GROUNDFISH ADVISORY SUBPANEL REPORT ON HARVEST SPECIFICATIONS AND MANAGEMENT MEASURES FLEXIBILITY – FINAL ACTION

The Groundfish Advisory Subpanel (GAP) submitted a joint report with the Groundfish Management Team (GMT) that summarized our final preferred alternatives (FPA) for the harvest specifications and management measures flexibility ("Spex Flex") action (Agenda Item G.7.a, Supplemental GAP/GMT Report 1, November 2026). This second report details the GAP's rationale for selecting our FPA options.

What are the Benefits of Adopting These Actions?

This action would add tools to the groundfish fishery management plan (FMP) toolbox that have the potential to support attainment and stability for every sector of the groundfish fishery, depending on the species and situation. The groundfish fishery's conservation performance has been excellent, but our economic performance has been abysmal. Groundfish participants often hear that we have too many new management measures or emergency actions, but it's because we are still working within a rigid framework that does not allow for flexibility, so we react on an ad-hoc basis because we never have the time to address the core framework. Some of the actions contemplated here have been considered and even analyzed by the Pacific Fishery Management Council (Council) before but were dropped from broader FMP inclusion when the emergency ended or the need subsided. Some of these tools were made available under National Standard 1 guideline revisions from 2016 and should be incorporated into the FMP to ensure they are available for use when needed, with less extensive analytical requirements than if developed through an ad-hoc process. The Council has been considering efficiencies and adaptive management responses that support flexibility in the face of change, and the final action you take here can be responsive to both of those goals. The GAP also sees huge potential and opportunity in evaluating our current risk management framework, but this will take time, and these Spex Flex tools will foster critical change and benefit in the near term.

If the Council had the green light tool in place in order to adjust the harvest specifications for quillback rockfish off of California in 2026, to reflect the 2025 benchmark assessment that showed the stock had never been overfished and was above the management target, the entire groundfish fishery in California (and other fisheries that experienced decreased or shifting effort as a result of the restrictions) would have benefitted from earlier relief. The quillback restrictions and decreased effort had socio-economic impacts to northern coastal California. The county supervisor of Del Norte and the mayor of Crescent City even came to Council meetings to express their concerns. This also would have reduced the enormous amount of workload to rescind certain restrictions in a patchwork manner that could not achieve the same results as the green light tool. As described in the analytical document, the decision tables could have been run during the stock assessment process and reviewed by the Scientific and Statistical Committee (SSC) in advance of the 2026 season if we had the green light framework in place.

If the Council had the green light tool in place to adjust the harvest specifications for canary rockfish in 2016, the individual fishing quota (IFQ) who had a lightning strike would not have had

to sit out of the fishery for an entire year. The 2015 assessment showed that canary was rebuilt. The vessel limit would have been over 13 times higher in 2016 had green light been in place. As abundance on the grounds was higher than the specifications, this also would have provided relief for every groundfish vessel who encounters canary in their target strategies.

While the Council has red light in their toolbox, the only way to increase specifications in the second year of a biennium (outside of an emergency rule or the limited situations described in the FMP) would be to add green light. Other regions conduct annual specifications, but our current biennial framework is a choice. Adding green light would help to avoid emergency actions and be more responsive to changing conditions on the grounds, especially because the time between assessments and adoption of those updated harvest specifications is a year and a half.

If the Council had sector-level carryover specified as a tool in the FMP, it could have provided additional yield to the fishery without needing as many catch only projections as an example. The catch only projections replace 100 percent attainment estimates for recent years with actual catch, gaining some credit back for unharvested fish, and increasing all harvest specifications [overfishing limit (OFL), acceptable biological catch (ABC), and annual catch limit (ACL)]. Carryover could have achieved a similar goal, rolling unharvested fish forward up to the baseline ACL or ABC on a 1:1 basis, noting that carryover is limited by the current OFL so may not as beneficial as a catch only projection. Instead, that bandwidth could have been refocused on other species where an assessment was needed.

Each one of those ad-hoc actions came at a cost – not just in terms of workload for the Council, NOAA Fisheries, States, SSC, GMT, and GAP – but for the fishing industry who spent so much time, money, and effort reacting to the problems and trying to brainstorm and steer patchwork solutions through the cumbersome Council and regulatory process. Having these tools in the framework of our management process – especially in combination with some of the ideas that could come out of the risk management agenda item – would expand our options and improve our speed and efficiency when planning for and responding to emerging challenges. While the Spex Flex agenda item won't cover every problem we encounter, the Risk Management agenda item will take a long time, and we need these tools in the meantime and regardless of the outcomes from Risk Management. Providing the blueprint can reduce friction between fishery managers and regulated stakeholders.

It is worth pointing out that National Standard 8 requires that fishery management actions take into consideration the sustained participation of fishing communities. These flexibility tools do not just support harvesters and processors, but they also provide additional stability to the secondary and tertiary industry support businesses.

Carryover (All-Sector)

Carryover Alternatives and Eligibility Criteria

The GAP recommends adding both ABC and ACL carryover (Alternative 1 and 2 respectively) to the groundfish FMP framework so that either could be used. ABC carryover would most likely be used for choke stocks, while ACL carryover would most likely be used for rebuilding stocks or

those in the precautionary zone where there is a buffer between the ABC and ACL. The Council identified both as preliminary preferred alternatives (PPA) in November 2025.

For ABC carryover, as described in SSC Report 1, we recommend including eligibility criteria Option D that would prevent ABC carryover during the two-year period following a new assessment, so that there is no "double-dipping". New assessments already account for past catch and are risk neutral with respect to the catch projections for the time between the most recent catch data used in an adopted assessment and January 1 of the harvest specifications biennium. For example, assessments adopted in 2025 for the 2027-2028 biennium used estimated catch projections for the 2025-2026 catch and did not assume 100 percent of the 2025-2026 ACL would be caught. In addition, the new stock assessment would have been adopted as best scientific information available (BSIA), and therefore it would not make sense to reach back to an old assessment to calculate carryover.

The GAP does not recommend use of any other eligibility criteria for carryover because we want to keep the framework as broad as possible. For ABC carryover, the SSC will already be reviewing eligibility of any species identified for carryover and the carryover ABC that could be implemented. For ACL carryover, the GAP and GMT would review the stock conditions and determine if and how much carryover should be issued. All of these discussions would be provided to the Council for consideration.

Carryover Options

The GAP recommends the Council PPAs of Process Option A (identify carryover stocks on a stock-by-stock basis) and Data Option A (use final mortality data from year 1 to determine carryover in year 3) be selected as FPA. If Carryover is adopted by the Council, the GAP plans to be thoughtful in making our carryover recommendations, identifying the priority species for which carryover would make a meaningful difference to the groundfish fisheries, which would reduce workload for Council and agency staff, the SSC, GMT, and GAP. Use of final mortality data from the Groundfish Expanded Mortality Multi- Year (GEMM) report would remove the need for any projections to be conducted in order to estimate mortality and provide the most accurate and maximum carryover calculation.

Rather than setting a prescriptive buffer between the ABC and OFL for ABC carryover, the GAP supports the SSC recommendation to defer to the SSC to determine the buffer on a case-by-case basis (see bullet 1d in Agenda Item G.7.a, SSC Report 1, November 2026).

For the specifications and management measures options, the GAP recommends the following as the FPA.

- Tribal off-the-top deductions (Tribal Deduction Option A)
- Allocation/Harvest Guidelines (HGs) (*Revised* Allocation Option)
- At-sea set-asides (*Revised* Allocation Option B)

Tribal representatives have indicated there may be species for which attainment is tracking low in certain years, so carryover may not be needed.

Regarding the allocations/HGs and at-sea set asides, the GAP recommends a few changes to the specification and management measures options from the analytical document and/or Council PPA. For the allocations/HGs, the PPA (Allocation Option C) specified proportional issuance of carryover for percentage-based allocations/HGs and conditional if/then carryover issuance for species with flat amount/ remainder species. After discussion with the GMT, we decided that it would be much simpler to mirror the tribal deduction option and have the option for the flat allocation sector to receive the carryover upon request. For situations where a flat allocation amount is identified for one sector and the remainder goes to the other sector, the sector with the flat amount may have years where carryover is not needed. For example, widow rockfish is allocated at a flat amount of 300 metric tons to the non-trawl sector, and the remainder is allocated to the trawl sector. If the non-trawl sector anticipated very low attainment of their flat allocation, they might not need or request carryover meaning that all carryover would be issued to the trawl sector.

For at-sea set-asides, the Council PPA was to issue carryover to the at-sea sectors as a proportional increase, and the GAP has modified our FPA recommendation to add "upon request". Similar to the allocations/HGs, there may be some species in some years for which the at-sea sectors do not anticipate needing carryover, where that extra amount could flow to the IFQ sector.

The GAP considered whether carryover should be issued proportionally in all cases to reduce workload regardless. However, we concluded the workload would be minimal if carryover was issued upon request, because those sectors (tribal, flat allocation, and at-sea) would either (1) request carryover or (2) not request carryover during a Council meeting where we would already be considering carryover. And the benefit stemming from additional carryover to other sectors when carryover was not requested by tribal, flat allocation sector, or at-sea sectors could be meaningful enough to include this option.

The GAP also discussed whether all-sector carryover would be issued to quota share (QS) permit owners in the IFQ sector, rather than to active vessel owners. Any carryover considered under Alternative 1 or 2 would be issued through the current framework, and therefore any additional IFQ allocation would be issued to QS owners. The GAP has expressed our concerns under the trawl follow-on action agenda item that some QS permit owners are simply leasing their entire quota pound portfolio annually and making a substantial amount of money, without contributing to the cost recovery fees or buyback fees that active vessel owners pay, or investing any of that money into fishing communities or fishing infrastructure. Issuing all-sector carryover to those armchair quota owners may not be fair or equitable. Under the trawl follow-on agenda item, the GAP would like to explore how this could be addressed.

The recreational set-aside for sablefish North and South is an off-the-top deduction intended to address expected mortality, and the GAP proposes to address this the same as research, incidental open access (IOA), and exempted fishing permits (EFP) without issuing carryover. If it needs

updating, we can fix it during the next harvest specifications and management measures cycle, which is starting soon!

Phase-In of ABC Changes

Phase-in ABC control rules have been used in many instances in the groundfish fishery when stock status and resulting harvest specifications change, and this tool should be formalized in the FMP to ensure clarity on how phase-in ABCs can be used (up to 3 years) and what happens to the default control rule after the conclusion of the phase-in. Similar to our recommendations on carryover, the GAP did not recommend any eligibility criteria for phase-ins because we want to keep the framework as broad as possible, and the SSC will already be reviewing eligibility of any species identified for a phase-in ABC harvest control rule.

It is important to point out that the flexibility being sought isn't always about an increase in fish available to be caught. The sudden increase in available fish from 2024 to 2025/26 for sablefish is a perfect example where a "phase in" as well as a "phase out" would have benefitted the fishery, the market, and the socioeconomic dynamics. The increase in sablefish caused several negative results including, but not limited to, lower ex-vessel values, lower market values, increased capital investments, record fishing effort and tribal fishers finding it difficult to execute their sablefish fishery. Looking to the future, the amount of sablefish available is set to fall to less than half in the next biennium. This sudden drop can cause such negative effects as increased lease rates, unsustainable market price competition, inability of participants to sustain capital investments made under higher ABCs, and increased fishing pressure on other species or in other fisheries. Identifying tools and using them to flatten out this spike in available sablefish would benefit the entire West Coast groundfish fishery.

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

The Council has previously analyzed this green light tool that is a counterpart to the red-light tool currently available in the FMP, but for various reasons the Council abandoned action on it. Now that we are considering a full suite of Spex Flex tools, this alternative should finally be adopted, especially because it would have helped in the examples as mentioned above.

For the same reasons identified above under carryover options, the GAP recommends the following as the FPA for management measures:

- Tribal off-the-top deductions (Tribal Deduction Option A)
- Allocations/HGS (*Revised* Allocation Option)
- At-sea set-asides (*Revised* Allocation Option B)

With regards to the recreational set-aside for sablefish, the GAP recommends no change as described for Carryover.

Accounting for Off-the-Top Deductions

Although the Council and GAP previously identified Alternative 1 as our PPA for this item, we have since learned that this alternative would not provide meaningful benefits and may limit the

efficiency of some of the other items considered in this action. Instead, the GAP supports Alternative 2, where no changes would be made to how off-the-top deductions are accounted for, except any EFP deductions would come out of the sector-specific allocation of the sector who requested the EFP. The GAP discussed that the sector who wants the EFP should pay for it. If there is not a sector-specific allocation, the EFP deduction would just come off-the-top (i.e., off the ACL) like it does now.

Adjusting Harvest Specifications Frequency

Although the Council and GAP previously selected No Action as our PPA for this item, the GAP now recommends the Council adopt Alternative 1 as FPA to adjust the harvest specifications frequency and select Option A to phase this in with each new set of assessments or projections as suggested by the SSC to reduce initial workload (see bullet 4a in Agenda Item G.7.a, SSC Report 1, November 2026).

The biennial harvest specifications and management measures process would continue as normal, but when new benchmark and/or update assessments are adopted by the Council – all of which already include ten years of OFLs, ABCs, and ACLs – the Council would adopt the full ten years instead of just two. This would reduce the Council and advisory body workload of adopting the full suite of harvest specifications for every FMP groundfish species every biennial cycle, especially because nothing in those ten-year specifications change at the biennial cycle, unless:

- a new assessment or projection is adopted; or
- ten years pass; or
- the SSC determines a new OFL/ABC value is warranted

For example, in 2027 the Council will consider and presumably adopt four benchmark assessments for lingcod north of 40° 10′ N. Lat., lingcod south of 40° 10′ N. Lat., redbanded rockfish coastwide, and yellowtail south of 40° 10′ N. Lat., and two update assessments for petrale sole and shortspine thornyhead along with a series of catch only projections, as identified in Supplemental Informational Report 8, November 2026. When the Council adopts these assessments, they would adopt the ten years of OFLs, ABCs, and ACLs identified in the assessments. Only if one or more of the assessments was updated in the ten-year period, or if the ten-year period ended, those harvest specifications need to be revisited.

PFMC
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