

GROUND FISH ADVISORY SUBPANEL INFORMATIONAL REPORT FOR HIGH PRIORITY GROUND FISH ITEMS

In November 2019, the Council directed the Groundfish Advisory Subpanel (GAP) to develop the scope of action and draft purpose and need statements for non-trawl area management/salmon troll incidental landing limits and mothership sector utilization items during the GAP's March and April 2020 meetings. At its April 2020 meeting, the Council requested the GAP submit an informational report on these items for June. This report includes the GAP's proposed actions with draft purpose and need statements.

In addition, the Council requested the GAP provide recommendations to the Council regarding prioritization of the four high-priority items: 1) non-trawl area management/salmon troll incidental landing limits; 2) mothership sector utilization; 3) moving the Emley-Platt exempted fishing permit (EFP) into regulation; and 4) Amendment 21 trawl/non-trawl allocations. In April, the GAP discussed the difficulty for all sectors represented to come to a prioritization consensus; therefore, the GAP's preference is for the Council to prioritize these items and schedule them as appropriate. The GAP provides additional background information for topics three and four to provide a balanced look at all actions for prioritization. If desired, the GAP could provide guidance for scheduling the prioritized actions.

Topic 1: Non-Trawl Area Management and Salmon Troll Incidental Landings Limits

This topic is split into two sections for discussion: Topic 1a., Non-Trawl Area Management, and Topic 1b., Salmon Troll Incidental Landings Limits.

Members of the public submitted many proposals through public comment and other agenda items related to groundfish management over the course of several years. During the March and April 2020 Council meetings, proposals were submitted via the public comment portal under Agenda Item B.1, open public comment. The GAP consolidated the proposals since many of them overlapped. Members of the GAP and the Salmon Advisory Subpanel (SAS), along with members of the public, discussed the efficacy of the proposals with their constituents. Table 1 is a final version of all proposals to date for non-trawl area management. Table 2 provides one action item regarding salmon troll incidental catch retention.

Topic 1a: Non-Trawl Area Management

Draft Purpose and Need

The proposals focus on removing or modifying portions of the Non-Trawl Rockfish Conservation Area (Non-Trawl RCA). The purpose of these proposed actions is for the industry to gain access to additional fishing grounds, thereby increasing attainment of available species. The industry cited several reasons for considering – and possibly implementing – these actions:

- provide economic value to the fishery;
- reduced regulatory discards (e.g., salmon troll discards);
- diversify fishing strategies;

- reduce fishing vessels' carbon footprints;
- meet market supply problems;
- provide more stable, year-round fishing;
- bring financial relief to the fishermen, communities and infrastructures they support;
- provide better access to shelf rockfish species;
- disperse fishing effort targeting sablefish to avoid localized depletion of sablefish, particularly (in Cowcod Conservation Areas);
- meet fish size demands for market; and
- streamline enforcement issues.

Table 1. List of Non-Trawl Area Management Proposals.

Item Number	Non-Trawl RCA Changes	Proposal	Comment
1.	Fathom (fm) line adjustment	Support closure of 60-80 fathoms for 34° 27' N. lat. to 40°10' N. lat.	coastal agreement
2.	Fathom line adjustment	<ul style="list-style-type: none"> • Support moving the shoreward boundary from 30 fm to 40 fm north of 40°10' N. lat. to better access shelf rockfish and other species that are included in any increased trip limit proposals. • Support moving the seaward boundary from 100 fm to 80 fm north of 40°10' N. lat. in attempt to access more of the midwater rockfish stocks. <p>The resulting RCA boundaries would be: From 40°10' N. lat. to 42° 00' N. lat.: 40 fm (shoreward) to 80 fm (seaward) From 42° 00' N. lat. to 46°16' N. lat.: 40 fm (shoreward) to 80 fm (seaward)</p>	There is no 80-fathom line in the current set of regulations.
3.	Proposed Analysis for Expansion of Non-trawl Open Access (OA) for Rockfish within CA	Support narrowing the RCA off California from 70 fathoms shoreward boundary to a seaward boundary of 100 fathoms statewide.	

Item Number	Non-Trawl RCA Changes	Proposal	Comment
4.	Improve Accuracy of the 40 fm Line for Open Access Fishermen off the San Mateo Coast (seaward of the Non-Trawl RCA boundary)	<p>Support adding two waypoints to the regulations to more accurately reflect the true 40 fm depth contour (seaward RCA boundary). The line between points #132 and #133 is a straight, 20-mile line that inadvertently excludes areas which, if drawn more correctly, would open up some fishing opportunities not allowed under the current regulations. Adding two waypoints would open a small portion of the area for OA fishermen. Keep points 132 and 133, but add:</p> <ol style="list-style-type: none"> 1. 132-A: 37° 25' N. lat., 122° 38.66' W. long.; and 2. 132-B: 37° 20.68' N. lat., 122° 36.79' W. long. <p>The GMT received this public request at the April 2019 meeting (Agenda Item B.1, Open Public Comment).</p>	2021-2022 biennial harvest specifications process may change this to 50 fm. If so, this action is not needed.
5.	New 100 fathom lines	Support California Department of Fish and Wildlife (CDFW) 100 fathom line . Preliminary Preferred Alternative under new management measures for 2021-2022 harvest specifications. Action may not be needed.	Monitor under action under Specs.
6.	Cowcod Conservation Area (CCA) Changes	Support establishing Non-Trawl RCA lines at 100 and 150 fathoms within the western CCA. A 150-fathom line would allow commercial fixed gear access to important commercial species such as sablefish, thornyhead rockfish and blackgill rockfish outside of 150 fathoms.	Decide whether it belongs with Non-Trawl RCA proposals.

Topic 1b: Salmon Troll Incidental Landings Limits

Under the current regulations, salmon troll fishermen are allowed to catch the open access (OA) trip limits of groundfish throughout the entire coast, but only when fishing outside of the non-trawl rockfish conservation area (RCA) and abiding by other Federal regulations (e.g., use of Vessel Monitoring Systems). However, the regulations summarized in the Code of Federal Regulations, Table 3 (South) to Part 660, Subpart F¹, provides an exemption for salmon troll fishermen to retain lingcod and yellowtail rockfish while fishing in the non-trawl RCA, but only when fishing north of 40° 10' N. lat. The lingcod and yellowtail rockfish limits for salmon troll are lower than the OA limits and are based on ratios of rockfish to landed salmon.

Draft Purpose and Need

The purpose for considering changing groundfish retention in the salmon troll fishery south of 40° 10' N. lat. is due, in part, to several species of rockfish being rebuilt, thereby increasing incidental

¹ [Non-Trawl Rockfish Conservation Areas and Trip Limits for Open Access Gears South of 40°10' N. Lat](#)

take while salmon fishing. Changing the retention limits would provide additional economic benefits for salmon trollers who are trying to remain viable during a series of salmon seasons that have been limited due to poor returns. Increased retention limits of yellowtail and lingcod (and other midwater rockfish species), both when fishing inside and outside of the non-trawl RCA, will increase bycatch utilization and decrease regulatory discards. The change is needed due to retention limits that were established when several rockfish species were listed as overfished. Adjusting limits based on current, updated stock assessments that show these species are no longer overfished will provide benefits to the troll fishery and offset vessel operational costs while reducing wastage of fish.

Table 2. Draft Proposal to expand species that may be retained incidentally while salmon troll fishing.

Groundfish Retention in the Salmon Troll Fishery	Proposal
South of 40° 10' N. lat.	Allow retention of incidental catches of midwater rockfishes (i.e., yellowtail, chilipepper, vermilion, canary, widow, and bocaccio) in the non-trawl RCA throughout the entire coast; focus south of 40° 10' N. lat.; recommend that 50% of each salmon landing be rockfish.

Topic 2: Mothership Sector Utilization

Draft Purpose and Need Statement

The mothership (MS) sector of the Pacific whiting fishery has experienced lower average attainment than the other non-tribal whiting sectors since the start of the trawl catch share program, particularly since 2017, leading to social and economic losses for participants. The Council’s five-year review of the Trawl Rationalization Program confirmed that mothership sector participants were not realizing the same economic gains as their counterparts in the shoreside and catcher processor whiting sectors. During the last five seasons, more than 350 million pounds of whiting worth more than \$28 million in ex-vessel revenue has been left unharvested in the mothership sector. Some catcher vessels have been unable to harvest and deliver their full MS sector allocations and, in certain cases, catcher vessels have been stranded without a mothership processor to deliver to for a season or year. Many MS whiting sector participants, including all six MS processor vessels and several MS catcher vessels, participate in the Alaska pollock fishery. The pollock fishery’s record high catch limits in recent years has limited the availability of processor vessels and some catcher vessels to participate in the Pacific whiting fishery during the primary whiting season, between May 15 and December 31. This reduced availability has coincided with record high catch limits and insufficient bycatch in the Pacific whiting fishery.

These factors, combined with regulatory barriers that have hindered flexibility, have contributed to decreased utilization rates in the mothership sector. The purpose of this action is to improve MS sector utilization and flexibility, to better meet the National Standards of the Magnuson-Stevens Act and elements of the Council’s Trawl Rationalization Program goals that have not been fully

realized, to “create and implement a capacity rationalization plan that increases net economic benefits, creates individual economic stability, [and] provides for full utilization of the trawl sector allocation.”

Table 3. Proposals to be analyzed to improve mothership sector utilization.

<p>Proposal 1. Primary whiting season start date: Analyze changing the whiting season start date to something earlier than May 15 for all whiting sectors.</p> <ul style="list-style-type: none"> • Sub-option 1: April 1 • Sub-option 2: April 15 • Sub-option 3: May 1 <p>Changing the primary whiting season start date could increase MS sector utilization by increasing the amount of time in the spring that MS processors have to operate prior to departing for the Alaska pollock B season (in which many MS processors and MSCVs participate). An earlier start date could also produce bycatch improvements by shifting harvest to a time when bycatch of constraining species is typically lower, as well as improve safety if some effort shifts to spring, reducing effort in late November and early December when weather is bad. A change in the season start date would likely require reconsideration of the effects described in the salmon biological opinion.</p>
<p>Proposal 2. Processor obligation deadline: Analyze changing the November 30 deadline for when an MSCV-endorsed limited entry permit owner must obligate their catch history assignment to a mothership processor permit.</p> <ul style="list-style-type: none"> • Sub-option 1: February 1 • Sub-option 2: March 1 • Sub-option 3: March 31 (which would align with MS coop application deadline) • Sub-option 4: If the season start date changes (under Alternative 1) then analyze obligation dates 45, 60, or 90 days before the start of the season <p>Changing the processor obligation deadline could provide more flexibility and timely information to be able to choose an MS processor who is going to be able to accommodate the vessel’s catch, which could ultimately improve MS utilization. This alternative also could remove some discomfort of obligating to a processor for the following year during fishing in the current year.</p>
<p>Proposal 3. MS processor cap: Analyze increasing the processing cap to something higher than 45% (=status quo).</p> <p>Changing the MS processor cap could increase delivery opportunities and sector attainment. The MS sector is the only groundfish sector with a processing cap, which was meant to assure that at least three motherships would participate in the fishery. However, the cap does not necessarily have the effect of assuring participation. A small pool of processor vessels in the United States have the capacity and expertise to process and sell whiting products. If a vessel breaks down for a season or a year, or chooses not to participate due to low TAC or other reasons, another mothership permit owner/vessel with processing capacity could not take deliveries from catcher vessels above the processing cap, which could limit the sector’s attainment, even with full catcher vessel harvesting capacity.</p>
<p>Proposal 4. MS/CP permit transfers: Analyze alternatives that would allow a vessel that has been registered to a catcher processor permit to be registered to a mothership permit in the same</p>

calendar year, and vice versa, and increase the number of transfers available for MS and CP permits annually.

Allowing mothership and catcher processor vessels to transfer MS processing permit(s) would increase the pool of eligible processing platforms that could accept MSCV deliveries, thereby increasing MS sector utilization. This alternative maintains separate sectors and continues to safeguard the MS processor class (that is, this alternative does not increase the number of MS processing permits). For example, a vessel that had previously operated as a CP could later operate as a mothership processor, as long as they were registered to a mothership permit.

Note: During the April 2020 Council meeting, the [Council recommended](#) that NMFS implement a temporary emergency rule to allow this action.

Proposal 5. At-sea processing south of 42° N. lat.: Analyze a reintroduction of at-sea processing in Federal waters south of 42° N. lat. (for both MS and CPs).

Removing the prohibition on at-sea processing south of 42° could increase utilization by extending areas where fishing and processing can occur for MS sector participants. Currently vessels can fish in California and drag whiting back north of 42° N. lat. for processing; this greatly limits available fishing grounds, slows the pace of the fishery, and reduces overall utilization. Towing codends filled with whiting north of 42° N. lat. for processing also reduces fish quality and increases operational costs. This alternative would likely require analysis under the salmon biological opinion.

Topic 3. Implement San Francisco Community Fishing Association/Platt EFP Regulations

This Exempted Fishing Permit (EFP), also referred to as the Emley/Platt EFP, was first issued to open access fishermen in 2013. The following text is from the EFP as proposed for renewal during the November 2019 Council meeting ([Agenda Item H.5 Attachment 5, November 2019](#)):

West Coast fisheries have been increasingly restricted in state and federal waters over the last decade to reduce impacts from fishing. Yet, demand remains for fresh, local seafood. To harvest healthy and abundant fish stocks with less impact, conservation engineering and gear experimentation is needed. The purpose of the EFP is to test the potential for a new commercial jig gear configuration to harvest currently underutilized rockfish species (yellowtail) while avoiding overfished stocks to enhance optimum yield in the mixed stock West Coast groundfish fishery.

The EFP allows the commercial use of midwater jig gear within the Non-trawl RCA in areas off California under 100 percent observer coverage. The long-term goal is to allow commercial jig fishing with this gear off the entire West Coast, including in the Non-trawl RCAs, by the Open Access and Limited Entry fixed gear participants. If successful, this gear could also be used by the nearshore fleet to avoid species of concern and could create a fishery that would fill out the portfolios of those who make up the bulk of the fishermen in the West Coast's coastal communities

Renewal of this EFP is expected to be considered for final approval at the June 2020 Council meeting for the 2021-2022 biennial management cycle. If approved and prosecuted in the next management cycle, this EFP will have been providing data and information on this type of fixed gear for 10 years by the end of 2022.

Topic 4. Amendment 21 Trawl/Non-Trawl Allocations

The Pacific Coast Groundfish Fishery Management Plan (FMP) Amendment 21 established long-term, formal allocations to trawl and non-trawl sectors of the groundfish fishery. Sector allocations, designed to support the trawl catch share program, were implemented in 2011. The Council scheduled a five-year review of the performance of the trawl catch share program, including the Amendment 21 sector allocations, when developing the program. During the June 2017 Council meeting, the Council received a paper that evaluates the performance of Amendment 21 allocations by considering annual catches by sector relative to their allocations of the available harvest of FMP stocks managed with formal allocations ([Agenda Item F2, June 2017](#)). The analysis and discussions of allocation issues provided in that document are meant to support the five-year review of formal allocations that was called for in Amendment 21, in conjunction with the five-year review of the trawl catch share program.

This action is being considered under the new management measures for the 2021-2022 harvest specifications process. The Council is considering removing the Amendment 21 allocations of petrale sole, widow rockfish, and lingcod south of 40°10' N. lat. from the FMP. These three stocks would then become two-year allocation species with the following options under consideration for 2021-2022.

For each species, status quo would maintain the Amendment 21 allocations.

Option 2 for petrale sole would make the species a two-year allocation with a fixed 30 mt for non-trawl and the remainder for trawl.

Option 2 for widow rockfish would set a fixed allocation of 300 mt for the non-trawl sector and the remainder would be allocated to the trawl sector.

Two options other than status quo are proposed for lingcod south of 40°10' N. lat. Option 2 would allocate 43 percent to trawl and 57 percent to non-trawl. Option 3 would allocate 25 percent to trawl and 75 percent to non-trawl.

If these continue to move forward under the 2021-2022 specifications, the Council may not need to consider them any further.

PFMC
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