GROUNDFISH ADVISORY SUBPANEL REPORT ON HARVEST SPECIFICATIONS FLEXIBILITY- SCOPING

Problem: Recent stock assessments for groundfish species critical to maximizing overall attainment of groundfish annual catch limits (ACLs) resulted in drastic reductions to harvest specifications that are not aligned with actual conditions on the water, which is causing lack of access and instability for groundfish participants and fishing communities.

Impacts of the reductions in opportunity:

- Spatial
  - Traveling further to fishing grounds
  - Shifting target fishing areas, with potentially negative impacts on other species
  - Concentrated effort on less productive fishing grounds
  - Increases in gear conflicts between ocean users due to concentration of effort
- Temporal
  - Longer trips and more fishing time, due to distance traveled or more time spent searching
  - Changes in fishing schedule over the year, potentially affecting other fisheries or income opportunities negatively
  - Timing shifts later into the year, and loss of days for recreational participants
  - Concentration of fishing effort into certain times of year resulting in overcrowding of fishing grounds
  - Increase in discards and time spent sorting catch when shifting away from otherwise clean fishing areas into areas with higher bycatch of non-choke species.
- Economic
  - Reduction of target species catch resulting in reduction of revenue
  - Increases in operational costs to harvesters and ocean users (e.g., fuel, observer, provisions, maintenance)
  - Loss of charter vessel customers due to low bag limits, area closures, and lack of success on trips, which results in unhappy customers and affects customer return rates, at the same time that operator margin goes down
  - Taking trips to provide stability to crew and markets, and retain crew, even if operating at a loss
  - Negative effects on other fisheries as a result of groundfish vessels switching into other fisheries
  - Reduced availability of quota, increased quota costs, and quota hoarding (lack of trading) in the Individual Fishing Quota (IFQ) fishery, where some vessel operators have indicated they would make more money tying up their boat and leasing quota than trying to fish
  - Delaying or halting fishing and/or processing altogether
  - Changes in market supply of target and/or choke species that can cause processors to lose customers or markets
  - Loss of processor revenue

    - Reduced spending by fishermen and processors at fishing support businesses and related industries
- Communities
    - Loss of coastal community integrity due to fewer sport and charter boat anglers
    - Instability and lack of participation and investment, which devalues fishing assets and results in infrastructure loss

The GAP's main question is how can we, in a multi-species fishery with complex management and diverse interests, mitigate the impacts of this problem, and provide access and stability for groundfish participants and fishing communities?

There are many factors that affect a fishing business that are outside of our control – the weather changing, markets changing, boat repairs, crew issues, vendor consolidation, etc. We hope to rely on stock assessments and harvest specifications as being somewhat predictable and aligned with the experience of fishermen on the water. Or, at a minimum, we want to have a chance to understand and trust the outcomes and be able to mitigate some of the impacts of those outcomes in a more efficient framework.

The GAP believes that the Pacific Fishery Management Council (Council) must examine and address two parts of our groundfish management process in order to provide access and stability:

- Science-related elements
- Policy/management-related elements

While the science-related and policy/management-related elements are inextricably linked and both critically important, the GAP understands that the Council and National Marine Fisheries Service (NMFS) cannot tackle these issues all at once. **The GAP recommends that the Council analyze and address the policy/management-related ("spex flex") items first, which include, in priority order:**

1. **ABC Carryover**
2. **Phase-In ABC Control Rule**
3. **Mid-Biennium Harvest Specifications Change ("Green Light")**
4. **Off-the-Top Accounting Change**
5. **Annual Specifications**

These policy items have potential to mitigate some of the assessment impacts for groundfish participants in the near-term, hopefully for the 2027-2028 harvest specifications cycle, if not sooner, and build a framework that will provide workload efficiencies for the future.

Several of the science-related items could be addressed in the near-term, while others necessitate Scientific and Statistical Committee (SSC) or NMFS Science Center involvement, which would likely be difficult to tackle in an assessment year. In addition, the Council is undertaking a stock assessment process review (expected to be completed this year) and the results of which would be a helpful baseline for future actions.

The GAP has provided more detail on each of the science-related elements and policy/management-related elements below.

The GAP notes we were only able to spend about half the time on this agenda item as we did on Phase 2. The GAP has mentioned before that we need "more steak, less salad" on our agendas, in other words, we need items that are addressing the needs of our fisheries and communities.

Science-Related Elements

There is a need to improve our understanding of why some stock assessment outcomes are changing drastically and not matching with what fishermen experience on the water. One area that the GAP has continuously focused on is that limited funding for surveys leaves data gaps in fisheries-independent data, particularly for rocky bottom substrates and shallow waters. In addition, the current stock assessment process does not include meaningful pathways to validate the outcomes of stock assessment results with local and traditional knowledge from fishermen or incorporate fishermen-collected data or citizen science to fill data gaps in stock assessments. Limited funding for stock assessments in a multi-species fishery combined with time-varying sigma leads to competition for assessments in order to avoid staleness penalties. Multiple buffers result in a management system that is overly precautious.

The following list of potential solutions the GAP believes are of a high priority but should be considered in other processes outside of the "Harvest Specifications Flexibility-Scoping." These are not in any priority order.

- Independent evaluation of our stock assessment process: this is already underway.
- Hit the pause button: develop a process to delay acceptance of a stock assessment if a deeper look is needed. For example, including an automatic review if a stock assessment result is a certain percentage different than last assessment. The pause would have to occur before it's deemed as best scientific information available (BSIA), between the stock assessment review (STAR) Panel review and the SSC.
- Innovative research: While this is already included in the Council's Research and Data Needs Document (Agenda Item D.3, Attachment 1, June 2025), the GAP reiterates support for research that could better inform stock assessments, including expansion of the hook & line survey, expansion of the trawl survey into shallower waters, eDNA collection and analysis, efficient ageing techniques, and/or ROV research. The current research is essential and funding is limited, but we need to continue to look for ways to improve data gaps in stock assessments.
- Pathway to incorporate fishermen-collected data or citizen science to fill data gaps in stock assessments (also highlighted in the Council's Research and Data Needs document)
    - For example, the Oregon Coast Anglers form for anglers to record information on released catch, which could become a partner program with the Council to supplement data for stock assessments
    - Whiting vessels have been voluntarily carrying hard drives to record acoustic data for NMFS
    - Other data of opportunity that could be collected while we're on the water that would help support stock assessments
- Increase frequency of catch-only updates and/or run projections assuming different levels of ACL attainment
    - These are two different ways of addressing the often-incorrect assumption in stock assessment projections that ACLs are fully attained each year. This assumption can create a redundant layer of precaution in future-year overfishing limit (OFLs)/acceptable biological catch (ABCs)/ACLs, for the vast majority of stocks

in which ACLs are not fully attained. Note that these two options are essentially the only ones in this report that offer the potential for adjusting top-line OFLs.
    - The first option would be to increase the number of catch-only updates in each assessment cycle and deploy those catch-only updates for key species (i.e., constraining stocks). (Identified in Supplemental Attachment 1 under Item 8.3) From a resources standpoint, this likely would require a reduction in the number of full assessments in that cycle. The hope would be that only a small number of full assessments (e.g., 1) need to be dropped in order to allow for a larger number of catch-only assessments (e.g., 5-10). While the precise numbers in this trade will matter, the GAP believes it is worth scoping the concept under the Initial Stock Assessment Planning item scheduled for March 2026.
    - The second option would be to amend the terms of reference (TOR) for stock assessments such that projections include scenarios with different levels of ACL attainment in March 2026 under the TOR agenda item. The idea is that by "pre-analyzing" different levels of ACL attainment at the time the projections are run, in future years the SSC could easily adjust the OFL/ABC/ACL for that stock based on which attainment scenario has ended up being correct in reality. Some years back, this concept was suggested by NMFS headquarters in response to Council Coordination Committee questions about ACL underages (see answer to Question 18, pp. 11-12). The agency stated: "One potential way to examine impacts of ACL underages on stock abundance is through scenario planning within a stock assessment. For example, as part of the stock assessment process, the assessment model could be used to evaluate a wide range of ACL underages, resulting in ranges of OFL and ABC recommendations for each year within each scenario. This analysis could be summarized within the assessment report, and once actual catch levels are known, the SSC can use that information to make or revise their ABC recommendation."
- Consider a new ABC control rule
    - Analyze the impacts of time-varying (which is actually time-diminishing) sigma, including a comparison of 2021-present day harvest specifications under sigma versus time-varying sigma
    - Reconsider the use of time-diminishing sigma, including removal, resetting on catch-only updates, only applying to category 1 stocks, or using indicators to adjust the penalty from assessment age
    - Consider an increase to P* - while P* is technically a policy decision, the GAP recommends that the ABC Controle Rule be holistically analyzed
- Pathways to incorporate fishermen's knowledge to groundtruth a stock assessments
    - Host a webinar when a draft stock assessment is published, to orient the reader to the assessment and provide time to ask questions in advance of the STAR Panel, which could also incorporate back-and-forth groundtruthing between fishermen and stock assessment authors
    - During STAR Panels, provide more time for public comment, and allow STAR Panel members to ask questions of commenters after their comment is given
    - Provide more opportunity for GAP/GMT representative to actively engage throughout STAR Panel week
    - Fishermen survey or data collection
    - Provide opportunities for consistent communication between authors and industry with opportunity for two-way learning, where industry provides in-season updates

    - Create a tool or questionnaire similar to the Gulf Council's fishermen's feedback tool, to capture local and traditional knowledge from fishermen in advance of each assessment. This could be something industry could implement, with input from assessors about what questions would be most helpful to answer and construct the questions in a way that would legitimize the data results.
    - Consider a longer timeframe between the draft stock assessment publishing and the STAR Panel convening, with more time to give meaningful input
- Analyze a new harvest control rule strategy that could be used to smooth the OFL on a case-by-case basis. This could include methods suggested in Attachment 1 or other methods used in other fisheries.

Policy-Related Elements

The Council's current groundfish harvest specifications framework does not incorporate available tools to provide flexibility, stability, and responsiveness to lessen the impacts of changes of ACLs on fishermen, processors, and fishing communities. The GAP recommends that the Council move forward with analysis of several tools to add to the groundfish FMP in order to mitigate the impacts of lack of access and instability. To the degree that these tools can be set up as automatic and prescriptive, with if/then statements or flow charts, to the degree possible, it would expedite both the Council and regulatory process. However, it would still be useful to have ad-hoc tools available in the framework, in case something needs deeper examination.

The following is a list of potential solutions, in priority order, that the GAP would like to see analyzed through Harvest Specifications Flexibility "Spex Flex" agenda item.

ABC Carryover

The GAP recommends the Council consider incorporating the carryover framework into the groundfish FMP under the two approaches as outlined in the National Standard (NS) 1 Guidelines (ACL and ABC adjustments).

The analysis should consider:

- A framework approach, where groundfish-level carryover would be pushed out through the current allocation proportions
- A case-by-case tool for ad hoc issuance of carryover, where for certain species or situations, advisory bodies and the Council could consider how carryover would be issued to each sector
- The different ways of issuing carryover, such as year 1 to year 2 using preliminary data, or year 1 to year 3 using complete mortality estimates
- The relationship of ABC carryover to IFQ vessel level carryover

The GAP considered how many species carryover should apply to, and while we originally had wanted it to be issued automatically for all species, we were reminded that the SSC would still need to approve the new ABCs, even from carryover, which would add workload. It would be helpful for the Council and SSC to consider an automatic carryover framework that would minimize this workload. Until that could be completed, the GAP discussed that carryover would be most impactful for choke species, as well as target species that do not have full attainment. While there would be utility to creating a formula that would trigger carryover consideration for certain species, it would be difficult to set. The GAP recommends that staff bring forward ideas about how to address which species would be identified for carryover, which may become more apparent as they work on the analysis.

The benefits of groundfish-level carryover would be substantial to groundfish fishery participants, and help mitigate access and stability issues by providing access to uncaught fish from prior years that were already assumed to have 100 percent mortality. The staff presentation under this agenda item provided an example of canary carryover from 2023 to 2025, which under the ACL adjustment approach could have added up to 34mt, and under the ABC adjustment approach could have added up to 76mt to the 2025 canary ACL. Canary in these amounts would provide great benefit for all groundfish participants.

Phase-In ABC Control Rule

An ad-hoc phase-in approach is already available to the Council, has been used by the Council in the past, and could have been used to mitigate the impacts of the recent stock assessments and resulting 2025-2026 harvest specifications on groundfish participants. By adding this tool to the framework, it could trigger phase-in consideration if an ABC is changing by more than a certain level between cycles.

The GAP recommends that staff analyze options for the percent change in ABC that would trigger consideration of phase-in provisions, including when the ABC drops by 15 percent.

The benefits of having a phase-in tool in the ABC framework would be substantial to groundfish fishery participants, particularly in years with drops in the results of stock assessments. The staff presentation under this agenda item provided an example of a petrale sole phase-in, where the ACL would decline in a stepwise fashion across three years, instead of all in one year. This could have added up to 118mt to the 2025 petrale ACL, and 65mt to the 2026 ACL. A phase-in tool could also provide time for a catch-only update or other assessment update.

Mid-Biennium Harvest Specifications Change ("Green Light")

The groundfish FMP currently has a method to implement a "red light" reducing catch when a new assessment result is adopted, but there is no mechanism for the other direction- which can result in a mismatch of what participants are seeing on the water. This policy could speed up the benefits of a revised stock assessment from the next biennium to sometime in the second year of the current biennium. Making it part of the framework would facilitate more efficient and timelier implementation. This tool would have been helpful to have had in the framework for Quillback rockfish off California (noting the Council elected to implement an inseason action predicated on the stock assessment adoption at this meeting under Agenda Item E.3.). The GAP notes that there has been extensive work done on the green light in the past and under our stock assessment prioritization process, we can be better prepared for potential stock changes.

Off-the-Top Accounting Change

Instead of accounting for incidental open access, research, exempted fishing permits (EFP), tribal under the fishery harvest guideline (HG), if the Council made an off-the-top accounting change, the mortality for these fisheries could be applied under the ABC, but would no longer be applied under the ACL. For species where there is a difference between the ABC and ACL, this would increase the available ACL. For species where there is not a difference between the ABC and ACL, this change would reduce the ACL to the same level the previous fishery harvest guideline was set as, resulting in no difference for access. However, under either scenario, mortality from the off-the-top deductions would no longer be counted under the ACL, leaving only the mortality from non-tribal directed groundfish fisheries.

While this option is not the GAP's highest priority, we would like it to move forward for analysis as it could provide several benefits. First, it would result in an increased ACL for species where the ABC is higher than the ACL. Second, if sectors that are managed under off-the-top deductions exceeded their amount, it would not risk exceedance of the directed fishery ACL. Third, this better inform the Council in making inseason adjustments, because mortality reporting would provide the Council with a more accurate and up-to-date picture of what's being caught in directed fisheries. The GAP suggests the Council task the GMT with examining this concept.

Annual Specifications

The GAP discussed the potential change from biennial specifications to annual specifications. While this could provide flexibility with a more frequent opportunity to make changes, it would also potentially increase workload and may result in less stability depending on the implementation of assessments. However, annual specifications could include an automatic use of ABC carryover and would result in the "Green Light" not being needed. The GAP would be interested in having more information on the annual specifications process, but are not sure at this time whether the benefits outweigh the costs.

Risk Tolerance

These "Spex Flex" items could provide increased access and stability for the groundfish fishery for the long-term and create provisions that could address unforeseen circumstances in a more expeditious manner. The current groundfish framework includes several layers of precaution, resulting in amounts inaccessible to the fishery, and has created many hardline boxes that are inflexible. Instead, the Council needs to consider how to be less risk averse where possible, while meeting its obligations for conservation. For example, while the GAP did not formally recommend including the "Allocation Framework" item suggested by staff in Attachment 1, we do believe the Council, in the current process, could conceptualize groundfish with more of a dotted line or "scorecard" approach and allowing fisheries to increase overall harvest without resulting in risks to the ACLs, especially when a species is not likely to be fully attained. The GAP discussed that because we have lived under these boxes for so long, it can be difficult to conceptualize how this would work in practice, and some would be hesitant to shift or let another sector use their allocation, even if not needed, to another sector, for fear that catch would be reallocated in the future. While there is no specific ask by the GAP on this item for inclusion in the "Spex Flex" scoping, we did think it was important to address this concept in the broader sense.

PFMC
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