

MEMORANDUM

TO: Council, SSC and AP Members

FROM: 
Chris Oliver
Executive Director

ESTIMATED TIME 2 HOURS All D Items
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DATE: March 19, 2007

SUBJECT: Groundfish Management

ACTION REQUIRED

(b) Final Action on Dark Rockfish management

BACKGROUND

In February, 2007, The Council took initial review of an Environmental Assessment, Regulatory Impact Review and Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) which describes the proposed amendment to remove dark rockfish (*Sebastes ciliatus*) from the GOA and BSAI groundfish FMPs. This analysis was revised following SSC and Council requests and released for public review. The Public Review draft was mailed to you on March 12th. This species is currently contained in the pelagic shelf rockfish (PSR) assemblage in the GOA and in the other rockfish complex in the BSAI. It comprises a small proportion of the total biomass in each complex, is more often found in nearshore waters, and is caught in State fisheries. Removing this species from these FMPs would turn management for this species in both State and Federal waters over to the State of Alaska.

Two actions are analyzed in this document. Action 1 refers to the GOA groundfish FMP, and under this action there are two alternatives: Alternative 1, to continue managing dark rockfish within the larger pelagic shelf rockfish complex; and Alternative 2, to remove dark rockfish from the GOA FMP and turn over to the State of Alaska for management. Action 2 refers to the BSAI groundfish FMP; under this action there are also two alternatives: Alternative 1, to continue managing dark rockfish within the other rockfish complex; and Alternative 2, to remove dark rockfish from the BSAI FMP and turn over to the State of Alaska for management.

There is limited impact in the Federal fishery of removing this species from either FMP. Dark rockfish comprise a small proportion of the total biomass in the GOA PSR assemblage, which is dominated by the target species, dusky rockfish. Impacts to other PSR stocks as well as other groundfish stocks are minimal due to the relatively minor contribution to the overall exploitable biomass from the dark rockfish stock. In the BSAI Dark rockfish makes up a very minor component of the total biomass in the other rockfish complex. This is not a target fishery, and retained catch is dominated by shortspine thornyhead rockfish and dusky rockfish. These two species make up the majority of the biomass in the complex.

Management of dark rockfish by the State is anticipated to be an improvement over Federal management within the PSR complex due to the State's ability to manage this stock as a single stock and on smaller management areas to protect against the potential for localized depletion. There are no anticipated impacts to marine mammals, seabirds, threatened or endangered species, habitat or the ecosystem.

At this meeting, the Council will select its preferred alternative. The executive summary of the analysis is attached as Item D-2(b)(1).

AGENDA D-1(b)(1)
APRIL 2007

EXECUTIVE SUMMARY

This Environmental Assessment, Regulatory Impact Review and Initial Regulatory Flexibility Analysis describes the proposed amendment to the Gulf of Alaska Groundfish and Bering Sea Aleutian Islands Groundfish Fishery Management Plans (FMPs). This amendment proposes to remove dark rockfish (*Sebastes ciliatus*) from the GOA and BSAI groundfish FMPs. This species is currently contained in the pelagic shelf rockfish (PSR) assemblage in the GOA and in the other rockfish complex in the BSAI. It makes up a small proportion of the total biomass in each complex, is more often found in nearshore waters, and is caught in State fisheries. Removing this species from these FMPs would turn management for this species in both State and Federal waters over to the State of Alaska.

The following problem statement is proposed for this analysis:

Dark rockfish are a nearshore, shallow water species which are rarely caught in offshore, Federal waters. For management purposes they are contained within the pelagic shelf rockfish complex in the GOA, whose OFL and ABC are based primarily on the stock assessment for dusky rockfish which makes up the majority of the total exploitable biomass estimate for the PSR complex. In the BSAI dark rockfish are contained within the other rockfish complex whose biomass is largely comprised of dusky rockfish and thornyhead rockfish. As dark rockfish have now been identified as a separate species, are found in nearshore, shallow waters, and could potentially be locally overfished within the larger PSR complex TAC in the GOA, the Council should consider removing this species from the GOA groundfish FMP thereby transferring their management to the State of Alaska. For consistency in management the Council should also consider removing this species from the BSAI FMP.

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Environmental Assessment

There is limited impact in the Federal fishery of removing this species from either FMP. Dark rockfish comprise a small proportion of the total biomass in the PSR assemblage, which is dominated by the target species, dusky rockfish. Impacts to other PSR stocks as well as other groundfish stocks are minimal due to the relatively minor contribution to the overall exploitable biomass from the dark rockfish stock. Dark rockfish makes up a very minor component of the total biomass in the other rockfish complex in the BSAI. This is not a target fishery, and retained catch is dominated by shortspine thornyhead rockfish and dusky rockfish. These two species make up the majority of the biomass in the complex.

Management of dark rockfish by the State is anticipated to be an improvement over Federal management within the PSR complex due to the State's ability to manage this stock as a single stock and on smaller management areas to protect against the potential for localized depletion. There are no anticipated impacts to marine mammals, seabirds, threatened or endangered species, habitat or the ecosystem.

Regulatory Impact Review

Removal of dark rockfish from the pelagic shelf rockfish complex in the GOA could result in minor decreases in the pelagic shelf rockfish TAC, but since dark rockfish are such a small part of the stock of the complex any decline in the TAC is likely to be nominal. Removal of dark rockfish from the other rockfish complex in the BSAI will result in a minimal decrease in the TAC for this complex.

Initial Regulatory Flexibility Analysis

Transfer of management of dark rockfish to the State is likely to result in some changes in regulation of catch. The State could develop a directed fishery for dark rockfish, most likely for fixed gear vessels. Since fixed gear vessels tend to be small, it is possible that the development of such a directed fishery would have a positive impact on small entities, by increasing fishing opportunities. The IRFA in this document is preliminary until the Council selects a preferred alternative. At that point, the potential impact on affected small entities of the action will be developed further in the analysis.