

GROUND FISH MANAGEMENT TEAM REPORT ON THE OMNIBUS WORKLOAD PLANNING PROCESS

The Groundfish Management Team (GMT) reviewed the materials in the briefing book and received an overview from Mr. Todd Phillips and Dr. Jim Seger of Pacific Fishery Management Council (Council) staff and offer the following comments.

Current Omnibus Process

In March 2013, the Council adopted (implemented beginning in 2014) a process whereby adjustments to routine management measures would be prioritized during the process to establish biennial harvest specifications and management measures. To maintain maximum flexibility, new management measures could still be considered within this new process but the process was intended to limit the number of new management measures. Other new management measures would be considered outside of the biennial process, and, specifically, a call for new management measure proposals would be conducted at the June Council meeting in even-numbered years (e.g., 2018). For example, at the June 2018 meeting, the Council would adopt a draft calendar and a prioritized list of new management measures to be analyzed outside of the harvest specifications and management measures process. The recommendation for narrowing the types and number of management measures considered during the biennial process, along with the development of default harvest control rules under Amendment 24 and the long-term impact analysis (tiered environmental impact statement), was intended to reduce workload during the biennial process and increase the probability that harvest specifications would be implemented on January 1. This process has not functioned as envisioned.

Changing Groundfish Fisheries

Where we've been

The GMT discussed the landscape of fisheries when the omnibus process was first implemented in 2014. Prior to 2014, two major goals for groundfish fishery management were to rebuild overfished species and to reduce capacity in the trawl fishery. Both of those items have significantly progressed in recent years. The trawl catch shares program was implemented in 2011, and implementing and refining the program has taken up a substantial amount of Council, GMT, and NMFS staff time over the past decade, often being expedited past omnibus items without explicit discussion of prioritization.

Where we are

Currently, there are only two overfished species (cowcod and yelloweye rockfish), compared to the high of seven, with petrale sole, bocaccio, canary rockfish, darkblotched rockfish, and Pacific ocean perch being rebuilt by 2019. Trawl capacity has been reduced through permit buyback and trawl rationalization. The catch shares program brought increased individual accountability and data quality, which has resulted in Council action to liberalize spatial and gear constraints. The Council recently took final action on Amendment 28 on essential fish habitat and rockfish conservation areas. The trawl gear package proposed rule, which contains many items that were

on previous omnibus lists, was published on Friday, September 7, with the final rule expected to be in place by January 1, 2019. Once the trawl gear package and Amendment 28 regulations are implemented (likely on January 1, 2020 for Amendment 28), the West Coast commercial trawl fisheries will be dramatically different than in 2014.

As discussed extensively in Appendix B of the 2019–2020 harvest specifications ([Agenda Item E.4. Attachment 5, June 2018](#)), both commercial and recreational sectors coastwide are increasingly turning to groundfish in an era of declining opportunities for salmon and tuna. This has put increasing pressure on groundfish fisheries still constrained by overfished species rebuilding-period constraints. Highly utilized target species, particularly sablefish, continue to be a source of conflict among different sectors and user groups. Consolidation from capacity reduction measures and general demographic trends continues to impact remote coastal communities, particularly in California and Washington. Meanwhile, many commercially viable groundfish stocks are underutilized.

Where we're going

Given the major changes in the groundfish fishery since the 2000 strategic plan, the GMT believes the Council may wish to update their goals for the groundfish fishery, since reducing capacity and rebuilding species have mostly been accomplished. While not rebuilt, both cowcod and yelloweye rockfish are making steady progress toward being rebuilt, which allows some additional opportunity for targeting co-occurring species. The proposed yelloweye rockfish annual catch limit (ACL) for 2019–2020 would provide most sectors twice as much yelloweye rockfish as in each of the preceding three biennial cycles. Subject to finalization of the current proposed rule for the harvest specifications, access to those additional yelloweye rockfish may render moot some management measures considered when yelloweye rockfish was much more limiting (e.g., 50 fathom depth restriction for Washington and Oregon recreational fisheries). Instead, the Council could begin to consider measures that provide expanded opportunities to recreational and non-trawl fisheries.

Identifying short- and long-term goals for the groundfish fishery going forward will be critical in determining how to proceed with prioritizing new management measures, including the omnibus process. Some goals that the GMT discussed were: increasing attainment of stocks and the overall value of the fishery, reducing user conflicts, and mitigating Endangered Species Act (ESA) concerns (e.g., salmon, eulachon, and humpback whales).

Future Workload Prioritization

The GMT feels that improving the prioritization of groundfish items and the omnibus process as a whole is essential to successfully managing the groundfish fishery. The GMT had a lengthy discussion about strengths and weaknesses of the current omnibus process, and brainstormed possible ways to refine or improve the actual process. The prioritization exercise allows an opportunity for new ideas to be brought to the table that might not be appropriate for inclusion in harvest specifications. With the extensive work on the trawl catch shares program, follow-on actions, and other packages that benefit the trawl sector outside of the harvest specifications process, the omnibus provides an avenue to prioritize recreational and commercial non-trawl measures. However, a weakness of the current process is that prioritization only happens every other year and is not responsive to emergent fishery needs, changes in the fishery, or unscheduled

disruptions (e.g., lawsuits or staff shortages). This can create a situation in which some ideas “jump the line”, either as new management measures outside the intended scope for inclusion in harvest specifications, or those slated for separate agenda time ahead of previously-prioritized omnibus items (such as Amendment 21-3). When this happens, other previously prioritized actions are often put on hold. The list then becomes stale over the two years, and items continue to sit that may no longer be needed or may no longer be the best solution to the problem. Yet, these measures are still considered every two years, adding to discussion and workload.

To keep the list more relevant to current and emerging issues, **the GMT recommends having a dedicated time at each March meeting for groundfish advisory bodies to review the prior year’s and upcoming years’ fishery status.** Additionally, the GMT suggests renaming this regular check-in exercise “Groundfish Workload Prioritization”. The Council could then update the list, delete unneeded actions and those that are in progress, and allow for stakeholder input on new additions. This review would be coupled with an update from NMFS and Council staff on accomplishments from the previous year, previously identified priorities for the current fishing year, and staff availability.

In addition to a yearly review to “clean up” the list, the GMT discussed how the process may be better served if the Council has check-ins on groundfish workload and priorities at every Council meeting. While the workload planning agenda item typically considers all of the Council’s fisheries issues and other items, the GMT believes that it would be beneficial to have a dedicated time at each meeting to strictly look at the groundfish workload, determine what staff time is available, and deduce how current priorities align with new, emerging issues.

At the time of the “Groundfish Workload Prioritization”, the Council could consider the regularly updated and relevant list, select any priorities (given the workload allowances for GMT, Council and NMFS staff), and potentially select an item for scoping. If a new item (e.g., mothership (MS) processing limit) or an item that has been occurring through an outside group (e.g., SAMTAAC) is brought forward under this routine item, then the Council would need to prioritize that item compared to another item that had been previously identified as a priority and slated for consideration at a future meeting. New ideas introduced would ideally have some level of initial analysis and workload/impact cost-benefit consideration.

The GMT recommends the Council delay the “Groundfish Workload Prioritization” to the March 2019 meeting so that we have time during our overwinter work period to develop the process and provide more details on each of the current items under consideration. Given the items scheduled or slated for November 2018, the GMT feels that there is not adequate time between now and the November meeting to develop the necessary background analysis for the Council to prioritize any item off the list. In March 2019, the Council could review the updated list, along with the currently scheduled items for which the Council has not yet selected their preferred preliminary alternative (e.g., sablefish allocation, cowcod conservation area (CCA) changes, and ACL management), and potentially select up to three total priority items (depending on their complexity) from the groundfish workload priority list and the Council’s year-at-a-glance for final action late in 2019.

Clean-Up of Groundfish Items List

The GMT also reviewed the items on the Groundfish Workload Priorities list ([Agenda Item I.9., Attachment 2](#)), and attempted to update the list (Attachment 1). As described above, the GMT believes that this type of “clean up” should be conducted more regularly within the revised prioritization process as it provides a more accurate picture of the current needs of the West Coast groundfish fisheries. Some items on the list are no longer needed, or have waning support, and can therefore be deleted from the list. Some items are also in process as part of other rulemaking processes that no longer need to be included on the list (Attachment 1). The list of remaining items, a much shorter list, is a better representation of what still needs to be considered and potentially prioritized in November if the Council continues with the omnibus prioritization agenda item as scheduled.

Remaining Items

After the exercise above, the following items remain on the list. These items have not been prioritized, as this agenda item is to discuss the overall prioritization process, this clean-up is intended to help with the process discussions.

2016 Item #	Sector	Short Title	Category	Rec. keep by
1	Trawl, Non-Trawl	Clarify Catch Accounting Rules for Amendment 21	Catch Accounting	GMT, GAP
52	Non-trawl	ESA Seabird	ESA	GMT, GAP
53	IFQ, Non-trawl	Non-Trawl RCA Modifications (<i>this is a name change from the previous list</i>)	Area Management	GMT, GAP
56	Trawl IFQ, MS, CP	Revise Length of Time Required for the Trawl Fleet to Retain Records	Recordkeeping and Reporting	GMT, GAP
58	Trawl IFQ	Remove Certain Midwater Area-Management Restrictions	Area Management	GMT, GAP
61	Trawl IFQ	Carryover when Management Units Change	Catch Accounting	GMT, GAP
69	Recreational	Discard Mortality Rates	Catch Accounting	GMT, GAP
48	Recreational	60 Mile Bank RCA Lines	Area Management	GAP
65	MS/CP	Eliminate the Prohibition of At-Sea Processing south of 42	Area Management	GAP
68	Non-trawl	Retain Halibut in the Sablefish fishery South of Point Chehalis	Bycatch	GAP

Newly Identified Items

The following items have previously been identified through other processes as new groundfish priority actions:

Sector	Short Title	Category
IFQ	Gear Switching and Trawl Sablefish Area Management	Allocation
All	Flexibility in ACL Management Response	Harvest Specifications
IFQ	Aggregate Non-whiting QS Control Limits and Individual Species Weighting	Accumulation Limits
Non-trawl	CCA revisions	Area Management
MS	Processing limits/processor class permit changes	Accumulation Limits
All	ESA salmon	ESA

GMT Recommends:

- **Having a dedicated time at each March meeting for groundfish advisory bodies to review the prior year's and upcoming years' fishery status.**
- **The Council delay the "Groundfish Workload Prioritization" to the March 2019 meeting so that we have time during our overwinter work period to develop the process and provide more details on each of the current items under consideration.**

Attachment 1. Groundfish Priority List with preliminary GMT and GAP recommendations (still needed or not).

2016 #	Sector	Short Title	GMT Notes	GAP Notes
1	Trawl, Non- Trawl	Clarify Catch Accounting Rules for Amendment 21	Keep	Keep
2	Trawl, Non- Trawl	Phase 1 Sablefish Rule: Joint Registration and Prohibition of Processing IFQ Sablefish At-Sea, Revise Limited Entry Fixed Gear Permit Control Rule, Require E-Tickets for Sablefish Landings, Sablefish North of 36 Degrees - Allocation Correction, Fishery Declaration Enhancements	Done	
3	Trawl, Non- Trawl	Amendment 26 Blackgill Rockfish Trawl and Non-Trawl Allocations	In Progress	
4	Trawl, Non- Trawl	Vessel Movement Monitoring: Monitoring Restricted Areas with VMS, Fishery Declaration Enhancements, Movement of IFQ Fish Pot Gear Across Management Lines	In Progress	
5	Trawl	Cost Recovery Corrections	Done	
6	Trawl IFQ, MS	Electronic Monitoring Exempted Fishing Permits (ongoing though 2018)	In Progress	
7	Trawl IFQ, MS	Electronic Monitoring Regulations for Whiting and Fixed Gear	In Progress	
8	Trawl IFQ, MS	Pacific Dawn Lawsuit Appeal to 9th Circuit Court (Whiting Allocation)	Done	
9	Trawl CP	Glacier Fish Co Lawsuit Appeal to 9th Circuit Court (Cost Recovery); and Glacier Fish Co Lawsuit in District Court (2016 Fee Percentage).	Done	
10	Trawl IFQ	Pacific Choice Lawsuit (Divestiture)	In Progress	
11	Trawl IFQ	Update eTicket for Web-based Submissions (deeming completed as part of the Phase I sablefish rule)	Done	
12	Trawl IFQ	Widow Rockfish QS Reallocation and Divestiture Deadlines	Done	
13	Trawl IFQ	Trawl Gear Changes: Carrying and Using Multiple Trawl Gears on a Single Trip, Eliminating Minimum Mesh Size, Eliminating Chafing Gear Restrictions, Eliminating Codend Restrictions, Allowing a New Haul to be Brought Onboard Prior to Stowing a Previous Haul, Changing SFFT Definition and Restrictions	In Progress	
14	LEFG, OA	Logbooks for Fixed Gear	In Progress	
15	Recreational	Mid-water Sport Fishery in OR	Done	
16	Tribal, Trawl, Non-Trawl, Rec	2017-2018 Harvest Specifications and Management Measures ⁴ , including New Management Measures ⁵ and Amendment 27 (June 2016)	Done	

2016 #	Sector	Short Title	GMT Notes	GAP Notes
17	Tribal, Trawl, Non-Trawl, Rec	Adopt Final Stock Assessment Plan and TOR for 2017 (June 2016)	Done	
18	Tribal, Trawl, Non-Trawl, Rec	2017 Pacific Halibut Catch Sharing Plan (June, Sept, and Nov 2016)	Done	
19	Tribal, Trawl, Non-Trawl, Rec	Stock Assessment Methods Review Topic Selection (Sept, Nov 2016)	Done	
20	Tribal, Trawl, Non-Trawl, Rec	Salmon ESA Consultation (Sept, Nov 2016)	Done	
21	Tribal, Trawl, Non-Trawl, Rec	Fishery Ecosystem Plan Indicators Initiative (Sept 2016, Mar 2017)	Done	
22	Tribal, Trawl, Non-Trawl, Rec	Sablefish Ecosystem Indicators (Sept 2016)	Done	
23	Tribal, Trawl, Non-Trawl, Rec	Bmsy Stock Productivity, Historical Catch Reconstruction Workshop Report (Mar 2017)	Done	
24	Tribal, Trawl, Non-Trawl, Rec	Fishery Ecosystem Plan Identify New Indicators (Mar 2017)	Done	
25	Tribal, Trawl, Non-Trawl, Rec	California Current Ecosystem Report (Mar 2017)	Done	
26	Tribal, Trawl, Non-Trawl, Rec	Endangered Species Workgroup Report (Apr 2017)	Done	
27	Tribal, Trawl, Non-Trawl, Rec	Inseason Management (June 2016 and beyond, excluding Mar 2017)	In Progress	
28	Tribal, Trawl, Non-Trawl, Rec	Pacific Whiting Harvest Specifications and Set- Asides (Apr 2017)	Done	
29	Tribal, Trawl, Non-trawl, Rec	Stock Assessments for 2019-2020 Biennium (June 2017)	In Progress	
30	Tribal, Trawl, Non-Trawl, Rec	Start of the Process to Establish 2019-2020 Specifications and Regulations (June 2017)	Done	
31	Trawl	Trawl Gear Regulation Changes – Fishing in Multiple Management Areas on the Same Trip (June 2016)	In Progress	
32	Trawl	Essential Fish Habitat and Rockfish Conservation Area Adjustments (Sept 2016, Mar 2017)	In Progress	
33	Trawl	Amendment 21 Allocation Revisions for POP and DRK, Set-Asides (June, Sept 2016)	Done	
34	Trawl	Five Year Trawl Catch Share Review Including Scoping for Intersector Allocation Review (Sept, Nov 2016 & June 2017)	Done	

2016 #	Sector	Short Title	GMT Notes	GAP Notes
35	Trawl	Trawl Cost Recovery Report (Apr 2017)	Done	
36	Trawl IFQ	EM Bottom and Non-Whiting Midwater Trawl EFP Update and Confirm FPA (Nov 2016)	In Progress	
37	Non-Trawl, Rec	Nearshore Species Management (Mar 2017)	Delete	
38	LE FG	LE Fixed Gear Sablefish – Phase 2 (Sept 2016, Apr 2017)	Delete	
39	LE FG	2017 Incidental Regulations for Pacific Halibut (Mar and Apr 2017)	Done	
40	Trawl IFQ	QS/QP Control Rule - Safe Harbor for Risk Pools - post 5-year review	Delete	
41	Trawl IFQ	Resolve Long-term Whiting Surplus Carryover Provision - post 5-year review	Delete	
42	Trawl IFQ	Develop Criteria for Distributing Adaptive Management Program QP	Delete	
43	Tribal, Trawl, Non-Trawl, Rec	Rebuilding Revision Rules (signal vs. noise)	Delete	
44	Tribal, Trawl, Non-Trawl, Rec	Further Consideration for Reorganizing Stock Complexes	Delete	
45	Tribal, Trawl, Non-Trawl, Rec	Ecosystem Port Sampling White Paper	Delete	
46	Tribal, Trawl, Non-Trawl, Rec	Further Consideration for Ecosystem Component Species	Delete	
47	Tribal, Trawl, Non-Trawl, Rec	Analysis of a Multi-Year Average Catch Policy	Delete	
48	Trawl, Non-Trawl, Rec	Create 60-Mile Bank RCA Lines	Keep	Keep
49	Trawl, Non-Trawl	Groundfish Conservation Areas for Rougheye Rockfish	Delete	
50	Trawl, Non-Trawl	New Dressed to Round Conversion Factors for Sablefish	Delete	
51	Trawl, Non-Trawl (LE)	Eliminate Permit Size Endorsements	Delete	
52		ESA Seabird	Keep	Keep
53	Trawl, Non-Trawl	Move the Seaward Non-Trawl RCA Line Closer to Shore for Pot Vessels	Keep	Keep
54	Trawl IFQ, MS, CP	Allow Between Sector Transfer of Unneeded Overfished Species	Delete	
55	Trawl IFQ, MS	Allow Between Sector Transfer of Rockfish from IFQ to MS	Delete	
56	Trawl IFQ, MS, CP	Revise Length of Time Required for the Trawl Fleet to Retain Records	Keep	Keep
57	Trawl IFQ, MS, CP	Year Round Whiting Season and Other Season Date Modifications	Delete	

2016 #	Sector	Short Title	GMT Notes	GAP Notes
58	Trawl IFQ	Remove Certain Midwater Area-Management Restrictions	Keep	Keep
59	Trawl IFQ	Remove Certain Restrictions on Trawl Gear Configuration (Gear Regs Update II); targeting whiting with bottom trawl, eliminate distinction between whiting and non-whiting midwater, eliminate distinction between midwater and bottom trawl	Delete	
60	Trawl IFQ	Resolve Long-term Non-Whiting Surplus Carryover Provision	Delete	
61	Trawl IFQ	Carryover when Management Units Change	Keep	Keep
62	Trawl IFQ	Allow Trading of Previous Year Quota Pounds in Current Year	In Progress	
63	Trawl IFQ	Discard Survival Credit for Lingcod and Sablefish	Done	
64	Trawl IFQ	Require Posting of First Receiver Site Licenses	Delete	
65	MS, CP	Eliminate the Prohibition on At-Sea Processing S. of 42°	Keep	Keep
66	Non-Trawl	Discard Mortality Rates for Commercial Nearshore Fisheries	Done	
67	LEFG, OA	Commercial Gear Restriction for Targeting Flatfish in CA	Delete	
68	LEFG, OA	Retain Halibut in the Sablefish Fishery (South of Pt. Chehalis)	Keep	Keep
69	Recreational	Discard Mortality Rates for the Recreational Fisheries	Keep	Keep
70	Recreational	50 fm Depth Restriction (WA and OR)	Delete	
New	IFQ	Gear Switching and Trawl Sablefish Area Management	TBD	
New	MS, CP	Carryover of at-sea set asides	Delete	
New	all	Flexibility in ACL Management Response	Delete	
New	all	ESA Salmon	Keep	
New	IFQ	Aggregate Non-whiting QS Control Limits and Individual Species Weighting	TBD	
New	all	Trawl/Non-trawl Allocations	On Hold	
New	all	Lingcod S. of 40°10' Trawl/Non-Trawl Alloc.	On Hold	
New	Trawl	CCA revisions	TBD	