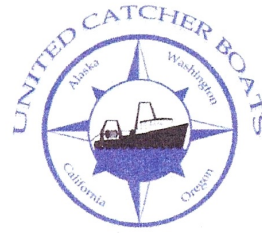
1. Agenda Item B.1.a, Attachment 1. Fact Sheet – Current Status of the Trawl Fishery.
2. Agenda Item B.1.a, Attachment 2. Request from Midwater Trawlers Cooperative and United Catcher Boats Regarding Darkblotched Rockfish.
3. Agenda Item B.1.a, Attachment 3. The Groundfish Management Team Scorecard from September 2014.
4. Agenda Item B.1.a, Attachment 4. Letter from Member Companies of the Pacific Whiting Conservation Cooperative Regarding Darkblotched Rockfish.
5. Agenda Item B.1.a, Attachment 5. Allocation Framework Provided in the Groundfish Fishery Management Plan.

**Agenda Order:**

- a. Agenda Item Overview
- b. National Marine Fisheries Service Report
- c. Reports and Comments of State and Tribal Management Agencies
- d. Public Comment
- e. **Council Action:** Adopt Recommendations for Adjustments to 2014 Groundfish Trawl Fisheries

Kelly Ames  
Frank Lockhart

PFMC  
10/17/14



Mr. Robert Turner, Assistant Regional Administrator  
National Marine Fisheries Service  
Sustainable Fisheries Division  
7600 Sand Point Way,  
Seattle, WA 98112

October 14, 2014

The at-sea whiting mothership sector request an action to transfer 3 metric tons (mt) of darkblotched rockfish into the mothership sector so that the industry can harvest the remaining 21,165 mt of hake worth approximately \$5 million in ex-vessel value and another \$5 million in ex-processor value. We believe that NMFS has the authority to transfer unutilized darkblotched rockfish that remains within the Annual Catch Limit (ACL). This action will prevent premature closure of this economically important fishery.

The MS whiting cooperative closed the fishery on Saturday following simultaneous catches of darkblotched that morning that caused the sector cap of that species to be exceeded. Over the three-day weekend the fleet returned to port and has unloaded most of the processed product. Once that job is complete, it will be impossible to hold the crews on board. We respectfully request immediate action for that reason.

The trawl rationalization program is intended to increase net economic benefits, create individual economic stability, provide full utilization of the trawl sector allocation, consider environmental impacts and achieve individual accountability of catch. The mothership sector cooperative has demonstrated an aggressive commitment to reducing bycatch of overfished species utilizing various controls for limiting bycatch including information sharing of hot spots, bans on night fishing, voluntary areas closures and daily reports and alerts with real time information on a haul by haul basis of what the fleet is catching. During the 2014 fishery, in addition to implementing several closed areas, the mothership cooperative vessels have moved many times in order to minimize their bycatch. These moves, often to less productive grounds, have come at great cost in fuel, increased overhead and in lost fishing time. With very limited caps on four rockfish species, the whiting fishery has done an excellent job of keeping bycatch to a minimum. Nonetheless, several simultaneous lightning strikes suddenly shut down the fishery.

The MS fleet had only harvested 1.69 mt of darkblotched rockfish between the start of the season on May 15<sup>th</sup> and October 10<sup>th</sup> while harvesting over 48,000 mt of hake. On Saturday morning, October 11<sup>th</sup>, the MS fleet suddenly surpassed its allocation of darkblotched. Several vessels were

fishing in the vicinity of one another and the tows were delivered virtually simultaneously to three processors resulting in 4.72 mt of darkblotched being landed. The fleet had fished cleanly in this area on the two preceding days, but something caused the darkblotched rockfish to move into the area that morning. Once the overage was realized, the mothership fishery was immediately closed by the cooperative manager on Saturday afternoon.

We request that NMFS review the amount of excess darkblotched rockfish available in the Pacific Fishery Management Council's Scorecard and consider apportioning 3 mt of unutilized darkblotched rockfish to the MS Whiting sector (coop). Review of the Pacific Council's *Scorecard of Allocations and Projected Mortality Impacts of Overfish Groundfish Species for 2014* shows projected darkblotched impacts across all fisheries and uses should come in at 95.7% of the Annual Catch Limit (ACL) with 14.3 metric tons likely not caught. In addition, the ACL for darkblotched (330 mt) is only 60% of the Acceptable Biological Catch for this species of 553 mt creating a 221 mt buffer between the harvest guideline and the overfishing level. Lastly, the "off the top" deductions for darkblotched that are taken before the trawl / non-trawl allocation is made show a projected difference of 3.4 mt. The latest scorecard can be found here [http://www.pcouncil.org/wpcontent/uploads/14b\\_Sup\\_GMT\\_Rpt\\_SEPT2014BB.pdf](http://www.pcouncil.org/wpcontent/uploads/14b_Sup_GMT_Rpt_SEPT2014BB.pdf). Further, flexibility was purposely and explicitly built into the 2013-2014 specifications and resulting regulations to allow easy transfer of unused "off the top" set asides if "it is needed." Current projections in the scorecard show that they set aside 3.3 mt MORE than these categories will use.

There is fish available to fix this problem. Recognizing that a transfer of three metric tons will not cause a conservation concern for this species, we hope you will utilize the flexibility allowed in the regulations to solve this problem and put the fleet back to work.

Thank you very much for your expeditious review of this tragic situation. Leaving over \$10 million of unharvested Whiting in the water is such a loss that we urge the NMFS to pursue any available options to provide the MS cooperative with a small amount of darkblotched rockfish that will enable us to finish up our 2014 season successfully.

Thank you for your consideration.



Heather Mann  
Midwater Trawlers Cooperative



Brent Paine  
United Catcher Boats

cc Dorothy Lowman, Pacific Fishery Management Council Chair  
Don McIsaac, Pacific Fishery Management Council Executive Director

GROUND FISH MANAGEMENT TEAM OVERFISHED SPECIES SCORECARD FROM  
THE SEPTEMBER 2014 COUNCIL MEETING

Attached is the Groundfish Management Team scorecard from the September 2014 Council meeting ([Agenda Item J.4.b Supplemental GMT Report, September 2014](#)).

**Table 1 . Scorecard for the beginning of 2014. Allocations <sup>a/</sup> and projected mortality impacts (mt) of overfished groundfish species for 2014.**

Fishery	Bocaccio b/		Canary		Cow cod b/		Dkbl		Petrale		POP		Yelloweye	
	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts	Allocation a/	Projected Impacts
<b>Date : 9 September 2014</b>														
<b>Off the Top Deductions</b>	8.4	9.3	17.5	17.2	0.1	0.2	20.8	17.5	234.0	234.0	16.5	13.2	5.8	5.5
EFPC/	6.0	6.0	1.5	1.5	0.0	0.0	0.2	0.2	0.0	0.0	0.0	0.0	0.0	0.0
Research d/	1.7	2.6	4.5	4.5	0.1	0.2	2.1	2.1	11.6	11.6	5.2	5.2	3.3	<b>3.0</b>
Incidental OA e/	0.7	0.7	2.0	2.0	--	--	18.4	15.0	2.4	2.4	0.4	0.6	0.2	0.2
Tribal f/			9.5	9.2			0.1	0.2	220.0	220.0	10.9	7.4	2.3	2.3
<b>Trawl Allocations</b>	79.0	79.0	54.1	54.1	1.0	1.0	293.7	293.7	2,383.0	2,383.0	129.7	129.7	1.0	1.0
<b>-SB Trawl</b>	79.0	79.0	41.1	41.1	1.0	1.0	<b>278.4</b>	<b>278.4</b>	<b>2,378.0</b>	<b>2,378.0</b>	112.3	112.3	1.0	1.0
<b>-At-Sea Trawl</b>			13.0	13.0			15.4	15.4	5.0	5.0	17.4	17.4		
<b>a) At-sea whiting MS</b>			5.4	5.4			<b>6.3</b>	6.3			7.2	7.2		
<b>b) At-sea whiting CP</b>			7.6	7.6			9.0	9.0			10.2	10.2		
<b>Non-Trawl Allocation</b>	249.6	125.4	47.4	26.4	1.9	0.8	<b>15.5</b>	4.5	35.0	2.2	<b>6.8</b>	0.2	11.2	10.3
Non-Nearshore	76.2		3.7										1.1	
LE FG				0.8				3.6				0.2		0.4
OA FG				0.1				0.7				0.0		0.0
Directed OA: Nearshore	0.9	0.4	6.4	6.5		0.0		0.2					1.2	1.1
Recreational Groundfish														
WA			3.2	0.9				--		--		--	2.9	2.9
OR			11.1	4.7				--		--		--	2.6	2.5
CA	172.5	125.0	23.0	13.4		0.8		--		--		--	3.4	3.4
<b>TOTAL</b>	337.0	213.7	119.0	97.7	3.0	2.1	330.0	315.7	2,652.0	2,619.2	153.0	143.1	18.0	<b>16.8</b>
<b>2014 Harvest Specification</b>	<b>337</b>	<b>337</b>	<b>119</b>	<b>119</b>	<b>3.0</b>	<b>3.0</b>	<b>330</b>	<b>330</b>	<b>2,652</b>	<b>2,652</b>	<b>153</b>	<b>153</b>	<b>18</b>	<b>18</b>
<b>Difference</b>	0.0	123.3	0.0	21.3	0.0	0.9	0.0	14.3	0.0	32.8	0.0	9.9	0.0	<b>1.2</b>
<b>Percent of ACL</b>	100.0%	63.4%	100.0%	82.1%	100.0%	68.7%	100.0%	95.7%	100.0%	98.8%	100.0%	93.5%	100.0%	93.4%
Key			= not applicable											
		--	= trace, less than 0.1 mt											
			= Fixed Values											
			= off the top deductions											

a/ Formal allocations are represented in the black shaded cells and are specified in regulation in Tables 1b and 1e. The other values in the allocation columns are 1) off the top deductions, 2) set asides from the trawl allocation (at-sea petrale only) 3) ad-hoc allocations recommended in the 2013-14 EIS process, 4) HG for the recreational fisheries for canary and YE.

b/ South of 40°10' N. lat.

c/ EFPs are amounts set aside to accommodate anticipated applications. Values in this table represent the estimates from the 13-14 biennial cycle, which are currently specified in regulation.

d/ Includes NMFS trawl shelf-slope surveys, the IPHC halibut survey, and expected impacts from SRPs and LOAs.

e/ The GMT's best estimate of impacts as analyzed in the 2013-2014 Environmental Impact Statement (Appendix B), which are currently specified in regulation.

f/ Tribal values in the allocation column represent the the values in regulation. Projected impacts are the tribes best estimate of catch.



# Pacific Whiting Conservation Cooperative

American Seafoods • Glacier Fish Co. • Trident Seafoods  
*A Partnership to Promote Responsible Fishing*

October 17, 2014

Mr. William Stelle  
Regional Administrator, West Coast Region  
National Marine Fisheries Service  
7600 Sand Point Way NE  
Seattle, WA 98115  
Attn: Frank Lockhart

Re: Catcher Processor Sector Fishery Notice

Dear Mr. Stelle:

This letter will serve as a "cease fishing report" pursuant to 50 CFR 660.160 (c)(5). The participants in the catcher-processor sector of the Pacific whiting fishery shall cease fishing for whiting for the remainder of the 2014 calendar year at such time as (1) the participants have harvested all whiting quota made available to the catcher-processor sector (including any reapportionments from the tribal whiting allocation) or (2) upon the harvest of a total of 6.0 metric tons of darkblotched rockfish plus any additional darkblotched rockfish allocated to the catcher-processor sector after the date of this letter, whichever occurs first. Therefore, the catcher-processor sector does not intend to harvest 3.0 metric tons of darkblotched rockfish from its current allocation, and per the regulations at 50 CFR 660.160 (c)(5), NMFS may redistribute this 3.0 metric tons of darkblotched rockfish to the mothership sector.

Sincerely,

Daniel A. Waldeck  
Executive Director

CC Frank Lockhart, NMFS  
Bob Turner, NMFS  
Don McIsaac, PFMC  
Dorothy Lowman, PFMC Chair



proposed changes in the designation of HAPCs consistent with the proposed modification of the location and extent of areas closed to bottom trawling. For example, if a current closed area, which is also identified as a HAPC, is recommended for elimination, the committee may recommend whether or not to retain the HAPC designation. Any such recommendation with respect to a HAPC would trigger the process for the modification of HAPCs (by FMP amendment) described in Section 7.3.2. Upon receipt of a recommendation from the committee, the Council will decide whether to begin the rulemaking process described in Section 6.2 D for establishing, adjusting, or removing discretionary management measures intended to have a permanent effect.

### **6.2.5 Indian Treaty Rights**

Treaties with a number of Pacific Northwest Indian tribes reserve to those tribes the right of taking fish at their usual and accustomed fishing grounds and stations (U & A) in common with other citizens of the United States. NMFS has determined that the tribes that have groundfish U & A in the area managed by this FMP are the Makah, Hoh, and Quileute Tribes, and the Quinault Indian Nation. Several tribal fisheries exist for species covered by the FMP. The Federal government has accommodated these fisheries through a regulatory process, found at 50 CFR 660.324. Until such time as tribal treaty rights are finally adjudicated or the regulatory process is modified or repealed, the Council will continue to operate under that regulatory process to provide recommendations to the Secretary on levels of tribal groundfish harvest.

[Amendment 18]

## **6.3 Allocation**

### **6.3.1 Allocation Framework**

Allocation is the apportionment of an item for a specific purpose or to a particular person or group of persons. Allocation of fishery resources may result from any type of management measure, but is most commonly a numerical quota or HG for a specific gear or fishery sector. 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, HGs, or other management measures are established with the specific intent of affecting a particular group's access to the fishery resource.

Fishery resources may be allocated to accomplish a single biological, social or economic objective, or a combination of such objectives. The entire resource, or a portion, may be allocated to a particular group, although the Magnuson-Stevens Act requires that allocation among user groups be fair and equitable, reasonably calculated to promote conservation, and determined in such a way that no group, person, or entity receives an undue excessive share of the resource. The socioeconomic framework described in Section 6.2.3 provides criteria for direct allocation. Allocative impacts of all proposed management measures should be analyzed and discussed in the Council's decision-making process.

In addition to the requirements described in Section 6.2.3, the Council will consider the following factors when intending to recommend direct allocation of the resource.

1. Present participation in and dependence on the fishery, including alternative fisheries.
2. Historical fishing practices in and historical dependence on the fishery.
3. The economics of the fishery.

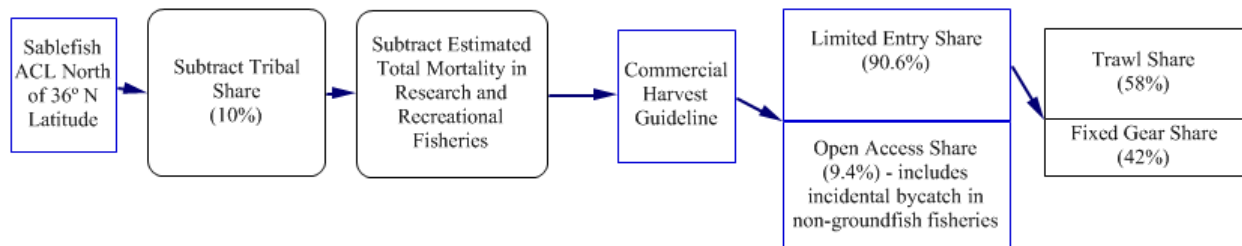
4. Any consensus harvest sharing agreement or negotiated settlement between the affected participants in the fishery.
5. Potential biological yield of any species or species complex affected by the allocation.
6. Consistency with the Magnuson-Stevens Act national standards.
7. Consistency with the goals and objectives of the FMP.

The modification of a direct allocation cannot be designated as routine unless the specific criteria for the modification have been established in the regulations.

### 6.3.2 Formal Allocations

#### 6.3.2.1 Sector Allocations of Sablefish North of 36° N latitude

Fixed allocations of sablefish are based on the ACL specified for the area north of 36° N latitude (to the U.S.-Canada border). Sablefish allocations north of 36° N latitude are determined by first deducting the tribal share from the ACL (or OY) specified for north of 36° N latitude, then deducting the estimated total mortality of sablefish in research and non-groundfish fisheries (these deductions are decided in the biennial process for specifying harvest specifications and management measures based on the best available information at the time of the decision), then dividing the remaining yield (non-tribal share) between open access and LE fisheries, with the LE share divided between the trawl and fixed gear (longline and fishpot) sectors. The proportions of each of these divisions are indicated in Figure 6-1. The LE fixed gear share is then generally divided 85 percent to the primary fishery for LE fixed gear vessels with sablefish endorsements and 15 percent for the daily-trip-limit fishery, for such vessels with and without sablefish endorsements.



**Figure 6-1. Fixed intersector allocations of sablefish north of 36° N latitude.**

#### 6.3.2.2 Sector allocations of Pacific Whiting

Projected total mortalities of Pacific whiting in recreational, research, and non-whiting fisheries are first set aside (these deductions are decided in the annual process for specifying Pacific whiting harvest specifications and management measures based on the best available information at the time of the decision), then a yield amount is set-aside to accommodate tribal whiting fisheries. In some years the whiting set-aside may be increased to accommodate other programs, such as EFPs. The nontribal commercial share of whiting is allocated to LE whiting trawl sectors as follows: 42 percent for the shoreside whiting sector, 24 percent for the at-sea mothership whiting sector, and 34 percent for the at-sea catcher-processor whiting sector. No more than five percent of the shoreside whiting sector's allocation may be taken and retained south of 42° N latitude prior to the start of the shore-based whiting season north of 42° N latitude (in waters off Oregon and Washington).

10/17/2014

National Oceanic and Atmospheric Administration Mail - Fwd: Comments for Emergency Council meeting 10/17/14



Chuck Tracy - NOAA Affiliate <chuck.tracy@noaa.gov>

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## Fwd: Comments for Emergency Council meeting 10/17/14

1 message

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**PFMC Comments - NOAA Service Account** <pfmc.comments@noaa.gov> Fri, Oct 17, 2014 at 10:33 AM  
To: Kelly Ames - NOAA Affiliate <kelly.ames@noaa.gov>, Donald McIsaac - NOAA Affiliate <donald.mcisaac@noaa.gov>, Chuck Tracy - NOAA Affiliate <chuck.tracy@noaa.gov>

----- Forwarded message -----

From: **Rod Moore** <rod.wcseafood@gmail.com>  
Date: Fri, Oct 17, 2014 at 10:20 AM  
Subject: Comments for Emergency Council meeting 10/17/14  
To: [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov)

To Ms. Dorothy Lowman, Chair

Dear Chair Lowman and Council members:

I am writing on behalf of the West Coast Seafood Processors Association to comment on what I believe will be the proposed discussion / action items before the Council during this afternoon's emergency conference call. Given that a situation summary is not available, no clear description of the proposed action is on the Council website, and NMFS has made no effort to reach out to shore-based processors who will be affected by pending decisions, I request latitude in commenting on issues that may or may not be on the actual Council agenda.

1. Reallocation of darkblotched rockfish - We understand that a problem exists with the offshore whiting sectors exceeding their set-aside for darkblotched. We also understand that the potential solution to this problem is to transfer unused darkblotched set-aside from the open access sector to the offshore whiting sector. In the interest of allowing the offshore whiting sector to continue fishing in order to try to achieve the optimum yield for the benefit of the U.S. fishing industry - as provided by National Standard #1 of the MSFCMA - we support this transfer.

However, we note that this should not be considered a precedent for every other fishery and become a common-place action every time somebody gets into trouble. Indeed, in prior years when the non-whiting trawl fishery came close to or exceeded a species limit, the in-season answer was to shut them down, regardless of the economic impact on fishermen, processors, and coastal communities. Rather, the Council should examine the amount of set-asides made to various fishery sectors, especially in light of rebuilding successes, and adjust them up front so we do not run into this problem. If the set-asides are balanced appropriately, there is no reason to suddenly engage in this emergency action.

2. Imposition of the Ocean Salmon Conservation Zone for the Pacific whiting fishery - The Pacific Coast Groundfish FMP regulations at 50 CFR 660.131(c)(3) provide that NMFS will implement a closure of "[all] waters shoreward of a boundary line approximating the 100 fm (183 m) depth contour...when NMFS projects the Pacific whiting fishery may take in excess of 11,000 Chinook within a calendar year." We understand that the Pacific whiting fishery has met or is about to meet this trigger point and that the Ocean Salmon Conservation Zone will be implemented. However, we also understand that NMFS is recommending (again, with absolutely no consultation with affected shore-based processors) that the closure be extended to all waters shoreward of 150 fathoms. This has a serious adverse effect on any shore-based fishing for whiting due to run times and potential weather problems. The 100 fathom line was carefully developed in conjunction with the biological opinion examining bycatch of salmon in the Pacific whiting fishery. To extend that with no notice, no consultation with the shore-based sector and no opportunity for the shore-based sector to provide recommendations on ways to avoid bycatch without extending the depth restriction is both arbitrary and discriminatory. The shore-based sector as a whole is allocated 42% of the non-tribal harvest;

shore-based processors provide thousands of jobs and millions of dollars of revenue during the Pacific whiting season. Shore-based processors are allocated 20% of the shore-based whiting individual quota. They are registered, regulated, observed and inspected. It is time that NMFS treats the shore-based sector with the same attention they seem willing to give to the offshore sector.

3. Reapportionment of whiting - We understand that - pending necessary and appropriate discussions with tribal authorities - NMFS may reapportion some or all of the remaining tribal whiting set-aside to the non-tribal fishery. If that does occur, we note that several shore-based processing plants are still operating and will continue to operate through the end of the year. Earlier this week I provided information via email to the Office of Sustainable Fisheries at the NMFS West Coast Region in response to an informal request. The text of that email, sent to Kevin Duffy and Frank Lockhart, is as follows:

I know you're on leave but thought I would follow up on the question you asked me regarding processing schedules for shoreside companies: of the 4 I talked with, one is shut down, two are likely to keep going through this month, and one will keep going as long as there is fish. Hope that helps you out.

Since that time I have received information that 3 other companies are continuing to operate; as they are not members of WCSPA I will defer to them for their comments.

Thank you for the opportunity to provide comment on the pending emergency action.

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Rod Moore

West Coast Seafood Processors Assoc.

1618 SW 1st Avenue

Suite 318

Portland, OR 97201

[503-227-5076](tel:503-227-5076)

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Thank you for your comments to the Pacific Fishery Management Council. Your comments have been received and will be forwarded to the appropriate staff member for processing.

Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101

Portland, OR 97220

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Chuck Tracy - NOAA Affiliate &lt;chuck.tracy@noaa.gov&gt;

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**Fwd: public comment**

1 message

**PFMC Comments - NOAA Service Account** <pfmc.comments@noaa.gov>

Fri, Oct 17, 2014 at 12:01 PM

To: Kelly Ames - NOAA Affiliate &lt;kelly.ames@noaa.gov&gt;

Cc: Chuck Tracy - NOAA Affiliate &lt;chuck.tracy@noaa.gov&gt;, Donald McIsaac - NOAA Affiliate &lt;donald.mcisaac@noaa.gov&gt;

Received by Noon

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From: **Richard Carroll** <rcarroll@ilwacofish.com>

Date: Fri, Oct 17, 2014 at 11:40 AM

Subject: public comment

To: [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov)

### Purpose of the Emergency Meeting

This emergency meeting will be limited to one agenda item, which will include Council considerations to take final action on inseason adjustments to 2014 trawl fisheries related to Pacific whiting, darkblotched rockfish, and the incidental take of salmon.

for the framing of my comments i have copied the purpose of the emergency meeting. The general lack of information that is conveyed in this statement of purpose is remarkable.

While we may be somewhat aware of the circumstances that precipitated this " emergency ". The lack of consultation and communication of the proposed alternatives and remedies, to the various stakeholder groups that will be impacted by the outcome is of this emergency meeting is distressing.

All of the parties that participate in the whiting fishery and other fisheries will be significantly impacted in both the directed fishery and in the finished product marketplace by whatever action is taken in this emergency session. It would have been much appreciated if there were some form of prior consultation in this process prior to the development of a proposed resolution.

The absence of the opportunity for full public participation and full

stakeholder representation reinforces the perception of inequality and overt favoritism by council management in it's dealings with stakeholders impacted by this process. its pretty much business as usual.

Richard Carroll

Ilwaco fish company

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Thank you for your comments to the Pacific Fishery Management Council. Your comments have been received and will be forwarded to the appropriate staff member for processing.

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Chuck Tracy - NOAA Affiliate &lt;chuck.tracy@noaa.gov&gt;

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**Fwd: In re: emergency meeting to discuss reallocating darkblotch rockfish.**

1 message

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**PFMC Comments - NOAA Service Account** <pfmc.comments@noaa.gov> Fri, Oct 17, 2014 at 12:02 PM  
To: Kelly Ames - NOAA Affiliate <kelly.ames@noaa.gov>, Chuck Tracy - NOAA Affiliate <chuck.tracy@noaa.gov>, Donald McIsaac - NOAA Affiliate <donaald.mcisaac@noaa.gov>

received by Noon

----- Forwarded message -----

From: **Ralph Brown** <ralphbrown1@charter.net>

Date: Fri, Oct 17, 2014 at 11:51 AM

Subject: In re: emergency meeting to discuss reallocating darkblotch rockfish.

To: [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov)

To the Pacific Fishery Management Council:

In re: emergency meeting to discuss reallocating darkblotch rockfish.

I hope you will refrain from reallocating Darkblotch Rockfish. Reallocating fish because one sector can't or won't stay within their quota destroys the creditability of the Catch Share Program.

Personal and fleet accountability is the cornerstone of the Catch Share Program. Now, the first time that a fleet overshoots their quota, it is being suggested that they not be held accountable and some other sector has to look at a reduction of quota. This is a very bad precedent.

The Mothership Fleet argued that they didn't need to be part of the IFQ fishery, and that Co-ops had the ability to control by-catch. They prevailed in the discussion and it was decided to follow their advice and create a co-op fishery. Now they don't want to live with that decision.

I realize that the suggestion is that fish be moved from the open access fishery as the open access fishery is not projected to reach its quota. This fishery has a history of changing very rapidly. They have been assured that a certain amount of fish is available to them. Now that assurance is questionable.

The message to other sectors of the groundfish fleet is that there is no assurance that fish is actually going to remain available throughout the year. This time, the fish is taken from the open access fishery. What if the Mothership fishery goes over quota again? Next time it comes out of a different sector. What if the next overage is bigger than the open access quota where does it come from then?

I have heard the argument given that the whiting fishery is so much bigger that they don't have enough by-catch to catch all of their quota.

Welcome to the club. No other fleet has enough by-catch to catch their entire quotas, yet are still being held to their by-catch caps. This is the stick that goes with the carrot of having the flexibility of adjusting fishery behavior to eventually realize the maximum benefit from the fishery. Holding individuals and fleets feet to the fire is the cornerstone of Catch Share programs. Without this the race for fish begins again.

Please don't destroy this program by giving the message that certain fleets will not be held accountable for their actions.

Thank you,

Ralph Brown

Trawl Fisherman

P.O. Box 1060

Brookings, Oregon 97415

[Ralphbrown1@charter.net](mailto:Ralphbrown1@charter.net)

[541-251-1975](tel:541-251-1975)

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Thank you for your comments to the Pacific Fishery Management Council. Your comments have been received and will be forwarded to the appropriate staff member for processing.

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FACT SHEET – INFORMATION ON THE STATUS OF THE TRAWL FISHERY

**Table 1. Preliminary estimates of catch for the non-tribal trawl fisheries. Groundfish values are in metric tons whereas Chinook salmon are in numbers of fish. Allocations reflect actions it is believed will taken by NMFS on 10/17/14 to transfer darkblotched from the CP sector to the MS sector.**

Sector	Species	Catch to Date a/	Allocation (mt)	% Attainment	Amount Remaining (mt)
MS a/	Whiting	47,576.9	68,249.0	70%	20,672.1
	<b>Darkblotched</b>	<b>7.0</b>	<b>9.3</b>	<b>75%</b>	<b>2.3</b>
	Canary	0.4	5.4	7%	5.1
	Widow	39.4	120.0	33%	80.7
	POP	3.4	7.2	47%	3.8
	Chinook Salmon	2,505 fish or a ratio of 0.05 salmon per mt of whiting			
CP a/	Whiting	83,432.5	96,686.0	86%	13,253.6
	<b>Darkblotched</b>	<b>2.9</b>	<b>6.0</b>	<b>48%</b>	<b>3.1</b>
	Canary	0.3	7.6	4%	7.3
	Widow	16.5	170.0	10%	153.5
	POP	0.3	10.2	3%	10.0
	Chinook Salmon	3,713.8 or a ratio of 0.04 salmon per mt of whiting			
SB IFQ b/	Whiting	91,304.5	119,435	76%	28,130.5
	Darkblotched	56.0	278.4	20%	222.4
	Canary	9.9	41.1	24%	31.2
	Widow	362.2	993.8	37%	631.6
	POP	32.1	112.3	29%	80.2
	Chinook Salmon c/	4,541 fish from whiting targeted tows, 739 fish from the yellowtail/widow targeted tows, and 872 fish from bottom trawl			

a/ Data queried from NORPAC on 10/15/2014.

b/ Data queried from the NMFS QP database on the web (<http://tinyurl.com/jwhgbfc>) on 10/15/2014. Data retrieved from this platform includes both landings and discards.

c/ Chinook salmon data are preliminary from a 10/17/2014 query. Salmon data from the shorebased whiting target strategy does not include any discards that occurred at sea. Whiting targeted tows are defined as those trips where the species composition is 50 percent or greater whiting.

**Table 2. Summary of darkblotched rockfish allocations, projected annual mortality from the Council’s Groundfish Management Team (GMT) Scorecard from the September 2014 Council meeting, and landed catch to date in 2014 (in mt). The final two columns provide comparisons to the 2011 and 2012 West Coast Groundfish Observer Program (WCGOP) Mortality Estimates.**

<b>Fishery</b>	<b>2014 Allocations</b> a/	<b>2014 Annual Projected Mortality at the Start of the Year</b> (September Scorecard b/)	<b>2014 Landed Catch To Date</b> (Paper Tickets; 10.14.2015) c/	<b>2011 Estimated Mortality from WCGOP</b> d/	<b>2012 Estimated Mortality from WCGOP</b> d/
Off the top a/	20.8	17.5	1.0		
EFP	<b>0.2</b>	0.2			
Research	<b>2.1</b>	2.1	1.0	1.6	1.7
Incidental Open Access	<b>18.4</b>	15.0	0.0	5.4	5.0
Tribal	<b>0.1</b>	0.2	0.0	0.3	0.6
Trawl allocation	<b>293.8</b>	293.7	55.6		
SB Trawl	<b>278.4</b>	278.4	45.7	89.8	85.7
At-sea Trawl	15.3	15.3	9.9	12.0	2.7
a) MS	<b>9.3</b>	6.3	7.0		
b) CP	<b>6.0</b>	9.0	2.9		
Non-trawl Allocation	<b>15.5</b>	4.5	1.8		
Non-nearshore				15.9	9.0
LEFG		3.6	1.6		
OAFG		0.7	0.2		
Directed OA Nearshore		0.2	0.0	0.02	0.1
Recreational e/	0.0	0.0	0.0		
<b>TOTAL</b>	330.1	315.7	58.4	126.3	105.0
<b>ACL</b>	<b>330.0</b>	<b>330.0</b>	<b>330.0</b>	<b>298.0</b>	<b>296.0</b>
Percent	100%	96%	18%	42%	35%

a/ Values in bold are specified in Federal regulation and include the NMFS transfer of darkblotched rockfish from the CP sector to the MS sector.

b/ This column represents the values in the scorecard from the [September Inseason Statement](#). For most sectors, the projections are set equal to the allocations because no projection models exist.

c/ PacFIN paper tickets are the official data source for GMT inseason management, since the species compositions have been applied. A query of the Electronic fish tickets resulted in a similar value for the shorebased IFQ fishery - 49 mt. Using the NMFS QP database, 56 mt tons (landings and discard) have been used.

d/ Taken from the multi-year groundfish mortality data product (Multi-Year GM XLS) which is the best available data and replaces previously published estimates (per. Com Marlene Bellman)

e/ RecFIN query indicates no current or past landings or discard of darkblotched rockfish.