

GROUND FISH ADVISORY SUBPANEL REPORT ON SCOPING FOR AMENDMENT 24: IMPROVEMENTS TO THE GROUND FISH MANAGEMENT PROCESS

The Groundfish Advisory Subpanel (GAP) listened to the presentation by Dr. Kit Dahl regarding Amendment 24 to the groundfish fishery management plan (FMP) and discussed several issues related to this scoping session. For this statement, we reference Attachments 1 and 2 under this agenda item.

Overwhelmingly, the GAP members recognize the need for a more efficient harvest specifications and management measures process and suggest Amendment 24 move forward, provided it does not detract from regulatory work already in progress.

This is merely the first pass at an idea for changing this process so the GAP did not want to provide detailed recommendations at this point beyond suggesting an ad hoc committee, as proposed in Attachment 2, be organized to develop and discuss ideas.

The GAP's primary discussion centered around issues members felt could cause complications that potentially increase the complexity of a process already mired in procedural muck. Specifically:

1. **Increasing the length of the management period:** Developing a comprehensive environmental impact statement (EIS) for a specified timeframe, five years or more, or an open-ended timeframe was initially dismissed as a bad idea. Of utmost concern was the potential inability to incorporate new science or unexpected management issues. These may be alleviated, provided National Marine Fisheries Service (NMFS) can assure the industry of at least two things:
 - a. **Red light/green light:** This is a process that was attempted in the past but not approved for use by the Pacific Council, as it was on the East Coast. Under the Pacific Council's Groundfish Fishery Management Plan (FMP), new biological data cannot be used to increase ACLs in the middle of a management period, only to decrease them. Compare that to the situation in New England: In October 2011, in the middle of New England's management cycle, NOAA/NMFS approved a 56 percent increase in the amount of Northeast skate fishermen could land in 2011-12 based on updated scientific information presented at the June New England Fishery Management Council (NEFMC) meeting. NMFS used an emergency action that increased fishermen's quotas for their fishing year that began in May 2011 and ends in April 2012. The GAP would need assurance that a true red light/green light situation could be used on the West Coast and that the default would *not* be red light/red light.

The GAP questions whether issues such as new gear types and management issues not covered by a comprehensive Environmental Impact Statement (EIS), such as some of those discussed by the Trawl Rationalization Regulatory

Summary

The GAP agrees with the need to review the harvest specifications process but GAP members also are concerned about creating a longer, multi-year process because it could increase the data-staleness problem and make it harder to incorporate new data. This is a critical issue that needs to be addressed as this amendment moves forward.

Ultimately, we feel an ad hoc workgroup is the best option for helping advisory bodies and the Council work through this issue.

The constitution of the group, as identified in Attachment 2, should be small enough to provide the opportunity to get something accomplished yet also voice the concerns from all sectors of the industry. GAP members suggest we should be able to nominate someone not necessarily on the GAP but who has a good understanding of the process and all gear types to participate in the workgroup. The GAP feels it's important to ensure a broad industry perspective is represented; the Groundfish Process Improvements Committee (GPIC) was heavy on the NMFS staff perspective.

There is a critical need for the workgroup to focus on the core responsibilities of setting groundfish specifications and also focusing on Magnuson-Stevens Act (MSA) and related Federal mandates. Rather than plan changes for the existing process, the GAP suggests the ad hoc workgroup consider first reviewing the MSA to determine the bare bones requirements of the Act and then develop processes and procedures that meet those requirements. The GAP also agrees with the Groundfish Management Team (GMT) on this point; examining how NEPA requirements relate to MSA directives is of utmost importance.

Once the core responsibilities and the process to do them are defined, the group can work on the process to balance harvest specifications setting with development and implementation of new management measures aimed at longer-term improvements. It's important not to lose sight of the needs of non-trawl fishery sectors who have received less attention from the Council and NMFS because of the recent focus on trawl rationalization. Other gear types (e.g., fixed-gear sablefish and bycatch issues, recreational fisheries, new open access gear types) and/or issues that could benefit the industry and also, in some instances, benefit the process as a whole (e.g., exempted fishing permits) need to be given consideration.

Additionally, we advise requesting someone involved in the North Pacific NEPA and EIS processes – or advisors from other areas – share their knowledge with the group in an effort to provide alternate views and ideas. It was indicated to the GAP that someone from the North Pacific has already expressed an interest in assisting us with this work.

PFMC
03/05/12