



November 11, 2021

Mr. Marc Gorelnik, Chair
Pacific Fishery Management Council
7700 NE Ambassador Pl # 101
Portland, OR 97220

RE: Agenda Item E.5 Groundfish Management Measures 2023-24 – Shortbelly Rockfish

Dear Chair Gorelnik and Council members:

Our organizations request the Pacific Fishery Management Council (Council) retain and adopt “a prohibition on a directed fishery for shortbelly rockfish” in the final list of management measures to be included and analyzed in a Groundfish Fishery Management Plan Amendment, as part of the 2023-2024 specifications and management measures package at this meeting.

Existing measures to prevent directed fishing on Shared Ecosystem Component Species have proven successful at preventing directed fishing on important forage species without impacting the industry’s ability to land target species. In the absence of an alternative proposal, we request the Council move forward by adopting a Groundfish FMP amendment to prohibit a directed fishery on shortbelly rockfish in the 2023-24 specifications and management measures package, and define the prohibition in regulation consistent with existing Shared Ecosystem Component Species landings prohibitions as follows:

1. Landing 10 mt of shortbelly rockfish from any fishing trip;
2. Landing 30 mt of shortbelly rockfish in any calendar year; or
3. At-sea retention and processing of shortbelly rockfish in amounts more than 40 mt of shortbelly rockfish in any calendar year.

This approach can be implemented as part of this specifications package and bring this issue to a swift and satisfactory conclusion. Through this action the Council would establish precautionary protections for one of the top forage species on the West Coast consistent with other forage species protected under the Council's Fishery Ecosystem Plan; support a \$67 billion blue economy¹; have no or little impact on existing commercial fisheries; and support NOAA's Ecosystem-Based Fisheries Management Road Map,² and Climate and Fisheries Initiative.³

Off the U.S. West Coast, shortbelly rockfish are one of the top prey items for seabirds, marine mammals, and sharks, as well as commercially and recreationally important fish such as salmon and tunas. Shortbelly rockfish are caught as incidental bycatch primarily in the Pacific whiting fleet off Washington, Oregon, and northern California. We recognize the fleet strives to avoid capturing shortbelly rockfish and does not currently have interest in targeting shortbelly rockfish. Despite this, incidental catch has increased, sometimes dramatically, in recent years. Recognizing the importance of shortbelly rockfish as a primary support for the marine ecosystem, in 2011 the Council set a low Annual Catch Limit (ACL) to discourage bycatch and prevent a directed fishery from developing, while allowing maximum efficiencies for the groundfish fleet. The Council identified the low ACL for shortbelly rockfish in its Fishery Ecosystem Plan as an ecosystem-based management measure to mitigate the impact of fishing on the environment or ecosystem.⁴

In 2019, incidental catch of shortbelly rockfish exceeded the 500 mt ACL without accountability measures in place to address the overage. The Council then increased the ACL six-fold to 3,000 mt for the 2020 season. In 2020, faced with workload concerns and speculation that incidental catch might continue to increase, the Council removed shortbelly rockfish from "in the fishery" and reclassified it as an "Ecosystem Component" species through Amendment 29 to the Groundfish Fishery Management Plan.⁵ Amendment 29 eliminated protections provided by the Magnuson-Stevens Fishery Conservation and Management Act, most notably, the requirements to implement annual catch limits and measures to prevent overfishing. This action left shortbelly rockfish entirely vulnerable to a new directed fishery and eliminated the regulatory incentive to minimize bycatch of shortbelly rockfish.

Recognizing this threat, and to re-establish measures to achieve its objective of preventing a directed fishery from developing, in March 2021 the Council "prioritized analyzing a prohibition of directed fishing for shortbelly rockfish, given the growing global fishmeal market."⁶ In June 2021, the Council formally added a prohibition on directed fishing for shortbelly rockfish to its draft list of priority new management measures to be included in 2023-2024 specifications. In

¹ 2018 combined GDP of all ocean sectors in California, Oregon, and Washington. National Ocean Economics Program Ocean Economy Data. www.oceaneconomics.org

² NOAA. 2018. Ecosystem-Based Fisheries Management Road Map. NOAA Fisheries Procedure 01-120-01 <https://www.fisheries.noaa.gov/resource/document/ecosystem-based-fisheries-management-road-map>

³ NOAA. 2021. "NOAA's Climate and Fisheries Initiative will provide the climate, ocean and ecosystem information and capacity needed to assess risks, identify adaptation strategies and safeguard both marine and Great Lakes resources and the communities that depend on them." <https://media.fisheries.noaa.gov/2021-08/NOAA%20Climate%20and%20Fisheries%20Initiative%20Fact%20Sheet.pdf?VersionId=null>

⁴ https://www.pcouncil.org/documents/2013/07/fep_final.pdf/

⁵ <https://www.pcouncil.org/documents/2020/06/f-1-a-supplemental-gmt-report-3-shortbelly-rockfish-recommendations-for-2021-2022.pdf/>

⁶ Reduction fisheries effort to supply wild fish meal markets has increased globally in the last several years, and increased abruptly from 9 million tons in 2019 to over 12 million tons in 2020.

September 2021 the Council reaffirmed the list and the Groundfish Management Team developed a preliminary analysis.⁷

However, NMFS⁸ and the state of Oregon⁹ in their November 2021 Report on E.5, are now recommending not moving forward with this action in the 2023-2024 specifications package, citing overall workload concerns. Given the Council's abrupt removal of ecosystem-based management protections, its stated goal to prohibit directed fishing, and its repeated commitments to restore precautionary protections, it would be irresponsible to further delay action at this time or wait until March 2022 to re-assess how this action fits into future groundfish workload planning.

Furthermore, at the June 2020 Council meeting, the Council set a 2,000 mt threshold of cumulative shortbelly rockfish catch in a calendar year that would trigger further Council consideration of management measures or reclassification of shortbelly rockfish as "in the fishery." Any FMP amendment should include this threshold and specify a range of in-season management measures that could be implemented to reduce catch of shortbelly rockfish if the trigger is reached or exceeded.

The Council has a responsibility to restore precautionary protections for shortbelly rockfish. This action will address a substantial threat to ecosystem-based management and the coastal economy, and support the Council's and the Biden Administration's goals for marine conservation and climate-ready fisheries.

In sum, we request the Council and NMFS adopt and implement a prohibition on a directed fishery for shortbelly rockfish in a Groundfish FMP amendment as part of the 2023-2024 groundfish harvest specifications and management measures.

Sincerely,

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⁷ <https://www.pcouncil.org/documents/2021/08/c-8-a-gmt-report-1-groundfish-management-team-report-on-2023-24-biennial-harvest-specificati.pdf/>

⁸ "We [NMFS] do not see an immediate need at this time to pursue a prohibition on a directed shortbelly rockfish fishery through the biennial specifications process for January 1, 2023." <https://www.pcouncil.org/documents/2021/10/e-5-nmfs-report-1-national-marine-fisheries-service-report-on-biennial-management-measures-for-2023-24-and-beyond.pdf/>

⁹ <https://www.pcouncil.org/documents/2021/10/e-5-odfw-report-1-oregon-department-of-fish-and-wildlife-report-on-2023-2024-groundfish-management-measures-targeted-shortbelly-rockfish-fishing-prohibition.pdf/>