

**ADVISORY PANEL
Motions and Rationale
June 6-8, 2023 - Sitka, AK**

D1 Small Sablefish Update

Motion

PURPOSE AND NEED

Large year classes of sablefish result in significant catches of small sablefish in the IFQ fixed gear fisheries. Small sablefish have low commercial value and current regulations require IFQ holders to retain all sablefish. Available data suggest that survival rates for carefully released sablefish are high. Limited operational flexibility to carefully release sablefish may increase the value of the commercial harvest ~~without compromising~~ and allow small fish to contribute to the overall biomass.

ALTERNATIVES

~~Alternatives (Preliminary) Preferred Alternative (to be completed after Council selects a PPA)~~

Alternative 1, No Action

Under the No Action alternative, all regulations and FMP language related to a prohibition on discarding sablefish would remain intact. Those regulations include 50 CFR 679.7(d)(4)(ii) and 50 CFR 679.7(f)(11). Additionally, discarding is prohibited in both the BSAI and GOA Groundfish FMPs in the fourth provision under General Provisions section 3.7.1.7, prohibiting discarding of sablefish.

Alternative 2, Allow Release of Sablefish in the IFQ Fishery

This alternative would eliminate the regulatory restrictions that prohibit release of sablefish caught by sablefish IFQ vessels as well as the FMP provision prohibiting discarding.

Option 1: eliminate the regulatory restrictions that prohibit release of sablefish caught by sablefish IFQ vessels as well as the FMP provision prohibiting discarding.

Option 2: Allow release of sablefish under 22 inches (still require retention of sablefish 22 inches or longer)

Element 1: DMRs

Apply a DMR to released sablefish of:

1. 5%
2. 12%
3. 16%
4. 20%

Sub-option: Select different DMRs for pot gear and hook and line gear

Element 2: Catch Accounting

Option 1: Released sablefish mortality will be estimated using observer and EM data with a DMR applied annually as part of the specifications process.

Option 2: Released Sablefish mortality will be estimated pre-season based on AFSC longline survey encounter rates of sub-three pound (round weight) sablefish with the DMR applied annually as part of the specifications process.

Element 3: Release Mortality Accounting

Sablefish release mortality associated with the IFQ fishery will be accounted for in the stock assessment. The analysis should describe the potential implications of voluntary discards on the sablefish stock assessment and specifications process in the context of other uncertainties.

Element 4: Monitoring and Enforcement

The analysis should describe potential monitoring and enforcement provisions that could improve estimates of voluntary and regulatory discards

~~**Option 1:** Under alternative 2 option 2: Waive enforcement penalties on retained undersized fish for one to three years~~

Element 5: Review Process

This amendment will be reviewed following implementation

1. 3 years
2. 5 years

Motion as amended passed 17/1

Rationale in Favor of Motion:

- *The objective of this motion is to propose a voluntary release program for fixed gear fishermen.*
- *A significant portion (80 to 85%) of the current biomass of sablefish consists of non-spawning fish. This is due to a series of unprecedented successful new year classes. Releasing small sablefish can help protect their reproductive capacity and ensure the long-term sustainability of the species*
- *There was discussion at the AP that the Council could consider specific language to clarify "Careful Release" of sablefish as this term could be arbitrary.*

- *This 2023 fishing season, many vessels are reporting a decrease on average of 40% in ex vessel value. The small sablefish, under 2 lbs are fetching prices of 45-65 cents whereas in previous years and historically they averaged \$1/lb up to \$4. The influx of small fish has created a high amount of economic uncertainty for IFQ sablefish vessels and has started to create a shift in fishing practices to volume. Sablefish has historically been a high value, low volume fishing model, but at current prices, it's not economically viable for most vessels.*
- *Some processors are experiencing a lack of market for the under 2 lb dressed fish (sub 22 inch). The current abundance of small sablefish has negatively impacted the overall market for all sizes of sablefish. By releasing these small individuals, the motion aims to alleviate the market drag caused by the influx of undersized fish and stabilize the value of the resource.*
- *At the end of the three or five-year period, the council should conduct a comprehensive review of the program's effectiveness and assess its impact on sablefish populations. This review could inform future decision-making regarding the continuation, modification, or expansion of the voluntary release program. Allowing a three to five-year period for the voluntary release of small sablefish will enable some of these fish to grow and mature into spawners. This could help facilitate a restructuring of the sablefish resource towards a more balanced and mature set of year classes, contributing to the long-term sustainability of the fishery.*
- *The sablefish IFQ Fishery is a data rich fishery with a long time series. The sablefish resource is surveyed every year in the Gulf of Alaska, and the Bering Sea and Aleutian Islands are surveyed on alternating years. The fleet also provides both mandatory and voluntary logbook data all of which can help to demonstrate potential impacts of small sablefish release.*
- *A careful analysis of the necessary monitoring needs in this action is important. Comments from FMA in regards to necessary levels of monitoring and sampling design, should be considered especially noting that increasing observer workload and maintaining discrete samples on small vessels is very difficult.*
- *The AP noted that although the Small Sablefish Release is specific to the IFQ fishery, uncertainty in the specification process could potentially have impacts on trawl sector allocations overall, and specifically the CGOA Rockfish Program sector sablefish allocation. Although a small piece of the overall Alaska TAC, this sector allocation provides an important supplemental revenue stream for vessels who are also struggling with small sablefish, poor markets, high fuel prices, and stressors in the other fisheries that make up their business plan. It is critical to ensure a comprehensive understanding of the action's effect on all sablefish stakeholders.*

Rationale Against Motion:

- *Concerns were expressed that the release of small sablefish will not help to conserve the stock or SSB, rather it will put extra pressure on the spawning stock.*
- *Concerns were raised over how voluntary release may add uncertainty to the stock assessment and that the degree of uncertainty will be inconsistent and market driven.*
- *Shifting effort towards larger fish will have a negative impact on the spawning stock biomass. It is preferred for removals to be along the stock distribution.*
- *Voluntary Sablefish release may represent inconsistency in management principle if full retention is considered in other fisheries in the future. The NPFMC should not be moving away from full retention. This action could stifle gear selectivity innovation and prevent future development of markets for smaller fish. To develop climate resiliency, it's important for harvesters and processors to be able to sell the fish that are being harvested within a fishery.*

- *Regardless of DMR (currently uncertain) this action will increase bycatch in the sablefish fishery. Under the Magnuson-Stevens Act, the term "bycatch" means fish which are harvested in a fishery, but which are not sold or kept for personal use, and includes economic discards as well as regulatory discards.*