

GROUND FISH ADVISORY SUBPANEL REPORT ON WORKLOAD AND NEW MANAGEMENT MEASURE PRIORITIES – INCLUDING THE SCOPING OF MOTHERSHIP UTILIZATION ISSUES

The Groundfish Advisory Subpanel (GAP) received an overview of the workload and new management measures agenda item from Mr. Todd Phillips and Mr. Brett Wiedoff, Council staff. The GAP also held joint sessions with the Groundfish Management Team (GMT). We offer the following comments.

Workload and New Management Measures

General Process Comments

The GAP still believes that having a structured approach to collect, organize, and prioritize new groundfish ideas and requests that come in through the Council process is important. However, if the planning process is taking away from achieving progress on priority items, we need to recalibrate, especially with continued staff changes and workload challenges. For example, if eliminating one meeting per year where we have an agenda check in on Workload and New Management Measures would provide more floor time and analytical time for priority items, we recommend adjusting the process to accommodate that. Alternatively, if the agenda item continues to be used for Council scoping of priority items, such as how the Council is scoping mothership utilization at this meeting, then retaining the four meetings per year process could provide more dedicated time for moving items forward.

In our meetings, the GAP discussed the distinction between those items that industry and stakeholders bring forward to improve the fishery performance, function, access, etc. and those items that are legally or otherwise mandated, such as five-year program reviews required by Magnuson-Stevens Act, or Endangered Species Act consultations. For the ongoing workload lists, the GAP thinks it may be helpful to have a column identifying the type, or separate sections for each. The GAP also suggests that it may be helpful to maintain a list of items that have been completed through the Council process, to help track progress and status of groundfish items over the years in a single document.

Prioritization

In terms of the previously identified GAP priorities, the GAP would like to thank the Council and National Marine Fisheries Service (NMFS) for addressing several elements of our list through the 2021-2022 harvest specifications cycle, and for starting scoping of mothership utilization at this meeting. If these items continue to move forward, we believe our current priorities list can be simplified. We hope the remaining items can begin to proceed in the following months, and that the scoping we undertook at the March and April 2020 meetings will be helpful in that effort ([Informational Report 4, June 2020](#)).

As a reminder, the GAP previously identified the following workload and new management measures priorities. For this list we used the current numbering system identified by the GMT (in

[Agenda Item D.2.a, GMT Report 1, September 2020](#)), but the GAP was not able to rank our list, due to the composition of our group and the different sectors and communities we represent.

- **A2 – Nontrawl area management and salmon troll incidental landings limits:** some elements were addressed by the Council through the 2021-2022 harvest specifications and management measures, but the bulk of the proposals have not yet been addressed.
- **A3 – Mothership sector utilization:** the Council will begin scoping under this agenda item at this meeting (see further GAP comments on this in a separate section below).
- **A4 – Amendment 21 trawl/nontrawl allocations:** the Council addressed several of the trawl/nontrawl allocations through the 2021-2022 harvest specifications and management measures. If the Council is likely to continue consideration of Amendment 21 trawl/nontrawl allocations through future specifications cycles, the GAP agrees with the GMT that this item can be moved off the priorities list since it is already being addressed.
- **A5 – Moving Emley/Platt exempted fishing permit (EFP) into regulations:** the Council has not yet addressed this item.

Some members of the GAP also prioritize item **A6 – gear switching and trawl sablefish area management** – which is a separate agenda item at this meeting (please see [Agenda Item D.1.a, Supplemental GAP Report 1, September 2020](#) for our statement on this topic).

The GAP recommends the next step for the Council would be to prioritize nontrawl area management and salmon troll incidental landings limits (A2), and agree with the GMT that the Council should consider whether or not to fold the Emley/Platt EFP (A5) into that effort. These items continue to be very important for the nontrawl fleet. As stated by nontrawl fishery participants during GAP scoping, Council action could:

- provide economic value to the fishery,
- reduce 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.

Limited Entry Fixed Gear Fishery 5-7 Year Program Review

Limited entry fixed gear members of the GAP report that the program is working well and they have not received pressing requests for changes to the program since the last review. However, they reported that two issues have been discussed by industry and managers that may merit consideration in the review:

- Whether to make the limited entry fixed gear fishery year-round, rather than April through October. (Note: this has also been requested as emergency action for 2020, see separate section below.)
- Whether to make the tier poundage divisible. Currently the poundage amount associated with the tier cannot be divided or transferred as less than a whole tier.

GAP members noted that many program participants were not aware of the upcoming 5-year review process, so additional ideas and comments may come forward if the Council invites public comment.

The GAP seeks clarification on timing, and whether the review would cover the entire program or a review of the performance of the program since the last review, now taking into consideration the national standards that have been adopted since the first review. If a committee is established to review the program, the GAP recommends that limited entry fixed gear industry representatives be appointed as members.

Mothership Sector Utilization Scoping

The GAP continues to support the mothership sector utilization draft purpose and need statement and range of alternatives that we previously scoped and put forward in our informational report in June ([Informational Report 4, June 2020](#)). As a reminder, the draft purpose and need is as follows:

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."

The proposals supported by the GAP and industry for Council consideration are as follows:

1. Change the whiting season start date.
2. Change the processor obligation deadline.
3. Change the mothership processor cap.
4. Change the process for mothership/catcher-processor permit transfers.
5. Allow at-sea processing south of 42° N. lat.

We thank the participants in the mothership sector for fulfilling their assignment from the Council to work collaboratively on brainstorming what could most help the sector, and meeting many times outside of the Council process to bring forward thoughtful and agreed upon proposals to the GAP and Council that could improve attainment. The GAP heard from these participants in March and April, and incorporated these proposals into [Informational Report 4, June 2020](#). The GAP recognizes that it took enormous effort and difficult conversations to discuss and arrive at political consensus on these items, since some of these conversations occurred in the GAP, and that this effort was undertaken in advance of reaching the Council floor in order to facilitate more efficient Council consideration. To go beyond what the industry and GAP has presented could cause that consensus to fall apart, and the time the industry and GAP spent scoping to be for naught. The GAP acknowledges this action may also improve utilization in the other whiting sectors, since the package represents broad agreement across the whiting sectors, and there is overlapping participation between vessels and companies, but reiterates that the purpose of this action is to improve attainment in the mothership sector.

With respect to the Council/NMFS staff scoping paper ([Agenda Item D.2, Attachment 3, September 2020](#)), the GAP supports the concept of developing an EFP for Proposals 1 and 5 (whiting season start date and at-sea processing south of 42° N. lat.), in order to gather more information on potential salmon encounters. Mothership sector participants noted that catcher vessels currently fish south of 42° N. lat. and bring codends back to their mothership, and that was the location of some of the cleanest fishing this past spring. Industry representatives suggested establishing annual salmon limits south of 42° N. lat. for use with an EFP, at which point processors utilizing the EFP would return north of 42° N. lat. for the remainder of the year, and the GAP supports that approach. The GAP also suggests that supplementary data could be examined from the midwater rockfish fishery, and/or catcher vessel effort in the Pacific whiting fishery in these times and areas.

The GAP recommends moving the mothership utilization package forward in the most expeditious timeline possible, given the demonstrated need in the sector, and the potential benefits that improved utilization could bring to coastal communities. Many of the mothership sector issues have come through the Council process since program implementation, most recently through the five-year catch share program review and hearings, at the Community Advisory Board meetings, and again through public comment since the September 2018 Council meeting. If an EFP is the preferred method to scope changing the season start date and processing boundaries, the GAP suggests this could have immediate benefits for the sector if in place for 2021. We recommend that the Council provide guidance to the GMT and Council staff to coordinate with affected stakeholders as they continue to review and analyze the topics.

Limited Entry Fixed Gear Tier Fishery 2020 Season Extension Request

The GAP received a briefing on the request to the Council and NMFS to implement an emergency rulemaking for the limited entry fixed gear tier program, that for 2020 would extend the primary season from the end date currently in regulation (October 31) to the end of the year (December 31) in order to allow for improved attainment in the sector by vessels that have been fishing in Alaska and will be late returning to the West Coast. Those vessels are unlikely to harvest much, if any, of their tier allocations without an extension to the season.

The GAP is supportive of this request. Limited entry fixed gear representatives on the GAP reported that only about 35 percent of the tiered sablefish harvest limit has been caught for 2020. Many of the vessels that participate in landing this fish have been delayed due to COVID related developments in Alaska. Some of the issues causing delay are:

1. The State of Alaska requires all catcher vessels, particularly coming from out of state, to quarantine their crews and develop a COVID-19 safety protocol for each vessel operating in Alaska. For participants in the West Coast tier program that also participate in Alaska fisheries, the start of their Alaska operations was delayed to meet the State requirements before/upon entry.
2. COVID-19 has had a large impact on the restaurant sector, where much of the fixed gear sablefish is destined. The fleet for sablefish, off Washington, Oregon, and California, and in Alaska, started later, hoping the effects of the mandatory shutdown of restaurants in the coastal states would mitigate. The effects have not abated, resulting in many vessels from the fleet that participates in the tiered fisheries off the West Coast being delayed from returning from Alaska beyond the normal closing of their season for the tiered fishery (October 31).
3. These delayed vessels and their crews account for 20 to 25 percent of the tiered sablefish fishery landings in a normal year, and much of that will not occur unless the closing time of October 31 is extended.

There are at least a dozen vessels representing 40 to 45 crew that the tiered fishery represents 20-25 percent of their income. Due to the short timeframe in addressing this issue there are likely other vessels not yet identified. Many of these vessels have payments coming due on West Coast permits they have purchased, and need the income from the fishery to continue to meet their business payments. The landing of this fish helps shorebased communities keep coastal jobs. Much of the fish will be destined for export which affects the U.S. trade imbalance. In addition, some vessels are concerned about COVID-19 protocols for the 30 percent observer coverage in their fishery, and the devastating impacts the virus could have on the fleet. A season extension could ensure more time for quarantines and protocols to be safely followed, without rushing to complete harvest prior to the current end date. For example, if a crewmember or observer exhibit COVID-19 symptoms and need to be tested and/or quarantined, at best, the vessel operations could be shut down for two weeks. Additionally, turnaround time on COVID-19 testing in rural communities has been as long as 8 days.

The GAP greatly appreciates the time the GMT has put into considering this item. In joint GAP/GMT meetings, the GMT presented inseason alternatives that they anticipate could provide

additional opportunity for tier vessels to fish later into the year (beyond October 31), such as increasing the weekly or bimonthly daily trip limit for limited entry participants in the last bi-monthly period (November-December). However, fixed gear GAP members stated that unless those limits were increased to an amount close to the tier limits, it would not provide enough income or incentive for these vessels to operate, and could actually cause long-term problems. First, increasing the limited entry trip limits could attract a large number of vessels and significantly increase effort beyond those that a season extension would be aimed at helping. Second, such opportunity in the daily trip limit (DTL) fishery could cause conflicts with the overall sablefish allocations, which have historically been 85 percent to the primary tier fishery and 15 percent to the DTL fishery. If DTL effort significantly increases in the last bi-monthly period of 2020, the GAP cautions that this could create unintended consequences and conflict between tier/DTL sectors in the future.

It is our understanding that the Council would like to take up the issue under Agenda Item D.2, and if the request merits further consideration, the Council may add an additional agenda item. We are supportive of the Council adding an agenda item to consider this further, and if that occurs the GAP will submit additional comment.

PFMC
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