

GROUND FISH ADVISORY SUBPANEL REPORT ON ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR) FOR NATIONAL STANDARD 1 GUIDELINES

The Groundfish Advisory Subpanel (GAP) considered the advance notice of proposed rulemaking for National Standard 1 (NS1) guidelines and offers the following comments. The GAP focused on the seven issues highlighted in the Situation Summary and has organized their comments accordingly.

1. Further consideration of the criteria and utility for identifying ecosystem component (EC) species within an Fishery Management Plan (FMP) which are not required to have biological reference points or annual catch limits (ACL).

The GAP did not have any particular recommendation on identification of EC species; however, the GAP believes there are species in the Groundfish FMP that meet the definition of an EC species and probably should be so specified. More importantly, there are species in the FMP, such as California slickhead, that probably should be removed from the FMP since fishery interactions within the species distribution are negligible. The Amendment 24 process or considerations for restructuring stock complexes anticipated in the 2015-2016 specifications process should consider EC species designations and/or removing select species from the FMP.

2. Alternative definitions of overfishing which would take into account a longer, multi-year view.

The GAP had a strong focus on this issue and believes the concept of multi-year ACLs may solve many of the problems that currently plague groundfish fisheries. Specifying multi-year ACLs that are longer-term averages of projected ACLs may stabilize management and enable fishermen more certainty in designing business plans. Our current system injects too much variability and uncertainty into harvest specifications causing needless instability in fisheries. Much of this variability results from assessment uncertainty and statistical noise. A multi-year average ACL will tend to smooth out the variability. Most groundfish stocks are long-lived, underscoring the reasonableness of averaging multi-year ACLs.

Multi-year ACLs may be the best mechanism to allow proper implementation of the surplus carry-over provision in the IFQ fishery. As the Scientific and Statistical Committee (SSC) stated in their April statement,

“In the event annual catch limits are inadvertently exceeded, the SSC does not view relatively modest interannual departures from annual ACLs as cause for concern from a biological perspective. Once the TIQ system stabilizes, rollovers to the following year may act to balance rollovers from the previous year. Ensuring that OFLs are not exceeded is an adequate additional constraint to ensure that the annual departures from ACL do not have biological impacts.”

The flexibility afforded by provision of multi-year ACLs ensures sustainable limits are specified while allowing the fishery to operate smoothly. Uncertainty in implementing the carry-over

provision may tend to cause fishermen to avoid surpluses, fish to deficit, and, in the worst case, cause a race to fish.

3. Clarification of the relationship and importance of economic, social, and ecological factors in the determination of ACLs and their relationship to optimum yield (OY).

This is a critical issue for industry and management of west coast groundfish fisheries. The GAP has long maintained there has been more emphasis on conservation objectives in rebuilding overfished stocks and not enough emphasis on the needs of fishing communities. The Magnuson-Stevens Act requires that both objectives be given equal weight in making management decisions. There is a problem when our current socioeconomic models cannot differentiate impacts between a wide range of ACL alternatives, yet slight differences in rebuilding duration receive much more emphasis. The impact analysis of the effects of canary ACLs in the 2013-14 specifications process highlights this imbalance. Clearly, 30 extra tons of canary will help the fishery operate more smoothly in the next management cycle. It is unacceptable when the Council cannot depart from the preliminary preferred ACL that rebuilds in the same year as the next higher alternative because of the shortcomings of socioeconomic models. If there was more emphasis on socioeconomic impacts in management decision-making, there would be more effort to improve socioeconomic models and more emphasis on socioeconomic impacts when making decisions.

The GAP also believes that the National Standard 1 (NS1) guidelines should address the best way to consider the “rebuilding paradox” where fishery interactions with an overfished species increase as the stock rebuilds. Constant catch scenarios in such a case result in increasing restrictions to fisheries and harm to fishing communities to maintain an accelerated rebuilding schedule. It would be helpful to emphasize the efficacy of constant harvest rate strategies in cases where the rebuilding paradox is evident in a rebuilding plan.

4. Further guidance on establishing OY in mixed-stock fisheries where achieving the OY for some abundant stocks may be precluded.

While a mixed stock exception has never been implemented in a west coast management decision, the GAP recommends there should be allowance for a mixed stock exception for extreme cases that may arise in the future.

5. Overly precautionary ACLs resulting from reductions due to both scientific and management uncertainty.

The GAP has no specific recommendations for changing the NS1 guidelines for this issue; however, the GAP suggests, in some cases, ACLs may be overly precautionary because precaution is applied at each decision point between OFL and ACL.

6. Determining how to apply management criteria to data-poor stocks.

The GAP sees no reason to change NS1 guidelines relative to application of management criteria to data-poor stocks.

7. A review of acceptable biological catch (ABC) control rules that might aid in the improvement and consistency of their application and also in guidance for how to consider carry-over (unharvested allocations) from one year to the next within the rule.

The GAP believes revised NS1 guidelines should clarify criteria for deciding an overfishing probability (P^*). Overfishing probability is supposed to address the uncertainty associated with estimating the OFL. However, the lack of clear guidelines on deciding P^* or the ABC has led to confusing and inconsistent P^*/ABC decisions. It appears in some cases that the Council has made their P^*/ABC decisions as a way to reverse-engineer the ACL decision or to cap the range of ACLs analyzed in the specifications process. That is, considerations for deciding the ACL have been used to decide the ABC. Clear guidelines for deciding P^*/ABC would enable more tractable debate on harvest levels that would separate scientific uncertainty from considerations for deciding the ACL.

PFMC
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