

## GROUND FISH MANAGEMENT TEAM REPORT ON 2020 HARVEST SPECIFICATIONS FOR COWCOD AND SHORTBELLY ROCKFISH

The Groundfish Management Team (GMT) reviewed the Regulatory Impact Review / Initial Regulatory Flexibility Analysis (RIR/IRFA; [Agenda Item H.6, Attachment 1, September 2019](#)), received an overview from Mr. John DeVore of Pacific Fishery Management Council (Council) staff, and provide comments below.

### **Purpose and need**

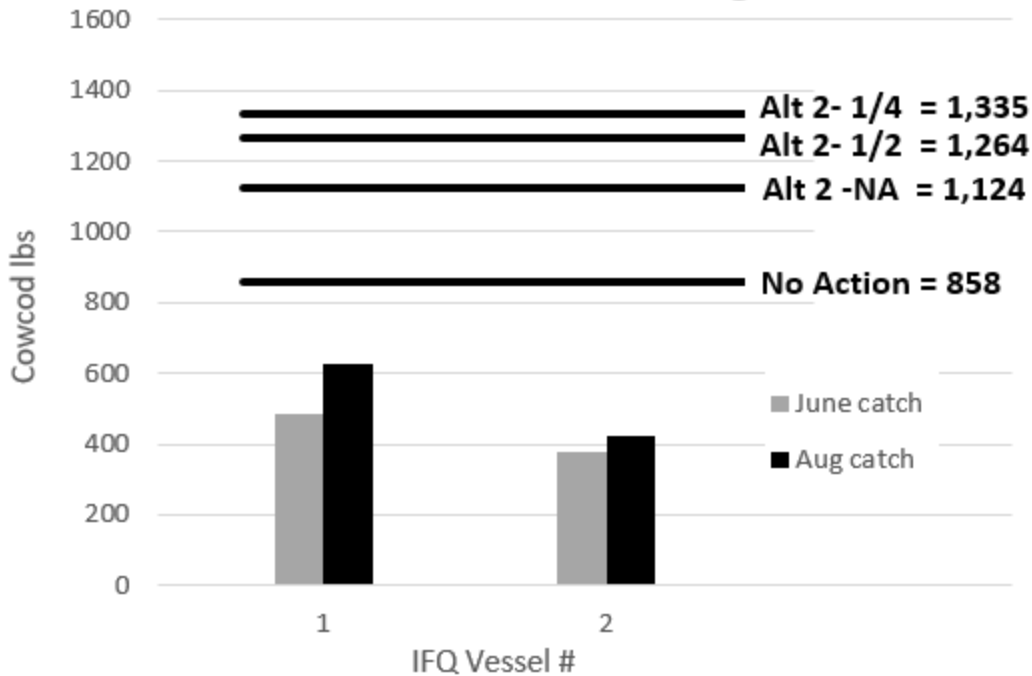
The Council must adopt a purpose and needs for this action. The GMT proposes the following alternative purpose and need, noting that not all vessels potentially impacted by cowcod annual caps are eligible for the National Marine Fisheries Service (NMFS) exempted fishing permit (EFP), and the non-trawl allocation would also increase with raising or eliminating the annual catch target (ACT):

*The purpose of this action is to examine the cowcod south of 40° 10' North latitude harvest specifications for 2020, and the resulting annual vessel limits, given the improved state of the cowcod stock.*

*The action is needed to avoid premature closure due to exceeding cowcod annual vessel limits of vessels participating in the individual fishing quota (IFQ) program that are not included in the EFP for members of the California Groundfish Collective (CGC).*

### **Background**

To ensure that a minority of vessels do not catch the majority of individual fishing quota (IFQ) allocations, annual vessel limits (hereafter referred to as “vessel caps”) are imposed to prohibit individual vessels from fishing above certain limits regardless of the quota available to them. California vessels have reported increased encounters with cowcod since 2017, and during the five-year review of the catch share program there was some discussion that vessel caps could become constraining for the limited number of vessels fishing south of 40° 10' North latitude (N. lat.) (see [September 2017 Agenda Item E.7 Attachment 4](#), Table 6 for example discussion). Based on public comment from the CGC received at the April and June 2019 Council meetings, ([Agenda Item B.1.c, April 2019](#); [Agenda Item B.1.b, June 2019](#)), the current cowcod vessel cap of 858 pounds for the 2019-20 biennium is likely to constrain their vessels. As of September 1, 2019, two of the vessels in the CGC have already caught half or more of the vessel cap for 2019 (Figure 1). The vessels would likely be much closer to their vessel caps if not for precautionary behavior in response to the cumulative cowcod catch earlier in the year. If they exceed their vessel caps, they would be completely unable to fish for at least the rest of the year. Given these severe consequences, even getting within half of their vessel caps creates the potential for extreme hardship.



**Figure 1. Total 2019 catches through the end of June and the end of August for two of the California Groundfish Collective boats with high cowcod catch in relation to annual vessel limit alternatives (horizontal lines).** *The GMT was given permission from the CGC to show the catch of the two boats with highest cowcod catch which are listed as numbers as to not identify the names of the boats.*

Solutions to this problem, including the potential for an exempted fishing permit (EFP), removing the ACT, and/or reviewing set aside amounts, were forwarded by the Council for more analysis to address the constraining vessel caps while remaining below the overall ACL. The GMT understands that the NMFS expects to issue the CGC an EFP for 2019-2020 that would allow their vessels to pool their cowcod vessel caps. This EFP would provide expeditious relief for the CGC vessels only, whereas the action being considered under this agenda item (removing the cowcod ACT and modifying the set-aside amounts) could benefit all IFQ vessels operating south of 40° 10' N. lat.

**Annual catch target and set-aside options for 2020**

Under this agenda item, the Council must adopt a range of alternatives (ROA) and a preliminary preferred alternative (PPA) for the 2020 ACT and set-aside amount. The ACL would remain at 10 metric tons for all alternatives. The proposals from the RIR/IRFA are duplicated below in Table 1 and illustrated in Figure 1

**Table 1. Summary of proposed 2020 alternatives for cowcod south of 40°10' N lat., from Table 3 of the RIR/IRFA (Agenda Item H.6, Attachment 1, September 2019).**

Feature	No Action		Alt. 1 (raise ACT)		Alt. 2: eliminate ACT and reduce research set-aside					
					No Adj. to Set-aside		1/2 Set-aside		1/4 Set-aside	
metric	mt	lbs.	mt	lbs.	mt	lbs.	mt	lbs.	mt	lbs.
ACL	10	22,046	10	22,046	10	22,046	10	22,046	10	22,046
Set-aside	2	4,409	2	4,409	2	4,409	1	2,205	0.5	1,102
Fishery HG	8	17,637	8	17,637	8	17,637	9	19,842	9.5	20,944
ACT	6	13,228	TBD		NA	NA	NA	NA	NA	NA
Non-trawl Allocation (64%)	3.8	8,466	64% of the ACT		5.1	11,288	5.8	12,699	6.1	13,404
Trawl Allocation (36%)	2.2	4,762	36% of the ACT		2.9	6,349	3.2	7,143	3.4	7,540
Annual Vessel limit (17.7%)	0.4	858	17.7% of Twl. Alloc.		0.5	1,124	0.6	1,264	0.6	1,335
Increase in vessel limit (lbs.)		0				281		421		492
Increase in vessel limit (%)		0%				33%		50%		58%

Under the No Action Alternative, the Council would not increase the ACT or modify the set-aside amounts. Instead, the Council would maintain a 6 mt ACT and set-asides at 2 mt. Alternative 1 would increase the ACT to an amount defined by the Council. Alternative 2 would eliminate the ACT, and includes sub-options for reducing the set-aside amount.

The GMT reviewed the alternatives and received an update from the Northwest Fisheries Science Center staff that the end of year projection for the 2019 hook and line and bottom trawl surveys is estimated to be 0.57-0.69 mt, noting the surveys are currently underway. The 2019 research projection is above the 0.5 mt associated with “Alternative 2: ¼ set-aside” yet expected to be below the 1.0 mt set-aside associated with “Alternative 2: ½ set-aside”, so we support this option. If research exceeds the 1.0 mt set-aside, research studies would not be canceled and the overage would be unlikely to cause a risk to the 10 mt ACL, as total mortality has been ~1-3 mt per year since 2011. Higher impacts could occur due to the stock rebuilding, but, at the same time, the stock has been gradually rebuilding, which means we would not expect a sudden large-increase in removals for 2020 compared to the last few years. This option would better reflect the increasing trend in research take, which is presumably related to increased cowcod abundance, while still allowing for an increased vessel cap and fishery flexibility.

**The GMT recommends “Alternative 2: 1/2 Set-aside” from the RIR/IRFA as the PPA.** This provides relief to all IFQ participants, not just the CGC via the EFP, and poses a low risk to the 2020 ACL. The GMT notes that under Alternative 1, a custom, higher ACT would not provide as much increase to vessel caps nor would be needed to stay within the 10 mt ACL given that historical removals have only been ~1-3 mt per year. If the Council chooses Alternative 1, they should specify an appropriate ACT.

A summary of short- and long-term solutions is provided in Table 2.

**Table 2. Short- and long-term solutions to reducing bycatch constraints to the current 858 lb. annual vessel cap for cowcod south of 40° 10' N lat.**

Year	Solutions to the constraining 858 lb. vessel cap
2019	NMFS is expected to issue the GCG EFP by late September that will allow its members to operate under a pooled vessel cap
2020	<b>Under this item, the GMT recommends “Alt 2: 1/2 set-aside” that would increase the vessel cap to 1,264 lbs. and benefit both GCG <u>and other IFQ participants</u></b>
2021 & beyond	Cowcod harvest specifications will reflect the rebuilding of the stock in 2019, and the vessel caps could be considerably higher depending on the ACL and/or ACT which will be discussed under Agenda Item H.8