GROUNDFISH ADVISORY SUBPANEL REPORT ON PRELIMINARY PREFERRED MANAGEMENT MEASURE ALTERNATIVES FOR 2021-2022 FISHERIES

The Groundfish Advisory Subpanel (GAP) received an overview of the 2021-2022 management measures agenda item from Mr. Todd Phillips, Council staff, and Mr. Patrick Mirick, Groundfish Management Team (GMT), and offers the following comments. Please note that the numbering used in our statement aligns with the Council's Action Item Checklist (Agenda Item G.6, Attachment 1, April 2020).

2. Rockfish Conservation Area Coordinate Updates

The GAP supports the proposed updates to the rockfish conservation areas (RCA) listed in the Action Item Checklist. The Central California waypoint additions to the 40 fathom (fm) boundary would increase the allowable fishing area shoreward of the RCA line by 6.3 square miles. Modifications to the recreational and non-trawl commercial RCAs in California would allow access to areas that have been closed for a long time. Now that most stocks are rebuilt, the public would have increased recreational angling access with two important banks in the northern Bight re-opened. The GAP appreciates California Department of Fish & Wildlife's (CDFW) corrections to the 100 fm waypoints, as well as the new 100 fm line around the northern Channel Islands. Off Washington, reopening the two small yelloweye rockfish conservation areas (YRCA) along the southern coast area would provide additional lingcod and canary opportunities to the angling public. While this may lead to a slight increase in yelloweye bycatch, projections for 2021-2022 with the RCAs removed remain 1.7 to 2.0 mt below the harvest guideline (HG)/annual catch limit (ACL), and the Council has many tools available to slow catch if needed. If the State of Washington's proposed exempted fishing permit (EFP) is approved by the Council, it could provide even more information on these areas.

3. Off-The-Top Deductions

The GAP appreciates the Council forwarding to the GMT our request to examine an adjustment to the darkblotched rockfish set-aside for incidental open access (IOA). **The GAP supports the GMT recommendation to select Option 2 for darkblotched rockfish, to reduce the set-aside from 24.6 mt to 9.8 mt.** The 24.6 mt option was based on the historical maximum from 2014, but as the GMT has previously discussed, this value was anomalous compared to all other years and likely represented a high recruitment year (Agenda Item I.9.a, Supplemental GMT Report 3, November 2015). Leaving out 2014, darkblotched rockfish taken in the IOA sector ranged from 3.8 mt to 6.7 mt since 2011. The average value of 9.8 mt should more than cover the needs of the IOA sector, based on recent take, while providing 14.8 mt of additional darkblotched to all other sectors. This recommendation aligns with the GMT.

The GAP supports the GMT recommendations for off-the-top deduction amounts of 13.3 mt for Petrale sole and 25 mt for sablefish south.

For the salmon troll proposal to retain yellowtail north of 40° 10' N. lat, the GAP supports the GMT recommendation to set the IOA set-aside at 7 mt, and select the Option 2 trip limit ratio of one pound of yellowtail per one pound of salmon, with a monthly limit of 500 pounds.

For the salmon troll proposal to retain yellowtail south of 40° 10' N. lat, which is managed as part of the shelf rockfish complex south of 40° 10' N. lat, **the GAP supports the GMT recommendation to set the IOA set-aside at 22 mt (for the complex), and adopt the GMT-proposed trip limit.**

4. Treaty Fisheries

The GAP supports all management measures for the Treaty fisheries for the 2021-2022 cycle.

5. Annual Catch Targets

The GAP recommends a 48 mt ACT for cowcod south of 40° 10′ N. lat., which falls within the range analyzed by the Council (40-60 mt). An ACT set at 48 mt would allow for additional opportunity with RCA changes in California (see item #2), while still being precautionary, given the uncertainty in the stock assessment.

6. Harvest Guidelines

The GAP supports the state-specific HGs for the nearshore rockfish complex north of 40° 10' N. lat. as described in Table 2-20 of the Council's analytical document (Agenda Item G.6, Attachment 2, April 2020), included in Table 1 below.

Table 1. State-specific HGs for nearshore rockfish complex north of 40° 10' N. lat.

State	2021 HG	2022 HG
WA	18.4	17.7
OR	22.7	22.2
CA (40°10´ to 42° N. lat.)	37.6	37.4

The GAP recommendation for blackgill rockfish in the southern slope complex is discussed under item #8 of this statement.

7. Two-Year Trawl/Non-Trawl Allocations

The GAP supports the GMT recommendation to adopt the status quo trawl and non-trawl allocations for the following stocks:

- Bocaccio south of 40° 10' N. lat. – 39 percent trawl, 61 percent non-trawl
- Cowcod south of 40° 10' N. lat. – 36 percent trawl, 64 percent non-trawl
- Yelloweye rockfish – 8 percent trawl, 92 percent non-trawl
- Big skate – 95 percent trawl, 5 percent non-trawl
- Longnose skate – 90 percent trawl, 10 percent non-trawl
- Minor shelf rockfish north of 40° 10' N. lat. – 60.2 percent trawl, 39.8 percent non-trawl
- Minor shelf rockfish south of 40° 10' N. lat. – 12.2 percent trawl, 87.8 percent non-trawl

For canary rockfish, the GAP recommends that the Council select Option 4, which would retain the status-quo allocation between trawl and non-trawl fisheries for the 2021-2022 cycle and combine the nontrawl nearshore and non-nearshore amounts into a single value. As described under item #9 below, the GAP supports a combined at-sea set-aside value of 36 mt for canary for the 2021-2022 cycle.

Total ACL attainment of canary rockfish was under 40 percent in 2018 and 2019, with trawl individual fishing quota (IFQ) attainment at 44 percent and nontrawl attainment at 39 percent in 2019. Despite low attainment, canary rockfish is a crucial stock in both fisheries and is likely to increase in the 2021-2022 cycle. In the trawl sectors, yellowtail targeting has not reached its full potential and with rebuilding the whiting sectors are likely to see increased canary encounters. Bottom trawl attainment is at a historic low, but is likely to grow as participants access the newly opened RCAs. Canary rockfish is a constraining strategic species held in reserve as a type of insurance against a lightning strike tow in the IFQ fishery, and is critical even when not fully attained. In the nontrawl sectors, canary catch is likely to increase with additional access to the nontrawl RCAs that the Council is contemplating in this management measures package, and through additional proposals for nontrawl RCAs currently under consideration by the GAP.

Given the anecdotal information on canary abundance provided by both the trawl and nontrawl sectors, the GAP recommends a full assessment as soon as practicable.

8. Amendment 21 Allocation Changes

The GAP supports the four Amendment 21 allocation changes recommended by the GMT.

- **For Petrale sole, select Option 2**, which allocates a fixed amount of 30 mt to the nontrawl sectors, and the remainder to the trawl sectors. This would provide additional opportunity for one of the highest-attained trawl species without negatively affecting the nontrawl sectors.
- **For widow rockfish, select Option 2**, which allocates 300 mt to the nontrawl sectors, and the remainder to the trawl sectors. This would provide additional opportunity for the trawl sector without negatively affecting the trawl sectors.
- **For lingcod south of 40° 10' N. lat., select Option 4**, which decreases the trawl allocation from 45 percent to 40 percent, and increase the nontrawl allocation from 55 percent to 60 percent. This would provide opportunity for nontrawl sectors by reducing the risk of inseason trip limit or bag limit reductions, without constraining the IFQ sector.
- **For slope rockfish south of 40° 10′ N. lat., select Option 2**, which is the Council's custom approach to separate trawl and non-trawl shares of blackgill rockfish and the other southern slope species, and the complex as a whole. This would optimize benefits in both the trawl and nontrawl sectors by shifting more blackgill to nontrawl (59 percent nontrawl; 41 percent trawl), and more of the other southern slope complex species to trawl (91 percent trawl, 9 percent nontrawl).

9. At-Sea Whiting Set-Asides

Representatives from the whiting sectors met prior to the Council meeting to develop an industry proposal for the 2021-2022 at-sea set-aside values, which was presented to the GAP and GMT, and incorporated into the GMT presentation on this topic. **Along with the GMT, the GAP**

supports these recommended values, which are shown in Table 2 and described in more detail below.

The GAP also reviewed the public comment letter describing considerations for setting the 2021-2022 at-sea set-asides (Agenda Item G.6, Supplemental Public Comment, April 2020), and agrees that it is important for the Council to balance the needs of the at-sea whiting sectors with opportunity for the IFQ sector. For several rockfish species, set-asides are a new tool that the at-sea sectors are adjusting to, along with hard caps for chinook and new species of concern (for example, sablefish and shortbelly rockfish). Especially for species that have high ACL attainment, it is important to establish at-sea set-aside amounts that will cover expected bycatch.

The GAP supports the industry recommendation to maintain at-sea set-asides as one combined value for each species, without separated sector-specific sub-amounts (i.e. separated columns for mothership (MS) and catcher processor (CP) sectors). This will simplify the decision-making and analytical processes, and more closely align with the intent of set-asides. In addition, should a sector have a year where they encounter more bycatch of one species than another, the MS and CP sectors could work together to try to accommodate the need, rather than being confined to boxes that set-asides were intended to remove.

Table 2. At-Sea Whiting Sectors Set-Aside Recommendations – Note: the "Category" classification is elaborated on below and is meant to group species with similar rationale for what is proposed.

Stock/Species	Area	Value in 2019 Regulations	GAP-Recommended Approach	GAP Proposed Value	Category
~~YELLOWEYE ROCKFISH~~	~~Coastwide~~	~~0~~	Delete	n/a	1
Arrowtooth flounder	Coastwide	70	Option a (SQ)	70	2
Canary rockfish	Coastwide	46	Custom	36	3
Darkblotched rockfish	Coastwide	36.3	Maximum mortality (2015-2019)	76.4	3
Dover sole	Coastwide	5	Option a (SQ)	10	2
~~English sole~~	~~Coastwide~~	~~5~~	Delete	n/a	1
Lingcod	N. of 40°10' N. lat.	15	Option a (SQ)	15	2
Longnose skate	Coastwide	5	Option a (SQ)	5	2
~~Longspine Thornyhead~~	~~N. of 34°27' N. lat.~~	~~5~~	Delete	n/a	1
Minor Shelf Rockfish	N. of 40°10' N. lat.	35	Option a (SQ)	35	2
Minor Slope Rockfish	N. of 40°10' N. lat.	100	Option a (SQ)	300	2
Other flatfish	Coastwide	20	Option a (SQ)	35	2
~~Pacific cod~~	~~Coastwide~~	~~5~~	Delete	n/a	1
Pacific halibut	Coastwide	10	Option a (SQ)	10	2
Pacific ocean perch	N. of 40°10' N. lat.	404.5	Custom	300	3
Petrale Sole	Coastwide	5	Option a (SQ)	5	2
Sablefish	N. of 36° N. lat.	50	Option b	100	3

Shortspine Thornyhead	N. of 34°27' N. lat.	30	Option a (SQ)	70	2
~~Starry Flounder~~	~~Coastwide~~	~~5~~	Delete	n/a	1
Widow rockfish	Coastwide	611.4	Maximum mortality (2015-2019)	476	3
Yellowtail Rockfish	N. of 40°10' N. lat.	300	Option a (SQ)	320	2

Category 1: Set-aside species the GAP recommends to remove from table

The GAP agrees with the industry recommendation that yelloweye rockfish, English sole, longspine thornyhead N. of 34° 27' N. lat., Pacific cod, and starry flounder could be removed from the table because the at-sea whiting sectors have negligible impact on these stocks.

Category 2: Set-aside species the GAP recommends Option A (status quo) for

The GAP supports the use of Option A (status quo) values for the following species: arrowtooth flounder, dover sole, lingcod N. of 40° 10' N. lat., longnose skate, minor shelf rockfish N. of 40° 10' N. lat., minor slope rockfish N. of 40° 10' N. lat., other flatfish, Pacific halibut, Petrale sole, shortspine thornyheads N. of 34° 27' N. lat, and yellowtail rockfish N. of 40° 10' N. lat. For most of these species, the at-sea whiting sectors have at least some historical bycatch, and, generally, there would be low benefit to other sectors from reducing these values from status quo. For example, the combined at-sea sectors had a 2018 mortality of 55.4 mt of arrowtooth flounder, which would not be covered by a 5-year average of 38.6 mt (Option B) or 3-year average of 38.9 mt (Option G). The status quo value of 70 mt would cover anticipated mortality for the at-sea sectors without impact to other sectors because this stock has low attainment across sectors. Similar rationale supports the other species in this category.

Species-specific comments:

- The at-sea sectors have experienced increased encounters with minor shelf and minor slope rockfish N. of 40° 10' N. lat., and therefore the GAP recommends the Option A (status quo) values for these species. Note that for minor slope rockfish, this would mean an increase from the 2019 value of 100 mt to a 2021-2022 value of 300 mt, which would be set high enough to cover the 2018 combined at-sea mortality of 295 mt. This at-sea set-aside increase was included in the no action table for 2021-2022 IFQ allocations (Table 2-21), and is not anticipated to impact the IFQ sector since they are projected to attain 24.49 percent in 2021 and 24.98 percent in 2022.
- Because petrale sole is highly-attained across sectors, the GAP recommends that the at-sea sectors retain a 5 mt set-aside for Petrale sole to minimize any impacts to the ACL should any small amount of bycatch occur.
- The GAP recommends the Option A (status quo) value of 320 mt for the yellowtail rockfish N. of 40° 10' N. lat. set-aside, which would provide a 20 mt increase from the 2019 value. While there is low risk that the ACL would be exceeded from yellowtail rockfish, the GAP recommends selecting set-aside values that will cover expected catch, as discussed above. In 2019, the at-sea sectors had a combined yellowtail rockfish mortality of 317.6 mt, just below the proposed 2021-2022 value. However, the maximum mortality for each sector across years combines to 342.4 mt (178.7 mt for MS in 2018 + 163.7 mt for CP in 2019), which is above the proposed set-aside. To find a balance, industry proposed selecting a number between the 2019 value (300 mt) and the maximum combined mortality across

years (342.4 mt), resulting in the recommendation to select Option A (320 mt), and the GAP supports this rationale.

Category 3: Set-aside species the GAP recommends other alternatives for

The GAP recommends alternatives other than status quo for the following species: canary rockfish, darkblotched rockfish, Pacific ocean perch (POP) N. of 40° 10' N. lat., sablefish N. of 36° N. lat., and widow rockfish.

Canary rockfish

The GAP recommends a set-aside of 36 mt for canary rockfish. Canary rockfish has been increasingly encountered as a lightning strike species in the whiting fisheries, particularly the shoreside whiting sector where a single vessel had an 18 mt lightning strike in 2018. The GAP supports maintaining an at-sea set-aside that could cover similar lightning strikes in the at-sea sectors. A reduction from the 2019 value of 46 mt to 36 mt would shift 10 mt to the IFQ sector, to offset any losses or provide additional opportunity to the IFQ sector, depending on the Council's action for the trawl/nontrawl allocations for canary rockfish under item #7.

Darkblotched rockfish

The GAP recommends a set-aside of 76.4 mt for darkblotched rockfish, set equal to the maximum mortality between 2015-2019. Darkblotched rockfish is one of the most constraining species for the at-sea sectors, caught in chronic amounts, and the suite of options analyzed will not cover expected catch. The bottom trawl survey shows a big year class coming through, which may be contributing to increased encounters in the at-sea fisheries. The GAP highlights the need for a new assessment in the next cycle.

Pacific ocean perch

The GAP recommends a set-aside of 300 mt for POP, which is a middle-ground option between the status-quo Amendment 21 formula and maximum catch, and would move an additional 58.7 mt to the IFQ sector. The at-sea sectors have experienced increased encounters with POP in recent years, which was recently rebuilt. The ACL increased 16 times upon rebuilding, and the GAP recommendation would both accommodate the desire to reduce the set-aside from status quo, and leave plenty of room under the set-aside, to uphold fairness between the sectors. For the at-sea fleets, POP bycatch most often occurs off Washington, making it an incredibly important bycatch species when fishing north to avoid Chinook bycatch and in avoiding areas of high sablefish abundance off Washington.

Sablefish N. of 36° N. lat.

The GAP recommends Option B, which would establish a set-aside value of 100 mt for sablefish north, consistent with the Council's recommendation from November 2019. An increase from the 2019 value of 50 mt to the proposed 100 mt would better account for bycatch of juvenile sablefish that the at-sea sectors have encountered from the large year classes coming through on the West Coast and in Alaska. Combined with other measures the Council may take under Agenda Item G.4 to reapportion sablefish between areas, this action is not expected to negatively impact the IFQ sector, and would reduce the risk to the ACL.

Widow rockfish

The GAP recommends a set-aside of 476 mt for widow rockfish, set equal to the maximum mortality between 2015-2019. This would accommodate the expected needs of the at-sea sectors for the current biennium, while also providing an additional 135.4 mt to the IFQ sector (compared to Option A, the status quo Amendment 21 allocation), which has been increasing its targeting and attainment of widow rockfish. Because this species is expected to continue to increase in attainment for the 2021-2022 cycle, particularly if the Council selects Option 2 for widow rockfish under item #8, it is important to establish an at-sea set-aside amount that will cover expected catch.

10. Within Non-Trawl Harvest Guidelines, Annual Catch Targets, or Shares

The GAP recommends that the Council clarify their intent that fisheries will not be closed based on individual sector harvest guidelines.

11. Accountability Measures

The GAP is disappointed in the final action taken by the Council under Agenda Item G.4, to select an ACL of 2,000 mt for shortbelly rockfish for the 2021-2022 harvest specifications cycle. From the view of the GAP, the science supported the joint GMT and GAP recommendation to select the Council's preliminary preferred alternative of 3,000 mt (Agenda Item G.4.a, Supplemental GMT Report 1, April 2020 and Agenda Item G.4.a, Supplemental GAP Report 1, April 2020). The initial motion and detailed rationale provided strong scientific and economic reasoning for why 3,000 mt was an appropriate value. The GAP appreciates the informed consideration that went into the original motion, and thanks the maker for that motion. Evidence suggests that the stock has expanded, rather than shifted, its range. Previous public comment demonstrated the difficulty in tracking and avoiding shortbelly rockfish, due to its mobile nature. The affected industries are trying to focus their efforts on avoiding other species of concern, and are worried that the unpredictable shortbelly bycatch could become constraining, particularly to individual vessels in the mothership sector, under an ACL that is set too low. While the GAP does not expect that the 2,000 mt will be reached, we note that the Council set the ACL at 500 mt in previous cycles without any expectation it would be reached. But ocean conditions are changing, and we did not want to revisit shortbelly if abundance continues to increase. Previous GMT reporting demonstrated the low risk to the forage base in selecting an ACL of 3,000 mt, even under the unlikely scenario that the ACL was attained (Agenda Item H.4.a, Supplemental GMT Report 1, November 2019). Therefore, the GAP stands by our previous recommendation that 3,000 mt was an appropriate ACL.

However, moving to the action under this agenda item, the GAP understands that due to overages in the previous cycle, the National Marine Fisheries Service (NMFS) is required to add accountability measures (AMs) for shortbelly rockfish. **The GAP supports using the NMFS-identified approach, which would only set an ACT for shortbelly rockfish in Year 2 if the ACL was exceeded in Year 1,** with the ACT in Year 2 set equal to the Year 2 ACL minus the Year 1 overage amount. The GAP was briefed by NMFS and the GMT that exceedance of an ACT would trigger closure of the entire trawl fishery, or a sub-sector of the trawl fishery. If this were ever to occur, **the GAP recommends that sub-sectors of the trawl fishery be closed first, rather than an automatic closure of the entire trawl fishery. The GAP also requests clarification on whether the Council and NMFS would close fisheries upon actual attainment of an ACT, or upon projections that the ACT would be exceeded.**

The GAP continues to have concerns over managing the groundfish fishery relative to shortbelly rockfish, which we have expressed in several previous statements, including under Agenda Item G.4 at this meeting (Agenda Item I.7.a, Supplemental GAP Report 1, June 2019, Agenda Item H.6.a, Supplemental GAP Report 1, September 2019, Agenda Item H.4.a, Supplemental GAP Report 1, November 2019, and Agenda Item G.4.a, Supplemental GAP Report 1, April 2020). **The GAP cautions the Council against selecting AMs that use ACL values lower than what would result from the NMFS proposal** (described above) for all the reasons detailed herein, as well as in previous GAP reports and public testimony. Moreover, forcing the industry to avoid shortbelly rockfish because of an unnecessarily constraining AM will produce the untenable choice of fishing in areas where Chinook bycatch is more likely to occur as was demonstrated in the public testimony powerpoint in June 2019 (Agenda Item I.7.b, Supplemental REVISED Public Presentation 1, June 2019).

12. Open Access Trip Limits

The GAP supports the GMT recommendation to select Option 1 (status quo) for open access trip limits N. of 40° 10' N. lat., which would set 50 pound/month trip limits for both shortspine and longspine thornyheads. **For Central California (between 34° 27’ N. lat and 40° 10' N. lat.), the GAP also supports the GMT recommendation, to select Option 2**, which would set trip limits equal to those in the north, at 50 pounds/month for both shortspine and longspine thornyheads.

13. Shorebased IFQ Trip Limits

The GAP supports the GMT recommendations for unlimited trip limits for big skate and blackgill rockfish south of 40° 10’ N. lat.

14. Limited Entry Fixed Gear Open Access Trip Limits

The GAP recommends that the Council adopt all of the limited entry fixed gear open access trip limits recommended by the GMT, with one exception, described below.

The GAP recommends consideration of a change to the wording of the open access (OA) sablefish trip limit that would mirror the language used for limited entry fixed gear trip limits. At present the OA sablefish trip limit reads:

> *300 lb. day; or one landing per week up to 1,200 lb., not to exceed 2,400 lb./2 months.*

It would be very beneficial to the OA fleet if the trip limit was worded the same as limited entry fixed gear trip limit, which reads:

> *1200 lb. week, not to exceed 2400 lb./2 months.*

The language "one landing per week" is constraining to the OA fleet because it inhibits the ability of fishermen to land their catch over multiple days in a week when the weather is good and safe. It also does not allow fishermen in California to effectively sell sablefish from their vessel directly to the public, as California requires that fishers must record a landing at the end of each day that fish are sold. This is particularly pertinent given the changing conditions under the COVID-19 pandemic, as many markets along the entire coast are not buying fish. We anticipate an increase

in fishers selling fish directly from their boats since that may be the only option available to them with COVID-19-related market closures.

15. Washington Recreational Management Measures

The GAP recommends that the Council adopt the management measures proposed by Washington Department of Fish and Wildlife (WDFW) for Washington recreational fisheries (Agenda Item G.6.a, Supplemental WDFW Report 1, April 2020).

16. Oregon Recreational Management Measures

The GAP recommends that the Council adopt the management measures proposed by Oregon Department of Fish and Wildlife (ODFW) for Oregon recreational fisheries (Agenda Item G.6.a, ODFW Report 1, April 2020).

17. California Recreational Management Measures

The GAP recommends that the Council adopt the management measures proposed by California Department of Fish and Wildlife (CDFW) for California recreational fisheries (Agenda Item G.6.a, CDFW Report 1, April 2020), **with the exception of**:

- **Cabezon** – some members of the GAP expressed concern that there may be additional pressure on nearshore rockfish resulting from bycatch under an increased limit of 10 Cabezon, and recommended that the Council select status quo (3). Other members of the GAP supported the CDFW recommendation of 10.

The GAP supports the CDFW and industry recommendation for reducing recreational vermilion take by implementing a 5-fish sub-bag limit. There is clear evidence of a substantial increase in abundance in recent years, which has greatly increased catch rates. The combination of apparent high actual abundance and lack of an assessment has resulted in our current vermilion management challenge. The reduction from 10 fish to a 5-fish recreational sub-bag limit takes a precautionary approach in the interim. At the same time, it recognizes increased vermilion abundance and the costs of restricting access and compelling regulatory discards.

As described under item #7 above, the GAP supports Option 4 for the canary allocation, which would retain the status-quo allocation between trawl and non-trawl fisheries for the 2021-2022 cycle, and combine the nearshore and non-nearshore amounts.

PFMC
04/08/20