

ADVISORY PANEL
Motions and Rationale
February 1-5, 2021 - Anchorage, AK

C3 Small Sablefish

The Advisory Panel recommends the Council initiate another review draft of the IFQ Sablefish Release Allowance paper. This analysis should include the two additional elements listed below and the SSC's recommendations.

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. Operational flexibility to carefully release sablefish may increase the value of the commercial harvest and allow small fish to contribute to the overall biomass.

ALTERNATIVES

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 Voluntary 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.

³Option 1: minimum retention size of 59 cm

Element 1: DMRs

Apply a DMR to discarded sablefish of:

- a. 5%
- b. 12%
- c. 16%
- d. 20%

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

Element 2: Catch Accounting

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

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

Element 3: Discard Mortality Accounting

Sablefish discard 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.

Element 4: Monitoring and Enforcement

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

Element 5: Include a scheduled program review ¹in (8, 10, 12) after an option of 3 or 5 years ²and have an annual update report

Element 6: Require careful release of all released sablefish (fish returned to the water immediately with minimum of injury)

Amendment¹ passed 19-1

Amendment² passed 17-3

Amendment³ to add Option 1 passed 18-2

Main Motion as amended passed 14-5

Rationale in Favor of Amendment 1:

- *The current analysis highlights several “red flags” (areas of concern) indicating that the action alternative may not have the desired outcome. If implemented, a review of the action after a shorter time frame than originally proposed would sooner identify whether allowing the release of small sablefish has had its intended effect when compared to any potential negative outcomes. Waiting until the originally proposed 8, 10, or 12 years could result in long-term damage to the stock and/or fishery.*

Rationale in Favor of Amendment 2:

- *In a time of quickly changing ocean conditions and changes in fish stocks, waiting 3 or 5 years for a full review to assess the impacts of small sablefish release may be too long and may result in detrimental impacts to the spawning stock biomass. For example, with GOA cod, which is only surveyed every two years, the TAC suddenly decreased by 80% in 2018. With biennial surveys done in the GOA, it is important to not have the sablefish stock or the sablefish fishery face a similar situation as with cod in the 2017 survey. Implementing an immediate annual reporting requirement in conjunction with a full review will help concerns and/or negative impacts from this action be identified early.*

Rationale in Favor of Amendment 3:

- *Given the interaction between the biological and economic trade-offs of sablefish size and price, inclusion of the option for a 59cm minimum retention limit (e.g., fishers engaging in voluntary discards would only do so for sablefish less than 59 cm) should be considered under this action. Further research and analysis will help to evaluate the demographic impacts of this highly size-selective retention selectivity and equilibrium catch under a harvest rate of F40, as well as the ability of the Alaska sablefish population to recover from historically low spawning biomass levels under this option. This type of analysis would encompass an Exponential or Logistic, knotted/spliced approach to the knife edge at 59 cm or 3 pound dressed weight. The current YPR analyses include the effects of Logistic, Exponential and*

Knife-Edge Selectivities under varying mortality rates. The current YPR analysis does not include the effects of a combination of Knife-Edge and Exponential selectivities or of the combination of Knife-Edge and Logistic selectivities, as would be the case under "Option 1". This is important to include in analyses as the Knife-Edge selectivity assumes all 3 pound and under fish would be released under varying mortality rates and demonstrates exponential retention selectivity results in less than 50% of all fish caught being retained and a landed catch that is highly skewed towards mature females. The combination of selectivities of "Option 1" may demonstrate different results.

Rationale in Favor of Main Motion as Amended:

- *British Columbia, Washington, and the State of Alaska all have fishery regulations that either require the release of small sablefish or allow for the release of small sablefish. It is only in Alaska's federal waters that fixed gear fishermen are required to retain juvenile sablefish.*
- *The addition of proposed Element 5 is to ensure a scheduled program review to assess the efficacy of the action for prudent and responsible management. The addition of proposed Element 6 is a statement of intent to capture the goal of interested stakeholders to carefully release juvenile sablefish to help insure their viability and continued contribution to the resource as well as the viability of the fishery (allowing them to grow to a more marketable size and reach maturity before harvest).*
- *At the time of this recommendation, it is understood that the SSC recommended the analysis come back for an additional initial review with new analytical components incorporated, including an age-structured model and this motion is intended to be consistent with their recommendations.*
- *Available data suggest that survival rates for carefully released sablefish are high. Operational flexibility to carefully release sablefish provided under this action may increase the value of the commercial harvest and allow small fish to contribute to the overall biomass. Another initial review analysis with its added analytical components will provide the Council with greater insight to the fisheries effects of Alt. 2 (and minimum retention limit) in the directed sablefish fishery.*
- *This motion reflects public testimony received by directed sablefish fishery stakeholders regarding their desire for a program amendment that would allow for the careful release of juvenile sablefish.*

Rationale in Opposition to Main Motion as Amended:

- *Over the long-term, and in the absence of continuous (year after year) large incoming classes (sablefish recruitment is episodic), this action may not be as beneficial of a solution for the directed fishery as originally anticipated. The YPR analysis shows a disproportionate impact to SSB from this action under periods of low recruitment such that landings, fishery efficiency, and fishery value will be even further reduced overtime (due to reductions to ABC) beyond what would occur under status quo. As such, given the desire to address recent large sablefish year classes, a sunset provision should be included in this action if it is to move forward.*
- *This action will likely have negative impacts upon catch accounting given the significant uncertainty associated with determining discards, which is further exacerbated given the multiple strong year classes currently on the grounds. The analysis shows accounting for released fish under Alt.2 could be overestimated due to the survey sampling all sablefish habitat while fishermen target more productive grounds with larger fish. Conversely, there is*

question as to whether this method could also underestimate the amount of fish under 3 pounds being released due to the impacts of the increasing shift to pot gear not being able to be fully teased out. In 2020, 66% of 1-3 pound sablefish were harvested by pot gear, which has a higher rate of interaction with 3 and under fish than hook and line gear.

- *Released sablefish estimates from the AFSC survey would be subject to a one year lag, which may misrepresent the age structure of the current year's biomass when computing OFL and maxABC. This is compounded in the BSAI where surveys occur bi-annually. Currently, where there is a buffer between the ABC and TAC, this possible underestimation may not be problematic. However, looking at the long term, if recruitment decreases, this uncertainty in accounting of released fish could have negative impacts.*
- *In addition to catch accounting concerns, this action will have detrimental impacts upon the sablefish stock assessment and will introduce greater levels of uncertainty at a time when the PTs, SSC, and Council are working to define and minimize sources of uncertainty. Alaska's globally recognized success for sustainable fisheries management can be largely attributed to its precautionary management, the foundation of which comes from its groundfish Tier system and harvest control rules. The Council's groundfish harvest control rules are not set-up to accommodate a voluntary discard program and this action will have negative consequences on the stock assessment process. While additional analytical components are being requested, it is not anticipated that they will provide greater clarity or alleviate concerns regarding these significant negative impacts, therefore, this action should not go forward.*
- *Under this proposed action, and especially with the addition of Option 1, the current observer program is not set up to sample as would be needed and any changes made to address sampling needs would likely drive up the cost of the observer program. The sablefish/halibut EM observer program does not have a shoreside sampling component and the analysis notes that in order to use EM data to estimate rates of released fish, a new shoreside sampling program would need to be created. As the directed sablefish fleet is spread out from the Eastern Gulf to the Bering Sea, it would be expensive to create an adequate sampling program for all regions, which could potentially drive the observer fee higher. The analysis also notes the human observer program is not currently set up to sample released fish and would need to be changed so that there would be higher rates of coverage to get adequate data on released fish (again possibly necessitating an increase in the observer fee).*
- *The inclusion of Option 1 could potentially result in increased handling of released fish compared (when compared to voluntary release without a size limit) such that discard handling mortality rate would also be increased.*