

GROUND FISH ADVISORY SUBPANEL REPORT ON
CONSIDERATION OF INSEASON ADJUSTMENTS

The Groundfish Advisory Subpanel (GAP) and the Groundfish Management Team (GMT) engaged in a joint discussion regarding potential inseason actions for 2012. The GMT discussion was led by Dr. Sean Matson. Having completed this meeting, the GAP wishes to recommend for inseason consideration the following:

Trawl RCA north of 40°10' to 48°10' N

The GAP and the GMT discussed modifying the shoreward boundaries of the trawl RCA under trawl rationalization. The GAP is concerned the current shoreward RCA configuration is too restrictive for fishermen north of 40° 10' N to effectively prosecute their intended fishing strategies. The GAP believes behavior of individual trawl fishermen under rationalization will ensure risk-averse fishing since no fisherman wants to risk exceeding their individual quota for any quota species. Trawlers know the areas in which they can fish and avoid bycatch of overfished species. With that said, the GAP recommends the following for inseason consideration:

Adopt a 100-fathom shoreward boundary line north of 40° 10' N to 48° 10' N for fishing periods 3 and 5

10 percent carryover quota

The GAP received a report from Ms. Jamie Goen regarding the current status of the previously approved 10 percent carryover from 2011 to 2012 for the trawl catch share program. The GAP has serious concerns regarding the final outcome of this issue, which will be addressed in a later agenda item. While it is understood that a legal problem exists due to the potential to exceed the annual catch limits (ACLs), the GAP also recognizes that fishing plans, quota pounds (QP) transfer and future quota share sales arrangements already exist based on assurances that the National Marine Fisheries Service (NMFS) has confidence this legal problem will be resolved.

Additionally, we were advised by Ms. Jamie Goen that carryover pounds are not transferrable. This is a new development that surprised the entire GAP and members of the trawl industry. Furthermore, it's a situation that can result in stranded fish.

It's the GAP's understanding that there are going to be restrictions on trading or transferring carryover quota pounds from 2011 and that vessels that participate in risk pools or similar co-ops will be particularly disadvantaged. We think this is a significant problem not just for single vessels but for the formation of risk pools, which the Council has encouraged.

The GAP concerns are as follows:

1. Decisions have been made based on NOAA/NMFS' prior approval of the program, including the 10 percent carryover.
2. The proposed fix for 2012 includes carryover of only those species predetermined, with a 10 percent carryover plus the projected annual landings, to fall below the ACL.

Those economic and resource critical species such as Pacific whiting, sablefish and petrale, because the ACL is likely to be fully subscribed due to economic and fishing opportunities, can be accurately anticipated to exceed the ACL when the actual landings are combined with a potential 10 percent carryover.

3. The natural progression of this approach accepts that there could be stranded fish in risk pool and co-op holding accounts and in those situations in which the carryover results in more than the annual limit in the vessel account.

Additionally, non-transferrable carryover QP may be stranded if they are unfished by the vessel to which they are initially carried over and therefore are unavailable to others in the fleet for the purposes of covering deficits.

Risk pool holding accounts, by design, are the result of commingling quota pounds from several contributors. The carryover from a holding account could be stranded at year end if a participant were to leave the pool because carryover is not anticipated to be transferrable.

Daily trip limit (DTL) open access and fixed-gear sablefish reporting

Background

In 2011, the GMT and GAP reported issues with tracking landings of sablefish north of 36° N. latitude against the (DTL) fishery and the primary tiers within the Pacific Fisheries Information Network (PacFIN). Based on those reports, the Council requested the Pacific Coast Fisheries Data Committee (Data Committee) explore potential solutions.

The GAP recommends a combination of the following alternatives provided by PCFDC under Agenda Item F.6.b.:

“Increase Compliance with Existing State Regulations: State laws currently require permits be assigned to fish tickets. There are no federal regulations requiring permit numbers on fish tickets, yet the preamble to the proposed and final rule that implemented the sablefish permit stacking program in 2005-06

requested state compliance (see 70FR59296 and 71FR10614). In the event multiple permits are assigned to one vessel and landing (as in the case of fishing multiple tiers on one vessel), separate fish tickets are completed and each ticket identifies the permit to which the catch is attributed.”

“(From the Data Committee Report, Page 1): The Data Committee identified increasing compliance with existing regulations as one solution for tracking primary vs. DTL landings. This solution appears to satisfy the desires of the GMT, NWFSC, NWR, and enforcement.”

“Track Primary Season Poundage for the Tiered Permits (Data Committee Report, pages 3-4): Another approach discussed by the Data Committee was the possibility of determining whether a landing was part of the tier or DTL fishery based on whether the tier permit had caught all of its available quota (taking into account whether the tier fisheries were open and whether more than a threshold amount was left on the permit).”

The GAP reviewed alternatives 3 and 4 from the Data Committee report and rejected both as viable solutions.