

GROUND FISH MANAGEMENT TEAM REPORT ON MID-BIENNIUM HARVEST SPECIFICATION ADJUSTMENT POLICIES

The Groundfish Management Team (GMT) received an overview of this agenda item from Mr. John DeVore of Council staff and reviewed [Agenda Item F.7, Attachment 1](#) and the [Agenda Item F.7.a, Supplemental ODFW Report](#), and offer the following thoughts for consideration.

Implications of National Standard Guideline Revisions

The National Marine Fisheries Service (NMFS) recently released the final rule regarding the revisions to the National Standard Guidelines (NSG). In order to better define the framework and analysis for April and moving forward, the GMT would like guidance from NMFS on how the new NSG, particularly the carryover provision for acceptable biological catch (ABC), may interact with potential mid-biennium adjustments.

Purpose and Need Statements

The GMT reviewed the purpose and need statements in the Supplemental ODFW report ([Agenda Item F.6.a, Supplemental ODFW Report](#)), and **recommend they be adopted.**

Timeline for Framework Regulations and Policy Implementation

Once the green light policy framework is in place, stocks assessed will not automatically be candidates for an annual catch limit (ACL) adjustment. Instead, the Council will be required to take action to apply the mid-biennium adjustment policy. In other words, the mid-biennium adjustment policy will not be the default. A limited number of species are assessed per cycle, and not all assessed species may be eligible for an adjustment after the qualitative criteria (described below) are applied. This limits the potential species for application of the mid-biennium adjustment policy each cycle.

The GMT understands from Attachment 1 ([Agenda Item F.7, Attachment 1](#)) that once the mid-biennium adjustment policy framework is approved by the Council, the final rule and Fishery Management Plan (FMP) amendment would be complete in Spring 2018. Therefore, the first assessment results eligible for consideration under this policy would most likely be those completed in 2019, with implementation of the mid-biennium adjustment available in 2020.

The GMT believes that the policy implementation (i.e., changing the ACL) timeline could potentially be accelerated by utilizing the base model as approved by the stock assessment review (STAR) panel with default harvest rules applied as a starting point for the mid-biennium adjustment policy analysis, prior to the Council adoption of the assessment. Additionally, the [Final Environmental Impact Statement for Pacific Coast Groundfish Harvest Specifications and Management Measures for 2015-16](#) (Tier EIS) may provide some analysis on the impact of higher ACLs. This may provide NMFS the ability to begin work on the proposed rule prior to the Council meeting in which the assessment is adopted.

In addition, it is our understanding that in other Regions, specifications may be implemented shortly after stock assessment results are adopted. **Therefore, the GMT recommends the Council and NMFS staff explore the potential for frontloading workload to facilitate**

implementation, as well as how harvest specifications are done in other regions to potentially gain efficiencies and inform potential green light regulatory pathways.

The GMT recognizes that given staffing issues, NMFS may have limited availability to provide detailed input on this issue prior to April 2017. **Therefore, the GMT recommends that the Council consider postponing final action until the fall of 2017, given the workload entailed with implementing the mid-biennium adjustment policy framework with other items on the [year-at-a-glance](#) and [groundfish workload priorities list](#).** Even if the Council postpones final action until September 2017, the final rule and FMP amendment would be in place by Fall 2018, which is still in time for consideration of assessments completed in June of 2019 to have a mid-biennium adjustment for 2020. As mentioned in Attachment 1 ([Agenda Item F.7, Attachment 1](#)), if Council action is postponed beyond April 2017, there could be a risk of competing workload priorities as the 2019-2020 harvest specifications and management measures process begins in May/June 2017.

Range of Alternatives

As stated in September ([Agenda Item F.8.a, Supplemental GMT Report, September 2016](#)), **the GMT recommends the Council only use the mid-biennium adjustment policy when a harvest level increase would have significant benefits to fisheries and communities.** National Standards 6 and 8 (NS-6 and NS-8) provide the rationale to allow the Council to enact a mid-biennium ACL increase by enabling a flexible management scheme to respond to “resource surges” not only conservation concerns (NS-6) and to provide for sustained fishing opportunity while minimizing adverse economic impacts (NS-8), as described under the Supplemental ODFW Report.

Analysis for Council Decision-Making

The GMT reviewed both proposals for analysis of the range of alternatives to assist in Council decision-making and **recommends the Council consider adopting the qualitative analysis proposal as described under the Supplemental ODFW report for selecting a final preferred alternative (FPA).** Under NS-7, a qualitative analysis can assess benefits and costs of a management strategy on different sectors. The GMT believes that this approach provides the Council with the information to make an informed decision on the final preferred alternative while reducing workload and saving time.

Selecting a Preliminary Preferred Alternative (PPA)

Limiting the scope to only overfished species would provide for a narrower scope of analysis. However, it could also limit the benefits in a situation where a mid-biennium ACL change for a non-overfished stock would provide greater socio-economic benefits to fisheries than changing an ACL for a recently rebuilt stock. For example, if the sablefish stock status changed from the precautionary zone to healthy, the corresponding increased ACL may provide greater socioeconomic benefits to fisheries than if darkblotched rockfish was declared rebuilt, since the current harvest policy is to set the ACL equal to the ABC. **Therefore, the GMT recommends Alternative 2, overfished plus constraining stocks, as preliminary preferred alternative (PPA).**

Draft Criteria for Using the Mid-Biennium Adjustment Policy

In the Supplemental ODFW report, draft criteria are proposed for identifying candidate stocks for the green light policy. These criteria could not only narrow the range of potential species eligible

in an assessment cycle (i.e. would there likely be a significant benefit) but could also assist in developing specific quantitative analysis on costs once a species is potentially eligible for the mid-biennium adjustment. The GMT supports the continued development of these criteria as the mid-biennium adjustment policy framework moves forward. However, the GMT acknowledges the tradeoff of limiting the number of species is that some species may be missed (i.e., unexpected change in stock status) and thus may not be eligible for an increase. If the Council wishes, the GMT is willing to work at the January meeting with Council and Oregon Department of Fish and Wildlife staff to further produce new and expand on current criteria.

When considering the green light policy, the GMT also notes that to access an increased ACL, allocations and associated management measures would need to be included in the analysis and rulemaking for implementation. **The GMT recommends developing limitations to the types of management measure adjustments that can be considered when an ACL is adjusted mid-biennium.** Otherwise the analysis and rulemaking could become too unwieldy to be implemented in a useful timeline.

Recommendations

The GMT recommends the Council:

- **adopt the purpose and need statements contained in the ODFW Report**
- **consider exploring the potential for frontloading workload to facilitate implementation, as well as how harvest specifications are done in other regions to potentially gain efficiencies and inform potential green light regulatory pathways**
- **consider postponing final action until the fall of 2017, given the workload entailed with implementing the mid-biennium adjustment policy framework**
- **only use the mid-biennium adjustment policy when a harvest level increase would have significant benefits to fisheries and communities**
- **consider adopting the qualitative analysis proposal as described under the Supplemental ODFW report**
- **adopt alternative 2, overfished plus constraining stocks, as preliminary preferred alternative**
- **developing limitations to the types of management measure adjustments that can be considered when an ACL is adjusted mid-biennium**

PFMC
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