Non-trawl Groundfish Area Management Modifications for the West Coast: Scoping Discussion Document

The Pacific Fishery Management Council (Council) is scheduled to conduct a public scoping session during its April 2021 Council meeting to discuss potential groundfish area management modifications that may improve access and opportunity for fishery participants. In the past, the Council has taken up narrow aspects of modifying Non-Trawl Rockfish Conservation Area (NT-RCA) management (e.g., boundary line changes); however, recent public comments, advisory body reports, and Council discussion all suggest broader action is desired in order to modernize NT-RCA management and achieve Groundfish Fishery Management Plan (FMP) goals. The proposal/measures under consideration include NT-RCA and Cowcod Conservation Area (CCA) boundary changes, moving the Emley-Platt exempted fishing permit into regulation (EFP), and retention limits of certain rockfish species in the incidental open access (OA) salmon troll fishery.

The objective of this document is to assist stakeholders, advisory bodies, and the Council in an initial scoping discussion specific to the proposals/measures mentioned above. We pose a series of questions in an overarching manner to foster an in-depth conversation on the goals and objectives for this action. Given the vast array of potential measures that the Council could explore as part of this action, our questions are germane to the Groundfish Advisory Subpanel's (GAP) proposals from Informational Report 4, June 2020 (IR4). That report serves as a starting point for our discussion.

The NT-RCA is a coastwide contiguous non-trawl groundfish closure area bounded by specific latitude and longitude coordinates that approximate depth contours[1]. It largely closes what is considered the West Coast continental shelf to fixed gear fishing practices that target groundfish. These closures were intended to close areas (or to restrict access) in the main portion of overfished species' depth ranges to reduce encounters and mortality, thereby allowing the stock to rebuild more quickly. In conjunction with RCAs, trip limit reductions (including no retention) were implemented to reduce catches (and overall mortality) and help stocks rebuild more quickly.

The origins of the current NT-RCA can be traced back to 2002 when the Council began to close areas to the non-trawl sector as a conservation measure to minimize catch of overfished groundfish species in order to aid in rebuilding. The primary goal of the non-trawl RCA between 42° N. latitude and 40°10' N. latitude was to protect widow, canary, and yelloweye rockfish. The two CCAs (Western and Eastern) were originally established in 2001 as an overfished species rebuilding measure for cowcod.

Since the inception of these area closures, there have been multiple changes to the seaward and shoreward boundaries of the NT-RCA. The last NT-RCA modifications occurred under the 2021-2022 groundfish harvest specification and management measure process, which included multiple seaward and shoreward NT-RCA boundary adjustments. Changes to the CCA were proposed, but not adopted, as recently as the 2019-2020 harvest specifications and management measure process (Appendix C), therefore, the boundaries remain unaltered. Additionally, the Council has recommended multiple exempted fishing permits (EFP), e.g., 2013 Emley-Platt EFP, to National Marine Fisheries Service (NMFS) to test different fishing strategies and gear types specifically in the closed portion of the NT-RCAs that were intended to avoid yelloweye rockfish and other overfished species.

[1] Coordinates Specified at CFR 50 §§ 660.71-660.74.

As of 2021, all groundfish stocks except yelloweye rockfish have been declared rebuilt. However, even though shelf rockfish stocks[2] appear to be healthy, the non-trawl sector cannot access the depths where they are primarily found due to the current depth range boundaries. As a result, the non-trawl sector's attainment of shelf groundfish species (e.g., yellowtail rockfish, chilipepper, etc.) is low and the potential benefits of harvesting these species unrealized by industry. For example, in 2019, roughly five percent of yellowtail rockfish south of 40°10 N. lat. and approximately three percent of chilipepper south of 40°10 N. lat non-trawl allocations were landed.

The GAP and stakeholders have requested the Council consider modifying the NT-RCA to allow access to healthy shelf species on multiple occasions. In March 2019, the GAP recommended the Council prioritize revisiting NT-RCA management as part of the new Groundfish Workload and Prioritization Process.[3] In June 2019, the Council prioritized two NT-RCA measures for development: NT-RCA modifications and moving the Emley-Platt EFP into regulation. In November 2019, the Council charged the GAP with initial scoping of the prioritized groundfish management measures. The GAP presented their initial proposals to the Council in June 2020 (IR4), identifying three items for Council consideration: 1) area management[4], 2) retention of incidental rockfish caught by salmon trollers, and 3) moving the Emley-Platt EFP into regulation. At their November 2020 meeting, the Council scheduled scoping of these items at their April 2021 meeting.

1. Overarching Questions

These three questions are broad and proposal-independent, designed to explore the overarching questions the Council as it considers the scope of the action.

Are the NT-RCA/CCA functioning as intended and meeting their original goals and objectives? The original intent of the NT-RCA/CCA was to improve the rebuilding of multiple groundfish species. As of 2021, yelloweye rockfish is the only groundfish species under a rebuilding plan. Stock assessments indicate shelf rockfish species are healthy and it appears as if yelloweye rockfish is rebuilding ahead of schedule (target year of 2028). Coupled with other management measures such as trip limits, it appears as if the NT-RCA has been an effective rebuilding tool and has achieved the goals and objectives set out by the Council. If the Council agrees with this cursory assessment, it could start to consider modifying NT-RCA management measures, such as boundary line adjustments, that will allow increased opportunity for industry to target these shelf stocks, yet preserve its functionality for yelloweye rockfish conservation. The Groundfish Management Team (GMT) may be able to discuss the performance of the NT-RCA/CCA with the Council.

What is the purpose and need for this action? Draft purpose and need statement(s) clearly identify the need for action. The non-trawl sector has, however, clearly expressed NT-RCA management measures are not optimal in providing access to healthy stocks and are a contributing factor in hindering full attainment of multiple species allocations. In IR4, the GAP provided multiple proposals for the Council to consider, complete with draft purpose and need statements. The overall similarity between each proposal is the Council should modernize NT-RCA management measures in order to improve industry access and opportunity that may provide a wide range of benefits, including increased attainment of shelf species, a consistent market supply, and improved socioeconomic impacts.

[2] see 660.11(Groundfish)(7)(ii) for a complete list of shelf rockfish species.

[3] Supporting documents associated are found under Agenda Item G.4 March 2019

[4] It is important to note, several items in item 1 (area management) GAP explored were adopted as part of the 2021-2022 harvest specifications and management measure process

If the Council considers the purpose and need statement(s) adequate for this action, it could be adopted for public review. Additionally, if the Council were to move forward with multiple proposals as part of this action, it could adopt multiple purpose and need statements that are specific to proposal(s), as necessary. If, however, the Council finds the more discussion is necessary to formulate a course of action it could continue to scope the issue at a future meeting; adopting a purpose and need when appropriate.

Do all area modification proposals need to move forward in one regulatory package? The GAP presented multiple proposals in their IR4 report (NT-RCA and CCA modifications, retention of shelf rockfish by salmon trollers, and moving the Emley Platt EFP into regulations). All these items could be incorporated into one large NT-RCA rule-making package; however, the Council could consider removing, adding and and/or combining final proposals into multiple separate actions, if appropriate, for efficient implementation. For example, CCA modifications could be combined with the NT-RCA modifications, or could they be split into multiple actions based on timelines, analytical burden, etc.

Would prioritizing a subset of the proposed modifications provide desired effects to the industry in the near-term? Given the multiple proposals, the Council could consider giving guidance regarding the criteria to be used to determine which proposal(s) provide the most benefit and task the GMT/GAP to create a rank-based proposal list. Relevant advisory bodies could then use this list to examine the analytical approaches needed to support those items. This information could serve to create an initial idea of the relative workload needed to move forward on any one proposal. Additionally, prioritization may allow for timelier regulatory implementation for critically needed items.

Do any of these proposals have a place in the groundfish harvest specifications and management measure process? The next groundfish biennial harvest specifications and management measures process for the 2023-2024 cycle begins in June of 2021. The extent of the impact of these proposals may or may not have on the development of the biennial management measures would be highly speculative at this point. The GMT may be able to provide some general thoughts on the proposals and their potential impact when developing new biennial management measures.

What are the enforcement concerns with these proposals? At present, this is unknown. As the Council develops these proposals, the Enforcement Consultants (EC) needs to be an integral part of the discussion. Some of the following proposals may have enforcement concerns that need to be addressed before the Council takes action. Early involvement by the EC will increase the efficiency of this process. The EC should be briefed each time this item is part of a Council agenda. Additionally, the GAP/GMT should work with EC as they develop their ideas.

2. Non-Trawl Rockfish Conservation Area Modifications

This section discusses the NT-RCA and the CCA boundary modification proposals for the non-trawl sector. We combine these proposals for ease, as they both consider boundary line adjustments and therefore, have similar questions. However, while these proposals (see reference section) are combined here, they are not necessarily bound to move forward together in the same decision package and could move forward as separate packages. Proposed modifications shown below in reference section.

Are the draft purpose and need statements clear and appropriate? The GAP's draft purpose and need (below) focuses on removing or modifying portions of the Non-Trawl Rockfish 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 the CCA; meet fish size demands for market; and streamline enforcement issues. *IR4,pg 2*

It is important to note that The GAP's draft purpose and need statement specifies its focus is on modifying portions of the NT-RCA, but does not address the proposed modifications to the CCA. If the Council moves forward with a combined NT-RCA/CCA package, it should consider modifying the purpose and need to identify the CCA as part of the action, if appropriate. If the Council splits the NT-RCA/CCA proposals into one or more actions, the Council could consider purpose and need statements specific to each action.

What are the benefits of making the boundary adjustments? Based on the historical information, the shelf species supported a vibrant fishery. Seaward/shoreward boundary adjustments would increase industry access to the shelf and may provide improved opportunity to target shelf rockfish species. This action could increase attainment of the shelf species. Increasing the supply and diversity of species available to the market may improve the fixed gear industry economic conditions; however, it is unclear if the benefits would be universal along the coast or if certain areas would benefit more than others. As part of the analytical work for this action, the Council will be provided socio-economic information on what potential benefits boundary adjustments could provide by region, port, etc.

What fishery monitoring programs and data are used in managing the non-trawl fishery? Fish landing tickets are used to document retained species, VMS is used as an enforcement monitoring tool, and the West Coast Groundfish Observer Program (WCGOP) observes the non-trawl fishery at-sea to estimate discard, amongst other duties. NMFS is also developing a fixed-gear logbook for implementation in the near future. It is important to note observer rates for the LEFG and OA fisheries are much lower than the trawl fishery. The 2019 observed groundfish landings range from a high of 42% in the LEFG primary sablefish fishery to 6% in the OA fishery.[5] The Council may wish to consider if the current state of monitoring is sufficient to gauge this fishery's catch and effort or if improvements are needed. The notable concern with proposed boundary modifications is the potential impacts on yelloweye rockfish and cowcod. The Council could request for NMFS/NWFSC to describe their fixed gear fishery observation rate, relative precision of their fixed-gear bycatch estimates, as well as the state of the fixed gear logbook development process. This information could serve to inform the Council if additional monitoring is necessary

How would the proposed NT-RCA boundary changes affect yelloweye rockfish and cowcod?

Yelloweye Rockfish: The majority of the West Coast yelloweye rockfish habitat and population is found in the NT-RCA as well, though stock assessments indicate this stock's abundance is highest in the northern portion of their West Coast range. Adjusting the boundaries may increase the bycatch of yelloweye and affect the stock's recovery. However, it may be possible to adjust the boundaries based on areas of abundance that could both maintain current rebuilding conditions while allowing fixed gear access to some of the NT-RCA.

Cowcod: Changes to the CCA boundary may increase cowcod catch. Additionally, cowcod are found in the NT-RCA, therefore NT-RCA boundary modifications may impact cowcod too. Cowcod was declared rebuilt in 2020; however, significant uncertainty remains around the population's status prompting the Council's adoption of a more precautionary harvest control rule and resultant lower ACL. Given the

[5] See Somers, K. A., J. Jannot, K. Richerson, V. Tuttle, N. B. Riley, and J. T. McVeigh. 2020. Estimated Discard and Catch of Groundfish Species in the 2018 U.S. West Coast Fisheries. U.S. Department of Commerce, NOAA Technical Memorandum NMFS-NWFSC-154

concerns regarding this species, many additional precautions have been implemented to ensure the stock is not at risk of additional harvest jeopardizing its recovery.

For both species, any boundary modifications need to be carefully defined and analyzed to minimize risking exceedance of management targets. The GMT and GAP may be able to provide general thoughts on how to redesign the NT-RCA/CCA to reduce the risk of exceeding the harvest limits.

Should the Council consider retention of cowcod and/or yelloweye? At present, the non-trawl fisheries cannot retain these species. However, as cowcod are considered rebuilt and yelloweye is recovering, the encounters of these species could increase if NT-RCA/CCA boundaries are modified to allow increased access. Coupled with other measures, like a non-trawl logbook, this information could provide increased fishery dependent information; however, it is unclear if these data would be beneficial or not. Additionally, it could inadvertently create enforcement issues. The Council could request the appropriate advisory bodies (GMT, GAP, EC, SSC etc.) to consider retention.

In changing the boundaries, what other resources might be impacted (e.g., habitat, protected species, etc.) ? The NT-RCA/CCA have been closed to fixed gear for nearly 20 years. Other fisheries with bottom contact (e.g., non-groundfish trawl, etc.) fish in this area at present. It is clear non-trawl gear has some impact on habitat and habitat forming invertebrates. Based on work in Amendment 28 and in other Council documents, fixed gear has, overall, low impact and habitat appears to be resilient to these impacts. However, it is known certain gear types have more impacts than others. The Council may want to consider having the habitat committee involved with the development of these proposals early on in the process to ensure potential impacts are considered.

Another concern is the interaction of fixed-gear and protected species (e.g., mammals, birds, etc.). NMFS, through the Council's Groundfish Endangered Species Workgroup, provides detailed take estimates every biennium to the Council on humpback whale, eulachon, green sturgeon, humpback whale, and leatherback sea turtle. NMFS also provides detailed reports to the Council on salmon and seabird take in the groundfish fishery on an annual basis. This information can be used to determine how existing management measures are working and if additional mitigation measures should be developed.

Does the Council have the appropriate tools to manage the fixed gear fishery inseason? The Council has the use of multiple management measures (e.g., depth-based closures, trip limits, etc.) to regulate the fixed gear fishery. The Council may wish to revisit the tools currently available and determine if others are needed to effectively manage this fishery. The GMT and GAP should be able to brief the Council on the efficacy of existing management tools and propose new ones, as appropriate.

Instead of changing boundaries, could the NT-RCA only be accessed with specific gear types ? Stakeholders have commented to the Council that attaining the more semi-pelagic shelf rockfish species (e.g., chilipepper rockfish, yellowtail rockfish, etc.) is very desirable. As discussed below in the Emley-Platt EFP section, certain gear types are thought to selectively target midwater species while reducing incidental catch of yelloweye rockfish. Additionally, based on development of gear type definitions in the past, the process to define a midwater gear for the NT-RCA access could be a lengthy process and may have enforcement concerns. The Council may want to consider asking the EC to comment on this idea.

Could the NT-RCA/CCA be completely reconfigured to close only those areas with high abundances of yelloweye rockfish and cowcod? The majority of discussions to date have been related to shrinking the boundaries of the NT-RCA. The NT-RCA is a broad closure designed to give the maximum amount of protection to rebuilding groundfish stocks. Now that all stocks but yelloweye rockfish have been rebuilt, perhaps a large portion of the NT-RCA could be eliminated and reconfigured to a series of large yelloweye RCAs. This concept is the area of highest yelloweye/cowcod abundance remains closed but surrounding

areas are open. If yelloweye bycatch increases outside of a closed area, the Council could employ its management tools (e.g., depth-based area closures, etc.) to close areas of higher than expected catch in a surgical manner. Developing this concept could require a longer process to fully understand the habitat and fishery implications and to determine non-trawl fishing effort location bycatch. There is limited data to identify "hotspots" and develop new yelloweye rockfish area restrictions.

Should modifications to the NT-RCA and the CCA boundaries be in one management action or should they be split into multiple packages? A key point the GAP raises in IR4 is the question whether the modifications to the NT-RCA and CCA belong in one management package or if they should be moved forward separately. Modifications to the NT-RCA are a Council priority and it could be reasonably intimated that CCA modifications are part of this action. It is difficult to predict the analytical requirements and timeline for either a combined broad suite action or multiple smaller actions. The Council could consider smaller, targeted actions that would provide some relief to fishermen in the near-term and continue to work on larger, broader changes to the NT-RCA and CCA for action in the near future. NMFS is expected to brief the Council regarding staffing and workload under the NMFS report, which may assist the Council in their decision process on how to move forward with modifications to the NT-RCA/CCA modifications.

3. Salmon Troll Incidental Rockfish Retention

The GAP proposal (see reference section below) is for commercial salmon troll fishermen to retain shelf rockfish (e.g., chilipepper, canary rockfish, widow rockfish, etc.) while fishing inside the NT-RCA, coastwide. The recommendation is that no more than 50% of each salmon landing be rockfish. Additionally, the proposal is for coastwide consideration, but it also prioritizes the area south of 40 10' N. lat. While this proposal has been presented to the Council in public comment, it has not yet been considered or prioritized for action.

Should this proposal be scoped as part of the NT-RCA modification package or should it be added to the groundfish management measure project list for prioritization? In 2019, the Council adopted a new method to prioritize groundfish management measures; aka, the workload and new management measure prioritization process. This process, in short, is where the Council accepts proposed management measures and then prioritizes them for action. While this proposal could be considered germane to NT-RCA management, it is not on the current list of the 14 groundfish management measures. As such, the Council may wish to consider if scoping this proposal under the NT-RCA modification package is acceptable or if it should go onto the list and be prioritized at a later date based on public input in light of the other competing proposals. It should be noted a similar proposal for yellowtail rockfish retention in the salmon troll fishery was adopted as part of the 2021-2022 harvest specification and management measure process.

What are the benefits to this proposal? Shelf rockfish are incidentally caught by salmon trollers. At present, salmon trollers are allowed to retain specific amounts (based on a ratio of salmon landed) of lingcod north of 40 10' N. lat and yellowtail rockfish coastwide when fishing in the NT-RCA. However, salmon trollers can retain the open access (OA) groundfish trip limits when fishing outside of the NT-RCA. Retention of incidentally caught shelf rockfish by salmon trollers may increase overall attainment of these species and provide economic benefits to the salmon troll fishery. The GAP and salmon industry representatives should be able to further detail and discuss the merits of this proposal with the Council.

If the Council includes this proposal as part of the scope for this action, does the draft purpose and need statement clearly identify the problem and objective for this action?

The draft purpose and need focuses on retention of incidental midwater "shelf" rockfish and states:

> "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 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 [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." *IR4, pg. 4*

Could the retention of more groundfish species by a non-groundfish fishery impact other fixed-gear groundfish fishery sectors? It is unclear what impact retention of these species by the salmon troll fishery would be on the OA and LEFG fisheries. With two exceptions (lingcod and yellowtail rockfish), retention of groundfish in the NT-RCA by salmon troll fishery has not been allowed. Data, therefore, may not be available to determine impacts, thus quantitative analyses may be difficult to perform. While qualitative analyses can describe the potential impacts, they may not provide the same level of risk analyses usually provided to decision makers., The GMT should be able to provide some general thoughts on this proposal based on their recent analyses of yellowtail rockfish retention in the salmon troll fishery as part of the 2021-2022 harvest specifications and management measure process

Does this proposal promote equitable use of the resource? Under this proposal, salmon trollers would be able to retain groundfish while targeting salmon in the NT-RCA. However, if a portion of the NT-RCA remain intact, salmon trollers would have the opportunity to retain groundfish in areas where non-trawl sector cannot even fish. This may create inequities for the primary user group to access the species they depend on. The Council may wish to consider whether allowing a non-groundfish fishery to retain groundfish in an area closed to a portion of the groundfish industry is an equitable use of the groundfish resource and whether allowing use of other non-trawl gear types (e.g., Emley-Platt EFP jig gear) could mitigate this issue The GAP may be able to provide their thoughts on this proposal and their potential impacts to this sector.

Does the recommendation of "50% of each salmon landing to be rockfish" need to be better defined to the species level? Groundfish are managed by weight and not number (*as are salmon*). In general, trip limits are set in pounds. This proposal suggests a 50% rule, but does not indicate if that means pounds or numbers. The proposal should clarify if this percentage is to be a weight or a number. The Council will likely need to consider specific ratios and/or retention limits by species due to the difference of management methods. Selection of a specific set of species and/or prioritizing species for the GMT to model impacts would be helpful.

Would this fishery need to be monitored similar to the groundfish fishery? When retaining groundfish inside the NT-RCA, salmon trollers must use a VMS. This device may be sufficient monitoring for law enforcement. In terms of catch and effort, the salmon troll fishery is not observed at-sea and landings are sampled at a fixed percentage; however, if groundfish were landed, those species must be recorded on a fish ticket. How those data are treated may provide insight to whether additional or improved monitoring is warranted. The GMT, EC, and NMFS may be able to provide information regarding monitoring to the Council.

4. Emley Platt "Jig Gear" EFP

The GAP and EFP managers are recommending that the fishing methods described in the Yellowtail Rockfish Jig Fishing off California EFP, also known as the Emley-Platt EFP, be moved into regulation. This EFP has been testing a specific gear type that targets mid-water rockfish species (e.g., yellowtail rockfish, widow rockfish, etc.) while limiting catch of the more benthic species (i.e., yelloweye rockfish) since 2013. Two key questions should be answered before this EFPs methods are adopted into regulation.

Has the EFP demonstrated this gear type should is effective and be incorporated into regulation or is additional information needed? Based on EFP results, it appears use of this gear type, in concert with its associated fishing method, may be successful in achieving its objectives. However, these results may not be universally applicable to all vessels as participants are well versed in deploying and fishing with the EFP gear type. However, it could reasonably be expected that fishermen new to any gear type would have a learning curve when adapting to a new method of fishing.

What are the key concerns with adopting the methods of this EFP into regulation? A key concern with this EFP, like similar EFPs[6], has been participation. Participation in this EFP operating on the West Coast has been low. Yet, given the 10 years the Emley Platt EFP has been in operation, it may be possible to qualitatively, if not quantitatively, gauge the efficacy of the methods. The Council may wish to consider requesting the GMT to analyze the Emley Platt data, as well as the other similar EFP data[7], to determine the impacts of this gear type.

If this EFP has not demonstrated that the gear type is appropriate for targeting shelf stocks, what more is necessary to achieve that goal? Similar gear types are being tested under two other EFPs. At present, it is unclear what more is needed to demonstrate the efficacy of this gear type. The Council may wish to consider discussing what more is needed to move an EFP into regulation. .

If the NT-RCA boundaries are sufficiently changed to allow more access to shelf species by LEFG/OA sectors, would that negate this proposal for inclusion into the action? This proposal may not be necessary if area management moves forward and boundary adjustments allow the sector to target shelf species without a specific gear.

Does the EFP purpose and need statement clearly identify the problem and objective of this proposal? The following purpose and need statement is from the renewal permit language as submitted at the November 2019 Council meeting as 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.

IR4, pg. 6

[6] See Agenda Item F.1 Attachments 4 and 6, June 2020.
[7] *Id.*

5. Process and Workload Questions for Groundfish Area Management Modifications

Would taking action on this item affect Council staff, advisory bodies, and/or NMFS ability to work on other items? The Council should discuss the potential trade-offs of taking these actions relative to its mandated obligations, other prioritized items (e.g., sablefish area management, whiting utilization in the mothership fishery, etc.), and unscheduled items.

If the Council initiated work on this action, how many meetings would be required and what timeline would be needed given workload considerations? The answer to this question is difficult to predict as the scope of the action has not been determined. The Council could, as the above question indicates, separate the process into multiple tracks and move forward in a prioritized fashion. The Council could also continue the development process and advisory bodies could be tasked with relevant analyses to hone the action. Additionally, NMFS has indicated they have a low threshold for work at present due to staffing issues related to the COVID 19 pandemic and other commitments.

6. References

NT-RCA Boundary Modifications

The GAP proposal includes modifications to both the seaward and shoreward NT-RCA and CCA boundaries. Table 1 shows the current seaward and shoreward boundaries as described in 2021-2022 groundfish harvest specifications and management measure action. The GAP's proposed changes are shown in Table 2.

Table 1. Current shoreward and seaward boundaries for the non-trawl rockfish conservation area along the West Coast (source CFR 50 §660)

Area	Shoreward (fm)	Seaward (fm)
Washington to Oregon	0	100
Oregon to 40°10' N. lat	40	100
4010' N. lat. to 38°57' N. lat.	40	125
38°57' N. lat. to 34°27' N. lat.	50	125
34°27' N. lat. to Mexico/US[a/]	100	150

a/ also around islands

Table 2. Proposed boundary changes to the non-trawl rockfish conservation area (NT-RCA) not addressed in the 2021-2022 harvest specifications and management measure process (Source, Informational Report 4, with modifications).

GAP Proposal	Proposed Boundaries	Current Boundaries a/
1	Set NT-RCA boundaries at 60fm shoreward and 80 fm seaward between 40°10' N. lat. and 34°27' N. lat.	40°10 N. lat. - 38°57.5 N. lat. ● 40fm and 125 fm 38°57.5 N. lat. 34°27 N. lat. ● 50fm and 125fm
2	Set NT-RCA boundaries at 40 fm shoreward and 80 fm seaward between 46°16' and 40°10' N. lat.	46°16' N. lat. to 40°10' N. lat. ● 40fm and 100fm (per 2021 SPEX)
3	Narrow the (NT) RCA off California to 70 fathoms shoreward boundary and 100 fathoms seaward boundary (statewide).	OA Boundaries (table 17): ● OR/WA to 40°10' N. lat.: 40fm and 100fm ● 40°10' N. lat. - 34°57.5' N. lat.: 40fm and 125 fm ● 38°57.5N. lat. to 34°27N. lat.: 50fm and 125fm ● South of 34°27N. lat.:100-150fm (also around islands)

a/Current NT-RCA boundaries (*Tables 16 and 17*):

Cowcod Conservation Area Changes

The GAP specifies the modification to the CCA should be to establish regulatory bathymetry lines at 100 and 150 fm within the western CCA. At present, the CCAs are defined by the straight lines connecting the following specific latitude and longitude coordinates[8], irrespective of depth. Establishing these bathymetry lines as boundaries for the CCA may allow for the Council to modify management of the CCA to allow for fixed-gear access outside the proposed boundary depths, while also maintaining certain cowcod habitat protections afforded by the CCA.

Incidental Groundfish Retention in the Salmon Troll Fishery

Table 3. Proposal to allow incidental retention of midwater rockfish species in the salmon troll fishery when inside the NT-RCA boundaries. (Source, Informational Report 4).

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.

Emley-Platt EFP

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

[8] 660.70(o)