

Small Sablefish Release: Final Action

Presentation to the Enforcement Committee

March 2025

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NOAA
FISHERIES

PRESENTATION OUTLINE

- 1) Overview of action: History, Purpose and Need, Alternatives
- 2) Description of Elements, NMFS Recommendations
 - **Focus on Element 5:** Careful release requirements, gear modifications
 - Enforcement considerations of the action
- 3) Council decision points



History of Action

Apr 2018

- IFQ fishermen provided Council testimony regarding influx of small, low-value sablefish in catch.
- Council initiated a discussion paper on a **proposal to release small sablefish.**

Oct 2018-
Dec 2019

- Council reviewed 3 discussion papers on the small sablefish release issue.

Dec 2019

- Council adopted a purpose and need statement and developed alternatives to initiate analysis.

Alt 2: Allow Voluntary Release of Sablefish in the IFQ Fishery

Feb 2021

- Enforcement Committee meeting (report) received initial review analysis
- Council received initial review analysis
- SSC recommended additional analyses before final action



History of Action (cntd)

Oct 2021-
June 2022

- Council directed staff to prepare and schedule second initial review analysis when time and resources allow.
- Council noted that discussion about a minimum size limit (MSL) for sablefish retention should not be considered in the revised analysis.

June 2023

- Staff “update” document reviewed at Council
- **Council revised alternatives**
 - Included option for voluntary release <22 inches (retention required \geq 22 inches)

2024

- SSC reviewed methods for proposed simulation analysis, selects DMRs for analysis. (February)
- **Second initial review, Council revised alternatives, added ICAs and eliminated option to allow voluntary discarding of any size. (June)**



Purpose and Need

“Beginning with the 2014 age class, a continuing series of large year classes of sablefish are resulting in significant catches of small sablefish in the IFQ fixed gear fisheries and current regulations require IFQ holders to retain all sablefish. Small sablefish have low commercial value under current market conditions. Although no scientific studies are available to estimate survival rates for Alaska sablefish, information from other areas suggests that survival rates for carefully released sablefish may be high enough to warrant consideration of relaxing full retention requirements. Limited operational flexibility to carefully release sablefish may increase the value of the commercial harvest and allow small fish to contribute to the overall biomass.”



Alternative 1: **Clarifications**

Alternative 1, No Action (Status quo)

50 CFR 679.7(d)(4)(ii) prohibits *only catcher vessels (CV)* from discarding sablefish IFQ

50 CFR 679.7(f)(11) prohibits *vessels* using fixed gear from discarding sablefish *CDQ*.

There is currently no regulation prohibiting catcher/processors (CPs) that possess sablefish IFQ from discarding sablefish (of any size), unless catch of sablefish exceeds bycatch allowances or vessel limits.

Groundfish FMP language is not consistent with Federal regulations.



Table 3-20

Sablefish CDQ/IFQ discards and retention (mt) by subarea, CP & CV, 2013-2023

Year	BSAI									GOA								
	CP			CV			Total			CP			CV			Total		
	Discards	Total harvest	Retention rate	Discards	Total harvest	Retention rate	Discards	Total harvest	Retention rate	Discards	Total harvest	Retention rate	Discards	Total harvest	Retention rate	Discards	Total harvest	Retention rate
	CDQ																	
2013	1	84	99.1%	2	302	99.2%	3	386	99.2%	N/A								
2014	0	42	100.0%	10	280	96.5%	10	323	96.9%									
2015	0	0	0.0%	0	34	99.6%	0	34	99.2%									
2016	3	3	0.0%	1	34	95.6%	5	37	87.2%									
2017	1	70	97.9%	8	201	96.2%	9	271	96.6%									
2018	15	206	92.6%	3	96	96.4%	19	302	93.9%									
2019	0	36	99.6%	23	148	84.6%	23	184	87.5%									
2020	8	248	96.9%	22	150	85.7%	29	398	92.7%									
2021	14	321	95.5%	216	532	59.3%	231	853	73.0%									
2022	17	583	97.2%	9	545	98.3%	26	1,128	97.7%									
2023	13	806	98.3%	1	262	99.6%	15	1,068	98.6%									
	IFQ									IFQ								
	1	407	99.8%	16	722	97.8%	17	1,129	98.5%	N/A	608	N/A	530	10,385	94.9%	608	11,085	94.5%
	2	136	98.2%	24	593	96.0%	26	729	96.4%	0	488	100.0%	421	8,933	95.3%	464	9,468	95.1%
	0	108	100.0%	5	439	98.8%	5	547	99.0%	1	414	99.9%	541	8,761	93.8%	587	9,235	93.6%
	3	101	97.2%	14	377	96.4%	17	479	96.5%	7	349	98.0%	572	7,856	92.7%	633	8,259	92.3%
	1	116	99.4%	19	472	96.0%	19	589	96.7%	10	405	97.5%	512	8,544	94.0%	611	9,039	93.2%
	0	94	99.8%	32	493	93.4%	33	588	94.5%	8	426	98.0%	550	8,968	93.9%	711	9,564	92.6%
	1	75	99.1%	109	705	84.6%	110	779	85.9%	15	449	96.6%	1,205	9,776	87.7%	1,364	10,382	86.9%
	4	171	97.9%	62	626	90.1%	66	796	91.7%	5	367	98.7%	565	9,771	94.2%	725	10,293	93.0%
	5	248	98.2%	25	1,276	98.0%	29	1,523	98.1%	7	751	99.1%	476	13,096	96.4%	626	13,990	95.5%
	0	490	99.9%	62	1,953	96.8%	62	2,443	97.5%	4	1,002	99.6%	448	16,175	97.2%	623	17,369	96.4%
	3	735	99.6%	15	1,819	99.2%	18	2,554	99.3%	13	901	98.6%	365	13,980	97.4%	590	15,094	96.1%

Source: AKFIN (source file sablefish_removals_discards(1-31-25))



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Alternative 1, No Action (Status quo)

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There is currently no regulation prohibiting catcher/processors (CPs) that possess sablefish IFQ from discarding sablefish (of any size), unless catch of sablefish exceeds bycatch allowances or vessel limits.

Groundfish FMP language is not consistent with Federal regulations.



CLARIFICATIONS- IFQ/CDQ mismatch

Currently no regulation prohibiting catcher/processors (CPs) that possess sablefish IFQ from discarding sablefish (of any size), unless catch of sablefish exceeds bycatch allowances or vessel limits.

However, CPs that possess sablefish **CDQ** are prohibited from discarding sablefish.

Need to be aligned, per:

! changes made to the Magnuson-Stevens Act (MSA) in 2006:

305(i)(1)(B)(iv) REGULATION OF HARVEST.—The harvest of allocations under the program for fisheries with individual quotas or fishing cooperatives shall be regulated by the Secretary in a manner no more restrictive than for other participants in the applicable sector, including with respect to the harvest of nontarget species.



Alternative 2 Clarifications



Alternative 2 would require the retention of sablefish ≥ 22 inches total body length (provides for voluntary release of sablefish <22 inches), on all fixed gear CVs fishing sablefish IFQ or CDQ.

AND, one of the following options to align sablefish retention requirements for fixed gear CPs (IFQ and CDQ):

Option A

Allow discarding of small sablefish for CPs:

IFQ/CDQ CPs would be required to retain sablefish ≥ 22 "

- voluntary release of sablefish <22 "
- same flexibility offered to CVs under Alternative 2.
- would provide more flexibility for CPs fishing sablefish CDQ as compared to status quo regulations
- would introduce a size restriction that limits flexibility for CPs fishing sablefish IFQ as compared to the status quo.

Option B

Allow discarding of sablefish of any size for CPs:

IFQ/CDQ CPs could discard sablefish of any size

- would increase flexibility for fixed gear CPs fishing sablefish CDQ
- would retain the status quo regulations for CPs fishing sablefish IFQ.
- would provide CPs more flexibility than CVs



Alternative 2

Allow Release of Sablefish in the IFQ/CDQ Fisheries

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

Require retention of sablefish 22 inches total body length or longer (provides for voluntary release of sablefish under 22 inches total body length).



Sex	Age	Proportion Females Mature	Total length (in)	Round weight (lb)	Dressed weight (lb)
Male	1	--	18.3	1.5	1.0
Male	2	--	20.3	2.4	1.5
Male	3	--	21.9	3.2	2.0
Male	4	--	23.1	3.9	2.5
Male	5	--	24.1	4.6	2.9
Male	6	--	24.9	5.1	3.2
Male	7	--	25.5	5.5	3.5
Male	8	--	26.0	5.9	3.7
Male	9	--	26.4	6.2	3.9
Male	10	--	26.7	6.4	4.0
Male	11	--	27.0	6.5	4.1
Male	12	--	27.2	6.7	4.2
Male	13	--	27.3	6.8	4.3
Male	14	--	27.5	6.8	4.3
Male	15	--	27.6	6.9	4.4
Female	1	0.01	18.1	1.5	1.0
Female	2	0.02	20.4	2.4	1.5
Female	3	0.05	22.4	3.3	2.1
Female	4	0.10	24.0	4.3	2.7
Female	5	0.18	25.4	5.3	3.3
Female	6	0.32	26.6	6.2	3.9
Female	7	0.49	27.6	7.0	4.4
Female	8	0.67	28.5	7.8	4.9
Female	9	0.81	29.2	8.5	5.3
Female	10	0.90	29.8	9.1	5.7
Female	11	0.95	30.3	9.6	6.1
Female	12	0.97	30.7	10.1	6.4
Female	13	0.99	31.1	10.5	6.6
Female	14	0.99	31.4	10.9	6.9
Female	15	1.00	31.6	11.2	7.0

Appendix 1: sablefish size and weight at age metrics

Courtesy of Jane Sullivan and Katy Echave



Elements of Alternative 2, Summarized in Section 2 (p25)



Element 1: DMRs

The SSC recommends the DMR through the stock assessment process.

Element 2: Catch and Release Mortality Accounting

Sablefish catch and release mortality associated with the IFQ fishery will be accounted for in the stock assessment. For inseason management, an ICA must be established to account for sablefish discards:

Option 1: As part of the annual harvest specification process, fixed gear ICAs will be established separately for the CP and CV categories.

Option 2: As part of the annual harvest specification process, a fixed gear ICA will be established for all IFQ vessels combined.

Element 3: Monitoring and Enforcement

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

Element 4: Review

The ability to release sablefish will be reviewed in:

- a) 3 years
- b) 5 years
- c) 7 years following implementation.

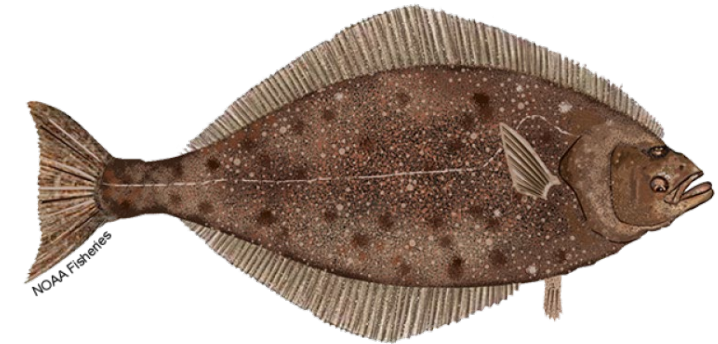
Element 5: Release Requirements

The Council recommends development, in conjunction with industry, of careful release requirements for all fixed gear sablefish fisheries. The analysis should describe gear modification options (voluntary and regulatory) used to improve size-selectivity for pot and hook-and-line gear fisheries.

Element 5: Release Requirements & Gear Modifications

The Council recommends development, in conjunction with industry, of careful release requirements for all fixed gear sablefish fisheries.

- **Careful Release Provisions (Table 2-1):**
 - Prohibited Species Catch (PSC) Bycatch (50 CFR 679.21)
 - Halibut discard (50 CFR 679.102 and 679.7)
 - Section 7 of IPHC regulations
 - SEAK inside waters sablefish fishery (5 AAC 28.170(f))
- **Need to consider:**
 - Existing regulations for H&L and pot gear
 - Ensure observer access to collect biological information prior to release
 - Releasing fish immediately and with minimal injury
 - Enforceability and industry input



Element 5: Release Requirements & Gear Modifications

The Council recommends development, in conjunction with industry, of careful release requirements for all fixed gear sablefish fisheries.

- **Enforcement Limitations (Section 4.5)**
 - Observers would have to witness and report the discard of legal sablefish (≥ 22 inches) and noncompliance with careful handling provisions.
 - Difficult to enforce retention of fish “visibly injured or dead” if considering SEAK inside waters sablefish regulations.
- **NMFS in consultation with industry and OLE recommends a careful release requirement for sablefish that includes:**
 - Sablefish are released immediately and with a minimum of injury.
 - Ensuring observers when on deck and sampling have access to the fish to collect necessary biological information.
 - Requirements be similar to existing regulations for halibut and sablefish for H&L and pot gear.



Element 5: Release Requirements & Gear Modifications

The analysis should describe gear modifications options (voluntary and regulatory) used to improve size-selectivity for pot and hook-and-line gear fisheries

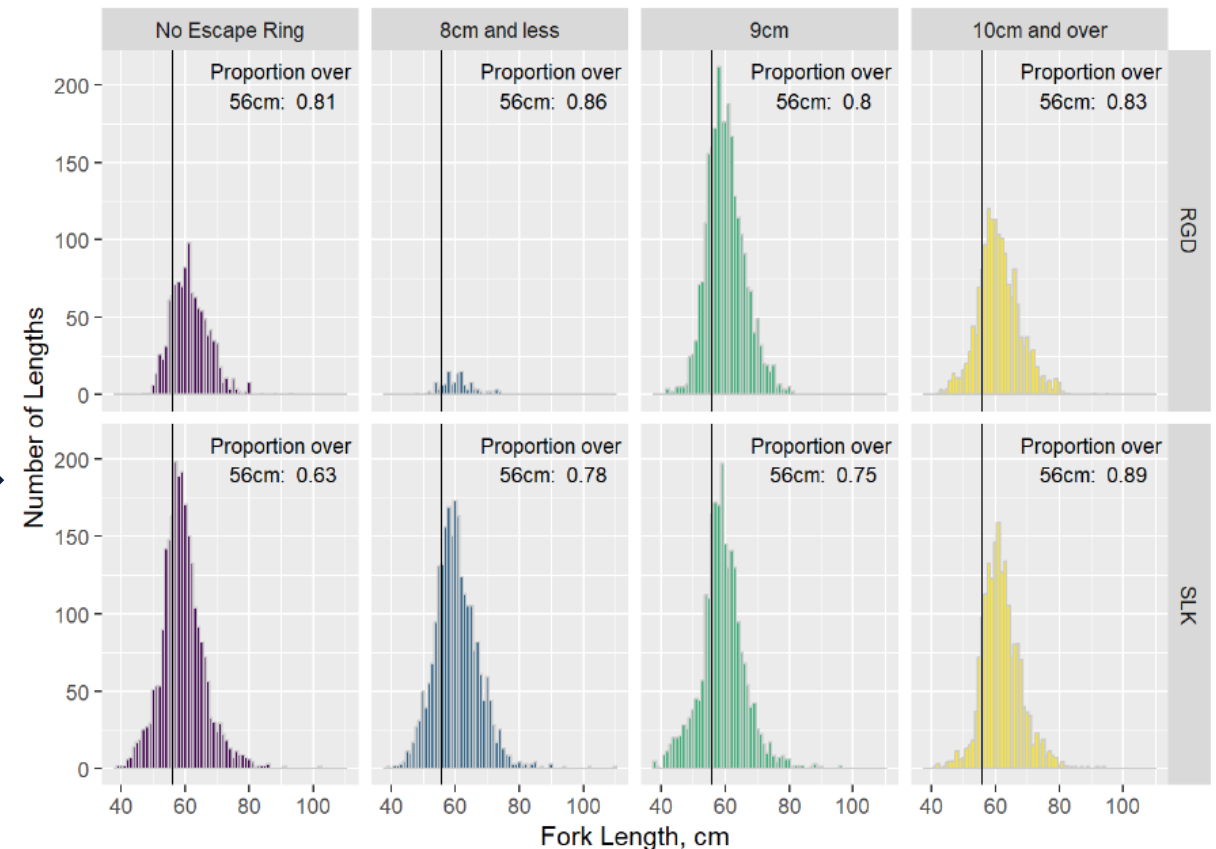
- Gear modifications improve size-selectivity of a target species in order to retain larger more valuable fish, reduces bycatch of non-target species, and reduces discard mortality.
 - e.g. escape rings, vents, stretch-mesh, hook size/shape, etc.
- **ADF&G (2019) and AFSC (2020) escape ring studies**
 - Demonstrated use of escape rings decreased capture of small sablefish
- **2024 Observer Program & IFQ Fishery**
 - Collected info on escape ring presence, size, and opening status of rings
 - Ring size ranged from 5–14 cm with ~ 3.9 rings per pot
 - Majority of pots used 8–10 cm sized escape rings
 - Escape ring size-selectivity more pronounced for slinky than rigid pots



Section 2.2.5.2, pages 30–35

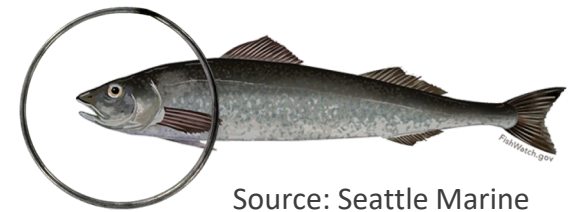


Figure 2-3 Length distributions for sablefish caught on CVs for rigid-sided (RGD) and slinky (SLK) pots for a range of binned escape ring sizes. The most common escape ring size for each pot was summarized for each vessel an observer was deployed. The proportion of lengths over 55.88cm (22in) is given within each pot type and escape ring size bin.

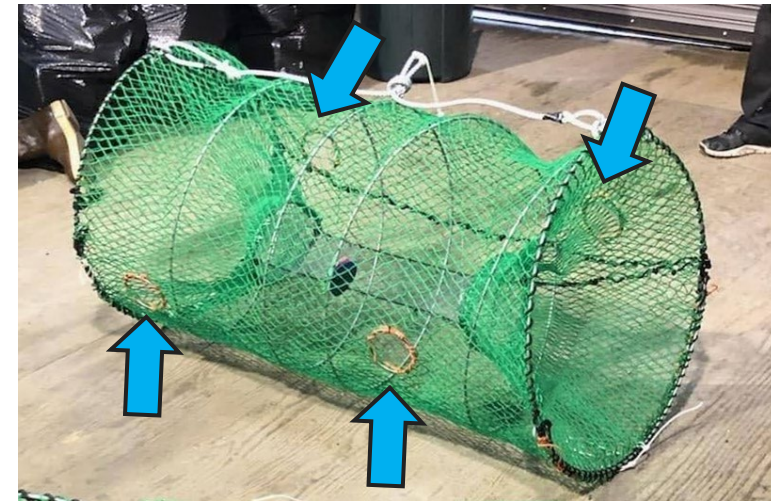


Element 5: Release Requirements & Gear Modifications

- **Sablefish Gear Modification Requirements**
 - 3.5 in/8.9 cm escape ring size in B.C., Canada & SEAK
 - No hook-and-line gear size/shape or escape ring requirements for IFQ, but voluntarily used.
- **Required vs Voluntary Escape Rings**
 - Reduces capture of small sablefish.
 - Reduces uncertainty associated with data collection, stock assessment impacts, discard mortality, and potential interactions with marine mammals.
 - If required easy to implement and comply with, but removes flexibility to “top-off” (*i.e.* close escape rings) any remaining quota such as at the end of a fishing season or last IFQ trip of the season for a vessel.
- **NMFS recommends an escape ring requirement for pot gear in the sablefish IFQ/CDQ fisheries to reduce capture of small sablefish.**
 - Removes need for a DMR, SDAs, minimum retention size limit, and makes retention regulations equitable among sectors (CDQ and IFQ) and fleets (CP and CV) and comply with MSA.



Source: Seattle Marine and Fishing Supply



Source: Fish Tech Inc.



Summary of NMFS Recommendations

Alternatives 1 & 2:

- Align sablefish retention requirements for fixed gear CPs fishing in the IFQ and CDQ fisheries to comply with section 305(i)(1)(B)(iv) of the MSA.
- Technical revisions to the BSAI and GOA Groundfish FMPs to align with Federal regulations by:
 - Changing FMP reference to “freezer longliners” to “catcher/processors (CPs)”.
 - Matching FMP language to regulations on sablefish retention requirements.

Alternative 2:

• **Element 2 & 3:**

- Establish inseason management authority to prohibit discarding in the sablefish IFQ/CDQ fisheries when an area-wide SDA is reached to prevent exceeding a TAC or ABC.
- Establish new terminology “sablefish discard allowance (SDA)” rather than “ICA”.

OR

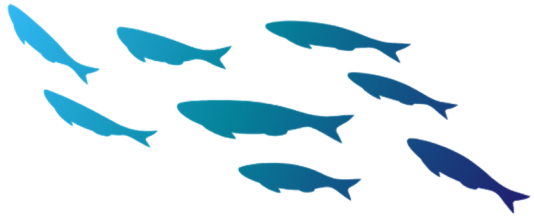
Alternative 2:

- Allow discarding of sablefish of any size for CPs and CVs

• **Element 5:**

- Careful release requirements to include language similar to existing regulations for halibut and sablefish such that sablefish are released immediately and with a minimum of injury while ensuring observers are able to collect necessary biological information.
- Escape ring requirement for pot gear in the sablefish IFQ/CDQ fisheries to reduce capture of small sablefish.





Questions?

