

PACIFIC COAST GROUND FISH FISHERY MANAGEMENT PLAN

FOR THE CALIFORNIA, OREGON, AND
WASHINGTON GROUND FISH FISHERY

~~June~~ September 2024

PACIFIC FISHERY MANAGEMENT COUNCIL
7700 NE AMBASSADOR PLACE, SUITE 101
PORTLAND, OR 97220
(503) 820-2280
(866) 806-7204
WWW.PCOUNCIL.ORG



This document is published by the Pacific Fishery Management Council; current National Oceanic and Atmospheric Administration Award Number NA15NMF4410016.

Changes to the FMP since Amendment 4 (July 1993)

Current Chapters	Previous Chapters (July 1993 Version)	Summary of Amendment Changes
Chapter 6 Management Measures	Chapter 6 Management Measures	<p>Substantially reorganized and changed by Amendment 18 and 19. (Also Amendments 10, 11, 13, 16-1, 17, 20, 21, 21-1, 21-2, 21-3, 21-4, 23, 24, 25, 27, 28, 29, and 30.)</p> <p>Chapter 6 changed to reflect Amendment 28: 1) Elimination of the trawl RCA off Oregon and California, 2) changed configuration of EFH closed areas, and 3) Closure to bottom contact fishing deeper than 3500m.</p> <p>Formal allocations for lingcod south of 40°10' N lat., Minor Slope Rockfish south of 40°10' N lat., petrale sole, and widow rockfish removed from the FMP under Amendment 29. Amendment 30 amended language to Seasons (6.8.1), Rockfish Conservation Areas (6.8.2), and language describing the function and use of Block Area Closures (6.8.3). Amendment 32 removed CCAs for non-trawl and recreational fishing and added new groundfish exclusion areas (GEAs) (6.8.10). Amendment 33 revised Error! Reference source not found. Table 6-1 to show removal of formal allocation of shortspine thornyhead. Amendment 34 removed list of GEAs from FMP (6.8.10)</p>

CHAPTER 1 INTRODUCTION

1.1 History of the Fishery Management Plan

The [Pacific Coast Groundfish Fishery Management Plan](#) (FMP) was approved by the U.S. Secretary of Commerce (Secretary) on January 4, 1982 and implemented on October 5, 1982. Prior to implementation of the FMP, management of domestic groundfish fisheries was under the jurisdiction of the states of Washington, Oregon, and California. State regulations have been in effect on the domestic fishery for more than 100 years, with each state acting independently in both management and enforcement. Furthermore, many fisheries overlapped state boundaries and participants often operated in more than one state. Management and a lack of uniformity of regulations had become a difficult problem, which stimulated the formation of the Pacific States Marine Fisheries Commission (PSMFC) in 1947. PSMFC had no regulatory power but acted as a coordinating entity with authority to submit specific recommendations to states for their adoption. The 1977 Fishery Conservation and Management Act (later amended and renamed the Magnuson-Stevens Fishery Conservation and Management Act or Magnuson-Stevens Act) established eight regional fishery management Councils, including the Pacific Council. Between 1977 and the implementation of the groundfish FMP in 1982, state agencies worked with the Council to address conservation issues. Specifically, in 1981, managers proposed a rebuilding program for Pacific ocean perch. To implement this program, the states of Oregon and Washington established landing limits for Pacific ocean perch in the Vancouver and Columbia management areas.

Management of foreign fishing operations began in February 1967 when the U.S. and U.S.S.R. signed the first bilateral fishery agreement affecting trawl fisheries off Washington, Oregon, and California. The U.S. later signed bilateral agreements with Japan and Poland for fishing off the U.S. West Coast. Each of these agreements was renegotiated to reduce the impact of foreign fishing on important West Coast stocks, primarily rockfish, Pacific whiting, and sablefish. When the U.S. extended its jurisdiction to 200 miles (upon signing the Fishery Conservation and Management Act of 1976), the National Marine Fisheries Service (NMFS) developed and the Secretary implemented the preliminary management plan for the foreign trawl fishery off the Pacific Coast. From 1977 to 1982, the foreign fishery was managed under that plan. Many of these regulations were incorporated into the FMP, which provided for continued management of the foreign fishery.

Joint-venture fishing, where domestic vessels caught the fish to be processed aboard foreign vessels, began in 1979 and by 1989 had entirely supplanted directed foreign fishing. These joint ventures primarily targeted Pacific whiting. Joint-venture fisheries were then rapidly replaced by wholly domestic processing; by 1991 foreign participation had ended and U.S.-flagged motherships (MS), catcher-processors, and shore-based vessels had taken over the Pacific whiting fishery. Since then, U.S. fishing vessels and seafood processors have fully utilized Pacific Coast fishery resources. Although the Council may entertain applications for foreign or joint venture fishing or processing at any time, provisions for these activities have been removed from the FMP. Re-establishing such opportunities would require another FMP amendment.

Since it was first implemented in 1982, the Council has amended the Groundfish FMP 33 times in response to changes in the fishery, reauthorizations of the Magnuson-Stevens Act, and litigation that invalidated provisions incorporated by earlier amendments. During the first 10 years of plan implementation, up to 1992, the Secretary approved six amendments. [Amendment 4](#), approved in 1990, was the most significant early amendment; in addition to a comprehensive update and reorganization of the FMP, it established additional framework procedures for establishing and modifying management measures. Another

important change was implemented in 1992 with [Amendment 6](#), which established a license limitation (limited entry) program intended to address overcapitalization by restricting further participation in groundfish trawl, longline, and trap fisheries. [Amendments 7](#) (bycatch of non-groundfish species) and [8](#) (IFQ for fixed gear sablefish) were not approved by the Council.

The next decade, through 2002, saw the approval of another seven amendments. [Amendment 9](#) modified the limited entry (LE) program by establishing a sablefish endorsement for longline and pot permits. Amendments [11](#), [12](#), and [13](#) were responses to changes in the Magnuson-Stevens Act due to the 1996 Sustainable Fisheries Act. These changes required FMPs to identify essential fish habitat (EFH), more actively reduce bycatch and bycatch mortality, and strengthen conservation measures to both prevent fish stocks from becoming overfished and promote rebuilding of any stocks that had become overfished. [Amendment 14](#), implemented in 2001, built on Amendment 9 to further refine the LE permit system for the economically important fixed gear sablefish fishery. It allowed a vessel owner to “stack” up to three LE permits on one vessel along with associated sablefish catch limits. This, in combinations with a concurrent action to extend the season length, in effect established a limited tradable quota system for participants in the primary sablefish fishery.

Most of the amendments adopted since 2001 deal with legal challenges to the three Sustainable Fisheries Act of 1996 (SFA)-related amendments mentioned above, which were remanded in part by the Federal Court. These have required new amendments dealing with overfishing, bycatch monitoring and mitigation, and EFH. In relation to the first of these three issues, the Magnuson-Stevens Act now requires FMPs to identify thresholds for both the fishing mortality rate constituting overfishing and the stock size below which a stock is considered overfished. Once the Secretary determines a stock is overfished, the Council must develop and implement a plan to rebuild it to a healthy level. The Court found that the rebuilding plan framework adopted by Amendment 12 did not comply with the Magnuson-Stevens Act. In response, Amendments [16-1](#), [16-2](#), [16-3](#), [16-4](#), and [16-5](#) (also known as Secretarial Amendment 1) established the current regime for managing these overfished species. Amendment 16-1, approved in 2003, incorporated guidelines for developing and adopting rebuilding plans and substantially revised Chapters 4 and 5. Amendments 16-2 and 16-3, approved in 2004, incorporated key elements of rebuilding plans into Section 4.5.4. In 2005, a Court of Appeals ruling refined court interpretation of the Magnuson-Stevens Act rebuilding period requirements. Amendment 16-4, partially approved in 2006, revised the FMP to specify that rebuilding periods will be as short as possible, taking into account the status and biology of the stocks, the needs of fishing communities, and interactions of overfished stocks with the marine ecosystem. As a result of this ruling, Amendment 16-4 also revised the rebuilding periods for darkblotched rockfish, Pacific ocean perch, canary rockfish, bocaccio, cowcod, widow rockfish, and yelloweye rockfish. Amendment 16-5 established a petrale sole rebuilding plan and established new proxy reference points for managing flatfish species.

[Amendment 15](#) was initiated in 1999 in response to provisions in the American Fisheries Act intended to shield West Coast fisheries from certain effects of that legislation. Because of competing workload and no threatened imminent harm, the Council tabled action on Amendment 15 in 2001. Work on the amendment was re-initiated in 2007 in response to changes in the Pacific whiting fishery. Its purpose was to address conservation and socioeconomic issues in the shoreside, catcher/processor, and MS sectors of the Pacific whiting fishery by requiring vessels to qualify for an additional license to participate in a given sector, based on their historical participation. It was an interim measure, which sunsetted with trawl rationalization program (Amendment 20) implementation.

[Amendment 17](#) modified the periodic process the Council uses to establish and modify harvest specifications and management measures for the groundfish fishery. Although not an SFA-related issue, this change did solve a procedural problem raised in litigation. The Council now establishes specifications

and management measures every two years, allowing more time for them to be developed during the Council's public meetings.

[Amendment 18](#), approved in 2006, addresses a remand of elements in Amendment 11 related to bycatch monitoring and mitigation. It incorporates a description of the Council's bycatch-related policies and programs into Chapter 6. It also affected a substantial reorganization and update of the FMP, so that it better reflects the Council's and NMFS's evolving framework approach to management. Under this framework, the Council may recommend a range of broadly defined management measures for NMFS to implement. In addition to the range of measures, this FMP specifies the procedures the Council and NMFS must follow to establish and modify these measures. When first implemented, the FMP specified a relatively narrow range of measures, which were difficult to modify in response to changes in the fishery. The current framework allows the Council to effectively respond when faced with the dynamic challenges posed by the current groundfish fishery.

[Amendment 19](#), also approved in 2006, revises the definition of groundfish EFH, identified habitat areas of particular concern (HAPCs), and describes management measures intended to mitigate the adverse effects of fishing on EFH. This amendment supplants the definition of EFH added to the FMP by Amendment 11.

[Amendment 20](#) was approved in 2010 and establishes the groundfish trawl rationalization program. Under this program, groundfish LE trawl vessels making shoreside deliveries are managed with individual fishing quotas. Motherships and associated catcher-vessels in the at-sea Pacific whiting sector are managed under a system of regulated cooperatives. Pacific whiting catcher-processors fish within a voluntary cooperative; the amendment establishes provisions to strengthen this cooperative. As noted above, Amendment 20 supersedes provisions in Amendment 15; corresponding text was replaced.

[Amendment 21](#) was approved in 2010 and establishes long-term allocations between the trawl and non-trawl sectors of the groundfish fishery; establishes a short-term allocational split between the shoreside whiting and non-whiting fishery, necessary for implementation of the individual fishing quota (IFQ) program (established through Amendment 20); establishes darkblotched rockfish, Pacific ocean perch and widow rockfish allocations among the at-sea trawl and shoreside trawl sectors (later removed by Amendment 21-4); identifies the need for initial set-asides for the at-sea trawl sectors; and establishes a Pacific halibut bycatch allowance to be provided to the trawl fishery in the form of individual bycatch quota (established through Amendment 20).

[Amendment 21-1](#) was approved in 2011. It clarified that the Amendment 21 allocation percentages supersede the limited entry/open access allocations for certain groundfish species and revised the amount of bycatch quota pounds that will be issued for the shoreside trawl fishery to cover Pacific halibut mortality to better match the objective specified in Amendment 21.

[Amendment 21-2](#) was approved in 2012. It revised catch accounting provisions for clarity, reinstated provisions that were inadvertently deleted with Amendment 21, and revised annual catch limit set-aside provisions to allow for the routine reallocation of unused harvest set-asides as part of any considered inseason fishery adjustment.

[Amendment 21-3](#) was approved in 2017. It changed the at-sea whiting sectors' allocations of darkblotched rockfish and POP from total catch limits to set-asides, while maintaining the allocation formulas in the Fishery Management Plan (FMP) for these two stocks to determine the set-aside amounts.

[Amendment 21-4](#) was approved in 2018. It changed the at-sea whiting sectors' allocations of canary rockfish and widow rockfish from total catch limits to set-asides and removed from the FMP the formulas

for determining the set-aside amounts for darkblotched rockfish, POP, and widow rockfish going to the at-sea sectors.

Amendment 22 (an open access fishery registration program) was not approved by the Council.

[Amendment 23](#) was approved in 2010 to incorporate new National Standard 1 guidelines to prevent overfishing. These new National Standard 1 guidelines were developed in response to the Magnuson-Stevens Act re-authorization of 2006 which mandated an end to overfishing.

[Amendment 24](#) was approved in February 2015 to describe the use of default harvest control rules in the biennial harvest specifications process and to clarify the descriptions of new and routine management measures that may be implemented during the biennial process. Amendment 24 also designated some species as Ecosystem Component Species and incorporated a variety of technical changes to the FMP.

[Amendment 25](#) was approved in 2015 and added a suite of lower trophic level species to the FMP's list of ecosystem component (EC) species. Consistent with the objectives of the Council's FMPs and its Fishery Ecosystem Plan, Amendment 25 prohibits future development of directed commercial fisheries for the suite of EC species shared between all four FMPs until and unless the Council has had an adequate opportunity to both assess the scientific information relating to any proposed directed fishery and consider potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem.

[Amendment 26](#) (removing blackgill rockfish from the southern Slope Rockfish complex and amending the trawl/non-trawl allocations of blackgill rockfish and the other species in the complex) was not approved by the Council.

[Amendment 27](#) reclassified big skate from an ecosystem component species to "in the fishery," listed deacon rockfish in Table 3-1, and revised Chapter 5.5 to describe a new inseason process in California. The new inseason process for California fisheries occurs outside of a Council meeting and allows NMFS to take action based upon attainment or projected attainment of Federal harvest limits of black rockfish (commercial and recreational), canary rockfish (recreational), and yelloweye rockfish (recreational). Additionally, this amendment included updates to the FMP to clarify matters from Amendment 23 and acknowledge the successful rebuilding of canary rockfish and petrale sole.

[Amendment 28](#) modified the configuration of EFH Conservation Areas (EFHCAs) that are closed to groundfish bottom trawl fishing in order to protect EFH, closed waters deeper than 3,500 meters to bottom contact fishing gear, opened the trawl RCA to bottom trawl fishing off Oregon and California, and created a framework to consider and implement more flexible area closures with block area closures.

[Amendment 29](#) was approved in 2020. It designated shortbelly rockfish as an ecosystem component species and removed the formal allocations of lingcod south of 40°10' N lat., petrale sole, widow rockfish, and Minor Slope Rockfish south of 40°10' N lat. from the FMP.

[Amendment 30](#) was approved in 2022. It developed a 2,000 mt shortbelly rockfish catch threshold that, when exceeded or projected to be exceeded, would trigger Council review of the fishery, corrections to the block area closure definition, clarification of Rockfish Conservation Areas, and change of the sablefish season specification language.

[Amendment 31](#) was approved in 2023. It defined and delineated stocks for black, canary, copper, quillback, squarespot, vermilion, vermilion/sunset rockfishes; Dover, petrale, and rex soles; lingcod, Pacific spiny dogfish, sablefish, and shortspine thornyhead.

[Amendment 32](#) removed the CCAs for commercial non-trawl and recreational fishing, authorized the use of BACs for non-trawl gear, and added new fishery closures, including groundfish exclusion areas (GEAs, 6.8.10) and new non-trawl bottom contact groundfish and non-tribal directed halibut EFHCAs.

[Amendment 33](#) was approved in 2024. It added Section 4.6.3.7 to Chapter 4 to specify rebuilding parameters for the overfished stocks of yelloweye and California quillback rockfishes, removed Appendix (added to SAFE document), and revised the shortspine thornyhead from Section 6.3.2.3 Table 6-1.

[Amendment 34 removed the history and list of GEAs from the FMP in Section 6.8.10.](#)

6.8.10 **Groundfish Exclusion Areas**

Groundfish Exclusion Areas (GEAs) are intended to mitigate impacts to sensitive environments from certain groundfish fishing activity. GEAs may be established or revised through either a specifications-and-management-measures rulemaking (Section [Error! Reference source not found,6-2](#) C) or a full rulemaking (Section [Error! Reference source not found,6-2](#) D). ~~Amendment 32 to the Groundfish FMP established eight GEAs within the Southern California Bight to protect sensitive environments from non-trawl groundfish fishing.~~Coordinates for GEAs can be found in the Federal Regulations. ~~6.26.2 Current GEAs are:~~

1. ~~Hidden Reef~~
2. ~~West of Santa Barbara Island~~
3. ~~Potato Bank~~
4. ~~107/118 Bank~~
5. ~~Cherry Bank~~
6. ~~Seamount 109~~
7. ~~Northeast Bank~~
8. ~~The 43 Fathom Spot~~

[Amendment 32, [Amendment 34](#)]

Formatted: Normal, No bullets or numbering