

GROUND FISH MANAGEMENT TEAM REPORT ON CONSIDERATION OF INSEASON ADJUSTMENTS FOR 2011

On November 3, 2010 the National Marine Fisheries Service (NMFS) published a proposed rule to implement biennial harvest specifications and management measures for 2011 and 2012 (75 FR 67810). As the Council knows, NMFS also announced that the implementation of the final 2011-2012 harvest specifications and management measures (“the SPEX”) will be delayed. With this delay, harvest specifications and management measures that were in place during 2010 will remain in place as described below in “Interim Rollover of 2010 Regulations” until they are superseded.

This rollover in regulations requires re-visitation of the scorecard because the catch sharing reflected in the current scorecard is based on the cancellation of exempted fishing permits (EFPs), research projects, and other adjustments made inseason. This appears to be an issue primarily for yelloweye. In addition, there are certain inseason adjustments needed irrespective of the SPEX delay based on information gained after the Council identified its final preferred 2011 alternatives in June.

Given time constraints, our priority here is on obtaining additional guidance from the Council for the second inseason session on Monday (Agenda Item H.6) We have other issues we were unable to include here and will bring those forward on Monday.

The primary guidance we are looking for at this time includes:

1. Yelloweye catch sharing:
 - First, consideration of “off the top” deductions for research and EFPs;
 - Second, guidance on catch sharing between fishery sectors (primarily the trawl, non-nearshore, nearshore, and recreational sectors fisheries).
2. Conception area sablefish
 - Council guidance on the catch sharing percentages to use for the open access and limited entry sectors.

Interim Rollover of 2010 Regulations

FMP section 5.4 provides that *"in the absence of an approved recommendation at the beginning of the biennial fishing period, the current specifications in effect at the end of the previous biennial fishing period will remain in effect until modified, superseded, or rescinded."*

This means that the acceptable biological catch (ABC)/optimum yield (OY) tables from the end of 2010 will still be on the books, so the harvest specifications for all species at the start of 2011 will be the same as what was in place at the end of 2010. For example, this means: 14 mt

yelloweye rockfish OY; 1,200 mt petrale sole OY; 105 mt canary rockfish OY; 330 mt darkblotched rockfish OY with a 288 mt harvest guideline; etc.

NMFS has informed the Council that they still expect the trawl fishery will be managed as a rationalized fishery in 2011. Regulations that were linked to the 2011-12 SPEX that implemented portions of the rationalized trawl fishery will be implemented by NMFS in an emergency rule (e.g. issuing quota pounds, etc.).

Non-trawl commercial fishery management measures that are scheduled for a calendar year are in the Federal trip limit tables. So the non-trawl commercial fishery management measures that will “rollover” for January 1, 2011 are those that were in place in the 2010 trip limit table schedule.

Recreational fishery management measures are a little different when they rollover compared to the trip limit tables since they are written out in paragraph form. The Federal regulations regarding recreational fisheries will not change and will “rollover” for January 1, 2011 from what was in place for the 2010 recreational fisheries for WA, OR, and CA.

Considering Yelloweye Catch Sharing - Scorecard Adjustments

The GMT made the following adjustments to the post-September inseason 2010 scorecard for yelloweye:

Scientific Research, EFPs and Other “Off-the-top” Deductions

The 2011 EFP(s) have different anticipated yelloweye rockfish impacts than those in 2010. As the Council heard this morning, Oregon Department of Fish and Wildlife (ODFW) has decided to cancel their EFP to collect biological data on yelloweye rockfish. This reduces the projected impacts from EFPs in 2011 (pending final approval by the Council) from 0.2 mt to 0.1 mt of yelloweye rockfish. The GMT further notes that the 0.1 mt cap of yelloweye for the Regulatory Flexibility Analysis (RFA) EFP has already been issued for 2011.

As for research catch, the International Pacific Halibut Commission (IPHC) survey takes the highest yelloweye catches. In 2010, the Council had planned for 1.1 mt of yelloweye but the survey only encountered 0.3 mt. ODFW and Washington Department of Fish and Wildlife (WDFW) both canceled their enhanced portions of that survey reducing 2010 research catch by 2.0 mt from what had been planned at the beginning of the year. In June the Council decided to set aside 1.0 mt each for the ODFW and WDFW surveys for 2011, 1.1 mt for the IPHC survey, and 0.2 mt for other research projects. ODFW informed the GMT that they do not have funding to restart the survey in 2011. WDFW is still in the planning stages but has indicated that they are still interested in conducting research. We are also aware that IPHC is considering conducting pilot studies or other modifications to their survey, and impacts to yelloweye from those activities are unknown at this time. These changes are still in the discussion stages and we have not received information to use to evaluate potential catch. The 1.0 mt reduction from the ODFW cancellation may be sufficient yet we just do not know at this time. The decision on IPHC research for 2011 will likely be issued at their annual meeting in January.

The GMT calculated what would be available to fisheries after the off the top deductions are made to the OY (Table 1).

Table 1. Breakdown of “off the top” deductions for yelloweye at the start of 2011

2010 OY	14
EFP	0.1
Tribal	2.3
Research	3.3
OA Incidental	0.2
Sum	5.9
Fishery HG	14 - 5.9 = 8.1 mt

Considering Yelloweye Allocations (Trawl, Non-trawl) and Non-trawl Catch Sharing – Scenario Used for Analysis

The GMT is requesting guidance regarding how to allocate yelloweye rockfish to the trawl fishery given the SPEX delay. Again, NMFS is issuing quota pounds for the start of 2011 by emergency rule. The scorecard currently identifies a projected impact of 0.3 mt for the trawl sector. The Council’s preferred 2011 catch sharing would have doubled that number to 0.6 mt.

The Trawl Individual Quota (TIQ) program introduces a completely different incentive and management structure than the current trip limit system. Given this, we do not know whether the Council would have chosen to allocate 0.3 mt to the fishery given the choice or would have looked to transfer more fish to the sector from elsewhere.

In case the Council wishes to visit this issue, we present an alternative catch apportionment. We chose to base this alternative apportionment scheme on the March 2010 scorecard. The yelloweye OY was at 17 mt OY yet our assumption was that the sharing proportions reflect the Council’s policy choices better than the June 2010 scorecard. The June 2010 scorecard reflects sharing under a 14 mt OY yet the Council’s options in balancing that scorecard were limited given that the adjustments occurred half way through the fishing year. In addition, 2 mt in savings was achieved by cancellation of the ODFW and WDFW enhanced rockfish surveys. We did not want to assume the Council would have made these same choices had the reduction occurred at the start of a fishing year.

From the proportions in the March 2010 scorecard, we reduced each sector proportionally to bring total impacts down from 17 mt to 14 mt (Table 2). We of course intend these sharing proportions just as a starting point for analysis and as a focus for additional guidance from the Council. We provide discussion of the changes to the rollover management measures that would likely be necessary to keep projected impacts to yelloweye rockfish in each sector below a 14 mt yelloweye OY.

Table 2. Proposed Catch sharing agreement for 2011 given the delay in the 11-12 Spex.

	% by Sector based on March 2010 scorecard	Projected Impacts (mt) March 2010	Targets Under a 14 mt OY
Limited Entry Non-Whiting Trawl	6%	0.6	0.5
Non-nearshore*	8%	0.9	0.7
Nearshore Fixed Gear	12%	1.3	1.0
Washington Recreational (HG)	25%	2.7	2.0
Oregon Recreational (HG)	22%	2.4	1.8
California Recreational (HG)	26%	2.8	2.1
		10.7	8.1

Yelloweye in Commercial Fisheries

Limited Entry Rationalized Trawl Fishery

Under the proposed catch sharing agreement in Table 2, the rationalized trawl fishery would be issued quota pounds based on a 0.5 mt allocation of yelloweye rockfish. At this time, we do not have much information to share in analyzing the different impact of 0.5 mt and 0.6 mt. Assuming an average weight of 2.5 kg per yelloweye, 0.1 mt equals 40 fish. As the Council well knows, the fleet has expressed concern and uncertainty about how low yelloweye allocations affect trawling opportunities on the shelf. If the projected impact of 0.3 mt is an accurate representation of average catch in trawl fishery, it is good to keep in mind that deviations from the average do occur. In the TIQ fishery, these deviations from average will have consequences for individual participants and possibly for the fleet as a whole. As we understand it, the Council’s preferred 2011 amount of 0.6 mt was made in recognition of this uncertainty and meant to provide some buffer. We may be able to provide some analysis of how estimated quota pound (QP) allocations may change between these different amounts for Monday.

Non-Nearshore Fixed Gear

The catch sharing scenario in Table 2 would allow 0.7 mt of yelloweye for the non-nearshore fixed gear fisheries (i.e., limited entry and open access fisheries operating seaward of the non-trawl RCAs). Our projected impact for this fishery is also 0.7 mt. This impact is based on the 2010 regulations carrying over and the 125 fm line being left in place between the Columbia-Eureka line (43° N. lat.) and Cascade Head (45° 03’ 83” N. lat), except on days when the directed halibut fishery is open and the line is 100 fm.

The Council’s preferred alternative for the 2011-2012 SPEX would have moved the seaward Rockfish Conservation Area (RCA) line in this area from 125 fm to 100 fm (opened some fishing area) and increased the projected impact to 0.9 mt. The 2011 preferred alternative would

also assign 1.3 mt to the non-nearshore sectors to accommodate management uncertainty and unexpected bycatch in this fishery.

The 0.7 mt and 0.9 mt projections are based on the Council’s preferred 2011 sablefish annual catch limit (ACL), which is 23 percent lower than the 2010 sablefish OY. These impacts would increase if the sablefish harvest is based on the 2010 sablefish OY to 0.9 mt (with 125 fm line) and 1.0 mt (with all areas at 100 fm).

To reduce yelloweye projected bycatch further, the Council would need to push the RCAs seaward in one or more areas. Table 3 identifies a set of options for incremental reductions to yelloweye bycatch.

Table 3 Estimated reductions in projected yelloweye bycatch (mt) in the non-nearshore fixed gear fisheries under four alternative configurations of the seaward non-trawl RCA boundary. The shaded areas indicate depths closed by the non-trawl RCA seaward boundary.

	40°10' - Col./Eur. line 43°	Col./Eur. line 43° - Cascade Head 45.064°	Cascade Head 45.064° - Pt. Chehalis 46.888°	North of Pt. Chehalis 46.888°	Est. Change
A.	150 fm				(0.1)
	125 fm				
	100 fm				
					Est. Change
B.	150 fm				(0.2)
	125 fm				
	100 fm				
					Est. Change
C.	150 fm				(0.3)
	125 fm				
	100 fm				
					Est. Change
D.	150 fm				(0.4)
	125 fm				
	100 fm				

Considering community impacts, the least restrictive 100 fm line itself places much of the shelf off limits to fixed gear vessels. Sablefish is the most valuable stock in this fishery and still accessible seaward of this line. As the Council has considered in the past, the line does not come without costs to fishing communities (e.g., less fishing area and lost access to certain stocks, increased travel distances and gear competition with other fixed gear and trawl vessels). These impacts are qualitative and cannot be quantified (e.g. they cannot be detected looking just at sablefish ex-vessel revenues). Increasing the size of the non-trawl RCA from this 100 fm baseline would increase those costs, yet again, the increase cannot be analyzed in detail, especially without logbook data from this fishery. In the Draft Environmental Impact Statement

(DEIS) we assume the sectors can and will harvest the full allocation of sablefish even with RCA boundaries pushed to the most constraining configuration analyzed: 150 fm coastwide.

As the Council has discussed several times since the non-trawl RCA was put into place, the dogfish fishery would be impacted by moving the non-trawl RCA beyond 100 fm. This fishery has occurred in the area north of Pt. Chehalis, and while the 100 fm line reduced access to dogfish, a 125 fm or 150 fm line would be expected to eliminate the fishery altogether. Landings have been down in 2009 and 2010 because the major dogfish buyer in Bellingham, WA closed down. The Council heard public testimony in June indicating that there is still interest in targeting dogfish. With the non-trawl RCA in place, the movement of the fish means that the fish are available to the fishery mainly between February and June.

Management Uncertainty for the Non-Nearshore Fishery - New Bycatch Data Suggests Increased Impacts

The 2009 Total Mortality report shows that this fishery is one of two where we under projected yelloweye bycatch in that year. We had projected 0.9 mt and the estimated catch was 1.3 mt (a 44 percent difference). The Council's 2011 preferred alternative of a 17 mt yelloweye annual catch target (ACT) allowed for the 1.3 mt allocation to non-nearshore fixed gear and would just accommodate this management uncertainty. A 14 mt OY is more likely to require management measures inseason (i.e. a 150 fm line or closure).

Tables 10 and 11 in the Total Mortality report shows that the increased yelloweye catch came from the open access and non-primary LE sectors. The tables show that those two sectors encountered yelloweye in 2009 at double the rate we use in the model.

The Total Mortality report does not break out bycatch rates into the area and depth stratifications that we need to update the model. We have therefore not been able to thoroughly evaluate the effect of the increased 2009 catch. Roughly speaking, a 44 percent increase in catch would raise the projected yelloweye impact from 0.7 mt to 1.0 mt. We will need to closely examine these new rates when we receive them in January and incorporate them into the model for Council's consideration in March. We typically average bycatch rates across years, especially when coverage rates are small, so it is unlikely that the project impact will increase by that full 44 percent. We may be able to examine the increased catches more closely for Monday.

Although we are unsure where and at what depth the most yelloweye bycatch was observed, we have some indication that the highest yelloweye catch occurred in the Columbia/Eureka to Cascade Head and north of Pt. Chehalis areas. These two areas have shown the highest yelloweye catches in these non-nearshore fisheries.

Limitation on Our Ability to Analyze Inseason Adjustments in the Non-Nearshore Fishery

The non-nearshore model is not set up for inseason adjustment. We do not have projections of how catch is spaced throughout the year. Another limitation on our ability to analyze seasonally variable RCA configurations relates to the fact that participants in the LE primary fishery can harvest their sablefish any time within the season (Apr 1 – Oct 31). With this flexibility, participants may choose to fish the bulk of their tiers during the time of year when the RCA boundaries are less restrictive.

If the Council were to start out with more restrictive RCAs and liberalize later in the season, we could bracket the projected impact with the impacts from the two RCA configurations. We would expect the impact to be lower than the impact from the less constraining RCA scenario yet could not be able to quantify how much lower.

Nearshore Fixed Gear

The amount of yelloweye rockfish available to the nearshore fishery based on the March scorecard scenario is 1.0 mt. Due to time and workload constraints the GMT did not conduct any individual model runs to achieve 1.0 mt. Several analyses were conducted as part of the 2011-12 biennial specifications (Appendix C, Integrated Alternative Analyses) which could be accommodated by 1.0 mt of yelloweye. There are many “moving parts” to the nearshore fishery model, including the sharing agreement between Oregon and California. Importantly, the estimates of landings listed in Appendix C could vary for each state depending on the yelloweye catch sharing agreement between the states. Generally speaking, Oregon nearshore fisheries would see reductions to landed catch ranging from approximately 30-50 percent depending on the individual species. The 20 fm depth restriction will remain in place between 42° N. lat. and 43° N. lat.

Depending on the yelloweye catch sharing agreement chosen, a 20 fm depth restriction may have to be implemented coastwide for California. At a minimum, the 20 fm depth restriction must remain in place between 40°10' N. lat. and 43° N. lat. Reductions to landed catch may be necessary to stay within yelloweye impacts, but those reductions will not be as severe as Oregon and may vary by area. In certain instances increased opportunities may be afforded for California due to the differences in bycatch rates between the states.

Any reductions or increases to landed catch in the nearshore fishery are based on the no action alternative analyzed under the 2011-12 SPEX, which is equivalent to the June 2010 inseason action and where projected yelloweye impacts are 1.1 mt.

Yelloweye in Recreational Fisheries

Washington

Washington is still in the process of evaluating the yelloweye harvest impacts for 2010 relative to projected impacts modeled during the 2009-2010 biennial cycle.

At the June Council meeting the GMT analyzed management measures necessary to keep coastwide yelloweye harvests under a 14 mt OY. At the time, Washington recreational harvest projections were updated to reflect more conservative estimates of discard mortality implemented in 2010 than were used in the 2009-2010 management model and resulted in revised projected impacts for yelloweye rockfish of 1.9 mt. The Washington portion of the yelloweye harvest guideline was kept at 2.7 mt to address yelloweye harvests that were tracking somewhat higher than in 2009. Yelloweye impacts updated to reflect catch through September 2010 are at 2.0 mt. Given the low recreational fishery effort in October this amount is likely close to the final estimate for 2010. The final yelloweye rockfish impacts under identical management measures in 2009 were 1.6 mt. The difference in the yelloweye impacts seen in

2009 and 2010 point to management uncertainty and the difficulty in projecting precise harvest impacts from year to year, even when management measures haven't changed.

There are different options for addressing the rollover of 2010 regulations to 2011 under a reduced yelloweye OY of 14 mt. Under the yelloweye catch apportionment described in Table 2 the Washington recreational harvest guideline for 2011 would be 2.0 mt; a reduction of 0.7 mt from the 2009-2010 harvest guideline used to project yelloweye impacts under current management measures. Depth restrictions are the most effective tool for managing yelloweye impacts and are used to a greater extent in Washington's central and northern areas where yelloweye rockfish encounter rates are the highest. If the Washington recreational fishery is required to manage to a 2.0 mt harvest guideline for 2011 more restrictive depth restrictions for the Washington north coast area may be necessary to keep yelloweye impacts under the harvest guideline. Current management measures for the north coast (Marine Areas 3 and 4) already restrict the recreational fishery to the area seaward of 20 fathoms from May 21 through September 30. Management measures analyzed for the 2011-2012 biennial management cycle show reduced projected impacts for yelloweye rockfish by implementing the 20 fathom depth restriction earlier in the year. More restrictive management measures would reduce fishing opportunity for anglers traveling to remote coastal ports along the north coast and could reduce the number of fishermen willing to travel to these areas under reduced opportunities. Businesses in these areas rely heavily on income generated by recreational anglers that come to the north coast during the relatively short recreational fishing season in Washington.

Oregon

Depth management is the main tool used for controlling yelloweye rockfish catch in the Oregon recreational fishery. Changes to the bag limit in the Oregon recreational model have minimal affect on the projected yelloweye rockfish impacts.

Table 4 shows projected yelloweye impacts for the Oregon recreational fishery under various depth restrictions scenarios, to stay within the 1.8 mt yelloweye allocation in Table 2. Projections were made assuming a Pacific halibut quota equivalent to the 2010 level. Any depth restriction scenario that limits the recreational fishery to inside of 20 fathoms will effectively close all fishing grounds out of several Oregon ports, including Garibaldi, Gold Beach and Port Orford (Agenda Item B.7.b., Supplemental ODFW Report 1, June 2010). The closure of these grounds will greatly reduce the number of people fishing, both private and charter, out of these ports, which in turn affects the fishing related and support businesses in these and other coastal communities in Oregon. Allowing fishing to occur out to 30 or even 25 fathoms opens up some grounds out of those ports; however, it will concentrate effort into smaller areas than already occur under the seasonal 40 fathom restrictions outlined in the proposed 2011-2012 harvest specifications and management measures rule. Additionally, having a year round depth restriction (no all depth fishing January through March and October through December) eliminates opportunities to fish for lingcod, a highly sought after and underutilized species in the Oregon recreational fishery.

Table 4. Projected Oregon recreational seasonal depth scenarios to meet the 1.8 mt yelloweye allocation currently projected by the GMT.

Alternative	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YE impacts
Status quo (no action)	All-depth				40-fm				All-Depth				2.4
1	40-fm				30-fm				40-fm				1.8
2	30-fm												1.7
3	25-fm								All-Depth				1.7
4	25-fm							40-fm					1.6
5	25-fm												1.6

California

Season and depth restriction diagrams (Figure 1) as well as corresponding impacts on overfished species (Table 5) and non-overfished species (Table 6) under the March Scorecard Scenario are provided below. The reduction in the yelloweye rockfish ACL from 20 mt with a 17 mt ACT to 14 mt as in 2010 will result in a reduction in the California recreational harvest guideline from 3.1 mt under the Council adopted apportionment to 2.1 mt under the March Scorecard Scenario. Depth restrictions North of Point Arena where yelloweye are more common are already at the shallowest possible depth of 20 fm, thus reductions in season lengths are the only viable option for reducing impacts. Continuation of the 14 mt OY would require a reduction in the season lengths in Management Areas north of Point Conception compared to both the status quo 2010 season length and the 2011 season adopted by the Council in June.

The reduced harvest guideline (HG) will necessitate a one month reduction in season length in the already highly constrained three-month season in the Mendocino Management Area from the status quo 2010 season and Council adopted season for 2011, resulting in the loss of the last two weeks in July and the first two weeks of August. This represents a 33 percent reduction in season length which would have severe adverse implications for fishing opportunity, closing the season during the prime summer fishing months of July and August adding to the previous loss of late August through December fishing opportunity since 2007. The season in the Northern Management would remain the status quo in 2010, but would be 1.5 months shorter than the 2011 season adopted at the June Council meeting. In the San Francisco Management Area, the season length would have to be reduced by one half month relative to the Status Quo season three months relative to the season adopted by the Council for 2011 at the June meeting. This forgone period includes the closure of the November and December season overlap with the open season for Dungeness crab, enhancing fishing opportunity and driving increased fishing effort that provides much needed income to fishing communities during the holiday season. The season length in the Central Management Areas would increase a half month relative to the status quo, though it would be a month shorter than the season adopted by the Council which would have allowed anglers to target both crab and groundfish in December, which as described

above is important to fishing communities. The reductions in season length would result in reduced income to fishing communities and the impacts would be felt by many of the fishing communities identified in the community vulnerability analysis as those most dependent on groundfish for their economic well being, including Fort Bragg, Shelter Cove, Eureka, Trinidad and Crescent City. In no Management Area does the groundfish fishing season provide for year round fishing opportunity, which is a stated management goal in the Fishery Management Plan intended to provide year round employment to those dependent on the fishery for their income.

Given the current 2010 yelloweye rockfish catch tracking, the California recreational fishery is expected to remain well below 2.1 mt in 2010 and sufficient residual remains to accommodate the season length adopted for the 2011-2012 season by the Council in June as projected through the remainder of the year. The lower than projected impacts are in part due to outreach efforts, which will continue in future seasons, though catch may vary from year to year or from projections based on other unpredictable factors such as weather, fuel prices and other fishing opportunities that are not accounted for in the projection model. With weekly catch tracking for yelloweye rockfish, action could be taken inseason if necessary to close the fishery to prevent an overage. If the 20 mt ACL and 17 mt ACT adopted by the Council were in place prior to the June Council meeting, providing a 3.1 mt HG for the California recreational fishery, this would decrease the likelihood that inseason action, which would be disruptive to vacation and business plans, would be necessary.

Figure 1. California recreational fishing season and depth restrictions under the March Scorecard Scenario and the difference in season length compared to the Status Quo and Council adopted season for 2011.

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Months	Change vs. No Action (Months)	Change vs. Council Adopted (Months)
Northern	CLOSED				May 14 – Sep 15 <20fm							4.0	0	-1.5	
Mendocino	CLOSED				May 14 - Jul 15 <20 fm						2	-1	-1		
San Francisco	CLOSED					Jun 11 – Oct 15 <30 fm						4.0	-0.5	-3	
Central	CLOSED				May – Nov < 40 fm						7	0.5	-1		
Southern	CLOSED	Mar – Dec < 60 fm									10	0	0		

Table 5. Projected impacts to overfished species in the California recreational fishery under March Scorecard Scenario.

Species	HG (mt)	Projected Impacts (mt)	2011 Percent HG
Yelloweye Rockfish	2.1	2.1	100%
Bocaccio	66.3	54.7	82%
Cowcod	0.3	0.17	57%
Canary Rockfish	22.9	8.0	35%
Widow Rockfish	NA	9.3	NA

Table 6. Projected impacts to non-overfished species in the California recreational fishery under the March Scorecard Scenario.

Species	Projected Impacts
Black Rockfish	143.9
Blue Rockfish	164.5
Cabazon	21.6
California Scorpionfish	63.8
California Sheephead	31.7
Greenlings	9.4
Lingcod	182.9
Minor Nearshore North	7.8
Minor Nearshore South	326.1

Commercial Fisheries Guidance

Limited Entry and Open Access Sablefish Fishery South of 36° N. lat.

The 2010 trip limit structure for both sectors were modified at the September 2010 meeting and on October 1, 2010 lower trip limits were implemented for both sectors due to the higher than anticipated effort in the area. However, modeling the 2011 fishery in the south will be simplified somewhat because The Nature Conservancy exempted fishing permit currently operating in this area will not be renewed for 2011, and so sablefish landings under an EFP will not have to be tracked separately from the fishery impacts.

If the Council chose not to modify trip limits at this meeting, the trip limits in place on January 1, 2010 would remain in effect (Limited entry = 400 lb/day, 1,500 lb/week; Open access = 400 lb/day, 1,500 lb/week, not to exceed 8,000 lb/2 months). GMT believes that more conservative limits would be warranted for 2011 because under the 2010 trip limit structure effort was higher than anticipated and large restrictions were necessary inseason to keep the catch below the sablefish OY.

The GMT recommends taking action now because if the Council chose to wait to reduce trip limits at the March or April meeting (assuming May 1, 2010 implementation), we estimate that both sectors in combination could take 62 percent of the non-trawl allocation within the first two periods. In such an eventuality, the Council would need to react with drastic reductions to trip limits to maintain year round fishing opportunities.

In addition, our modeling of trip limits is complicated by the fact that sablefish has not been formally allocated between the limited entry and open access sectors in the Conception Area. We need a specific numerical target to design trip limits for each sector and therefore **request Council guidance to determine the catch sharing percentages to use for each sector**. In September 2010 inseason, the Council adopted trip limits using a historical catch sharing of 40 percent for the limited entry and 60 percent for open access. If the Council chose to use that same catch sharing for 2011, the trip limit for limited entry would be 1,800 lb/week (no daily limit) and open access would be 300 lb/ day, 950 lb/week, not to exceed 2,900 lb/2 months. The GMT notes that these calculations assume an open access fleet of 50 vessels and could be an underestimate of actual impacts.

Commercial Fisheries – Preview of Second Inseason

As noted in the introduction, we plan on bringing several issues to the Council during second inseason that we could not get to here. We preview some of these here in case the Council wishes to give guidance now, add issues we may have missed, identify issue that should be held off until the March meeting, etc.

Limited Entry Rationalized Trawl Fishery

For second inseason we will discuss:

- the potential need for adding trip limits for non-IQ species in the NMFS emergency rule.

- the RCA boundaries that the Council adopted for the rationalized trawl fishery and whether those should be implementation by NMFS for January 1, 2011 given the higher than anticipated catch of darkblotched rockfish in 2009 and 2010.

Limited Entry Fixed Gear Fishery for Sablefish North of 36° N. lat.

Models used to project landings by the Limited Entry Fixed Gear fishery for sablefish suggest that if used for 2011, that the sablefish allocation for this fishery will be exceeded by 6 percent. The GMT may bring forth trip limit options for this fishery during the second session of inseason.

Open Access Fixed Gear Fishery North of 36° N. latitude

Two approaches were used to predict landings by the Open Access Fixed Gear Fishery. One was based on landings rate during 2010 (which was used in the 2011-2012 DEIS), whereas the other used a model developed by the GMT. The former approach, which assumes no change in trip limits between 2010 and 2011 suggests that the 2011 harvest guideline will not be exceeded. The latter approach, however, suggests that the 2011 harvest guideline would be exceeded by 15 percent if we apply 2010 trip limits. Hence, the GMT plans to provide the Council with trip limit options for this fishery during the second Inseason.

Minor Nearshore Rockfish North of 40°10' N. lat.

In 2009, the minor nearshore rockfish trip limit was restructured in response to new stock assessments for black and blue rockfish. The black rockfish component of the trip was increased from 6,000 lb/2 months to 7,000 lb/2 months and blue rockfish was included in with the lower sub-limit for other nearshore rockfish species (1,200 lb/month) to keep catches within the statewide blue rockfish harvest guideline. With these management measures in place, total catch of minor nearshore rockfish north of 40°10' N. lat. was 64.1 mt. We will be exploring whether these same management measures in 2010 will continue to keep catches within the proposed 2011 ACL of 99 mt.

Limited Entry Fixed Gear Fishery for Sablefish South of 36° N. lat.

During 2010 we removed the daily limits for sablefish in this fishery beginning in September to increase flexibility for fishermen. The GMT could consider revisions to the rolled-over trip limits in this fishery to maintain the flexibility that was given during 2010. Why? Why not? One reason we may want to keep conservative trip limits is because we have had challenges controlling sablefish catch, particularly in the OA South fishery. But with there being no formal allocations for sablefish in this area the GMT may need to consider what actions will be necessary to prevent exceeding the OY, and these actions could affect the limited entry fixed-gear (LEFG) fishery.

GMT Recommendations

1. Give guidance on:

- a. Yelloweye “off the top” adjustments for research and EFPs
- b. Yelloweye catch sharing between sectors to begin January 1, 2010 under a 14 mt OY

- c. Catch sharing of Conception Area sablefish between limited entry and open access sectors**
- d. Other analyses the Council would or would not like to see for the second inseason session**

PFMC
11/6/10