

**GROUND FISH MANAGEMENT TEAM REPORT ON CONSIDERATION OF  
 INSEASON ADJUSTMENTS**

The Groundfish Management Team (GMT) considered the U.S. District Court for the Northern District of California ruling in Natural Resources Defense Council v. Locke as well as the most recent information on the status of ongoing fisheries and requests from industry and provides the following recommendations for 2010 inseason adjustments.

The GMT also received guidance from National Marine Fisheries Service (NMFS) Northwest Region (NWR) regarding timing of implementation of inseason recommendations from this meeting. Given the high priority of implementing measures that affect projected impacts to yelloweye rockfish as well as any additional conservation concerns, NMFS anticipates implementing routine inseason adjustments to fishery management measures by July 1, 2010. Adjustments to fishery management measures that are not directly related to preventing exceeding 2010 optimum yield (OYs) would be implemented for September 1, 2010.

Based on the implications of the recent court decision on inseason considerations, the GMT provided briefing book materials (Agenda Item G.5.b, GMT Report 1) so that the Council, advisory bodies, management entities, and the public would have information on some of the implications in advance of the meeting. The GMT believes that Report 1 contains sufficient information and model runs necessary for the Council to make their decision relative to this issue. Further, this report contains an additional model run that may inform the Council decision.

**ADDITIONAL MODEL RUN**

**Commercial Fisheries**

*Open Access non-nearshore fishery*

The Groundfish Advisory Subpanel (GAP) requested two additional scenarios for the non-nearshore fixed gear fisheries. Results of the analysis are presented in Table 1.

Table 1. Estimated change in projected yelloweye bycatch impacts for two potential seaward non-trawl RCA configurations north of 40 10 N. latitude.

	40°10' 43°	- 43°- 45.064°	45.064° 46.888°	- N. 46.888°	of	Est. Change
150 fm						(0.1)
125 fm						
100 fm						
	40°10' 43°	- 43°- 45.064°	45.064° 46.888°	- N. 46.888°	of	Est. Change
150 fm						(0.2)
125 fm						
100 fm						

## GMT Recommendations

1. Adopt changes to management measures that will reduce projected impacts to yelloweye rockfish below the new 2010 OY of 14 mt.

## OTHER INSEASON ADJUSTMENTS

### Commercial Fisheries

#### *Limited Entry non-whiting trawl fishery*

Limited entry (LE) non-whiting trawl total fishery mortality was projected using the Trawl Bycatch Model (Hastie, 2003) for 2010 for major target and rebuilding species, using landings data from Periods 1 and 2 reported to PacFIN as of May 19th, 2010. Weighted average bycatch estimates used were calculated for years 2006 through 2009, from observer and fish ticket data.

#### Petrale sole and Sablefish

Model projections estimate overages of 48 metric tons (101.6 percent of LE trawl sablefish allocation) for sablefish (Table 2a) and 131 metric tons (7.8 percent of trawl guideline) for petrale sole. The proposed trip limit reductions reduce projected impacts beneath the LE trawl portion of the ACL (Table 2b). In the proposed action, sablefish and petrale sole trip limits were reduced directly from May 1, 2010 trip limits, along with Dover sole and other flatfish in periods 4, 5, and 6, in order to meet model targets (Tables 3). The RCA was not changed from the May 1, 2010 lines. **The GMT recommends that the Council adopt the proposed trip limits outlined in Table 3 for implementation by July 1, 2010 (with the exception of Period 1 slope rockfish) to keep projected impacts to sablefish within the trawl allocation and to keep total projected impacts to petrale sole below the 2010 petrale sole OY.**

#### Chilipepper rockfish South of 40° 10' N. lat.

A request was made by the GAP to increase chilipepper rockfish trip limits south of 40° 10' N. lat. from 12,000 pounds per 2 months to 20,000 pounds per two months. The trawl model bycatch estimates are not considered accurate for such a high trip limit, since they were produced with a much lower impact on chilipepper and with different target species. The GMT considered that there is some potential for increased impacts on bocaccio rockfish (a rebuilding species), since they co-occur; however, it is likely that only a few vessels will target chilipepper, and only in the area south of 38° N. lat., and there is considerable residual in the scorecard compared to the bocaccio OY. **The GMT recommends increasing the chilipepper bimonthly trip limit from 12,000 to 17,000 pounds per two months, to be implemented by September 1, 2010.**

Table 2a.--No action inseason LE groundfish trawl projected total fishing mortality for June, 2010.

	Projected Total Catch (mt)			Model Target (mt)	Proj. - HG (mt)	Proj. % of HG
	North of 40°10'	South of 40°10'	Projected Total			
<b>Sablefish</b>	2,621	382	3,003	2,955	48	101.6%
<b>Shortspine</b>	1,180	168	1,348	1,567	-219	86.0%
<b>Longspine</b>	1,210	302	1,512	2,129	-617	71.0%
<b>Dover sole</b>	13,080	1,337	14,417	16,093	-1,676	89.6%
<b>Petrале</b>	989	240	1,229	1,140	89	107.8%
<b>Arrowtooth</b>	5,168	13	5,181	9,755	-4,574	53.1%
<b>English</b>	515	83	598	9,645	-9,047	6.2%
<b>Other flatfish</b>	964	231	1,195	4,685	-3,490	25.5%
<b>Bocaccio</b>	1.5	6.4	7.9	16.1	-8.2	49.0%
<b>Canary</b>	11.2	1.6	12.8	21.3	-8.5	59.9%
<b>Cowcod</b>	0.0	0.3	0.3	1.5	-1.2	21.6%
<b>Widow</b>	7.3	8.5	15.7	21.6	-5.9	72.9%
<b>Yelloweye</b>	0.3	0.0	0.3	0.6	-0.3	44.9%
<b>Darkblotched</b>	174.4	20.4	194.8	230	-35.2	84.7%
<b>POP</b>	96.7	0.2	96.9	100.8	-3.9	96.2%

Table 2b.-- LE groundfish trawl projected total fishing mortality for June, 2010 under proposed trip limit adjustments.

	Projected Total Catch (mt)			Model Target (mt)	Proj. - HG (mt)	Proj. % of HG
	North of 40°10'	South of 40°10'	Projected Total			
<b>Sablefish</b>	2,539	376	2,915	2,955	-40	98.6%
<b>Shortspine</b>	1,168	166	1,335	1,567	-232	85.2%
<b>Longspine</b>	1,210	302	1,512	2,129	-617	71.0%
<b>Dover sole</b>	12,567	1,261	13,829	16,093	-2,264	85.9%
<b>Petrале</b>	904	207	1,111	1,140	-28	97.5%
<b>Arrowtooth</b>	5,168	13	5,181	9,755	-4,574	53.1%
<b>English</b>	515	83	598	9,645	-9,047	6.2%
<b>Other flatfish</b>	965	231	1,196	4,685	-3,489	25.5%
<b>Bocaccio</b>	1.4	6.1	7.5	16.1	-8.6	46.6%
<b>Canary</b>	10.8	1.5	12.3	21.3	-9.0	57.9%
<b>Cowcod</b>	0.0	0.3	0.3	1.5	-1.2	20.4%
<b>Widow</b>	7.1	8.3	15.4	21.6	-6.2	71.3%
<b>Yelloweye</b>	0.3	0.0	0.3	0.6	-0.3	43.6%
<b>Darkblotched</b>	170.5	19.7	190.2	230	-39.8	82.7%
<b>POP</b>	94.3	0.2	94.5	100.8	-6.3	93.8%

Table 3.--Proposed LE groundfish trawl adjusted cumulative trip limits (lbs), beginning July 1, 2010.

N. of 40°10' N lat.	2-month period	RCA lines (fm)		2-month cumulative-poundage limits							
		shallow	deep	sable-fish	long-spine	short-spine	Dover sole	petrale sole	arrow-tooth	other flatfish	slope rockfish
Large/small footrope limits											
1	75	150	20,000	24,000	18,000	110,000	9,500	150,000	110,000	2,000 <sup>a/</sup>	
2	75	200	20,000	24,000	18,000	110,000	9,500	150,000	110,000	6,000	
3	75	150/200	24,000	24,000	18,000	110,000	9,500	150,000	110,000	2,000	
4	100	150/200	21,000	24,000	18,000	100,000	6,300	150,000	100,000	2,000	
5	75	200	21,000	24,000	18,000	100,000	6,300	150,000	100,000	2,000	
6	75	200	21,000	24,000	18,000	100,000	6,300	150,000	100,000	2,000	
Selective gear limits											
1	75	150	9,000	5,000	5,000	65,000	9,500	90,000	90,000		
2	75	200	9,000	5,000	5,000	65,000	9,500	90,000	60,000		
3	75	150/200	9,000	5,000	5,000	65,000	9,500	90,000	60,000		
4	100	150/200	9,000	5,000	5,000	65,000	6,300	90,000	60,000		
5	75	200	9,000	5,000	5,000	65,000	6,300	90,000	60,000		
6	75	200	9,000	5,000	5,000	65,000	6,300	90,000	60,000		
38° - 40°10' N lat.											
1	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000	
2	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000	
3	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000	
4	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	15,000	
5	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	15,000	
6	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	15,000	
S. of 38° N lat.											
1	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000	
2	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000	
3	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000	
4	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	55,000	
5	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	55,000	
6	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	55,000	

Note: \*Chilipepper rockfish trip limit = 17,000 pounds/2 months.

a/: The trip limit for slope rockfish N. or 40 10' N. lat. was increased from 2,000 lb per two months to 6,000 lb per two months on February 26<sup>th</sup>, 2010. Since the limit increased so late in the period, it is more representative for modeling fishery impacts to bycatch species using the lower limit than the higher one. The GMT is not recommending a change in this slope rockfish North trip limit in Period 1 even though it is shown here.

*Limited Entry Fixed-Gear Sablefish Daily trip limit (DTL) fishery North of 36° N. Latitude*

Available information indicates that catches in the Limited Entry Fixed-Gear Daily Trip Limit (LEFG-DTL) sablefish fishery have been substantially less than the allocations during the past six years (Table 1). Even though catches and the percentage of the allocation caught have generally increased over that period, this fishery has typically under-harvested its allocation (Table 4). Measures to remedy this problem were initiated in November 2009, when the GMT first presented a new model to predict landings by the LEFG-DTL fishery (Agenda Item G.4.b, Supplemental GMT Report, November 2009).

Table 4. Limited Entry Fixed Gear Sablefish DTL allocation, catch, and proportion of allocation for 2006 – 2009 north of 36° N. lat.

Year	Allocation (mt)	Catch (mt)	Proportion of Allocation
2004	367	79	0.22
2005	367	146	0.4
2006	356	104	0.29
2007	276	116	0.42
2008	276	150	0.54
2009	351	205	0.58
2010	321	.	.

The LEFG-DTL model uses only bi-monthly trip limits and bimonthly-calendar period as explanatory variables; daily and weekly limits did not significantly affect model results. Landings data used in this model were for the period January 1, 2004 through April 30, 2010. Model results were improved by applying a bias-correction to back-transformed data.

In general, patterns were similar between actual landings and landings predicted by this new model throughout the six-year period (Figure 1). We must point out, however, that actual landings were consistently higher than predicted landings during periods 1– 4 of 2009.

This model tracks catches close enough that the GMT suggests that it should be used to enable this fishery to fully prosecute its allocation. However, the GMT also notes that inseason monitoring is important to prevent this fishery from exceeding its annual allocation, especially leading up to the final period of each year where catches are typically highest (Figure 1).

Assuming that trip limits remain at 7,000 mt per two months for the rest of the year, the LEFG-DTL model predicts a total harvest of 236 mt of sablefish through the end of the year, which represents 73 percent of the allocation. Although this is an improvement relative to any of the previous years, adjustments are needed to enable this fishery to better achieve its harvest guideline.

**The GMT recommends a bimonthly cumulative sablefish limit increase from 7,000 pounds per two months to 8,500 pounds per two months beginning July 1, 2010 for periods 4 and 5, and 8,000 pounds per two months for period 6.**

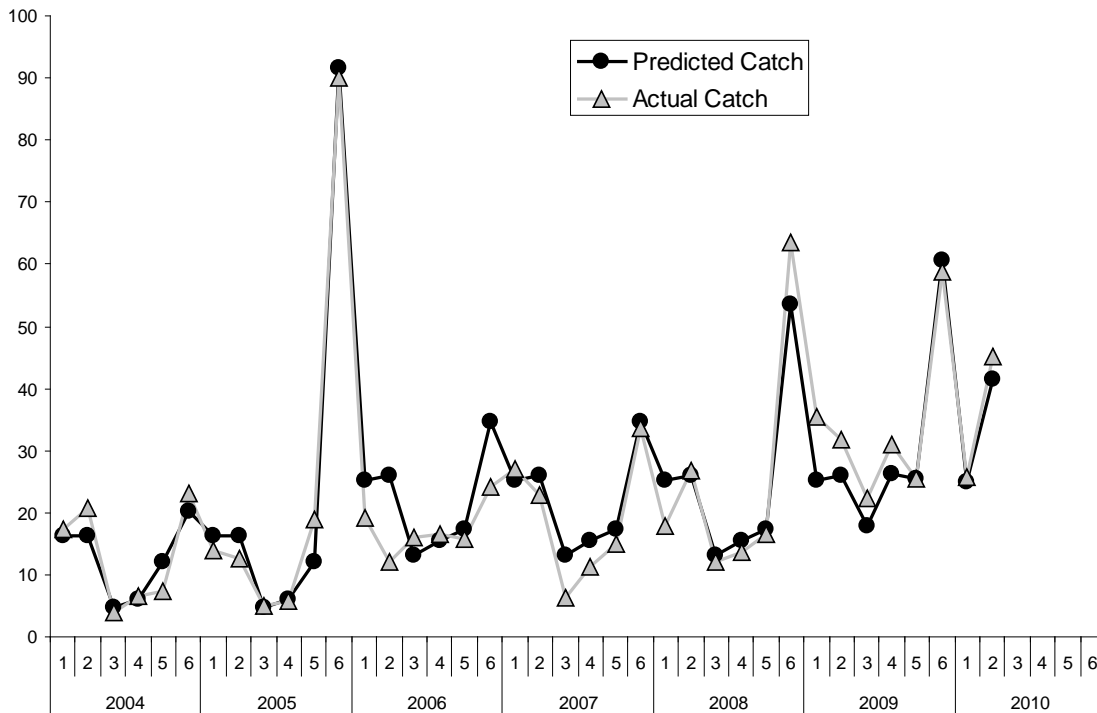


Figure 1. Actual versus predicted landings of sablefish for the Limited Entry Daily Trip Limit sablefish fishery, north of 36° N Lat.

*Open Access sablefish DTL fishery North of 36° N Latitude:*

The GMT received a request from the GAP to increase bimonthly trip limits for the Open Access DTL sablefish fishery north of 36° N. lat.

Catch in the first four months of the fishery have not been good predictors of annual landings in recent years, and weekly and bimonthly limits are already scheduled to increase on July 1, 2010. Also the fishery is on track to achieve their allocation. **The GMT does not recommend a further increase to the open access sablefish DTL trip limits north of 36° N. lat. at this time.**

*Incidental Catch of Lingcod in the Salmon Troll Fishery*

The GMT seeks clarification regarding the Councils intent for a regulation that limits the retention of lingcod for salmon troll fishermen. The current regulation, which was implemented 1 January 2009 states: “.....Salmon troll fishermen may retain and land up to 1 lingcod per 15 Chinook, plus 1 lingcod up to a trip limit of 10 lingcod, both within and outside of the RCA.....” Prior to 2009, salmon troll fishermen were prohibited from retaining lingcod if fishing within RCAs, but were allowed to retain lingcod under open access fixed-gear regulations, up to 400 lbs cumulative per month regardless of salmon catch if all fishing were conducted outside of the RCA.

This potential misinterpretation of Council intent was brought to our attention by industry through an Oregon Department of Fish and Wildlife (ODFW) Report (see Agenda Item B.3.b, Supplemental GMT Report 2, June 2010). The GMT subsequently examined the 2008

Preliminary Draft chapter 4 of the 2009-10 Groundfish Harvest Specifications and Management Measures Environmental Impact Statement (EIS) (Agenda Item F.4.a, Supplemental Attachment 2, June 2008), in which the analysis for this additional opportunity was completed. In this analysis, it was stated that options “were analyzed to change current regulations to allow retention of lingcod caught inside the RCA.” Furthermore, the Council meeting minutes that discussed this management measure (Minutes, June 6-13, 2008, 194th Council Meeting, Page 59 of 67) show that this “new” regulation may have been pursued to provide opportunities for salmon troll fishermen north of the Columbia River who had no choice but to troll within the RCA since it extended to the shore.

The GMT asks clarification whether the intent of this regulation was to expand opportunities inside of RCAs while still allowing troll fishermen that never enter RCA status quo regulations (i.e., the open access trip limits - 400 lb lingcod per month cumulative limit regardless of the amount of salmon retained).

**The GMT recommends (a) that Council provide clarification on this issue, and (b) consider allowing vessels that do not enter an RCA during a single trip be allowed to retain lingcod under current open access fixed gear fishery regulations with no additional restrictions except trip declarations and Vessel Monitoring System requirements.**

## **Recreational Fisheries**

### *California*

#### California Recreational Fishery Survey (CRFS)

Due to funding constraints, the CRFS program will not be sampling the beach and bank mode in 2010. Interactions with overfished species are extremely rare in this mode, as these species are predominantly found in deeper waters. Thus, overfished species impacts will not go unaccounted for. A proxy estimate of impacts to the species encountered in this mode will be provided.

### **GMT Recommendations:**

1. Increase the chilipepper bimonthly trip limit in the limited entry trawl fishery from 12,000 to 17,000 pounds per two months, to be implemented by September 1, 2010.
2. Adopt the proposed LE trawl trip limits outlined in Table 3 (with the exception of slope rockfish limit in Period 1 North) for implementation by July 1, 2010 to keep projected impacts to sablefish within the trawl allocation and to keep projected impacts to petrale sole below the 2010 petrale sole OY.
3. Increase the LE DTL bimonthly sablefish limit from 7,000 pounds per two months to 8,500 pounds per two months beginning July 1, 2010 for periods 4 and 5, and 8,000 pounds per two months for period.
4. For incidental retention of lingcod in the salmon troll fishery, clarify the original intent and consider allowing vessels that do not enter an RCA during a single trip be allowed to retain lingcod under current open access fixed gear fishery regulations.

PFMC

06/15/10

10:29 a.m.