

## GROUND FISH MANAGEMENT TEAM REPORT ON OMNIBUS PRIORITIZATION

The Groundfish Management Team (GMT) received an overview of this agenda item from Dr. Jim Seger, Pacific Fishery Management Council (Council) staff and offers the following comments and recommendations.

### Developing a working document to guide long-term prioritization of new management measures

In [Agenda Item G.4.a, GMT Report 1, November 2018](#), the GMT provided a complete list of the groundfish workload priorities with our recommendations for keeping or removing actions, and the associated rationale for those recommendations. For some of the items on the list, the GMT notes in the “GMT Reasoning” column where new information was discovered since September or if items were previously not discussed. The GMT will be developing more details relative to workload requirements and the expected benefits of the refined list during our January GMT Meeting.

There is minimal capacity for the GMT to perform analysis on any of the items on the list over the winter given the high workloads of other ongoing tasks. These ongoing tasks include working with the Sablefish Management and Trawl Allocation Attainment Committee (SaMTAAC), analyzing reserve rules and new mitigation measures for Chinook salmon bycatch, working with the Ecosystem Working Group (EWG) on climate change scenario planning, and potentially analyzing groundfish impacts of the International Pacific Halibut Commission’s (IPHC) proposed management structure changes for the directed halibut fishery. If the Council directs the GMT to work on a prioritized item(s) from the list, then the Council should advise the GMT which currently slated item(s) to make a lower priority. Overall, we believe the ideal approach for now is to continue to hone the workload prioritization list by deleting items that are no longer applicable, and modifying items to reflect new information from our September and initial November reports ([Agenda Item I.9.a., Supplemental GMT Report 1, September 2018](#) and [Agenda Item G.4.a, GMT Report 1, November 2018](#)). This living document would then better inform prioritization into the future.

### Refining the existing list of new management measures

#### Item 5- Cost recovery corrections

As discussed under Agenda Item G.2., the National Marine Fisheries Service (NMFS) will be including these clean-ups within an ongoing rulemaking package. **Therefore, the GMT recommends deleting this item from the workload list.**

#### Item 13- Removal of selective flatfish trawl requirement between 40° 10' and 42° N. lat. (GMT proposed renaming)

Item 13 originally encompassed all the components of the trawl gear package, which is expected to be effective January 1, 2019. While the GMT originally recommended deleting this item in September, we neglected to keep the portion of the trawl gear package that is still being tested as an Exempted Fishing Permit (EFP) in 2019 ([Agenda Item G.4.a, GMT Report 1, November 2018](#)). The selective flatfish trawl (SFFT) exemption between 40° 10' and 42° N. lat. has only

been tested for one year (2018), and three years of testing is required by the 2017 salmon Incidental Take Statement (ITS). **Therefore, the GMT recommends renaming Item 13 as shown above and keeping it on the list.**

#### **Item 38- Limited entry fixed gear permit price reporting (GMT proposed renaming)**

This item was initially recommended by the Scientific and Statistical Committee (SSC) during the federal sablefish program review ([Agenda Item F.6.b, Supplemental SSC Report, June 2014](#)). In order to gain further insight into the limited entry fixed gear (LEFG) sablefish tier permit fishery, the SSC proposed the routine collection of permit sale prices, which would help to indicate the market value of the fishery. **The GMT recommends keeping this issue on the workload prioritization list.**

#### **Item 48- Create 60-Mile Bank Rockfish Conservation Area line**

In September, the GMT recommended keeping this item on the groundfish workload prioritization list for further discussion. The GMT now understands that implementing a non-trawl Rockfish Conservation Area (RCA) boundary for this area may not be enforceable due to its small size and would look to NOAA Office of Law Enforcement or the Enforcement Consultants to speak to that. **The GMT recommends removing this item from the list.**

#### **Item 50- New Dressed to Round Conversion Factors for Sablefish**

New research from the Washington Department of Fish and Wildlife indicates that the current sablefish conversion factor of 1.6 that is specified in federal regulations may be too high during certain times of the year and could be reduced. While the majority of workload associated with this item would be for the states and PacFIN data processing systems, it would require a change to federal rule and thus **the GMT recommends keeping this item on the list.**

#### **Item 52- Endangered Species Act Seabird Measures**

In September, the GMT recommended keeping this item on the groundfish workload prioritization list. However, after further discussion, we now propose removing it because it is already in progress. Additional mitigation measures are required by the Incidental Take Statement (ITS), such as a fixed gear logbook; however, as these items are required, the GMT does not believe this item should be on this list. **The GMT recommends removing this issue from the list.**

#### **Item 56- Retention record**

**After discussion with NMFS staff, the GMT recommends deleting this item as the regulations do not appear to conflict, as initially thought.**

#### **Item 60- Long term non-whiting surplus carryover**

Currently, carryover is only issued in the shorebased Individual Fishing Quota (IFQ) fishery for species where the annual catch limit (ACL) is less than the annual biological catch (ABC) based on NMFS interpretation of a court order. The 2016 National Standard Guideline Revisions did allow for some flexibility in issuing carryover on the stock level (currently included in Item N-2, "Flexibility in ACL Management"). However, it is the GMT's understanding that the revisions may not provide the mechanism to issue shorebased IFQ carryover when the ACL is set equal to the ABC. It is our understanding that it would not be allowed and **the GMT is recommending deleting this item.** However, the GMT looks to NOAA General Counsel to confirm whether the item is feasible given the recent court decision.

#### Item N-2- Increasing carryover from 10 percent (GMT proposed renaming)

This item was originally named flexibility in ACL Management Response and had three components. The GMT recommended deleting carryover of at-sea set-asides and “big C” carryover in our first report ([Agenda Item G.4.a, GMT Report 1, November 2018](#)), which leaves the concept of increasing shorebased IFQ carryover from 10 percent to something greater as was initially proposed by the Five Year Review Community Advisory Body (CAB). **While the GMT acknowledges that there are few species that may benefit from increased carryover percentage, the GMT recommends keeping this item on the list for the time being.**

#### Item N-3- Aggregate non-whiting quota share control limits and individual species weighting

This item was a recommendation of the CAB. The GMT understands that the Northwest Fisheries Science Center (NWFSC) is currently researching the aggregate non-whiting control limit, and **recommends that this item stay on the list until the NWFSC is able to update the Council on that analysis.**

#### Item N-6- Mothership utilization

In September 2018, there was a request to increase the mothership (MS) processing limits from 45 percent to a higher amount to increase attainment of the whiting allocation. Public comment ([Agenda Item I.7.b, Supplemental Public Comment 1, September 2018](#)) emphasized other issues in the MS sector that must be considered in the broader context of increasing MS sector utilization. Some of these issues, such as the closed class of MS permits, are presented in [Agenda Item G.4.a, Supplemental WDFW Report 1](#). **The GMT recommends keeping this item on the list, with the scope of the item to be determined later by the Council.**

**Summary Table of Updated GMT Recommendations  
(Items that our recommendations changed from September)**

<b>Item #</b>	<b>Sector</b>	<b>Short Title</b>	<b>Updated GMT Recomm.</b>
5	Trawl	Cost Recovery Corrections	<b>Delete</b>
13	Trawl IFQ	Removal of Selective Flatfish Trawl (SFFT) requirement between 40° 10' and 42° N. lat.	<b>Keep</b>
38	LEFG	Permit price reporting	<b>Keep</b>
48	Trawl, Non-Trawl, Rec	Create 60-Mile Bank RCA	<b>Delete</b>
50	Trawl, Non-Trawl	New Dressed to Round Conversion Factors for Sablefish	<b>Keep</b>
52	Non-Trawl	ESA Seabirds	<b>Delete</b>
56	Trawl IFQ, MS, CP	Retention Records	<b>Delete</b>
60	Trawl IFQ	Long-term non-whiting surplus carryover	<b>Delete</b>
N-2	All	Increase carryover from 10%	<b>Keep</b>
N-3	Trawl IFQ	Aggregate Non-whiting QS Control Limits and Individual Species Weighting	<b>Keep</b>
N-6	Trawl MS	Mothership Sector utilization	<b>Keep</b>

The GMT and GAP will be submitting a supplemental joint report under this agenda item with the entire list of items and both groups' recommendations.

**New in November 2018**

**Consideration of the Emley-Platt Exempted Fishing Permit for Council Action**

The Emley-Platt exempted fishing permit (EFP) applicants have repeatedly requested that their EFP be analyzed and considered for potential adoption into rule as a new selective mid-water rockfish fishery that could occur within the non-trawl rockfish conservation area (RCA). However, the lack of a well-defined process for moving from an EFP to Council consideration has caused some frustration. The GMT believes that this item could be expanded to include two items: (1) development of a process and criteria for moving EFPs forward for Council consideration, which could be defined as part of Council Operating Procedure 19; and/or (2) consideration of moving the Emley-Platt EFP forward for Council action. The GMT requests Council input on whether or not one or both of these items should be on the list.

**Public Comments**

[Agenda Item G.4.b., Public Comment 1](#) requests allowing the use of natural bait in the Oregon longleader gear fishery. Canary rockfish are more apt to be attracted to bait than artificial flies or lures, and are more likely to be caught with bait than the other species that this gear targets. The

overfished status of canary rockfish during initial gear testing resulted in the bait prohibition. Canary rockfish was declared rebuilt during the time period between gear testing and the regulation being adopted, so limiting impacts to canary rockfish may no longer be necessary. However, the GMT understands that the initial Environmental Assessment (EA) for this gear did not include the use of bait, therefore the EA would need to be updated to include an analysis on the use of bait. The GMT requests Council input on whether or not it should remain on the list.

A public comment letter from Mr. Bill James requests to modify the seaward boundary of the non-trawl RCA between 40° 10' N. lat. and 34° 27' N. lat. to 100 fathoms from 125 fathoms for a specific gear. The GMT believes this request is already contained within Item 53, Non-Trawl RCA Modifications, which would be inclusive of all commercial non-trawl gear, so an additional item is unneeded.

## Council Operating Procedure 9

In September, the GMT introduced a revised process where the Council would consider groundfish prioritization yearly at the March Council meeting. This would replace the biennial process currently outlined in Council Operating Procedure (COP-9; [Agenda Item I.9.a, Supplemental GMT Report 1, September 2018](#)). To keep groundfish priorities fresh and address emerging issues, the annual prioritization process should be supplemented with a stand-alone recurring agenda item for groundfish workload prioritization at every meeting to address new, urgent management issues; ideally, this would occur in conjunction with updates that are provided in the NMFS report. This agenda item would include a brief review of a list updated as needed by Council staff and the GMT (e.g., actions the Council has taken action on in a previous meeting are removed from the prioritization list). Under this agenda item, stakeholders could submit proposals for items that needed to be considered as additions to the list. New ideas would need to be submitted by the advanced briefing book deadline to provide a chance to review new proposals. In this agenda item, the Council could elect to prioritize urgent new issues in place of existing work priorities, or include less time sensitive measures for the GMTs overwinter analysis before the March meeting. On an annual basis, the GMT would review the list from the November meeting overwinter and provide a cost-benefit analysis of new items at each March meeting.

Based on past experience with workload prioritization, the GMT thinks that a process that clearly outlines when the Council will be considering new items and adjusts priorities based on workload will be more productive than the current method, and will allow for flexibility that can address new issues as they arise while balancing priorities across multiple sectors.

Below is a summary of how the GMT sees the revised process for Council consideration of groundfish priorities. If the Council recommends moving forward with this new schedule, the GMT will work with Council staff to revise COP 9 to reflect these changes over winter. The GMT had some discussion on the difficulty in tracking the groundfish management process in the current COP 9 and wondered if a stand-alone COP for groundfish would be more useful and easy to follow. If the Council is interested, we could also present this concept in March.

## Groundfish Annual Workload Prioritization Summary

<b>Council Meeting</b>	<b>GMT</b>	<b>GAP</b>	<b>Council</b>
November	Review groundfish priority list and provide recommended updates, including suggestions for new items, for Council consideration		Confirm preliminary list of groundfish priorities for upcoming year
November - March	Analyze the potential benefit versus the workload of preliminary groundfish priorities compared to workload for upcoming year		
March	Review groundfish priority list and provide recommended updates for Council consideration		Adopt a draft calendar and prioritized list of new management measures to be analyzed outside of the harvest specifications and management measures process
April	Review list, provide updates to groundfish workload priorities		Re-prioritize groundfish workload priorities if necessary
June	Review list, provide updates to groundfish workload priorities		Re-prioritize groundfish workload priorities if necessary
September	Review list, provide updates to groundfish workload priorities		Re-prioritize groundfish workload priorities if necessary

Other guidelines:

- New groundfish priorities must be in the supplemental briefing book
- Groundfish prioritization agenda item should follow the NMFS Report

Regardless of the schedule the Council elects for adding and prioritizing new management issues, stakeholders should clearly understand when they may submit new items and how those items are being prioritized within workload constraints.

### Trawl Catch Shares Implementation

The GMT discussed at what point the trawl catch shares program should be considered “implemented”, with any additional items considered “new” management measures rather than “trailing actions”. Since the implementation of the IFQ program, one of the criteria for prioritizing groundfish workload items has been the need to complete this list of “trailing actions”. According to the Council website [the following actions](#) were identified as trawl trailing actions and have not yet been scoped by the Council:

- Size Endorsements
- Trawl IFQ Carryover When Management Units Change
- Adaptive Management Quota Pounds Distribution
- Eliminating the Prohibition on Whiting At-sea Processing South of 42° N. Lat.
- Between-Sector Trading of Quota
- Year-Round Non-Whiting Fishery for Midwater Species

All of these items are currently on the groundfish workload prioritization list in [Agenda Item G.4.a, GMT Report 1](#). The GMT continues to recommend deleting consideration of size endorsements, processing south of 42° N. lat., between-sector quota trading, and adaptive management program (AMP) quota items. The IFQ carryover units and year-round midwater fishery items are recommended for inclusion on the updated list. All yet-to-be-scheduled trailing actions are included on the groundfish prioritization list, and the GMT believes the trawl program is now implemented sufficiently to assess these remaining and any new trawl issues along with other sector's priorities in a unified process.