

## INSEASON ADJUSTMENTS INCLUDING CARRYOVER AND REGULATORY AMENDMENT TO MANAGE SET-ASIDES

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 routine inseason adjustments to ongoing 2015 fisheries, including carryover for the shorebased individual fishing quota (IFQ) program. Additionally, the Council is scheduled to consider a regulatory amendment for managing the amounts set aside from the ACL to accommodate groundfish mortality in tribal fisheries, non-groundfish fisheries (i.e., incidental open access fisheries), exempted fishing permits (EFP), and research.

### *Routine Inseason Adjustments*

Potential inseason adjustments include adjustments to rockfish conservation area boundaries and adjustments to commercial and recreational fishery catch limits. Adjustments are, in part, based on catch estimate updates and the latest information from the West Coast Groundfish Observer Program (WCGOP). The Groundfish Management Team (GMT) has provided a report summarizing the recent WCGOP data relative to increased mortality of canary and yelloweye rockfish in the 2013 commercial nearshore fishery (Agenda Item E.8.a, GMT Report 1). The Oregon Department of Fish and Wildlife (ODFW) also submitted a report detailing current state regulations for commercial and recreational fisheries intended to reduce catch of nearshore rockfish (Agenda Item E.8.a, ODFW Report).

In 2014, the Council took action under Amendment 24 to designate the following species as ecosystem component (EC) species: finescale codling, soupfin shark, spotted ratfish, all endemic skates except longnose skate, and all endemic grenadiers. National Standard 1 guidelines indicate that EC species should not be targeted, generally not retained for sale or personal use, not subject to overfishing, and not determined to be overfished or approaching the overfishing limit (OFL). At their February 2015 work session, the GMT discussed new information that indicated targeting landings and sales of big skate that were substantially higher than previously estimated (Agenda Item E.8.a, GMT Report 2). The GMT also estimated that mortality may have been close to or potentially exceeded the big skate component OFL in 2014. On February 26, 2015 the National Marine Fisheries Service (NMFS) sent a letter to the Council approving Amendment 24 and recommending the Council consider the revised big skate data presented by the GMT (Agenda Item E.8.a, NMFS Letter). Specifically, NMFS recommended the Council determine whether routine inseason adjustments to trawl limits are needed to reduce landings of big skate and whether the EC classification for big skate is appropriate, given the recent information and the National Standard 1 guidelines. If the Council determines that big skate are in need of conservation and management, then the Council should initiate a process to amend the Fishery Management Plan and regulations to reclassify big skate as “in the fishery”. The GMT is expected to provide a supplemental report to inform decision-making on trip limits and whether big skate is in need of further conservation and management.

### *Shorebased IFQ Program Carry-Over*

Under this agenda item, the Council is expected to provide a recommendation to NMFS regarding the issuance of 2014 surplus carryover quota pounds (QP) into the 2015 IFQ program. The surplus carryover provision in the shorebased IFQ program allows up to 10 percent of the quota pound surplus in a vessel account to be carried over from one year to the next (see regulations at 660.140(e)(5)). The current NMFS policy, based on a court ruling in 2014, is that NMFS will not issue surplus carryover for IFQ species that have ACLs established equal to their ABCs ([Agenda Item F.4.a, Attachment 1, June 2014](#)).

The GMT is expected to provide a supplemental report on fishery performance in 2014 and projections for 2015 to inform decision-making. If a concern is identified, the Council can recommend reducing the carryover percentage or eliminating the provision for the species in question for the year.

### *Regulatory Amendment for Managing Annual Catch Limit Set-Asides*

The Council is considering developing a process that would allow more flexible inseason management of yields set aside from ACL. Such an approach may include providing NMFS the authority to release and reapportion set-asides inseason to avoid serious fishery disruptions. A staff white paper presenting issues and considerations involved with a more flexible strategy for managing set-asides is provided in Attachment 1.

### **Council Action:**

- 1. Consider projections for the 2015 fisheries and adopt inseason adjustments, as necessary.**
- 2. Consider recent big skate data and determine a) whether adjustments to big skate trawl trip limits are needed in 2015 and b) whether the EC classification for big skate is appropriate given National Standard 1 Guidelines.**
- 3. Consider data on 2014 surplus carryover QPs and projections for fishery performance in 2015. Recommend the amount of surplus carryover that should be issued.**
- 4. Adopt a PPA, if possible, for managing ACL set-asides.**

### **Reference Materials:**

1. Agenda Item E.8.a, GMT Report 1: Groundfish Management Team Report on Overfished Species Mortality.
2. Agenda Item E.8.a, ODFW Report: Oregon Department of Fish and Wildlife Report on State Management of Nearshore Rockfish Complex Species.
3. Agenda Item E.8.a, GMT Report 2: Groundfish Management Team Report on Big Skate Catch and the Ecosystem Component Species Designation.
4. Agenda Item E.8.a, NMFS Letter: Amendment 24 Approval and Ecosystem Component Considerations.
5. Agenda Item E.8, Attachment 1: Flexible Management of Set-Asides.

Agenda Order:

- E.8 Inseason Adjustments Including Carryover and Regulatory Amendment to Manage Set-Asides
- a. Reports and Comments of Advisory Bodies and Management Entities
  - b. Public Comment
  - c. **Council Action:** Consider Inseason Adjustments as necessary and Adopt Preliminary Preferred Alternatives for Management of Set-Asides

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