

GROUND FISH MANAGEMENT TEAM REPORT ON BIENNIAL MANAGEMENT
MEASURES FOR 2019-2020: NEW MANAGEMENT MEASURES

In [Agenda Item F.9.a, GMT Report 1, November 2017](#), the Groundfish Management Team (GMT) provided background information and an assessment of workload on the new management measures identified at the September 2017 Pacific Fishery Management Council (Council) meeting. This report covers Management Measures 17 through 33 from the Action Item Checklist ([Agenda Item F.9., Attachment 1](#)). Item 3 (Report 2) and Items 1, 2 and 4 through 16 (Report 3) were covered in separate reports.

The GMT recommends the Council consider whether the management measures below are required to be in place for January 1, or could be implemented later in the year. If later in the year is possible, then the management measure could be moved to another process, to help streamline the biennial management measures analysis and regulations process.

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Action Item 17: Housekeeping: Update FMP scientific name for giant grenadier

As stated in [Agenda Item F.9.a., GMT Report 1, November 2017](#), the GMT recommends that the scientific binomial for giant grenadier be updated in the Groundfish Fishery Management Plan (FMP), Stock Assessment and Fishery Evaluation (SAFE) document, regulations, and other relevant documents to reflect this change.

Action Item 18: Recommend stock complex alternatives for analysis

The GMT recommends that all stock complex alternatives, except for Alternative 2 for Oregon blue/deacon/black/nearshore rockfish north, be considered as new management measures for the 2019-2020 biennium.

This includes the:

1. Oregon blue/deacon/black/nearshore rockfish north proposal from [Agenda Item F.9.a., GMT report 1, November 2017](#)
2. Oregon kelp greenling/cabazon/other fish proposal from [Agenda Item F.9.a., GMT report 1, November 2017](#)
3. Washington cabazon/kelp greenling/other fish proposal from [Agenda Item F.6.a, WDFW Report 1, November 2017](#)

The GMT believes SQ and Alternative 1 for the Oregon blue/deacon/black/nearshore rockfish north proposal (Table 1) would provide adequate bookends for stock complex analyses. Additionally, the biological and economic impacts for all alternatives would be the same since the Oregon Department of Fish and Wildlife (ODFW) reported they would manage to their annual catch limits (ACLs) as either stand-alones (stock-specific) or as ACL contributions to stock complexes ([Agenda Item E.9.a, Supplemental ODFW Report 1, September 2017](#)). Removing Alternative 2 would also help streamline the analytical process and decrease workload burden.

Table 1. Oregon blue/deacon/black/nearshore rockfish north proposal from [Agenda Item F.9.a, GMT Report 1, November 2017](#).

Alternative	Stock or Stock Complex	2019			2020		
		OFL	ABC	ACL	OFL	ABC	ACL
Status Quo	Black RF (OR)	565.0	515.8	515.8	561.0	512.2	512.2
	Nearshore RF North Complex	203.2	182.9	182.9	200.4	180.5	180.5
Alternative 1	Black RF/BDR (OR) Complex	677.3	617.4	617.4	669.8	610.5	610.5
	Nearshore RF North Complex	90.9	81.4	81.4	91.6	82.1	82.1
Alternative 2	BDR (OR) Complex	112.3	101.5	101.5	108.8	98.4	98.4
	Black RF (OR)	565.0	515.8	515.8	561.0	512.2	512.2
	Nearshore RF North Complex	90.9	81.4	81.4	91.6	82.1	82.1

Action Item 19: Modify the outer boundary of the Western Cowcod Conservation Area (CCA)

Based on further discussion with the California Department of Fish and Wildlife (CDFW), the GMT understands that the intent of this proposal is to make modifications to select portions of the outer boundary of the Western CCA to allow access to deeper water species. Although this proposal was submitted by fixed gear fishery participants, any changes to the western CCA boundary would apply to all fisheries that could legally operate in these depths (i.e., trawl, commercial fixed gears, and recreational).

In a separate action, the Council is also considering designating a significant portion of the southern California bight as essential fish habitat (EFH), which would be closed to bottom trawling. Given the connectivity between this action, which could open areas for bottom trawling, and the EFH action, which would close those same areas for bottom trawling, **the GMT recommends the Council consider evaluating this action in a separate stand-alone agenda item that has a timing more similar to the EFH rulemakings.** The GMT understands that CDFW staff have made significant progress on this analysis and will provide comments in the future.

Action Item 20: Mid-biennial harvest specification adjustments

Under Agenda Item F.5., the Council chose not to move forward with the mid-biennial harvest specification adjustments, and therefore no further action is needed for this item.

Action Item 21: Carryover, including IFQ

In [Agenda Item F.9.a, GMT Report 1, November 2017](#), the GMT discussed the proposals and workload considerations for all three carryover items and provided recommendations for each. After additional consideration and discussion at this meeting, the GMT recommends the following:

1. All sector carryover not be considered in the 2019-2020 harvest specifications; however, we do recommend, and NMFS concurs in their [Agenda Item F.9.a, Supplemental NMFS Report 1, November 2017](#), considering this action for implementation in a separate process.
2. At-sea carryover be moved to the omnibus list, per Council action under Agenda Item F.2.
3. IFQ carryover increases not be considered within in the 2019-2020 harvest specifications in Report 1. In 2019, stocks that would be available for carryover (those with Acceptable Biological Catch (ABC) > ACL) would be: cowcod, dover sole, longspine thornyhead, shelf complex south of 40° 10' N. lat., slope complex south of 40° 10' N. lat., Pacific cod, halibut individual bycatch quota (IBQ), sablefish north and south of 36° N. lat., shortspine thornyhead, and yelloweye rockfish. On further discussion, the GMT believes even the low workload associated with this issue in the 2019-2020 biennial process outweigh potential benefits with these species, and with the interplay between IFQ carryover and all sector carryover these might be better considered together in a separate process

In summary, the GMT does not recommend moving forward with any of the carryover elements in the 2019-2020 biennium.

Action Item 22: Multi-year average catch policy

After considering the additional information on the level of analysis needed in [Agenda Item F.9.a, Supplemental NMFS Report 1, November 2017](#), the GMT does not recommend moving forward with the multi-year average catch policy. The GMT believes that the policy, if incorporated, would be used in a very limited way while requiring a significant amount of work to address the issues raised in the NMFS report.

Action Item 23: Measures pertaining ESA consultation on Short-tailed Albatross

The GMT recommends that the measures for this item be developed in a separate process as discussed in [Agenda Item F.7.a., REVISED Supplemental GMT Report, November 2017](#).

Action Item 24: ESA Salmon Consultation Measures

Based on the Council guidance in Agenda Item F.7., the GMT recommends the Council consider the following measures be forwarded for analysis:

- Ocean Salmon Conservation Zone for Pacific Whiting and Bycatch Reduction Areas (BRAs)
 - Analyze the efficacy of the existing salmon conservation zone for the Pacific whiting fisheries, 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 also recommends considering extending the available BRAs to 200 fathoms.

- The Reserve
 - Develop a process for how salmon caught by a 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 has been the result?
 - 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, more access to overfish 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?

Action Item 25: Modify the trawl regulations regarding crab retention in California

There is a current mismatch between in the language regarding retention allowance in the Federal Groundfish Regulations (CFR) and the National Oceanic and Atmospheric Administration List of Authorized Fisheries and Gear (List of Fisheries). This action is to modify federal groundfish regulations such that is consistent with the current List of Fisheries. Regulations under [600.725 subdivision \(v\)](#), pertaining to the List of Fisheries, specifies as follows:

The use of any gear or participation in a fishery not on the following list of authorized fisheries and gear is prohibited after December 1, 1999. A fish, regardless whether targeted, may be retained only if it is taken within a listed fishery, is taken with a gear authorized for that fishery, and is taken in conformance with all other applicable regulations. Pot and trap gear is the only gear on the list authorizing commercial take of crab.

Meanwhile, within the CFR under Subpart C—West Coast Groundfish Fisheries Section 660.11 General Definitions, prohibited species are described as follows:

Prohibited species means those species and species groups whose retention is prohibited unless authorized by provisions of this section or other applicable law. The following are prohibited species: Any species of salmonid, Pacific halibut, Dungeness crab caught seaward of Washington or Oregon, and groundfish species or species groups under the PCGFMP for which quotas have been achieved and/or the fishery closed.

The GMT recommends amending the language in Section 660.11 Subpart C, pertaining to crab, such that it is consistent with the language in the List of Fisheries prohibiting take of all crab in trawl, hook-in-line, and longline gear off California. The GMT requests assistance from NMFS General Counsel (GC) and the Enforcement Consultants on specific language to complete this task.

Action Item 26: Establish biennial set-asides for Pacific whiting bycatch in research and incidental open access fisheries

The GMT recommends including this low-workload item in the inseason agenda item each November. By adopting the set-asides in November, the decision-making will use more recent data than if done for the 2019-2020 analysis, and will still help to expedite the rulemaking for the whiting season.

Action Item 27: Remove the FMP formula for establishing the darkblotched rockfish and Pacific ocean perch set-asides for catcher-processors and motherships

The GMT concurs with [Agenda Item F.9.a, Supplemental NMFS Report 1, November 2017](#), and recommends that this item not be included in the 2019-2020 biennial analysis. While the GMT can see the benefits in determining darkblotched and Pacific ocean perch (POP) set-asides each biennium, the workload associated with removing the formula would be too extensive for this cycle. **However, the GMT recommends including the consideration of the within-trawl allocations for darkblotched rockfish and POP with widow rockfish as part of the catch shares follow-on actions that the Council adopted under Agenda Item F.2.**

Action Item 28: Update Adaptive Management Pass-Through regulation language

In September, NMFS recommended that the Council specifically recommend whether or not the Adaptive Management Pounds (AMP) pass-through should continue, and if so, for what period of time. If no action is taken, the current regulations are not clear: the Council decision record indicates the pass-through terminates, while NMFS decision record indicates the pass-through continues until changed. In September, the Council specified that it would consider the following as an alternative to no action: continue the pass-through until an alternative use of AMP is implemented. **The GMT recommends including a clarification of the record, which may lead to a minor regulation language update, in the biennial management measures.**

Action Item 29: Lingcod and sablefish discard mortality rates (“survival credits for IFQ”)

The GMT recommends lingcod and sablefish discard survival credits for the shorebased IFQ program be considered as a new management measure for the 2019-2020 biennium. Potential

benefits could be approximately \$1 million in ex-vessel revenue ([Agenda Item F.2.a, Supplemental GMT Report 1, November 2017](#)). In addition, the workload is expected to be low, because the Scientific and Statistical Committee (SSC) has already endorsed the rates currently used by the West Coast Groundfish Observer Program (WCGOP; Table 2) that would be the basis of the survival credits. Currently, IFQ discards assume a 100 percent DMR. Slight modifications to the IFQ model may have to be made to account for this action, but would not require SSC review.

Table 2. Potential “survival” credits if the Council were to adopt debiting QP based on the WCGOP DMRs used for estimates of total mortality instead of the current 100 percent.

Species	Gear	WCGOP DMR	IFQ DMR
Lingcod	Bottom Trawl	50%	100%
	Fixed Gear ^a	7%	100%
Sablefish	Bottom Trawl	50%	100%
	Fixed Gear ^b	20%	100%

^aOnly for hook and line

^bApplies for both pot and hook and line

Action Item 30: Modification or removal of the IFQ quota pound daily vessel limits

The daily limits were implemented in part to address concerns about hoarding of overfished species quota and halibut IBQ quota pounds (QP). With all but two species rebuilt and given the low levels of halibut bycatch relative to the amount of QP available, the administrative burden of these limits for participants and NMFS may outweigh benefits. Therefore, **the GMT recommends moving all alternatives forward.**

Action Item 31: Modifications to IFQ quota pound individual species limits

Given potential changes in the fishery that may result from upcoming action on EFH/RCA and trawl gear regulations, the GMT recommends not furthering this item in this biennium. However, the GMT notes that preliminary evidence indicates that consolidation of the California fleet may prevent attainment. In other words, that even if every vessel took the maximum amount of QP allowed, that the trawl allocations for some southern species would not be attained. If the Council wishes to move this item forward for consideration, they may wish to focus analysis on QP limits for southern species allocations within the 2019-2020 harvest specifications.

Action Item 32: Depth restrictions for the directed Pacific halibut fishery

The GMT recommends that this action not be included in the 2019-2020 harvest specifications, in concurrence with [Agenda Item F.9.a, Supplemental NMFS Report 1, November 2017](#). We see significant issues (chiefly, high analytical workload, potential for higher

yelloweye bycatch, and lack of observer data) for a fishery that routinely catches their full allocations in short periods of time.

Action Item 33: Vessel monitoring requirements for the directed Pacific halibut fishery

The GMT does not recommend this action be included in the 2019-2020 harvest specifications. It is the GMT's understanding that the purpose of this item was to allow better monitoring of Pacific halibut vessels if they were allowed to fish in areas otherwise closed to regular fixed gear (#32 above), which we do not recommend moving forward.

Action Item 34: Amendment 21-3 automatic action

Amendment 21-3, if implemented as written, would give NMFS the authority to take automatic action to close either at-sea sector if the catcher processor (CP) and mothership (MS) sectors were projected to exceed their set-aside values for darkblotched rockfish and POP and the buffer. If the Council were to recommend that there be no buffers established, then in essence, the at-sea sectors would be managed as allocations again. **The GMT recommends that the Council modify the regulations for 2019 and beyond to remove the automatic action authority so that the at-sea set-asides are managed as actual set-asides.** Even with the removal of this provision, the NMFS can still take inseason action as described in CFR 660.150 and 660.160 (excerpt below).

(ii) Groundfish species with at-sea sector set-asides will be managed on an annual basis unless there is a risk of a harvest specification being exceeded, unforeseen impact on another fishery, or conservation concerns in which case inseason action may be taken. Set-asides may be adjusted through biennial specifications and management measures process as necessary.

Additionally, removing the automatic action authority would make the management for darkblotched rockfish and POP the same as the other species managed with set-asides in the at-sea whiting fisheries. When the Council took action in 2017-2018 and recommended the inseason closure when the sum of the set asides and the buffer were reached, the ACLs for both species were considerably lower and there were concerns to potential impacts on the non-whiting sector. With the 2019-2020 proposed ACLs being higher, the GMT does not see a need to keep the automatic action authority. The GMT believes that this workload will be low.

Action Item 35: Remove trawl sablefish management line

Under Agenda Item F.2., the Council gave guidance to consider the removal of the trawl sablefish management line at 36° N. lat. within this agenda item. In [Agenda Item F.2.a., Supplemental GMT Report, November 2017](#), the GMT laid out the pro and cons associated with removing the line independently from looking at gear switching. **After considering the benefits and workload associated with this item and the other items in this list, some on the GMT recommend this action be included in the range of new management measures for 2019-2020 harvest specifications, while other GMT members recommend this action instead be included in a comprehensive gear switching action.** The GMT notes that socio-economic considerations,

particularly community impacts, that would have to be thoroughly addressed, contributing to the workload this action.

Action Item 36: Change canary and widow rockfish at-sea allocations to set-asides

It is the GMT's understanding that the Groundfish Advisory Panel is requesting that canary and widow rockfish for the at-sea sectors be changed from allocations to set-asides through the 2019-2020 biennium. Currently, this action is being scoped through the catch shares follow on action process as adopted by Council under Agenda Item F.2. **The GMT recommends not including this action as a new management measure and keeping it within the follow on actions schedule.**

Even though the workload would be low to medium, based on assessment of other items in the list of management measures, the GMT believes other items above are of higher priority. Under the current follow on actions timeline, the Council would take final action in November 2018 which could have the set-asides implemented by late 2019 or by the start of the 2020 whiting season.

Recommendations Summary

New Management Measures for Implementation in 2019-2020			
#	Category	Sector	Measure <i>GMT Recommendations in BOLD</i>
17		All	Housekeeping: Update FMP scientific name for giant grenadier the scientific binomial for giant grenadier be updated in the FMP, SAFE, regulations, and other relevant documents to reflect this change <ul style="list-style-type: none"> • update the scientific binomial for giant grenadier in all relevant document
18		All	Recommend stock complex alternatives for analysis <ul style="list-style-type: none"> • all stock complex alternatives, except for Alternative 2 for Oregon blue/deacon/black/nearshore rockfish north, be considered as new management measures for the 2019-2020 biennium.
19		All	Modify the outer boundary of the Western Cowcod Conservation Area <ul style="list-style-type: none"> • the Council consider evaluating this action in a separate stand-alone agenda item that has a timing more similar to the EFH rulemakings.
20		All	Mid-Biennial harvest specifications adjustments, “green light” <ul style="list-style-type: none"> • no action needed
21		All	Carryover, including IFQ carryover and at-sea carryover <ul style="list-style-type: none"> • does not recommend moving forward with any of the carryover elements in the 2019-2020 biennium.
22		All	Multi-year average catch policy for determining overfishing and adjusting management measures <ul style="list-style-type: none"> • does not recommend moving forward.
23		All	Measures pertaining to the USFWS ESA consultation on the federally endangered short-tailed albatross <ul style="list-style-type: none"> • measures for this item be developed in a separate process as discussed in Agenda Item F.7.a., REVISED Supplemental GMT Report, November 2017.

24		All	<p>ESA Salmon Consultation Measures</p> <ul style="list-style-type: none"> • consider the following measures be forwarded for analysis: <ul style="list-style-type: none"> ○ Ocean Salmon Conservation Zone for Pacific Whiting and BRAs ○ Reserve process development
25		Trawl	<p>Modify the trawl regulations regarding Dungeness crab retention in California</p> <ul style="list-style-type: none"> • amend the language in Section 660.11 Subpart C, pertaining to crab, such that it is consistent with the language in the List of Fisheries prohibiting take of all crab in trawl, hook-in-line, and longline gear off California.
26		Trawl	<p>Establish biennial set-asides for Pacific whiting bycatch in research and incidental open access fisheries</p> <ul style="list-style-type: none"> • include in the November inseason agenda item
27		Trawl	<p>Remove the FMP formula for establishing the darkblotched and POP set-asides for CP and MS</p> <ul style="list-style-type: none"> • does not for the 2019-2020 biennium • include the consideration of the within-trawl allocations for darkblotched rockfish and POP with widow rockfish as part of the catch shares follow-on actions that the Council adopted under Agenda Item F.2.
28		SB IFQ	<p>Update regulation language regarding the Adaptive Management Pass-Through</p> <ul style="list-style-type: none"> • including a clarification of the record, which may lead to a minor regulation language update
29		SB IFQ	<p>Lingcod and sablefish discard mortality rates applied to IFQ quota pounds</p> <ul style="list-style-type: none"> • include as a new management measure for the 2019-2020 biennium.
30		SB IFQ	<p>Modifications or removal of the IFQ quota pound daily vessel limits</p> <ul style="list-style-type: none"> • move all alternatives forward
31		SB IFQ	<p>Modifications to the IFQ quota pound individual species limits</p> <ul style="list-style-type: none"> • does not recommend moving forward in the 2019-2020 biennium.
32		Non-Trawl	<p>Depth restrictions for the directed Pacific halibut</p> <ul style="list-style-type: none"> • does not recommend this action be included in the 2019-2020 harvest specifications.

33		Non-Trawl	Vessel monitoring requirements for the directed Pacific halibut fishery <ul style="list-style-type: none"> • does not recommend this action be included in the 2019-2020 harvest specifications.
34		Non-Trawl	Amendment 21-3 Automatic Action <ul style="list-style-type: none"> • modify the regulations for 2019 and beyond to remove the automatic action authority so that the at-sea set-asides are managed as actual set-asides.
35	New	Trawl	Remove Trawl Sablefish Management Line <ul style="list-style-type: none"> • some on the GMT recommend this action be included in the range of new management measures for 2019-2020 harvest specifications, while other GMT members recommend this action instead be included in a comprehensive gear switching action.
36	New	Trawl	Make canary and widow rockfish set-asides <ul style="list-style-type: none"> • not including this action as a new management measure and keeping it within the follow on actions schedule.

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