

GROUNDFISH MANAGEMENT TEAM REPORT ON PRELIMINARY REVIEW OF EXEMPTED FISHING PERMITS FOR 2013-2014 GROUNDFISH FISHERIES

The Groundfish Management Team (GMT) reviewed three exempted fishing permit (EFP) applications for 2013-2014 that were forwarded for review at the November 2011 Council meeting and submitted for approval at this meeting. The GMT's review was based on the evaluation criteria in the Council Operating Procedure (COP) 19 on EFPs. The GMT would like to thank the applicants for their dialogue with the team and for addressing our recommendations from November in the revised applications submitted for this meeting.

The GMT reviewed the EFPs based on their technical merits and points out that the Council will likely need to make their final decision based partially on the availability of overfished species, relative to the 2013-2014 harvest specifications. At this meeting, the Council will be considering and adopting final preferred set aside amounts to be deducted from the annual catch limits (ACLs) or annual catch targets (ACTs) under Agenda Items D.5 and D.9. The total set aside amount will include those reserved for EFPs under this agenda item. Table 1 summarizes the set asides by species and EFP requested by the applicants and the Council's preliminary preferred alternative set asides for 2013-2014 adopted in November for use in the analysis in the draft Environmental Impact Statement.

COP 19 outlines several questions for the GMT to consider when reviewing EFP applications. A primary requirement of EFPs is the evaluation of fishing gear or management measures that can be transferred into regulation and eventually applied fleet-wide. EFPs that rely upon operator experience, skill, or abilities that cannot be harnessed through a regulation or readily replicated by other fishermen, fail to meet this requirement because the resulting bycatch rates may differ from those estimated in the EFP. In addition, the groundfish Fishery Management Plan (FMP) also states that the purpose for EFPs is "to promote increased utilization of underutilized species, realize the expansion potential of the domestic groundfish fishery, and increase the harvest efficiency of the fishery consistent with the Magnuson-Stevens Act and the management goals of the FMP."

During discussions with the GMT, the applicants suggested that there was strong market demand for hook-and-line caught fish due to differences in product quality and increasing consumer sensitivity to how seafood is caught. They suggested that this contributes to hook-and-line fisheries becoming more profitable for fishery participants. They also anticipate this market will increase into the future. Given the opportunity to prosecute their EFP applications, the applicants suggested that these gear and fishing methods may provide more opportunities for existing and new entrants into the fishery by lowering barriers to entry (e.g., in terms of cost to enter the fishery) and making this fishery more attractive. This may be particularly important for fishing communities that no longer have a strong trawl presence. The GMT notes that this discussion and potential implications for fishery participants and communities is consistent with some of the stated purposes in COP 19.

Evaluation of an epibenthic trolled longline to selectively catch chilipepper rockfish (Sebastes goodei) off California – Kathy Fosmark.

The goal of this EFP (Agenda Item D.4.a, Attachment 1) is to evaluate the effectiveness of a longline fishing technique that targets chilipepper rockfish in the mid-water area (80-120 fm) of the rockfish conservation area (RCA) in central California, while avoiding overfished species. The GMT notes that the Council approved a similar EFP application submitted by the same applicants proposing to use this fishing technique in 2009 but the fishery never got underway. The application submitted for approval at this Council meeting is essentially the same as what was approved in the past, with revisions to better describe the components of the gear configuration, provide historical catch information intended to support the need to access inside the non-trawl RCA, and address concerns with fishing in the RCA.

In November (Agenda Item E.3.b, Supplemental GMT Report), the GMT suggested that while we understood the applicants need to maximize the harvest of target species to pay for fishing operations that includes 100 percent observer coverage, fewer than 1,000 hooks per set should be deployed per set to avoid the possibility of large catches of overfished species. The GMT notes the revision to the application that explains that a minimum of 500 hooks per set is needed to fund the observer coverage and that no more than 1,000 hooks would be deployed per set. The GMT discussed the value of the “test set” proposed in the application to assess the fishing grounds for the presence of overfished species before the longline is deployed and that this should help avoid a large catch of overfished species.

The GMT sees the value in the data that could be gathered from this EFP and based on technical merit supports Council approval for 2013-2014.

Yellowtail rockfish jig fishing off California – San Francisco Community Fishing Association / Barbara Emley and Dan Platt.

This EFP (Agenda Item E.4.a Attachment 2) is intended to test commercial jig gear that is configured to selectively target yellowtail rockfish in mid-water (30-100 fm) areas of the RCA in northern California while avoiding harvest of overfished species. The GMT discussed the applicants revisions to their proposal from November to address concerns expressed by the GMT and other advisory bodies such as; reporting trips to the West Coast Groundfish Declaration Line and using banners to identify vessels fishing inside the RCA as “EFP Fishing”, to better describe the gear configuration to avoid the bottom and document past yelloweye catch.

The applicants explained that the majority of fishing under this EFP would occur in the area south of 40°10' N. lat. with less targeted to the north. To more clearly describe the estimated catch relative to species specific and species complexes in the area north and south of 40°10' N. lat., the set aside for chilipepper S. of 40°10' N. lat. was reduced from 12 mt to 10 mt and the minor shelf rockfish N. of 40°10' N. lat. was increased from 1 mt to 3 mt to account for potential catch north and south of 40°10' N. lat. The set aside for yellowtail rockfish, the target species for this EFP, was reduced from 30 to 10 mt in the area north of 40°10' N. lat. and the minor shelf rockfish complex south of 40°10' N. lat. was increased from 1 mt to 30 mt to address the catch of yellowtail managed in the shelf complex in this area. The applicants explained that while the minor shelf complex south of 40°10' N. lat. was increased, they expect the majority of the catch to be comprised of yellowtail rockfish.

The applicant also requested 1.0 mt of black rockfish to cover any catches that may occur while fishing in the shallower depths. The GMT notes that black rockfish are covered under a state issued nearshore permit and cannot be landed without this permit. It is uncertain at this time

whether the applicants have the appropriate permit necessary to land black rockfish (note: nearshore permits are issued to individuals, not vessels). As such, the GMT recommends removing black rockfish from the list of species to be retained.

The GMT sees the value of the data that could be gathered from this EFP and based on its technical merits, supports Council approval with suggested modifications to list of species, for 2013-2014.

Supporting a spatial analysis of the distribution and size of rebuilding stock in the Rockfish Conservation Area through directed fishing surveys – Central Coast Sustainable Groundfish Association / Roger Cullen and Chris Kubiak.

This EFP is intended to use fishing and remotely operated vehicles (ROV) surveys within the RCAs to generate new data on the presence of rebuilding stocks and their stock status (Agenda Item D.4.a, Attachment 3). Hook and line and trap surveys within the RCA would allow for mapping the distribution of rebuilding species and collection of biological information on stock status to inform spatial fishing plans, potential future reconfiguration of the RCA, and stock assessments. The proposed ROV surveys are intended to assess rebuilding species densities and habitat association. This EFP was recommended for SSC review and the application submitted for Council approval at this meeting includes revisions based on the SSC's input.

In addition to those revisions, the GMT appreciates the discussion and clarification by the applicants on several other issues outlined below.

The application requests exemption from the trawl RCA but an exemption from the non-trawl RCA will be needed since they will be using non-trawl gear. This is only a minor change and the applicants noted it would not impact the proposed fishing areas as described in the EFP.

Since the applicant is proposing to cover catches with individual fishing quotas (IFQ), the GMT notes an exemption from the vessel cap use limits may be needed to prosecute this EFP more effectively. Non-IFQ species would be subject to the IFQ trip limits.

The GMT recommends that if the applicants want to test the use of descending devices that they should focus this on the area outside the RCA during normal fishing activities where it wouldn't require an EFP. While this information would be extremely valuable, we don't see that it fits within the purpose of the EFP.

The GMT notes that the updated application includes a new proposal to test traps to effectively catch lingcod without impacts to overfished species that was not included in the original proposal approved for public review. The applicants explained that it was added to collect some additional data opportunistically if time and quota allow but the results won't be used in the core analysis. The GMT does not support the inclusion of this gear test in the EFP as it doesn't fit with the original purpose. It was also not reviewed by the SSC nor was it available for public review.

The applicants have proposed to use line gear as part of this EFP yet there is no clear description of this gear. Based on discussions with the applicants, the GMT believes that this gear would qualify as a "legal gear", but notes that further discussions with Enforcement Consultants may be warranted.

The GMT sees the value of the data that could be gathered from this EFP and based on technical merit supports Council approval for 2013-2014, with the exception of evaluating descending devices in the RCA and the proposal to test lingcod traps. Because IFQ catch in this EFP is covered by quota pounds and non-IFQ catch is covered by trip limits from the trawl allocation; there are no considerations for set aside amounts.

Consideration of Set-Asides

The GMT discussed the two mid-water EFP applications that rely on set asides relative to the differences between the Council PPA set aside amounts approved in November, and the set aside estimates provided by the applicants.

The applicants have requested set asides that are higher for bocaccio, canary, and yelloweye rockfish than the Council PPA. Based on our discussion with the applicants, the GMT understands that the set aside amounts proposed by the applicants are the minimum amount they estimate is needed to prosecute their EFPs.

If the Council chooses to revise their set aside amounts from the PPA to accommodate what is needed by the applicants the GMT notes that it would change the off the top deductions from the ACL which would affect the fishery harvest guideline. Depending on the species and fishery sector, there may be changes to sector specific allocations. At the applicant requested set aside amounts, if there are no other changes to the off the top deductions, the range of changes may not be enough to impact management measures analyzed in the DEIS for species other than yelloweye rockfish. For yelloweye rockfish the difference may be enough to impact one or more sectors allocation enough to impact management measures.

If the Council recommends the EFP's for 2013-2014 the GMT understands that the set-aside values in Table 1 would be necessary for the applicants to complete their proposed EFPs.

GMT Recommendations:

1. The GMT finds technical merit in all three EFP applications.
2. The GMT recommends approval of all three EFP applications.
3. If the Council adopts the EFPs, the GMT recommends amendment of the EFPs as outlined above.

Table 1. Applicant requested EFP set asides for 2013 and 2014 in mt. (SFSCA = San Francisco Community Fishing Association; CCSGA = Central Coast Sustainable Groundfish Association.

	Species	Fosmark ^a (Attachment 1)	SFCFA ^b (Attachment 2)	CCSGA ^c (Attachment 3)	EFP Total	Council PPA
Overfished Species	Bocaccio	3.000	3.000	covered with IFQ quota lbs.	6.0	2.6
	Canary	1.500	1.500		3.0	0.8
	Cowcod	0.015	0.015		0.03	0.02
	Darkbl	0.100	0.100		0.2	0.2
	POP	-	-		0.0	0.0
	Widow	9.000	9.000		18.0	18.0
	Yelloweye ^d	0.023	0.023		0.05	0.02
	Petrals	-	-		0.0	0.0
Non-Overfished Species	Lingcod N of 42° N lat. (OR & WA)	-	-	covered with IFQ quota lbs.	0.0	0.0
	Lingcod S of 42° N lat. (CA)	0.500	1.500		2.0	1.9
	Pacific Cod	-	-		0.0	0.0
	Sablefish N. of 36° N lat. ²	3.000	1.000		4.0	10.0
	Sablefish S. of 36° N lat.	-	-		0.0	0.0
	Dover Sole	-	-		0.0	0.0
	English Sole	-	-		0.0	0.0
	Arrowtooth Flounder	-	-		0.0	0.0
	Starry Flounder	-	-		0.0	0.0
	Other Flatfish	-	-		0.0	0.0
	Chilipepper S. of 40° 10' N lat.	200.000	10.000		210.0	200.0
	Splitnose S of 40° 10' N. lat.	1.500	1.500		3.0	0.5
	Yellowtail N of 40° 10' N. lat.	-	10.000		10.0	30.0
	Shortspine Thornyhead N. of 34° 27' N. lat.	-	-		0.0	0.0
	Shortspine Thornyhead S. of 34° 27' N. lat.	-	-		0.0	0.0
	Longspine Thornyhead N. of 34° 27' N. lat.	-	-		0.0	0.0
	Longspine Thornyhead S. of 34° 27' N. lat.	-	-		0.0	0.0
	Minor Slope Rockfish N. of 40° 10' N. lat.	-	1.000		1.0	0.0
	Minor Slope Rockfish S. of 40° 10' N. lat.	1.000	1.000		2.0	5.2
	Minor Shelf Rockfish N. of 40° 10' N. lat.	-	3.000		3.0	0.0
	Minor Shelf Rockfish S. of 40° 10' N. lat.	1.000	30.000		31.0	30.2
	Black Rockfish N. of 46° 16' N. lat. (WA)	-	-		0.0	0.0
	Black Rockfish S. of 46° 16' N. lat. (OR & CA)	-	1.000		1.0	0.0
Pacific Whiting	1.000	1.000	2.0	2.3		
Cabezon N. of 42° N. lat. (OR)	-	-	0.0	0.0		

Cabezon S. of 42° N. lat. (CA)	-	-	-	0.0	0.0
Shortbelly	-	-	-	0.0	0.0
California Scorpionfish	-	-	-	0.0	0.0
Longnose Skate	-	-	-	0.0	0.0
Other Fish ^e	1.000	1.000	1.0	3.0	3.0

- = no impacts requested

^a set aside amounts updated at the June Council meeting based on input from the applicants

^b set aside amounts updated at the June Council meeting based on input from the applicants to better estimate catch north and south of 40-10 which for some species are managed either as a single species or under a complex.

^c all impacts will come from quota pounds of applicants, except for non-IFQ species

^d there are yelloweye impacts in attachments 1 and 2 however they round to less than 0.1 mt (0.023 mt for each one, totaling 0.045 mt)

^e 1.0 mt put in as a place holder

PFMC
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