

GROUND FISH MANAGEMENT TEAM REPORT ON LIMITED ENTRY FOLLOW-ON ACTIONS AND FIXED GEAR MARKING - SCOPING

The Groundfish Management Team (GMT) received a briefing from Ms. Jessi Doerpinghaus of Pacific Fishery Management Council (Council) staff, reviewed and discussed the scoping document in [Agenda Item H.4, Attachment 1, June 2023](#), and offers the following comments.

Proposed Management Measures

The GMT thinks the proposals discussed below, with the exception of fixed gear marking, could benefit from additional clarity from industry about the goal of the management measure and the expected outcome of any action.

Allow longline endorsed permits to use slinky pots

Attachment 1 poses the following question for Council consideration:

“Should the Council consider removing the specific gear endorsements (i.e., longline or pot) and allow vessels to use the most efficient type of fixed gear for the target species? Or should the gear allowance be extended to all legal non-trawl gear (similar to gear switching vessels in the shorebased IFQ program)?”

The GMT recommends including both approaches in the range of alternatives (ROA) as alternatives to be analyzed in addition to an alternative that makes an exception to allow longline endorsed permits to use slinky pots. The GMT also requests that the analysis consider the following questions: Are the gear-specific endorsements still accomplishing the objective(s) they were originally implemented to accomplish, such as, “preventing vessels from being allowed to switch from a less powerful to a more powerful gear” (Attachment 1), and is that objective still relevant or necessary for the current fishery? The GMT thinks this information could help inform the most appropriate method to achieve the objective of this action. The GMT requests that the analysis for this measure also provide more information on the economic impacts that would result from changes to permit prices, recognizing that Council staff access to permit data is limited. The GMT also requests that the analysis consider whether an influx of non-trawl groundfish fishery participants would impact sablefish prices.

Analysis for this action should also consider how fishing behavior may change if additional vessels are given the opportunity to use slinky pots and/or endorsements are changed. Changes to fishing behavior may impact the other follow-on actions, the need for non-sablefish limit adjustments, interactions with protected species, and/or bycatch rates. It is also unclear whether this action will result in more lines in the water, which could happen if slinky pots are run in addition to a vessel’s existing complement of traditional gear. Alternatively, slinky pots may supplant some of the traditional gear on a vessel, or even be used on the same set as that traditional gear, keeping the number of lines consistent. In light of the Center for Biological Diversity vs. National Marine Fisheries Service (NMFS) lawsuit, the Council may want to consider whether restricting the number of lines in the water is appropriate.

Allow a fourth stacked permit for owners without an owner-onboard exemption

This action may lead to consolidation of permits onto fewer vessels. Enforcement Consultants and the NMFS Permits Branch should be consulted as to whether tracking the requirements of a fourth permit holder can be accomplished, including but not limited to own and control rules.

Allow cumulative non-sablefish limits by primary tier vessels

The objective of this action could potentially be accomplished through the biennial harvest specifications process by increasing non-sablefish trip limits for all limited entry fixed gear vessels (tier and trip limit), but the GMT looks to industry to clarify whether that approach would meet the objective of this action. Depending on that clarity, and given that this item is currently described as only one of the possible methods outlined in Attachment 1, the description may need to be broadened in the future. In addition to allowing cumulative non-sablefish limits by primary tier vessels, **the GMT recommends including in the ROA an alternative that establishes a single non-sablefish trip limit for all sablefish endorsed permits that is higher than the trip limit for non-endorsed permits.** The GMT requests that the analysis explore any potential impacts to the non-endorsed permits that may result from this action.

The analysis for this measure should evaluate recent trends to determine whether there has been targeting of non-sablefish species and whether fishing behavior may or may not change if non-sablefish limits are increased. **The GMT also recommends the Council consider whether only certain non-sablefish species limits, as opposed to all species, can be increased based on industry need and low risk to the non-trawl allocation or annual catch limit.** Lastly, depending on the alternative chosen as the final preferred alternative, the GMT may need to develop new projection models or modify existing projection models. For example, if trip limits are increased for the tier vessels only, this would result in sector-specific limits that would need to be modeled separately.

Fixed Gear Marking

The GMT recommends developing gear marking requirements holistically for all fixed gear sectors (Option 2), including Federal limited entry fixed gear, directed open access, and individual fishing quota (IFQ) gear switchers. This should also take into account ongoing efforts in state fisheries to gear mark, as well as cooperation of all fixed gear sectors, and would be more efficient than doing this analysis sector-by-sector. Additionally, holistic implementation across sectors will decrease the potential overlap of similar gear markings between sectors. **The GMT recommends that the whale risk reduction analysis be done concurrently to the fixed gear marking item,** unless it delays implementation of fixed gear marking.

Potential Pathways

The GMT recommends splitting these proposals into at least two packages due to some key differences in the clarity of proposals, but we do not suggest any specific packaging framework. We do, however, provide some comments on the interrelation of several items that might benefit from being packaged together.

The GMT recommends prioritizing fixed gear marking and the well-defined administrative items (i.e., removal of the base permit, permit price reporting, and the two administrative items noted in [NMFS Report 1](#)). The GMT is not recommending any particular packaging of

these items, simply that they be taken up prior to the remaining items. Gear marking is requested by the Humpback Biological Opinion and has the potential to provide the benefit of mitigation measures to multiple sectors. The administrative items are well-defined and would require relatively low workload. In the meantime, the Council can work to further define the remaining proposals that could benefit from additional clarity. The GMT expects that the permit price reporting measure will be a useful way to track the fishery market value. Having this reported information would aid in the analysis of other proposals within this package, depending on the timing of Council action.

The GMT notes that adopting a Purpose and Need statement for each of the proposed measures and/or addressing the questions in [Agenda Item H.4, Attachment 1, June 2023](#) would better inform our understanding and thus subsequent comments on the potential interplay of the fourth stacked permit, non-sablefish cumulative limits, and slinky pots. For example, if the Council moves forward with considering adding a fourth permit, then cumulative limits could be evaluated for up to four permits in the range of alternatives. It is also unclear whether slinky pots will be used in conjunction with or replace other longline gear. If used in place of traditional gear, the adoption of slinky pots could reduce the need for non-sablefish limit increases. Conversely, if traditional longline gear and slinky pots are deployed during the same trip, a non-sablefish trip limit increase may be needed. Therefore, fishing behavior changes resulting from additional slinky pot use could impact how the cumulative trip limit proposal would move forward.

Summary of GMT recommendations:

Allow longline endorsed permits to use slinky pots

- **Include both approaches in the ROA as alternatives to be analyzed in addition to an alternative that makes an exception to allow longline endorsed permits to use slinky pots.**

Allow cumulative non-sablefish limits by primary tier vessels

- **Include in the ROA an alternative that establishes a single non-sablefish trip limit for all sablefish endorsed permits that is higher than the trip limit for non-endorsed permits.**
- **Consider whether only certain non-sablefish species limits, as opposed to all species, can be increased based on industry need and low risk to the non-trawl allocation or annual catch limit.**

Fixed Gear Marking

- **Develop gear marking requirements holistically for all fixed gear sectors (Option 2), Federal limited entry fixed gear, directed open access, and IFQ gear switchers.**
- **Conduct the whale risk reduction analysis concurrently to the fixed gear marking item.**

Potential Pathways

- **Split these proposals into at least two packages.**
- **Prioritize fixed gear marking and the well-defined administrative items (i.e., removal of the base permit, permit price reporting, and the two administrative items noted in [NMFS Report 1](#)).**

PFMC
06/23/23