

## WASHINGTON DEPARTMENT OF FISH AND WILDLIFE ON BIENNIAL HARVEST SPECIFICATIONS FOR 2025-26 FISHERIES

Each biennial cycle, the Council evaluates more than 100 sets of harvest specifications for stocks managed under this FMP and considers which to update. Harvest specifications are updated by conducting a new stock assessment model, or by revising the forecasts from an existing assessment with the latest information on catch. With a limited number of staff able to conduct these analyses, the Council must choose priority stocks each cycle.

Best available science is a foundation of the Magnuson-Stevens Act and Council management. However, the concept also must account for administrative practicalities, workload capacity, public involvement in the decision-making process, and other factors. The National Standard 2 guidelines recognize that new information must be cut off at some point.<sup>1</sup> The structure of the Council's harvest specifications and biennial management measures is designed around these considerations. At the same time, the process does provide room for exceptions when justified by the circumstances.

In this report, we discuss these issues related to Washington Cabezon and Dover sole. Neither were identified as priorities for this 2025-2026 cycle but have had interest expressed in updating the models with new catch information (i.e. catch-only updates).

### **Washington Cabezon**

The [SSC's suggestion in March](#) that the Council request a catch-only projection for the WA Cabezon stock was unexpected and arrived very late in the process. We and other members of the Council expressed concern over the timing and fit with the process. For one, it was unclear why this change should take priority over other catch-only updates that were passed over this cycle. And more fundamentally, the change in harvest specifications would come in after we have worked with our recreational stakeholders on options for 2025-2026 management measures, and after the period when the most extensive analysis occurs (i.e. after the Council's November action and in preparation for this April meeting).

Now having more information, we understand the situation with the WA Cabezon harvest specifications may have been more in the nature of an oversight. Unlike other Category 3 stocks which produce a single, "static" estimate of the OFL, the data limited method used for Washington Cabezon in 2019 can produce forecasts of OFLs and ABCs that change depending on catch each year. Although the 2019 assessment only displayed OFL and ABC estimates for 2021 and 2022, we understand that the SSC approved the model and endorses the use of the OFL-ABC forecasts.

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<sup>1</sup> "Data collection is a continuous process, therefore analysis of scientific information should specify a clear time point beyond which new information would not be considered in that analysis and would be reserved for use in subsequent analytical updates." 50 CFR 600.315(a)(6)(v)(A).

Based on this endorsement, we understand that the 2025-2026 harvest specifications could be updated using the 2019 forecasts and without updating the catch history with the latest information. However, we agree that updating the catches is preferable and thank the Northwest Fisheries Science Center for conducting the analysis in [Supplemental REVISED Attachment 2](#), which we understand to be more workload intensive than the typical catch-only update.

We, again, express concern about this update coming in so late in the process. We have known that Cabezon has the potential to present complex management issues and ones that would best be addressed using the full time available to the management measures development cycle. The update, however, is very consistent with the results of the 2019 assessment and stock status remains above B50%. At the same time, there is some reason catches have been above the projected ABC levels in four out of six years and yet below the OFL.

Part of the complexity comes from jurisdictional considerations. The catch-only update, like the 2019 assessment, includes catches from Marine Area 4B. Cabezon are caught almost exclusively by the recreational fisheries in Washington. While WDFW's catch estimates do not differentiate state from federal waters, estimates are produced by Marine Area. And certain Marine Areas, like Marine Area 4B, are located inside the Strait of Juan de Fuca (i.e. outside of the Council's jurisdiction). Since 2018, the percentage of catch coming from Marine Area 4B has ranged from 16% to 30% per year and averaged is 22.7%. While cognizant of the jurisdictional issue, WDFW recommended that catch from Marine Area 4B be included in the assessment because the Bonilla-Tatoosh line that divides Marine Areas 4A and 4B is not a biological boundary for the Cabezon population.

The Council is scheduled to begin "phase 2" of the stock definitions item in September, with the state versus federal waters issue is expected to be a major part of those deliberations. Again, while Area 4B is one area where state water catches are clearly delineated, we also know that much of the catch comes from state waters off the coast as well. We believe the National Standard 1 Guidelines goal of "collaborative conservation and management strategies, and the scientific capacity to support such strategies" for stocks that state and federally co-managed is the right one to focus on when the Council takes up the issue.<sup>2</sup> We also believe that management responses to data limited assessment methods and long-term strategies for data collection are relevant to those discussions as well.

### **Dover Sole**

The interest in a catch-only update for Dover sole comes from the fact that the Council is being advised that it needs to revise its default harvest policy of a 50,000 constant ACL based on catch assumptions that are clearly erroneous. As the Council was informed in September, the issue is that the ACL would be higher than the estimated ABCs of 47,424 mt in 2025 and 42,457 mt in 2026 and so invalid. While missed at the time, we later realized that these ABCs are based unrealistic assumptions about catch and catch we now know to not have happened.

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<sup>2</sup> 50 CFR 600.310(f)(4)(iii).

The 2021 assessment assumed that 10,000 mt of Dover sole was removed from the population in 2021 and 2022 and then, per convention, assumed the full ACL of 50,000 mt would be taken after 2022. With the information available now, we know that total mortality was only 4,103 mt in 2021 and 4,700 mt in 2022. And although not yet final for 2023, total mortality will likely be less than 4,000 mt.<sup>3</sup>

Based on these realizations, we expressed interest in a catch-only update in November but deferred to process considerations. With the March recommendation to update the Washington Cabezón model, we requested in Council guidance that the Science Centers also consider a catch-only update for Dover sole. While we would have preferred to have the catch-only update at this meeting, in reviewing the decision table from the 2021 stock assessment we believe the best available information shows that the Council's default harvest policy remains valid.

To help elaborate, Figure 1 plots the "base case" spawning biomass forecasts from the 2021 assessment decision table.<sup>4</sup> Again, all scenarios from the decision table assumed total mortality of 10,000 mt in 2021 and 2022, so spawning biomass estimates would be higher across all scenarios if updated with the actual catches.

The main contrast seen in Figure 1 is the difference in spawning biomass trajectories between the scenario used to set the 2025 and 2026 OFLs and ABCs (green line) and the scenario closest to actual catch 2021-2023 (blue line). The former causes a steep decline, and the latter a gradual increase.

More specifically, however, the information provided in the decision table together with known information on 2021-2023 catch clearly demonstrates that the best available science supports the Council's default harvest policy. First, under the 7,000 mt catch per year scenario (blue line) spawning biomass is estimated to be 231,923 mt in 2025. The P\* 0.45 scenario then shows that the model would estimate the ABC to be above 50,000 mt at a spawning biomass of 207,333 mt. With the 7,000 mt scenario amounting to an overestimate of 2021-2023 catch, it can be inferred that a catch-only update would estimate spawning biomass in 2025 to be above the level that would support an ABC, at P\* of 0.45, higher than 50,000 mt.

The 2024 catch of Dover sole remains unknown. The catch to date, however, does not suggest that attainment levels will change drastically from the 4,000 mt level.<sup>5</sup> Moreover, even if catch more than quadruples in 2024, the decision table's 20,000 mt scenario (red line) shows that spawning biomass would remain above levels that support an ABC greater than 50,000 mt at until 2027 and likely longer. The issue of what to assume for catch beyond 2024 is a separate

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<sup>3</sup> Over 2018-2022, 98.7% of the Dover sole total mortality came from the IFQ fishery. While discard information may not be complete yet, the NMFS IFQ website reports 3,875.6 mt caught in 2023. With proxy discards (likely an overestimate) and recent catches from other sectors, the total mortality would be 3,927 mt.

<sup>4</sup> The decision table is found on p. xx and xxi of the assessment document:

<https://www.pcouncil.org/documents/2021/10/status-of-dover-sole-microstomus-pacificus-along-the-u-s-west-coast-in-2021.pdf>.

<sup>5</sup> NMFS IFQ reports that only 1,594,202 lbs (723 mt) of Dover Sole has been caught in the IFQ fishery in 2024 through April 6.

issue would not appear to bear on the question of whether the Council’s default harvest policy remains valid.

With the many issues involved in the 2025-2026 management cycle, it is understandable why this matter was missed. And the drop in the ACLs for Alternative 2 would not likely have much practical effect on the IFQ fishery compared to the 50,000 mt. However, again, the process is designed to evaluate alternatives on their merits and on best available science and that is not happening here. For instance, if a catch-only update was conducted then decision table information suggests that the P\* 0.45 Alt 2 would have an ACL closer to 60,000 mt instead of below 50,000 mt.

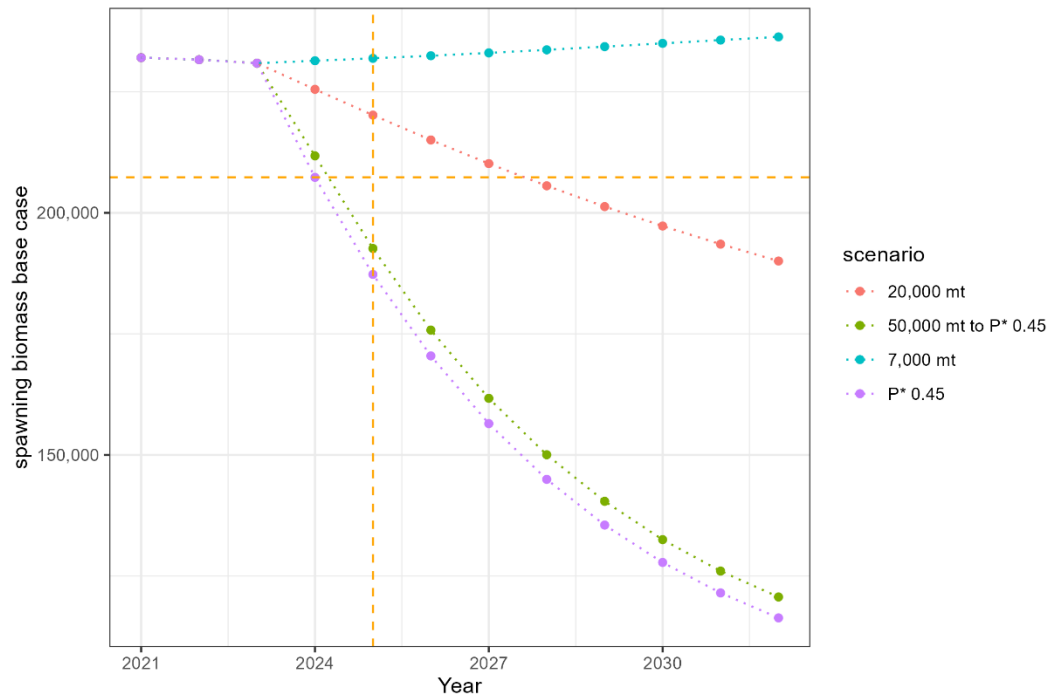


Figure 1. Spawning biomass projections from the 2021 Dover sole assessment decision table. The orange dashed lines marks the year 2025 (vertical) and the 207,333 mt spawning biomass level (horizontal).