

GROUND FISH ADVISORY SUBPANEL REPORT ON SALMON ENDANGERED SPECIES ACT (ESA) RECONSULTATION UPDATE

The Groundfish Advisory Subpanel (GAP) received a presentation from Mr. Kevin Duffy and Ms. Susan Bishop on the National Marine Fisheries Service (NMFS) efforts related to the reinitiated section 7 consultation for listed salmonids caught in Pacific Coast groundfish fisheries. The GAP appreciates NMFS' efforts to engage with stakeholders during the development of the new biological opinion (BiOp). The GAP recommends the Pacific Fishery Management Council (Council) encourage NMFS to continue to employ a collaborative approach in developing the BiOp. NMFS indicated that the current schedule anticipates completion of the consultation process by January 2016. However, NMFS also indicated that there is a nexus between the BiOp and the 2017-2018 groundfish specifications process, which the GAP presumes will be implemented January 1, 2017. It is apparent to the GAP that there is a clear linkage between implementation of the 2017-2018 specifications and any new measures promulgated under the new BiOp. Moreover, aiming for completion of the BiOp in concert with the specifications process provides more time for collaboration among NMFS, the Council, and stakeholders. Therefore, the GAP recommends aligning completion of the BiOp with implementation of the 2017-2018 specifications, which would mean a target date to complete consultation in June 2016 so that measures could be incorporated into the final specifications.

The goal of the consultation process is to ensure that the incidental take of salmonids in the groundfish fishery does not cause jeopardy to any population listed under the Endangered Species Act (ESA). The current BiOp indicates that an overall threshold of 20,000 Chinook achieves this goal. Information provided by NMFS indicates that the groundfish fishery, as a whole, has stayed below 20,000 Chinook in most years (Salmon bycatch in the Pacific Coast Groundfish Fisheries, Agenda Item D.3.a, NMFS Report 1). NMFS indicates that this authorized take amount accommodates the variable nature of the fishery and results in low bycatch of ESA stocks (Salmon Bycatch in the Pacific Coast Groundfish Fisheries, Agenda Item D.3.a, Supplemental NMFS PowerPoint). In this same presentation, NMFS also reports that bycatch of ESA-listed Chinook in the whiting fishery is low, that is, 0.002 listed Chinook per metric ton of whiting and 0.07 listed Chinook per total Chinook caught in the whiting fishery. The GAP concluded that, in general, the groundfish fishery is performing well relative to impacts to listed salmonids.

NMFS requested information from the GAP about how the complexion of the groundfish fishery could change in the future. They made this request based on the perception that changes in fishing practices (for example, targeting mid-water rockfish) and/or geographic distribution of effort (for example, modifications to rockfish conservation areas and/or essential fish habitat conservation areas) could alter interactions with listed salmonids. While it is not possible to say with certainty what the future holds, the GAP provides the following comments to frame how we understand potential evolution in the groundfish fishery.

NMFS identifies the following fishery sectors in their reports: at-sea whiting, shorebased individual fishing quota (IFQ), fixed gear, tribal, and recreational. For non-trawl fisheries, NMFS reports that the average bycatch per year during the 2002-2014 period was less than 1 percent of

the overall salmon bycatch in the groundfish fishery (Salmon Bycatch in the Pacific Coast Groundfish Fisheries, Agenda Item D.3.a, Supplemental NMFS PowerPoint). Based on this report, the GAP concluded that fixed gear and recreational groundfish fisheries appear to have *de minimus* impacts on listed salmonids.

Specific to the mothership and catcher-processor sectors of the whiting fishery (that is, the at-sea whiting sectors), cooperative-based management provides the means to avoid species of concern. The at-sea whiting sectors monitor salmon bycatch in real time and act accordingly to minimize salmon bycatch. Effort in the at-sea whiting fishery is most closely linked to the annual distribution of whiting and avoidance of known areas of high abundance of constraining species. For these reasons, the GAP believes that it is reasonable to conclude that the at-sea whiting fishery will be static for the foreseeable future, that is, the future fishery is likely to resemble the current fishery.

The shorebased IFQ fishery is likely to have new opportunities that could change how that fishery interacts with listed salmonids. Gear modifications, changes to spatial restrictions, renewed targeting opportunities, *inter alia*, is likely to change the complexion of these fisheries. The IFQ program brought with it new responsibilities in how IFQ participants minimize their impacts to non-target species while maximizing catch of target species as well as new tools to monitor and manage the fishery, examples include 100 percent monitoring and the shoreside whiting risk pool.

Finally, in the vein of maintaining a collaborative approach with affected stakeholders, the GAP recommends the Council and NMFS consider convening a workshop (between now and the September Council meeting) where NMFS could brief stakeholders about their current progress and garner input from groundfish fishermen, salmon fishermen, and other stakeholders. Ideas and concepts generated through the workshop could then be incorporated by NMFS into the information they present to the Council in September. Moreover, the results of the workshop might greatly facilitate Council action on this item in September and future Council meetings.

PFMC
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