

GROUND FISH MANAGEMENT TEAM REPORT ON ENDANGERED SPECIES ACT CONSULTATIONS ON SALMON AND SEABIRDS

The Groundfish Management Team (GMT) was updated on the status of the Endangered Species Act (ESA) salmon consultation by Ms. Gretchen Hanshew from the National Marine Fisheries Service (NMFS), and on the incidental take statement (ITS) of Short-tailed Albatross (STAL) for the trawl and fixed gear fisheries that occur within the jurisdiction of the Pacific Fisheries Management Council (Council) by Ms. Laura Todd from the U.S. Fish and Wildlife Service (USFWS).

Salmon Consultation

The GMT reviewed the NMFS report ([F.7.b, Supplemental NMFS Report 1, November, 2017](#)) and had a robust discussion. Because the proposed action for the ESA salmon consultation takes into account the future of the groundfish fishery, including potential future actions on which the Council has not yet decided, the GMT focused on what would be appropriate to include in the 2019-2020 harvest specifications and management measures and what would be appropriate to address through future Council actions. Based on that discussion, the GMT offers the following suggestions as a preliminary list of measures that could be used to address salmon bycatch concerns. This list is preliminary, as the ESA salmon consultation is not yet finished. Once we have had a chance to review the full biological opinion and ITS, the GMT may offer additional mitigation measures for consideration. **Therefore, the GMT recommends the Council consider this list as the range of alternatives for Action Item 24 under Agenda Item F.9.**

Preliminary List of Potential Management Measures for 2019-2020

- Ocean Salmon Conservation Zone and Bycatch Reduction Areas (BRAs)
 - Analyze the efficacy of the existing salmon conservation zone over the past several years, which prohibits fishing shoreward of 100 fathoms.
 - Analyze the efficacy of using BRAs to reduce interactions between the whiting fisheries and salmon. Currently, BRAs may be implemented to prohibit whiting vessels from fishing shoreward of 75, 100, or 150 fathoms, if a groundfish allocation is projected to be exceeded. The GMT recommends analyzing the BRAs for limiting bycatch of salmon in the whiting and non-whiting fisheries. Depending on the results of the analysis, the GMT recommends considering extending the available BRAs to 200 fathoms.
- The Reserve
 - Develop a process for how salmon caught by any sector would be counted against the reserve amount. Consideration should be given to sectors that have already taken measures to minimize fishing interactions with salmon before a sector is able to “use” the reserve amount. For example, the Council could consider:
 - Has the sector taken other actions to reduce salmon interactions? If so, what were these actions and what were the results?
 - Is salmon avoidance affecting attainment of the target species allocation?
 - Could the sector needs be addressed in a different way (i.e., moving to different areas, providing more access to overfished species) without more salmon interactions?

- Are there additional mitigation actions that could reduce salmon interactions?
 - Would inaction that results in continued salmon catches result in re-consultation?
 - How many additional interactions are projected to occur for the sector over the remainder of the year?
 - Are there additional interactions likely to occur in other sectors of the fishery? If so, what is the magnitude of those interactions?
- Data Collection
 - Analyze options for collecting spatial fishing effort data in non-trawl fisheries (e.g., logbooks). This additional data would improve estimates of salmon bycatch and inform projections of future impacts by providing both location and catch information of actual fishing activity rather than landed catch. Only Oregon currently has a fixed-gear logbook requirement. The GMT notes that a coastwide fixed-gear logbook was analyzed and developed in a past biennium (2009-2010), but was never implemented by NMFS.
 - Alternately, data from vessel monitoring systems (VMS), which are required for vessels that fish in Federal waters and retain groundfish, could be used to explore the spatial footprint of the fishery as a preliminary analysis. However, the GMT notes that VMS data requires intensive data processing, is not as precise as logbooks, and would not include retained catch or effort information. The GMT recommends that NMFS, potentially scientists at the Southwest Fishery Science Center who have analyzed VMS data usage previously, explore this data source if logbook implementation cannot be done in a timely manner.
- Additional Measures Needed
 - As the analyses to support the 2019-2020 harvest specifications are developed, these analyses may show that increases to annual catch limits or new management measures could increase salmon bycatch. The salmon impact analysis will be brought back in April, and at that time, the council (based on input from NMFS) can decide whether additional measures are needed.

Future Council Actions

The GMT recommends that the development of additional mitigation measures be considered only after the Council receives and reviews the final biological opinion and ITS. Additionally, the GMT recommends that the development of mitigation measures be considered for implementation in concert with any proposed actions that are projected to increase salmon interactions. For example, if the 2018 trawl gear EFP shows increased salmon interactions, as a result of exempting vessels from some regulations, mitigation measures could be developed, as the coastwide, year-round midwater groundfish trawl fishery is being developed for regulatory implementation.

Seabird Consultation

The GMT reviewed the ITS for STAL, and has the following comments and recommendations for the terms and conditions:

USFWS staff indicated that the streamer line regulation requirement for vessels 26-55 feet is not prescriptive, or explicit, as written in the ITS and was chosen due to similar existing regulations

in the Alaskan groundfish fishery. The GMT notes that some characteristics of the West Coast groundfish fishery differ from the Alaskan fishery in that some vessels in the lower range of that size class may not need or benefit from the use of streamer lines. One example would be the smaller vessels that only fish in state waters, wherein the Federal regulations would not apply. Another would be that smaller vessels are more unlikely to fish in offshore waters where STAL are most commonly found (typically more than six miles offshore).

USFWS staff indicated there could be further exploration into whether requiring streamer line use based on spatial areas or zones rather than vessel size could more effectively minimize interactions. Additionally, NMFS held a seabird avoidance meeting with the at-sea whiting fleet in November 2017 to discuss potential mitigation measures to decrease bird strikes. The input received from that meeting and future discussions could provide innovative alternatives for both trawl and fixed gear sectors.

The GMT has been made aware that the existing streamer use regulation for vessels over 55 feet may not be functioning at optimal efficiency with floating line gear. Under the current specifications for streamer length, floating line gear remains at, or just below, the water surface beyond the extent of the streamer lines, providing an opportunity for birds to interact with the gear. This issue would also exist for smaller class vessels, which potentially increases the risk of STAL interaction.

The GMT supports the streamer use exemption when setting gear after civil sunset, as it has been well documented to dramatically reduce bird interactions. While the night-setting exemption is efficient as a stand-alone regulation, additional modifications such as allowing floating gear only when night setting could potentially resolve the streamer deployment issue on smaller vessels. The GMT recognizes that prohibiting floating gear during daylight hours could result in economic impacts due to differences in fish condition and/or marketability, but would seek input from the Groundfish Advisory Subpanel (GAP) or other industry members to better understand these issues.

As described above under additional data collection for salmon bycatch, the GMT supports the implementation of a fixed gear logbook requirement. The Groundfish Endangered Species Work Group report ([Agenda Item F.5.a., GESW Report, April 2017](#)) stated that this could reduce uncertainty in bycatch estimates, because average observer coverage in fixed gear fisheries is less than 20 percent. Fixed gear logbooks would benefit fisheries management by: (1) increasing understanding of the spatial dynamics of the fisheries; (2) providing an index of abundance for stock assessments; and (3) potentially allowing for further stratification of gear types, depth, and area in mortality estimates. The GMT will be proposing a fixed gear logbook for Action Item 24, Salmon Mitigation Measures, under Agenda Item F.9 and recommends that it be included in the 2019-2020 biennium.

The GMT recommends streamer use regulations be analyzed in a separate three-meeting rulemaking process (per the ITS) and not through the 2019-2020 biennial harvest specification and management measures process. The biological opinion requires measures be implemented within three years, in this case, by April 2020. Given the heavy workload associated with the biennial process, and competing priorities, the GMT feels that a separate process should provide the adequate time needed to analyze alternatives to achieve the most effective STAL avoidance measure. A possible process is described in Table 1.

Table 1. Possible process schedule for implementation by the April 2020 requirement.

Date	Task
Sept. 2018 - Nov. 2018	Council decides range of alternatives
Nov. 2018 - April 2019	Preliminary followed by final preferred alternatives chosen
April 2020	Regulations required to be implemented

Recommendations

The GMT recommends:

- 1. For salmon mitigation measures**
 - a. the Council consider this list as the range of alternatives for Action Item 24 under Agenda Item F.9.**
 - b. that the development of additional mitigation measures be considered only after the Council receives and reviews the final biological opinion and ITS. Additionally, that the development of mitigation measures be considered for implementation in concert with any proposed actions that are projected to increase salmon interactions.**
- 2. For seabird mitigation measures**
 - a. streamer use regulations be analyzed in a separate three-meeting rulemaking process (per the ITS), and not through the 2019-2020 biennial harvest specification and management measures process.**

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