DRAFT MINUTES
Pacific Fishery Management Council
Red Lion Hotel Sacramento
1401 Arden Way
Sacramento, CA 95815
(916) 922-8041
November 1-5, 1999

A. Call to Order

A.1. Opening Remarks, Introductions, Roll Call

Chairman Jim Lone called the general session of the 151st Pacific Fishery Management Council meeting to order at 8:06 a.m. on November 1, 1999 in Sacramento, California. Chairman Lone applauded Mr. Jerry Mallet for his effective Chairmanship.

Roll Call

Mr. Larry Six called the roll.

Voting Members

Mr. Bob Alverson
Mr. Phil Anderson
Mr. Jack Barraclough
Mr. Burnell Bohn
Mr. LB Boydstun
Mr. Ralph Brown
Mr. Jim Caity
Mr. Robert Fletcher
Mr. Jim Harp
Mr. Jim Lone
Mr. Jerry Mallet
Dr. Hans Radtke
Mr. William Robinson
Mr. Roger Thomas

Non-Voting Members

Mr. Dave Gaudet
Dr. Dave Hanson
Mr. Tim Roth
CDR John Schott (designee for RADM Paul Blayney)

Members Absent

Mr. Stetson Tinkham

A.2. Approve Agenda

The Council approved the agenda as shown in EXHIBIT A.2. with the following changes: no september meeting minutes. C.6.a. add a WDFW report by Mike Cenci, under D.1. and D.2. a report by the working group for fishing gear impacts. On Groundfish, agenda item G.2., add a report from Dr. Alec McCall, then continue with comments of the advisory entities, summary of written comments, and then proceed with the public hearing. (Motion 1)

A.3. Approve June Meeting Minutes

The Council approved the June 1999 meeting minutes as shown in EXHIBIT A.3. (Motion 2)
B. PACIFIC HALIBUT MANAGEMENT

B.1. Summary of 1999 Fisheries

Ms. Yvonne deReynier, NMFS, reviewed the harvest data in the Preliminary Report on the 1999 Pacific Halibut Fisheries in Area 2A (NMFS Report B.1.). She noted some minor revisions to the data in the table on Page 6 of the report. Overall, the harvest is expected to exceed the total allowable catch by only about 1.3%. This is an improvement over previous recent years.

B.2. Estimate of Bycatch in 1998

Ms. Cyreis Schmitt, NMFS, reported that NMFS and ODFW technical staffs have completed some preliminary estimates of halibut bycatch for 1998 in the groundfish and shrimp trawl fisheries for Area 2A based on the enhanced, voluntary data collection effort off Oregon and Washington in 1995-1997. The joint staffs are in the process of proofing the estimates and comparing them with estimates obtained by the former method which uses data from the studies of Dr. Ellen Pikitch in the late 1980s adjusted by data from the NMFS triennial surveys.

The technical staffs will complete the bycatch estimates over the next few weeks and provide the final information to the International Pacific Halibut Commission (IPHC) for use in calculating the allowable harvest in the 2000 halibut fisheries. The technical staffs will also evaluate the effect of next years groundfish and shrimp regulations on expected fishing effort and provide those estimates to the IPHC.

The estimates of bycatch from the enhanced, voluntary data collection effort are quite preliminary and could change significantly by the time they are finalized. The estimates indicate more and substantially larger halibut are being caught in both the groundfish and shrimp trawl fisheries. The average weight of halibut by the new method is 0.9 kg compared to 0.75 kg by the former method. From preliminary calculations, the new method estimates about twice the pounds of halibut bycatch as that calculated by the previous method.

With regard to the effects of next year’s groundfish regulations, Mr. Brown stated that most halibut bycatch occurs over rocky or cobble bottom. Those are the same areas in which the Council will be trying to reduce trawl effort in 2000.

B.3. Changes to Catch Sharing Plan and Regulations for 2000

B.3.a. Summary of Public Meetings

WDFW

Mr. Phil Anderson summarized the results of the two public hearings on halibut regulations held by WDFW in July and August (WDFW Report B.3.). The public attending were generally in support of the currently proposed boundary modification between the Puget Sound and North Coast subareas, and the ability to use inseason action to open the “hotspot” closure in the South Coast Subarea.

ODFW

Mr. Burnie Bohn summarized public input and provided the recommendations of ODFW for changes to the 2000 halibut regulations as provided below in Supplemental ODFW Report B.3.

At its September 1999 meeting, the Pacific Fisheries Management Council (PFMC) adopted two issues for public review that could change the way the Oregon recreational fishery for Pacific halibut is conducted. The Oregon Department of Fish and Wildlife distributed a letter to interested public soliciting comments on the two issues. A description of the proposal, summary of public comment, and Oregon recommendation are presented below for each issue.

   Management of the 30-fathom Cape Falcon to Humbug Mt. Fishery
Proposal

The inside 30-fathom curve fishery from Cape Falcon to Humbug Mt. would be managed under one quota rather than the present management of two sub-areas, split at the Florence north jetty, each with a separate quota.

Management actions in 1999 resulted in the closure of the sub-area south of Florence, while the area north of Florence remained open through the scheduled September 30 closure with quota poundage remaining. Fisheries in both sub-areas are similar, mostly of an incidental nature with some targeting by small boats. No change in allocation between the all-depth and 30-fathom fishery are recommended. The May Cape Falcon to Humbug Mt. all-depth fishery will continue to be managed as two sub-areas split at the Florence north jetty, each under separate quotas based on the adopted allocation sharing.

Public Comment

Widespread support was expressed for combining the two inside 30-fathom curve fisheries under one quota.

Recommendation

Oregon recommends managing the inside 30-fathom curve fishery from Cape Falcon to Humbug Mt. under one quota rather than the present management of two sub-areas, split at the Florence north jetty, each with a separate quota. There would be no change in allocation between the all-depth and 30-fathom fishery.

2. Participation of commercial halibut permitted vessels in recreational fisheries for Pacific halibut

Proposal

Allow the use of commercial halibut permitted vessels in both commercial and recreational Pacific halibut fisheries during the same year. Vessels may not participate in both fisheries on the same trip. Vessels participating in the commercial fishery, directed or incidental, may not 'charter' or operate as a vessel for hire in the recreational fishery.

The Pacific halibut fishery is the only Oregon fishery where a vessel may not be used for both commercial and private recreational fishing, as long as the vessel does not participate in both fisheries on the same trip. Several commercial fishers asked that PFMC revisit this issue.

Public Comment

Widespread support was expressed for the status quo of not allowing the use of commercial halibut permitted vessels in recreational fisheries for Pacific halibut.

Recommendation

Oregon recommends the status quo scenario of not allowing the use of commercial halibut permitted vessels in recreational fisheries for Pacific halibut.

B.3.b. Summary of Written Comments

Dr. John Coon, Council staff, reported that five comment letters had been received at the Council office. Three letters supported having only one quota for the inside 30 fathom fishery between Cape Falcon and...
Humbug Mountain, one letter objected to allowing vessels to be used in both the recreational and commercial fisheries, one letter supported maintaining the one halibut bag limit, and one letter stated the allowable harvest was not consistent with the large halibut abundance.

B.3.c. Tribal Comments

Mr. Jim Harp delivered the following statement concerning the recommendations of the tribes:

The tribes support the same catch sharing plan for the treaty fishery as outlined in Attachment B.3.b. with 35% of the Area 2A TAC set by the IPHC allocated to the twelve treaty halibut tribes plus an additional 25,000 pounds as outlined in the Stipulation and Order on Equitable Adjustment. The tribes will continue to implement their commercial and C&S fisheries in a manner similar to recent years. This is stated with the understanding that the Quileute Tribe is continuing its work with NMFS seeking proper allocation of adult halibut bycatch in Area 2A.

B.3.d. Public Comments

Mr. Mark Cedergreen, Westport Charterboat Association, Westport, Washington
Mr. Ron Lethin, charterboat operator, Hammond, Oregon

B.3.e. Adopt Final Measures

The Council directed implementation of the following management changes for the 2000 Pacific halibut season in Area 2A:

1) Modify sections b(1), b(2), and b(3) of the Pacific Halibut catch sharing plan consistent with the recommendations on page one of Attachment B.3.b. to implement the equitable allocation adjustment agreement among the state, federal, and tribal entities. (Motion 3)

2) Adopt the proposed changes found in the first two paragraphs under “Washington Recreational Fishery” in Attachment B.3.a. These changes (a) move the boundary between the Puget Sound and North Coast subareas eastward from the Bonilla-Tatoosh line to the mouth of the Sekiu River while adjusting the subarea harvest quotas to account for the change in areas and (2) allow opening of the “hotspot” area in the South Coast Subarea by inseason action, effective upon notice via the NMFS halibut hotline rather than upon publication in the Federal Register. (Motion 4)

3) Adopt the recommendation under #1 in Supplemental ODFW Report B.3. which is to manage the inside 30-fathom fishery from Cape Falcon to Humbug Mountain under one quota rather than the present scheme of two subareas split at the Florence north jetty. (Motion 5)

Mr. Fletcher asked for clarification about Mr. Ron Lethin’s recommendation for allowing landings in open ports for halibut that are caught in areas adjacent to ports where landings are prohibited. Mr. Bohn noted that Mr. Lethin’s proposal has come up over the years and had been noted on the back of Attachment B.3.a. It is true that the catch area is generally not a biological issue with the IPHC, but the subarea boundary lines have been used by the Council primarily for harvest allocation. Mr. Bohn stated he would like to spend some time this next year to more fully consider the proposal. Mr. Anderson said this issue also came up at the Washington state meeting. He noted that it raises some enforcement challenges, but is willing to consider the proposal over the next year.

C. SALMON MANAGEMENT

C.1. Sequence of Events and Status of Fisheries in 1999
Dr. Coon referred the Council to the sequence of management events contained in Attachment C.1.a., the proposed preseason salmon management schedule in Attachment C.1.b., and the hearing attendance and cost information in Attachment C.1.c. The Council proposed no changes to the proposed preseason management schedule and its list of standard management option hearings.

Dr. Robert Kope presented a summary of salmon fishery landings through October 1999 (Supplemental STT Report C.1.). Compared to 1998, commercial effort and landings were both up significantly off Washington and both down significantly off Oregon. Off California, effort was down significantly while catch was markedly higher. Compared to 1998, recreational effort and catch off Washington and Oregon were both up significantly while both were markedly down off California. Dr. Kope noted that the non-Indian chinook and coho harvest north of Cape Falcon was far short of the overall quotas. He also expressed some concern with the emphasis on inseason actions to achieve the quotas.

Mr. Thomas noted that bad weather and small fish early in the season dampened sport fishing in the San Francisco area. Mr. Anderson stated his opinion that the inseason adjustments in the fisheries north of Cape Falcon were appropriate and in accordance with the intent of the salmon FMP.


C.2.a. Report of the STT

Dr. Kope provided a computer graphics presentation to the Council which gave a very preliminary assessment of recent hook-and-release mortality studies with regard to the ocean sport fishery. The summary indicated mortality rates likely vary from year to year with changing environmental conditions and may also vary by fish size and species. The available data lack the resolution to statistically distinguish among different fishing methods or gear, with the possible exception of California-style mooching. Determining the effects of nonretention mortality beyond 24 hours is also very difficult as fish survival in the various studies appears to be highly influenced by holding techniques and local environmental conditions.

To put the study results in perspective, the STT eliminated data from small samples and California-style mooching. Then, using a standardized procedure to expand short-term (less than 24 hour) mortality rates to account for long-term effects, the STT ranked the studies by mortality level individually for chinook and coho. The results indicate that the current 8% mortality rate used in nonretention fisheries off Oregon and Washington is well below the median level of the ranked studies for each species (the preliminary rankings indicated a median mortality level of about 14% for chinook and 18-19% for coho).

Following the basic procedures applied in its preliminary work, the STT will refine the data compilation, add new data from Canadian studies completed in 1999, and make a final recommendation to the Council for interim mortality rates to be used in the recreational fisheries off Oregon and Washington in the 2000 season. Based on the preliminary analysis, it is likely the interim recreational mortality rate recommended for the 2000 season will be higher than the current 8%.

The STT recommendations for interim rates will not include recreational fisheries off California and the rate used for commercial fisheries. Mortality rates used by the Council to estimate impacts in the California recreational fishery are considerably higher than 8% and are based on specific studies for that area which take the effect of California-style mooching into consideration. The rate used for commercial fisheries is currently 26%. All rates are for barbless hooks. In addition to the hook-and-release mortality rate, the Council has assessed a 5% drop-off mortality rate to account for fish hooked but escaping prior to landing.

C.2.b. Report of the SSC

Dr. Peter Lawson read the report of the SSC.

Mr. Jim Packer presented two documents to the Scientific and Statistical Committee (SSC) outlining changes to chinook Fishery Regulation Assessment Model (FRAM) and coho FRAM proposed for
the 2000 season. There are major changes proposed for chinook FRAM to allow evaluation of selective fishery proposals. There are no changes proposed for coho FRAM for the 2000 season. Because the documents were not presented until this meeting, the SSC was unable to review them.

With the major changes being made to the FRAM models to accommodate selective fisheries, and the recent addition of six new members to the SSC, the SSC currently lacks a comprehensive understanding of the salmon management and modeling process including the FRAM models. Documentation of the models is not adequate. For these reasons, the SSC is not in a position to critically review proposed changes to these models. It would be helpful if the SSC could meet with members of the Salmon Technical Team (STT) for a day or two for an introductory overview of the process. We suggest this occur in conjunction with the June Council meeting.

Dr. Robert Kope of the STT presented an analysis of hook-and-release mortality rates for chinook and coho salmon caught in marine sport fisheries. The SSC concurs with the STT that the currently used hooking mortality rate for recreationally-caught coho and chinook salmon is too low and that higher rates are appropriate. The SSC supports the methodologies proposed by the STT to arrive at interim rates for the 2000 season. The SSC recommends the use of a median rate from mortality rate studies that have been conducted in West Coast salmon fisheries since 1984. This process involves expanding short-term (within 24 hours) mortality rates to account for delayed (after 36 hour) mortality. The SSC endorses the methods proposed by the STT to determine this expansion. The SSC requests that the current work group prepare a report for the March meeting that documents the data and methods used to arrive at the interim rates proposed.

C.2.c. Comments of Advisory Entities and Public

SAS

Mr. Mark Cedergreen read Supplemental SAS Report C.2.

Hook-and-Release Mortality in Recreational Fisheries

The Salmon Advisory Subpanel (SAS) agrees with the Salmon Technical Team (STT) that currently utilized hook-and-release mortality values are probably lower than what actually occurs. We recommend the following:

1. Test data used in estimating hook-and-release mortality needs to be specific to, and reflect the actual gear types and fishing methods employed in, the fishery to which the data is applied.

2. If a precautionary buffer is to be applied to a hook-and-release mortality percentage, it should be clearly identified and not buried in the scientific estimate itself.

3. Other mortality factors, such as drop-off and predation, should be clarified as to origin and individually quantified.

We encourage the Council to continue to seek the best scientific information including coastwide standardized studies.

Klamath Ocean Harvest Model (KOHM)

The SAS is frustrated with the lack of progress in updating the KOHM and requests that all parties responsible finish their respective tasks.

Public

Mr. Paul Engelmeyer, National Audubon Society, Yachats, Oregon
C.2.d. Council Action

The Council directed the STT to complete its analysis of hook-and-release mortality rates and provide the analysis and recommendations for an interim rate to be used in the 2000 sport fisheries to the SSC prior to the March meeting. Council staff is to use the newsletter to alert the public that, in March, the Council will consider adoption of an interim hook-and-release mortality rate for the 2000 sport fisheries off Oregon and Washington and, based on the preliminary STT analysis, the rate is likely to be higher than the current rate of 8%. (Motion 6)

Mr. Anderson urged the STT to work toward a consensus on its final recommendations to the Council.

The Council also directed the staff to coordinate a joint one-day meeting of the entire SSC and appropriate STT members at the June 2000 Council meeting for the purpose of providing the SSC with an overview of the modeling process as it relates to the chinook and coho FRAMs.

C.3. Revisions to the Preseason Process

C.3.a. Staff Summary

Dr. Coon noted that at the June 1999 Council meeting, the STT provided its recommendations for revisions to the preseason process (STT Report D.2.). The Council indicated its support for the concepts developed by the STT to improve the preseason process and invited public and advisor comments prior to taking action at this meeting. The STT recommendations have been condensed in Attachment C.3.a. as follows:

1. **Preseason Reports:** The Salmon Technical Team (STT) intends to modify Preseason Report I by adding more detailed information for the impact assessment of the previous year's management measures on current year stock abundance forecasts (status quo option). A table format will be designed to add important model outputs for Klamath River fall chinook, and a fishery-by-fishery breakdown of expected impacts on Sacramento River winter chinook and Oregon coastal natural (OCN) coho. The text of both the Postseason Review and Preseason Report I will be reduced to that necessary for Council deliberations.

2. **Management Agency and Fishery Constituents Meetings:** Affirm the importance of preseason meetings of state and tribal managers with fishery constituents and recommend California consider modifying or expanding its meeting in February to more fully discuss management priorities for the season, commercial-recreational allocation, and other key issues that must be resolved prior to final Council action in April. In addition, California should consider having a structured agency and fishery representative meeting between the March and April Council meetings to refine the March options. The meetings would be similar in function to the North of Cape Falcon Forum and should be completed prior to the public hearings.

3. **March Management Options:** Developing management options is a complex process which may be assisted by following specific and consistent guidelines. However, the guidelines must have some flexibility to address numerous and changing issues. To aid option assessment, the STT urges pertinent agency and tribal managers to have the chinook Fishery Regulation Assessment Model ready to run no later than the first day of the March Council meeting. The STT suggests the Council consider the following guidance for developing more functional management options during the March meeting:

   a. Work toward identifying a preferred option on Friday of the March Council meeting. Generally, Option I should include the Salmon Advisory Subpanel's (SAS) priority seasons and management measures. Options II and III would be used to show seasons in which one group or the other gets more or less of its priorities, to illustrate the effect of other management measures (e.g., variations in bag limits for recreational fisheries) or to allow for different inside/outside allocations (e.g., options north of Cape Falcon). The final adopted options would be required to meet basic conservation requirements.
b. Provide specific guidance for the allowable level of impacts on OCN coho and priorities for the allocation of impacts on critical stocks (e.g., Klamath River fall chinook, Sacramento River winter chinook, Snake River fall chinook, etc.) on the first day of the March meeting. Council staff can modify the option tables to insure that these objectives are clearly identified and addressed. Each time the Council reviews the options, it should confirm or amend its guidance on the objectives and priorities.

c. SAS representatives clearly identify their fishery priorities (e.g., first two fish, continuous season between Point X and Y, etc.) and engage in negotiations as necessary to resolve conflicts among gear groups and areas to arrive at cohesive and coordinated options.

d. Avoid adopting more than three options. The Council should attempt to identify all significant or new management measures that might be considered for final adoption. However, it is not necessary or possible to model each potential option. Many variations can simply be noted in the description of the three main options. Additional options or variations may be provided for Council consideration during the public comment period which follows the March Council meeting. This period ends with completion of public comment on the tentative adoption of final management measures during the first day of the April Council meeting (Tuesday).

4. April Meeting: Adopt final management measures on Thursday afternoon of the April Council meeting rather than on Friday. This would assure the STT could complete its final assessments, including model runs and impact tables, prior to the end of the Council meeting. Significant last minute errors could be clarified and addressed prior to the end of the meeting and the time required to submit recommendations to the U.S. Secretary of Commerce could be reduced. Such a strategy would work only if the Council were firm and fully committed to the Thursday deadline.

Dr. Coon noted that the preseason process is extremely dynamic and varies among the major geographical areas and fishery participants. He suggested the Council provide a clear statement of intent to work toward improving the preseason process along the lines recommended by the STT rather than adopting revisions as inflexible operating procedures for the coming year. Further refinements to the procedures may emerge during the actual process. He noted that Item 1 provided the intent of the STT to improve the preseason reports. Unless the Council has specific objections, the STT will implement those changes for the 2000 season.

C.3.b. Comments of Advisory Entities and Public

SAS

Mr. Cedergreen read the report of the SAS.

_The Salmon Advisory Subpanel (SAS) agrees with the Salmon Technical Team (STT) regarding the proposed changes and offers the following additional proposals:_

1. _Per STT Item 3, we propose that the Klamath Ocean Harvest Model should also be ready to run no later than the first day of the March Council meeting._

2. _Provision of impact breakdown, by fishery, on critical chinook stocks similar to what is included now for Oregon coastal natural coho._

3. _California table formats should include all harvest cells and not just those below Point Arena._
C.3.c. Council Action

Mr. Boydstun expressed support for beefing up the state and fishery constituents meetings as presented in Item 2 of Attachment C.3.a. He believes it would be especially helpful if Oregon and California representatives could meet between the March and April meetings to initiate movement toward a final option. Mr. Bohn agreed to pursue the possibilities for such a meeting. With regard to Item 3a, Mr. Anderson and Mr. Harp stated that it would be very difficult to identify a preferred option at the end of the March meeting for their fisheries since that is the process which occurs in the north of Cape Falcon Forum. Mr. Anderson was supportive of the concept of Item 4, but expressed significant reservations about completing negotiations in time to adopt the final measures on Thursday afternoon. In support of assisting more timeliness in the final adoption, Mr. Bohn stated he would make a recommendation that the Oregon Commission meet outside the time frame of the actual Council meetings if they desire to provide specific direction to the preseason process.

Overall, the Council supports the improvements recommended by the STT and will use the document as a guide to work toward in the coming season. Council members have some reservations over being able to identify a preferred option at the end of the March meeting and will delay a decision on scheduling the final adoption in April until the last day of the March Council meeting.

C.4. Changes to 2000 Management Measures to Protect Central Valley Spring Chinook

C.4.a. NMFS Report

Mr. Dan Viele, NMFS Southwest Region, referred the Council to a letter (NMFS Report C.4.) which provides interim guidance regarding anticipated consultation standards for threatened Central Valley spring chinook that could affect seasons opening off California prior to May 1, 2000. Mr. Viele indicated that the 2000 biological opinion should be ready by late February. The letter states that NMFS does not anticipate the biological opinion for spring chinook will require any changes to the recreational seasons opening prior to May 1, 2000. However, the listing makes it difficult for NMFS to support open entry commercial test fisheries south of Pillar Point prior to May 1 since preliminary data from the 1999 test fishery at Half Moon Bay indicate that 31% of the catch were Central Valley spring chinook, mostly of hatchery origin. NMFS could support a test fishery on an exempted permit basis which allowed capture of only the number of fish needed for a species composition determination.

While delays in the opening of recreational fisheries may not be needed to protect Central Valley spring chinook, a delay could be beneficial with regard to endangered Sacramento River winter chinook management. NMFS recommends the Council achieve the necessary reduced harvest impacts in 2000 for winter run as much as possible through delayed recreational openings south of Point Arena rather than through confusing size limit increases as has been done in the past. Such delays would also benefit Central Valley spring chinook.

C.4.b. Report of the STT

None.

C.4.c. Comments of Advisory Entities and Public

There are no advisory entity or public comments.
C.4.d. Council - ACTION

Mr. Boydstun stated that CDFG planned to meet with fishery representatives within the next week to discuss delaying recreational openings south of Point Arena to protect listed species. He proposed that if fishers supported delayed openings, the seasons could be modified by an action of the California Fish and Game Commission. NMFS could then make federal regulations consistent through inseason management action. Because of the timing, (season set to open March 18 South of Pigeon Point), any necessary action would have to occur prior to the March Council meeting. The Council concurred and will not make any changes to the opening dates at this time. (Motion 7)

C.5. Test Fishery Protocol

C.5.a. Staff Report

Dr. Coon briefly reviewed the basis of the test fishery protocol (Attachment C.5.a.) tentatively adopted at the September meeting. He also noted the one public comment letter received at the Council office (Public Comment C.5.). The letter stated the protocol was received too late to allow sponsors time to meet the October proposal deadline for this year, was overly complex, and should be accompanied by an example form.

C.5.b. Comments of Advisory Entities and Public

SAS

Mr. Cedergreen read the report of the SAS.

_The Salmon Advisory Subpanel (SAS) recognizes the purpose of the proposed test fishery protocol. However, in most cases, the amount of detail required to be provided will be beyond the capabilities of individuals or fishing organizations without help from state agencies. We believe that such proposals should be funneled through state and tribal agencies._

Public

Mr. Bill Maahs, commercial salmon fisherman, Fort Bragg, California
Mr. Duncan MacLean, trollier, El Granada, California
Mr. Michael Maahs, Salmon Trollers Marketing Association, Fort Bragg, California

C.5.c. Council - ACTION

Several Council Members expressed concern with the amount of detail required of industry sponsors in completing the protocol and questioned why it only applied to industry sponsored test fisheries. Mr. Anderson suggested striking out the words "industry sponsored" and all references of "industry" to make it more generic. Mr. Brown concurred and recalled the discussion at the September meeting was to change the wording from "research" to "test" fisheries to clarify that it did not apply to all cases of research. He noted that in actual practice the test fisheries would have to be state-sponsored test fisheries because they have the personnel and money to do it. Dr. Coon clarified that the purpose of the protocol was not to set up a generic research review process for all test fisheries. Such a procedure could stifle agency and tribal projects which had already undergone planning and review in other venues. The protocol was aimed at encouraging the timely and efficient development of viable industry sponsored test fisheries that are coordinated with the needs and capabilities of the agencies that will implement them. Such a procedure should also help reduce conflicts and unrealistic expectations during the adoption of salmon fishery management measures in March and April.

The Council adopted the protocol for industry sponsored test fisheries as provided in Attachment C.5.a. with the following modifications:
Add a sentence in A.1 as follows - Due to the lack of prior notice, the Council will accept submission of test fishery proposals for the 2000 season up to the March 2000 Council meeting.

Add an A.3 as follows - Previously approved test fisheries do not need to be resubmitted each year.

Add the following sentence in an appropriate portion of the protocol - Test fishery sponsors are urged to coordinate their proposals through the appropriate management entities.

Under B.3., expand the sentence to say - an explanation will be provided on why a request is denied.

In C.5. - Strike the word “budgeted”. (Motion 8)


C.6.a. State Reports

ODFW

Mr. Sam Sharr presented Supplemental ODFW Report C.6. which summarizes the results of the selective coho sport fishery off Central Oregon in July 1999. He noted that the monitoring program for the fishery, which included both dockside and onboard monitoring, was successful at providing accurate and timely estimates of daily catch for quota management and other data to compare with preseason management assumptions. The inseason estimated mark rate of 62% was close to the preseason estimate of 65%. Illegal retention of marked fish was estimated at 1.1% compared to the preseason assumption of 5%. Estimates of drop-off mortality by the standard preseason method were considerably higher than those calculated by applying an 8% mortality to known drop-offs counted during the onboard monitoring of the fishery.

WDFW

Sgt. Mike Cenci, WDFW, summarized the results of enforcement monitoring in the 1999 Washington selective coho sport fisheries (Supplemental WDFW Report C.6.). He noted that it is difficult to provide unbiased estimates of regulation compliance from enforcement monitoring since anglers may act differently in the presence of a uniformed officer and the contact to violation rate may be a reflection of the effectiveness of an officer at discovering a violation. Based on the enforcement monitoring, the estimated compliance with salmon regulations in the selective fisheries ranged from 80% to 91%, depending on the fishery subarea. Compliance with marked fish retention ranged from about 99% in the Columbia River and Westport subareas down to 95% in Neah Bay where the percentage of marked fish was much lower.

C.6.b. Comments of Advisory Entities and Public

SSC

Dr. Lawson gave the report of the SSC.

The Scientific and Statistical Committee (SSC) met with Mr. Sam Sharr, Oregon Department of Fish and Wildlife, who distributed a draft report summarizing data and observations collected from selective coho fisheries implemented in 1999 off Oregon. The SSC did not have an opportunity to review the report. However, Mr. Sharr did provide a useful overview of the report’s contents, highlighting strengths and weaknesses of the program. The SSC commends the report authors for compiling what, at first glance, appears to be a comprehensive summary and analysis of the data. Of particular note was the calculation of variances for fishing effort, catch-per-unit-effort, and drop-off estimates. We encourage the authors to derive variances for hooking mortality rates also. The SSC was pleased to see the report includes gear profiles of the fleet and hook wound location frequencies.
Members of the SSC’s salmon subcommittee will review the document by mid-January, prior to the spring management process. The SSC concurs with the authors in cautioning against using Oregon coastal natural (OCN) coho impacts described in this report for management in the 2000 season. Estimation of OCN impacts was not among the goals of the selective fishery program and should not be interpreted as final post-season estimates.

Public

Mr. Mark Cedergreen, Westport Charterboat Association, Westport, Washington

C.6.c. Council Comments

None.


C.7.a. ODFW Report

Mr. Sam Sharr provided the Council with a tentative plan and schedule of events (Supplemental ODFW Report C.7.) to accomplish the comprehensive and adaptive year 2000 review of Amendment 13 to the salmon management plan. The review, which is also required under the Oregon Plan, is necessary to assure that the rebuilding plan for Oregon coastal natural (OCN) coho still reflects the best available science. The review will span historical data through brood year 1996 returns and be a cooperative effort among the pertinent Council managers with ODFW as the lead agency. The work group should be composed of ODFW staff, a member from the SSC, STT, and Council staff, and appropriate representatives from the Oregon Production Index Technical Team. Input will also be solicited from the Oregon Independent Mutidisciplinary Science Team. An initial meeting of the workgroup should occur in November to identify key issues and make work assignments. Progress reports will be made at the March and June Council meetings. Preliminary recommendations will be reported at the September Council meeting and finalized for November 2000. Mr. Sharr requested the Council to comment and concur in the proposed plan and appoint representatives from the SSC and STT.

C.7.b. Comments of Advisory Entities and Public

SSC

Dr. Lawson read the comments of the SSC.

Mr. Sam Sharr briefed the Scientific and Statistical Committee (SSC) regarding the Oregon Department of Fish and Wildlife (ODFW) proposal for reviewing the Oregon coastal natural coho salmon management program. ODFW will convene a planning and strategy session in late November 1999 to identify key biological and technical issues and will assign work groups to address these issues. A progress report will be made available to the Council family at the March 2000 meeting. The SSC supports ODFW’s efforts and looks forward to receiving this report in advance of the March meeting.

Public

There were no comments from the public.

C.7.c. Council - ACTION

Council members concurred with the items set forth in Supplemental ODFW Report C.7. [Following the meeting, the Council chair appointed Dr. Pete Lawson, Dr. Robert Kope, and Dr. John Coon to serve on the review work group.]
D. HABITAT ISSUES

D.1. Report of the Habitat Steering Group

Mr. Paul Heikkila gave the report of the HSG.

Potter Valley Project
Mr. Larry Week of California Department of Fish and Game (CDFG), Mr. Gene Geary of PGE, and Mr. Dick Butler of National Marine Fisheries Service (NMFS) presented information on the Potter Valley Project on the Eel River. The project's license is up for an amendment regarding stream flows. A draft environmental impact statement (DEIS) was released earlier this year. One hundred sixty thousand acre feet of water are diverted annually from the Eel River into the Russian River. Chinook have been impacted the most by project operations. The water diverted to the Russian River is important agriculturally and for municipalities. There is a disagreement between CDFG/PGE and NMFS/Department of the Interior, on summer flows (and pike-minnow predation) in the Eel River as well as other hydrological modeling.

Action: We request that the Council write to the Federal Energy Regulatory Commission asking that the flawed DEIS for the Potter Valley Project be rewritten and reissued by the Federal Energy Regulatory Commission with adequate time for public comment. Numerous entities, including CDFG, have requested a new DEIS. The HSG will draft a letter for the Council Chair's signature by mid-December.

Fishing Gear Impact
As the Council directed the HSG in November 1998, the HSG plans to take the lead on addressing the impact of fishing gear on habitat. Therefore, based on this understanding, the HSG plans to draft goals and objectives for this initiative and will work with the Groundfish Advisory Subpanel members who are a part of the workgroup to develop these. We request that the Groundfish Advisory Subpanel members who are part of the workgroup on Gear Impacts be part of further actions and discussions during Habitat Steering Group meetings.

Action: We request the Council approve the HSG's planned course of action.

Trinity River DEIS
The HSG heard a presentation from Mr. Mike Orcutt of the Hoopa Valley tribe on the Trinity River Mainstem Fishery Restoration DEIS.

Action: The HSG will provide the Council with a letter of comment endorsing the preferred alternative, as a minimum for anadromous salmonid restoration. This letter will come to the Council via the fast response mechanism.

World Trade Organization
We discussed the upcoming World Trade Organization (WTO) meeting in Seattle. Concerns have been raised about subsidies, tariffs, and other issues that the WTO may rule on how these would affect habitat restoration and fishery management efforts.

Action: The HSG recommends that a Council representative interact with the U.S. delegation to the WTO and attend the WTO meeting. If approved, the HSG will ensure that the Council representative will be adequately briefed prior to the meeting.

The HSG also received presentations on the proposed San Francisco airport expansion, the Oregon Forestry MOA Committee efforts, and the impact of gravel mining on salmonids.
D.2. Comments of Advisory Entities and Public

There were no comments from advisory entities or the public.

D.3. Council - ACTION

Mr. Brown noted that he would like to share this work plan for fishing gear impacts with others. He is concerned that we have several groups going off working on EFH. He would like to see coordination; no duplication.

Mr. Anderson noted that we have already confirmed the plan for fishing gear impacts. Do we need a motion to reaffirm all of that?

Mr. Anderson moved that the HSG have the lead for addressing the impact of fishing gear on habitat and that they utilize members of the GAP representing the different gear types and their work; and that we approve the work plan laid out in Supplemental WGI Report D. Mr. Alverson seconded the motion. (Motion 9) Motion passed.

Mr. Boydstun moved that the Council direct the HSG to develop letters for the Council on the issue of the Potter Valley FERC project; and the second letter for comments on the Trinity River DEIS, and the Council use the fast response mechanism. (Motion 10) Mr. Fletcher seconded the motion.

Mr. Boydstun explained that Mr. Larry Week will work closely with Michele Robinson on drafting that letter. Mr. Harp asked for clarification about the Potter Valley Project DEIS. What is the preferred alternative? Mr. Boydstun said he did not know. Motion10 passed.

Public comment period for fishery issues not on the agenda

Mr. Robert Treanor, Executive Director, California Fish and Game Commission (Commission) presented the Commission's stance on sportfish rockfish bag limits (regulations). A special hearing was held on October 20, 1999 to receive the CDFG recommendations and public comments on those regulations. They also heard reports from various agencies on the status of rockfish populations. The conclusion was that the commission adopted tentative intentions (a range of recommendations for the management of the rockfish populations). He also read a letter to the Council (which was provided to Council members).

Mr. Mark Cedergreen, representing Westport Charterboat Association, Westport, Washington, brought up the subject of the spot prawn trawl fishery. He talked about gear conflicts with that fishery as well as the local pot fishery. That is part of the increase in halibut bycatch. Mr. Cedergreen requested that either the Council consider a management plan for spot shrimp or that this fishery be managed in the same manner as crab so there is some form of process and involvement to solve the problems of gear conflicts with the spot prawn trawl fishery. Mr. Anderson noted that WDFW does have regulations for spot prawn off the Washington coasts. WDFW would be willing to address his concerns.

Mr. Steve Meadows, Assistant Natural Resources Director, Quilleute Tribe, commented on halibut bycatch which was not addressed in the halibut catch sharing plan.

E. COASTAL PELAGIC SPECIES MANAGEMENT

E.1. Update on Implementation of Limited Entry

Mr. Jim Morgan (NMFS/SWR) reported that NMFS is reviewing the final regulations to implement limited entry. It is expected that the final rule will be published in mid-November 1999. Because of the short period between publication of the final rule and implementation of limited entry (January 1, 2000), Mr. Morgan encouraged interested parties to obtain an application and the draft final rule. He suggested that applicants familiarize themselves with this material to expedite the application process.
E.2. Pacific Mackerel Harvest Guideline

E.2.a. Biomass Estimate and Harvest Guideline

Dr. Doyle Hanan and Dr. Kevin Hill presented the Pacific mackerel assessment (Attachment E.2.a.). Dr. Hanan reviewed the Executive Summary; discussed how the assessment model is modified annually to improve biomass estimates; and outlined data sets that are available to assess Pacific mackerel, notably, a suite of fishery independent data. Dr. Hanan then reviewed the 1999 Pacific mackerel biomass estimate, and discussed a revision of the assessment based on new information indicating Mexican harvest of Pacific mackerel was approximately 10,000 mt lower than anticipated. Biomass is estimated to be 239,286 mt; the recommended harvest guideline is 46,428 mt.

Mr. Fletcher asked about the market for market squid, has it created incentives for fishing for Pacific mackerel? Also inquired about the duration of the season? Dr. Hanan said the fishery opens July 1 and ends June 30 the following year. Pacific mackerel landings in California in June 1999 were 2.5 tons, additionally, the Pacific mackerel quota was not taken last year either. The fishery management plan states that demand is not expected to exceed 40,000 mt. The price has not changed from $120.00 - $130.00 per mt. To date, about 3,000 mt have been landed. The amount landed prior to December 31, 1999 will be subtracted from the final harvest guideline on January 1, 2000.

Mr. Alverson, was confused by apparent contradictions in the Executive Summary, which indicated 1998-1999 biomass equal to 120, 202 mt versus 193, 503 mt. Ms. Wolf asked if this is the biomass estimate. Dr. Hanan answered that the difference is due to the estimate at the start of the season, versus the actual tons landed based on a calendar year. Dr. Hill explained the difference between a model estimate versus a forecast estimate. Dr. Hanan noted that the model becomes more accurate each year the model is run.

Mr. Fletcher noted that the landings of Pacific mackerel in 1998 and 1999 were limited due to availability of market squid. He inquired about mackerel landings increasing as squid prices are currently declining. Both Drs. Hanan and Hill indicated that, yes, this could happen.

E.2.b. Comments of Advisory Entities and Public

On behalf of John Royal (CPSAS chair), Dr. Hanan noted that the CPSAS is supportive of the CPSMT’s efforts.

Public

Ms. Barbara Stickley, Director of PCFFA, Moss Landing, California

E.2.c. Council - ACTION

Ms. Patty Wolf moved that the Council adopt the final harvest guideline for the 1999-2000 Pacific mackerel season of 46,428 mt, and, effective January 1, 2000, subtract the landings from the first three months of the season from that quota. Seconded by: Bob Fletcher. (Motion 11) Motion passed.

Mr. Fletcher moved to Approve inclusion of the annual management cycle for CPS in the Council Operating Procedure for the CPS management cycle as shown in Attachment E.2.b. (Motion 12) Mr. Thomas seconded the motion. Motion 12 passed.
F. Highly Migratory Species Management

F.1. Guidance to Plan Development Team

F.1.a. Summary of Scoping Sessions

Mr. Svein Fougner explained that a scoping document was developed and distributed prior to the scoping sessions, which were held in Westport, Newport, Monterey and Long Beach. Mr. Fougner distributed Supplemental NMFS Report F.1., a provisional list of 19 items of guidance to the HMSPDT.

Ms. Michele Robinson summarized the scoping session held on October 18 in Westport, Washington.

Ms. Jean McCrae summarized the session held in Newport, Oregon, October 19; Dr. Dale Squires presented the results of the Monterey session, October 12, 1999; and Mr. Steve Crooke summarized the session in Long Beach, October 13, 1999.

F.1.b. Comments of Advisory Entities and Public

HMSAS

Mr. Peter Flournoy gave the report of the HMSAS:

The Highly Migratory Species Advisory Subpanel (HMSAS) met October 22, 1999, in Long Beach, California. Six of the ten members attended, including:

Dr. Michael Domeier, private recreational
Mr. Pete Dupuy, commercial at-large
Mr. Peter Flournoy, Chairman, commercial purse seine
Dr. Rod Fujita, public at-large
Mr. Donald Hansen, charter boat operator
Mr. Chuck Janisse, commercial gillnet

The two processor representatives, the commercial troll representative and the other public at-large member were unable to attend. Members of the Highly Migratory Species Plan Development Team (HMSPDT) also attended.

The HMSAS received summaries of the four scoping meetings held to collect public input on issues that should be considered in the development of a fishery management plan, and the HMSAS discussed the principal issues mentioned in the scoping paper.

Scoping Sessions

Some HMSAS members expressed concern that the sessions were held during a period when many commercial fishermen were fishing and therefore unable to attend. They felt there had been a disproportionate attendance by sport and charter boat interests which tended to skew the impression NOAA and other government officials received. Assurances were given that the "scoping sessions" were only one of many sources the government would look at and the public was invited to express their views in writing or in person at Council meetings. It was suggested that in addition to the government increasing its outreach efforts to get more and wider participation in future meetings and scoping sessions, the HMSAS should also increase their outreach efforts.

Objectives of the Fishery Management Plan (FMP)

There was considerable discussion of the "nature" of the FMP - was it to be a "framework" or "bare bones", and if so, what such a framework FMP means. Some HMSAS members believed that even
a framework FMP needed to have various management measures attached to it even if it did not relate directly to the highly migratory species target species.

The HMSAS recommends that the following objective not be included in the FMP: "Use gear restrictions to minimize the necessity for other management measures whenever practicable." Gear restrictions may not be the best way to manage some fisheries.

Species in the Management Unit

There was considerable discussion and some confusion concerning this issue. The HMSAS discussed a wide range of options, from listing all of the species in the 1982 United Nations Law of the Sea Treaty Annex I to including some general language without listing species. There is uncertainty about the legal ramifications of an all-inclusive list of target and non-target species. Will this require maximum sustainable yield and biomass estimates for all stocks, including non-target species which in the short term cannot be provided? The HMSAS believes that the list of principal stocks of interest in the scoping document is a good starting point, but in addition recommends incorporation of framework language to allow addition of stocks as necessary.

State vs. Federal Regulations

This is a matter of great interest and there were a number of questions about how the Council should proceed. Should all existing state regulations be incorporated into federal regulations implementing the FMP? To what extent are the regulations in Washington, Oregon and California inconsistent with each other? Could and should any inconsistencies be removed by the federal regulations? As an initial step, the HMSAS recommends that the HMSPDT document all of the existing state regulations and evaluate them for consistency with each other and with any existing federal regulations.

Need for Management Measures

There is no consensus at this time on the need for management measures. Limited entry in the albacore fishery was raised during the scoping meetings, but the HMSAS is not prepared to recommend any new limited entry programs at this time. It was noted that the California swordfish fishery is limited by the state. The HMSAS recommends that the albacore industry discuss this issue and make recommendations directly to the Council. There may also be other developing HMS fisheries not presently represented for the Council.

There was one member of the public present who began a discussion of shark finning. Some HMSAS members thought it was inappropriate to single out shark finning as a management measure. It was recommended the term "utilization" be used as a more general description.

Research and Monitoring

All recognize the need for expanded research and data collection for highly migratory species in the Pacific.

International Concerns

The HMSAS is keenly interested in ongoing international discussions in the Pacific as they affect West Coast-based fishermen and processors. Individual HMSAS members continue to monitor the meetings of the Inter-American Tropical Tuna Commission and Multilateral High-Level Conference. The HMSAS agreed we need to include a strong international focus in the management process, while addressing any domestic issues as appropriate. The key to conservation and management of these stocks is international agreement and cooperation.
Plan Development Schedule

The target FMP completion date is October 2000. NMFS anticipates there will be enough funding for HMSPDT and HMSAS meetings necessary to complete the FMP. The exact number and dates of meetings are yet to be determined. The first HMSPDT meeting to begin FMP development is set for December 8-10, 1999, at the NMFS Southwest Fisheries Science Center in La Jolla, California.

Public

Mr. Chuck Janisse, Federation of Independent Seafood Harvesters, Ventura, California
Ms. Andy Oliver, World Wildlife Fund, Washington, DC
Mr. Wayne Heikkila, Western Fishboat Owners Association, Eureka, California
Ms. Tana McHale, Western Fishboat Owners Association, Eureka, California
Mr. Peter Flournoy, representing the American Fisheries Foundation, San Diego, California
Mr. Ron Gahl, Recreational Fishing Alliance, Oakland, California

F.1.c. Council Direction - ACTION

In response to public comment, the Council discussed the merits and process of setting a control date for any future limited access program. Ms. Cooney said that the action of setting a control date needs to be announced on a future agenda first. This issue is not on the agenda for this meeting.

Dr. Radtke asked if the Council could set the control date for all highly migratory species, or certain species. Mr. Fougner said you can set it for whatever fishery sectors or species you would like to have under a limited entry program in the future. Ms. Cooney said you should be realistic about what you are doing in the distant future. The control date is really an advanced notice of proposed rulemaking, sort of a "heads up".

Mr. Fletcher moved that the Council notify the public that it may set a control date for all HMS at its March 2000 meeting. (Motion 13). Ms. Wolf asked if the control date would be the date at the March meeting, or can we set a date now? Ms. Cooney clarified that it would be the date of the March meeting at the earliest. Motion 13 passed.

Mr. Anderson asked Mr. Fougner if the initial guidance to the plan development team includes a timeline. Mr. Fougner replied that a timeline is not included, but the guidance does include a progress report from the team in March.

Ms. Wolf suggested adding to the list a direction to insure that there is communication between the HMSAS and HMSPDT on development of the FMP. Mr. Anderson said he would like the team to develop a timeline and potential schedule of meetings in developing the FMP. Mr. Bohn moved to adopt guidance to the HMSPDT as shown in Supplemental NMFS Report F.1., with the addition of suggestions by Ms. Wolf and Mr. Anderson. (Motion 15) Motion 15 passed.

Mr. Anderson brought up the composition of the advisory subpanel. He is concerned that the Subpanel needs more representation of the commercial albacore fleet, particularly in the north. Mr. Fletcher noted that we should turn to NMFS since they are funding the development of this plan. Mr. Fougner replied that funding should not be a problem, depending on how many meetings they want to hold. Mr. Anderson moved to add two commercial at -large seats to the HMSAS (Motion 14). Mr. Brown said we need to keep in mind that there are a couple of fleets that fish albacore, one is the fleet represented by the WFOA; there is also a fresh market category selling right off the dock - those people need to be identified. Mr. Fougner noted that the new members would not be appointed until the March meeting and would not be attending the next Subpanel meeting prior to the Council meeting. Motion 14 passed.
G. GROUNDFISH MANAGEMENT

G.1. Status of Regulations, Exempted Fishing Permit Applications, Research Programs, and Other Activities

G.1.a. NMFS Report

Mr. Bill Robinson reported on two regulatory actions taken by NMFS since September: 1) publication and implementation of trip limit adjustments put in place on October 1; and 2) the control date notice for future participation of AFA qualified vessels (that notice is under review at the headquarters office, and will be published shortly). Applications for Exempted Fishing Permits (EFPs) for the shore side Pacific whiting fishery have been received. Oregon Department of Fish and Wildlife (ODFW) and Pacific whiting fishery participants are developing plans to address bycatch in this year’s whiting fishery. See supplemental ODFW Report G.1.

Mr. Robinson also discussed the reopening of the comment period on the interim final rule for Essential Fish Habitat (EFH). See Supplemental NMFS Report G.1.

Request for Comments

In light of the comments received on the interim final rule and NMFS’ experience implementing the EFH provisions of the Magnuson-Stevens Act under the interim final rule for approximately 20 months, NMFS has identified four issues that warrant additional public input prior to the development of a final rule. Commenters on the interim final rule need not resubmit their previous comments. When developing the final rule, NMFS will consider all comments received on the interim final rule as well as comments received in response to this document.

NMFS requests comments on the following issues:

(1) Given the statutory definition of EFH in section 3(10) of the Magnuson-Stevens Act (16 U.S.C. 1802(10)), what suggestions do you have for improving the regulatory guidance regarding the description and identification of EFH, including the breadth of EFH designations, in Secs. 600.815(a)(1) and (2) of the interim final rule?

(2) Section 600.815(a)(3) of the interim final rule addresses fishing activities that may adversely affect EFH. What additional guidance, if any, should the final rule contain on how Councils should document their efforts to minimize the effects of fishing on EFH, to the extent practicable, as required by section 303(a)(7) of the Magnuson-Stevens Act (16 U.S.C. 1853(a)(7))? 

(3) Has the use of existing environmental review procedures as described in Sec. 600.920(e) of the interim rule been an effective way to handle EFH consultations? What additional guidance, if any, should the final rule provide on how to use existing environmental reviews to satisfy EFH consultation requirements?

(4) Federal action agencies are required by Sec. 600.920(g) of the interim rule to prepare an EFH Assessment as part of the consultation process. How, if at all, should the EFH Assessment requirement be revised in the final rule?

NMFS will publish a Federal Register notice in early November requesting comment on these issues within 45 days from the publication date. Mr. Robinson noted that if the Council wants the Habitat Committee to take this up, then they should direct the committee accordingly.

Mr. Brown stated that, in regard to the control date for AFA qualified vessels, the AFA specifies that Councils will mitigate adverse impacts relative to AFA. The cutoff date corresponds to the September meeting, rather than the date of AFA passage/implementation. In publishing that cutoff date, is that the date the Council is fixed with, are we bound by that date?
Mr. Robinson said the control date was the date corresponding of the September Council meeting. He stated that the date does not limit the Council in the development of management measures to address adverse impacts resulting from the AFA. Ms. Cooney replied it takes more justification to go back.

Ms. Cyris Schmitt reported the NMFS/Alaska Fisheries Science Center's (AFSC) bottom trawl survey has been completed. The NOAA research vessel Miller Freeman is currently performing the West Coast bottom trawl survey and will be out until mid-November to measure abundance of upper-shelf species. NMFS is also evaluating the NWFSC two-year survey off the continental slope and making comparisons with AFSC work. Two graduate students have been funded to gather and summarize existing information on 60 species that have not been assessed. This information will be used to assess their status. Regarding EFH, the AFSC met with others on a project to map sediment size on the shelf. Finally, Dr. James Hastie (NMFS) will be joining the NWFSC, and Ms. Schmitt is exploring the possibility of hiring an assessment assistant.

Mr. Alverson asked about the reference to a shallow water trawl survey to look at sablefish and Dover sole. Ms. Schmitt replied that the survey was for the upper slope.

Mr. Neal Coenen presented Supplemental ODFW Report G.1., detailing the ODFW/whiting industry effort to address rockfish bycatch in the shoreside Pacific whiting fishery.

G.1.b. Comments of Advisory Entities and Public

No comments from advisory entities.

Public

Mr. Joe Easley, Oregon Trawl Commission, Newport, Oregon
Mr. David Jincks, Newport, Oregon
Mr. Dale Myer, Arctic Storm, Seattle, Washington
Mr. Neal Coenen, Newport, Oregon
Mr. Bob Eaton, Pacific Marine Conservation Council, Astoria, Oregon

G.1.c. Council - ACTION

Mr. Bohn indicated EFP applications for the shorebased whiting fishery will be presented by ODFW in the March/April time frame. There is good information that the rockfish bycatch problem can be contained. Mr. Bohn believes the Council should let the industry come forward with these solutions.

G.2. Fishery Management Plan Amendment for Stock Rebuilding and Specific Rebuilding Programs for Lingcod, Bocaccio, and Pacific Ocean Perch

Mr. Glock reviewed all of the documents the Council will be using, and what action items need to be dealt with.

G.2.a. Rebuilding Plan Briefings

Mr. Glock discussed Attachment G.2.a., the draft FMP amendment 12 - stock rebuilding plans.

Mr. Boydstun referred to Section 5.6.5.3. that indicates allocation proposals require three Council meetings and asked if we intend for that to be the case? He noted we anticipated taking final action at this meeting, but this is only the second. Mr. Brown expressed the same concern. Ms. Cooney explained we are operating with the understanding the Council's recommendations will require emergency rule and therefore not constrained by that provision. In the future the Council will need to schedule three meetings if allocation measures are included in the rebuilding plan. Mr. Brown was also concerned that bycatch, harvest sharing, and some other parts in the current rebuilding plans, would be incomplete if adopted today. Mr. Robinson agreed the rebuilding plans are missing the description of the management measures and how they will
work to achieve the goals of the rebuilding plan. After the rebuilding goals are decided at this meeting, they will be added to each plan. Mr. Robinson said there has not been time to deal with everything, and the economic analysis has not been done. The adoption of the amendment may shift to the April meeting. In the future, the Council would approve a rebuilding plan and adopt regulations at the same time. Ms. Cooney said if the Council delays adoption until the April meeting, we could develop more frameworks to deal with this issue.

Mr. Fletcher asked whether the Council needs to address canary and cowcod. Mr. Robinson said they are not yet listed as overfished, but NMFS will notify the Council around the end of this year that canary and cowcod are overfished.

Mr. Glock suggested that when a stock assessment analyst does an assessment and the conclusion is that the stock is overfished, that they also be tasked with identifying the basic information we need (the current status, minimum rebuilding time, mean generation, etc.). We could use that information to get a head start on the rebuilding plans. As for allocations, the Council will need to develop strategies. In order to meet the three-meeting process, we need to start in June 2000 based on the information we have now. This year we did not get started early enough, and we are learning as we go along.

Mr. Brown asked about using the STAR panel process to review the initial stock rebuilding plan development. Rebuilding plans require a lot of technical work in developing them and require some assumptions and data interpretation. We are relying too heavily on one person doing all of the work, but these plans should receive a high degree of scrutiny and a lot more assistance from others. Mr. Glock noted that if the STAT team calculated the minimum rebuilding time period, MSY level and current biomass, we could proceed more quickly to develop the management strategies to get there.

POP

Mr. Glock and Dr. MacCall summarized the POP rebuilding plan (Attachment G.2.d.).

The Council broke from the agenda briefly so Mr. Robert Hight, Director, CDFG could describe the California legislative activities regarding rockfish. Mr. Boydstun noted the expedited response from the Governor of California to the CDFG.

Bocaccio

Dr. MacCall presented Attachment G.2.c., regarding bocaccio. He noted that the probability of successful rebuilding in the projected time under the Table 1 approach is related directly with the size of the 1999 yearclass and the 2000 catch. An alternative approach could include a phase-in period, during which fishing effort is reduced progressively. This would allow higher initial catches but might decrease the chances of achieving the schedule. Under this approach, catches could be held near 100 mt for four years and still achieve a 34 year rebuilding.

Mr. Boydstun noted that in September the Council discussed an OY range of 40 to 90 mt. Table 1 is very close to that. Table 2 is a response to his suggestion for higher initial catches followed by ramping down the harvest rate later. The size of the 1999 year class is critical, and if it is large, we will have trouble reducing the harvest rate as those fish mature and enter the fishing grounds. We will have to reevaluate the rebuilding and effort reduction regularly for many years. And it will take us a few years to figure out what we're doing. Meanwhile, the Council will just have to bite the bullet.

Mr. Anderson asked how catch rates would be reduced in 2003 and beyond so that we do not just increase discards. Mr. Boydstun noted this question will apply not only to bocaccio, but with all stocks that need to be rebuilt. He noted the effort index benchmark in Table 2 is based on 1998, and in 1999 we are already below the 1999 index. The question on how we go from an effort index of .5 to .3 is one we are going to have to struggle with. We should have a better idea of the 1999 yearclass strength in 2001, and then we will need to carefully evaluate where we are and what to do next.
Mr. Anderson agreed, stressing it will be difficult for the Council to hold mortalities down to a certain level without an observer program to measure bycatch.

Dr. MacCall noted that every time we do a stock assessment, the Council will have to repeat this entire exercise. Mr. Glock referred to the figure on the front of Attachment G.2.c., and noted the little upturn in abundance for the year 2000. Even under the highest abundance estimate for the 1999 year class, we have a very long way to go.

**Lingcod**

Mr. Glock then summarized Attachment G.2.b., indicating the stock must be rebuilt within 10 years. He reminded the Council that next year we will have a coastwide stock assessment for lingcod and will have to reevaluate the situation at that time.

Mr. Bohn asked if the Oregon and California recreational information on page one has been adjusted or if it is based on the MRFSS data. Mr. Glock explained it has not been adjusted, but the adjusted data was used in the projections.

Dr. Radtke concurred the Oregon recreational information shown on page one had not yet been adjusted. He also asked about tribal catches and if they were included in the SAFE document. Mr. Glock said the tribal catch of lingcod has been very small, about 1 mt per year, and is included in the Washington commercial catch data. There is no allocation of lingcod for tribal fisheries.

**G.2.b. Comments of Advisory Entities**

**SSC**

Dr. Ray Conser gave the report of the SSC.

_The Scientific and Statistical Committee (SSC) reviewed all briefing materials on this subject and concluded that, since the conclusion of the September Council meeting, no substantive changes have occurred to the specific rebuilding plans of lingcod, bocaccio, and Pacific ocean perch. At its last meeting the SSC made a number of general comments and recommendations about the construction of rebuilding plans, as well as the specific rebuilding projections for the three overfished stocks._

_There is a requirement in the proposed framework fishery management plan (FMP) amendment that all rebuilding plans must be reviewed at least once every two years. There are certain to be instances where a full analysis of stock population dynamics that incorporates significant new sources of information will not be possible every two years. The SSC concluded that in those cases a simple review of landings in the context of rebuilding projections, along with a summarization of existing trend information, may suffice to meet the requirement of a biennial review. This type of simple review, however, will not eliminate the need for full and detailed stock assessments to be conducted on a periodic basis, with a frequency dictated by the availability of new data, the dynamics of the stock, and the needs of management._

_The SSC was not presented with any proposed regulatory options designed to meet specific rebuilding targets. Nonetheless, such management measures are an integral part of stock rebuilding plans, as specified in the framework FMP amendment. Therefore, at the time the SSC reviewed these rebuilding plans they were not yet complete. The SSC also recommends that all rebuilding plans should include an explicit statement of the expected yield after rebuilding is completed, i.e., the maximum sustainable yield (MSY) of the stock._

_Under the national guidelines for implementation of the Sustainable Fisheries Act, stocks are rebuilt when they recover to a biomass level equal to B_{msy}, which is the stock size that produces MSY when fished at a rate equal to F_{msy}. Under the 40-10 harvest policy currently in use by the Council, a_
biomass equal to 40% of the unexploited biomass is a proxy estimate of $B_{MSY}$. The SSC recommends that improved methods of accurately estimating $B_{MSY}$ be developed to reduce reliance on generic proxy estimates, at least in situations where the data warrant.

GAP

Mr. Rod Moore read the report of the GAP.

The Groundfish Advisory Subpanel (GAP) discussed proposed rebuilding plans for certain overfished stocks. In regard to rebuilding plans in general, the GAP again urges the Council, the States, and NMFS to establish an adequate data collection, analysis, and monitoring system to ensure rebuilding is occurring according to plan. In particular, the GAP believes that new stock assessments for overfished species need to be conducted prior to 2003, and adequate funding and personnel need to be assigned to data collection and analysis. The consistent failure of NMFS to secure adequate funding for fisheries research leave the entire fishery in jeopardy.

In regard to bocaccio, the majority of the GAP, with two dissenting votes, supports the phase-in strategy developed by the rebuilding plan author, using a starting point of 120 mt and an F rate index of .04. Further, the GAP recommends examination of historical correlations between water temperature and power plant impingement of juvenile bocaccio to determine whether this will be a useful tool in determining productivity and recruitment.

Two members of the GAP believe that a bocaccio starting point of 120 mt is too high and relies too heavily on uncertain future events. These two members believe the bocaccio optimum yield should not exceed 100 mt in 2000.

HSG

Mr. Glock read the report of the HSG.

Please refer to the essential fish habitat appendix of the West Coast groundfish fishery management plan (June 1998). Information includes range, fishery, habitat, movements and migrations, reproduction, growth and development, and trophic interactions. Figures include distribution in National Marine Fisheries Service (NMFS) Triennial and Slope Surveys; National Oceanic and Atmospheric Administration West Coast Atlas, Invertebrate and Fish Volume (lingcod, Pacific ocean perch [POP]); NMFS and CalCOFI Ichthyoplankton Survey (lingcod, Bocaccio); and Trawl Logbook (lingcod, POP).

1. The Habitat Steering Group (HSG) requests that this information be part of the rebuilding plan.

2. The HSG requests that additional habitat information be added to the plan when it is reviewed in 2001-2002.

3. The HSG requests that rebuilding plans incorporate the use of management tools based on habitat requirements of overfished stocks and the ecological functions provided by those habitats.

G.2.c. Summary of Written Comments

Written public comments suggested spatial management (closed areas) might be appropriate for lingcod and POP because they tend not to move around much as adults. It might also be appropriate to consider area closures for adult bocaccio. Suggestions for size, shape, location and duration were provided.
G.2.d. PUBLIC HEARING ON PLAN AMENDMENT

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon
Mr. Joe Easley, Oregon Trawl Commission, Newport, Oregon
Dr. Joshua Knowliss, Center for Marine Conservation, San Francisco, California
Ms. Jennifer Bloeser, Pacific Marine Conservation Council, Arcata, California
Ms. Karen Garrison, Natural Resources Defense Council, San Francisco, California
Mr. Rod Fujita, Environmental Defense Fund, Oakland, California
Mr. John Shawstak, longliner, Arcata, California
Mr. Bill Smith, commercial vessel owner, Half Moon Bay, California
Mr. Ron Gahl, Recreational Fishing Alliance, Oakland, California

G.2.e. Adopt Final Amendment and Programs - ACTION

Mr. Glock mentioned the Council could delay action on the plan amendment itself (as recommended by NMFS) but must take final action on the rebuilding plans at this meeting. Mr. Robinson explained the Council must submit the rebuilding plans by March 3. The amendment is separate from the rebuilding plans; it just sets up the process that the Council would go through to develop rebuilding plans.

Mr. Glock explained the original NMFS position was an amendment for each rebuilding plan, but they agreed to accept a framework instead. They want something they can review and accept or reject. Based on our suggested framework amendment, it is our understanding they were willing to accept rebuilding plans that are basically Council policy statements. The framework will require the Council to follow the rebuilding plan process.

Mr. Anderson said he believed there was consensus to delay action on the amendment and offered a motion to that effect. Mr. Anderson moved that the Council delay action on groundfish Amendment 12 until the April Council meeting. Mr. Harp seconded the motion. (Motion 16)

Mr. Bohn then said he assumed the two species were adding would follow the new framework process or would it be done ad-hoc since NMFS would not have submitted the final rule? Mr. Robinson said the approval of the amendment would probably be done in early summer, and the next 2 rebuilding plans would be done according to the amendment and due by January 2001.

Mr. Anderson moved to adopt the lingcod rebuilding plan as presented in Attachment G.2.b. (November 1999) utilizing Option 5 for the purposes of establishing rebuilding yields (OYs) in Council managed fisheries. Mr. Harp seconded the motion. (Motion 17) Motion 17 passed.

Mr. Anderson then made a motion that the Council adopt the Pacific Ocean perch rebuilding plan as presented in Attachment G.2.d. Rebuilding yields (OYs) shall be determined utilizing the reproductive success reflected from 1980-on coupled with an "F" value of 0.035. Mr. Harp seconded the motion. (Motion 18). Motion 18 passed.

Mr. Boydstun moved to adopt the bocaccio rebuilding plan as presented in Attachment G.2.c. utilizing medium recruitment for 1999, F= 0.03, and OY = 100 mt. Mr. Fletcher seconded the motion. (Motion 19) Motion 19 passed. Mr. Bohn noted that he supported the motion because it allowed for flexibility.

G.3. Final Harvest Levels for 2000

G.3.a. Summary of Written Comments

Most public testimony stressed the need to protect groundfish stocks from overharvest by applying risk-averse harvest rates, bycatch accounting methods, and other measures. Other testimony addressed the need for funds to reduce the size of the fleet, and to avoid catch reductions that would seriously impact the industry and coastal communities.
G.3.b. GMT Recommendations and Impact Analysis

Dr. Jim Hastie presented the GMT's final ABC and OY recommendations and explained how the GMT had estimated recreational catch in 2000. He described the new minor rockfish categories and how the GMT apportioned the allowable harvest between recreational and commercial sectors, and between limited entry and open access sectors. (GMT Reports G.3.1 thru G.3.5). Dr. Hastie explained that in recent years, *Sebastes* species without assessments and those with less rigorous assessments have generally been managed under generic *Sebastes* Complex trip limits. The GMT has expressed concern for several years over the opportunity for lower- abundance, higher-valued species to be harvested at unsustainable rates within this framework. In response to some of these concerns, the Council separated the ABCs/OYs for the more abundant chillipiper and splitnose rockfishes from the remainder of the Southern *Sebastes* complex for the 1999 fishery. In addition to issues of this nature, pending rebuilding plans for several shelf species led to concerns that harvest targets for "rebuilding" species could require much more severe restrictions for *Sebastes* than would be the case if sub-groups of these species could be developed.

In consultation with the GAP and industry attendees at the October and November meetings, the GMT developed species lists for three *Sebastes* sub-groups--Nearshore, Shelf, and Slope--for the Northern and Southern areas, using Cape Mendocino as the boundary between north and south. Because of the distribution of many of these species, it was not possible for these lists to reflect well-defined depth/habitat strata. Instead, emphasis was placed on organizing species into groups based on the most common associations in catch. Following the assignment of species to sub-groups, OYs for each of the sub-groups were estimated using the approaches outlined above for moving the ABC line.

All species lacking rigorous individual assessments were included in Minor Rockfish groups within each of the new management areas. OYs associated with species which had less rigorous assessments ("remaining rockfish") were assigned to the appropriate sub-group. As for the 1999 fishery, OYs for these species were set at 75% of the computed ABC to address uncertainty in abundance. Trawl survey data were used to establish baseline ratios for the abundance of unassessed species ("other rockfish") belonging to the Shelf and Slope sub-groups. Individual species landings for each area were identified, to the extent possible, from the commercial and recreational fishery data. With the commercial data, assumptions were made regarding the distribution of landings among sub-groups, for poundage where the species remained unidentified. With the recreational data, assumptions were made regarding the percentage of landings within the Northern California statistical area that had occurred in the Eureka management area. For the "other rockfish" component of Minor rockfish, OYs were set at 50% of the estimated historical landings, as was done in 1999. This 50% reduction reflects the greater uncertainty about the status of these species, where ABCs are typically based only on historical landings data. The resulting ratios of landings among all three sub-groups were then blended with the ratios of biomasses from trawl surveys for shelf and slope species. These percentages were then multiplied by the "other rockfish" OYs, for each area, and added to those of the "remaining rockfish" species within each sub-group, to arrive at the Minor Rockfish targets for each sub-group.

Allocations between limited entry and open access are based, in principle, on the distribution of landings of a species during the limited-entry qualifying window. Landings by vessels that qualified for permits (or any groundfish trawl vessels) count towards the limited-entry share of those landings. Because species identification is insufficient to determine shares for most individual rockfish species, the Council has previously utilized the shares of all *Sebastes* landed during the qualifying window as representative shares for most individual or species-group allocations of *Sebastes* species. While this approach has been adequate for dealing with the single generic *Sebastes* Complex structure in recent years, it is less well suited for the individual sub-groups proposed for 2000. The GMT proposed to maintain the window-period *Sebastes* shares for the summation of all Minor Rockfish allocations within each of the Northern and Southern areas, but to adjust the percentage allocations within each area's sub-group to better reflect traditional target species of each fleet. With the lack of complete species identification in even recent years, the eventual percentages were based on each fleet's distribution of identifiable species among the sub-groups and assumptions regarding the distribution of their landings where species could not be identified.
The anticipated amounts for recreational fisheries, which most directly impact the nearshore commercial harvest guidelines, are shown in Supplemental GMT Attachment G.3.(4) and Revised Supplemental GMT Attachment G.3.(4). These tables illustrate the alternative estimates of recreational catch and the effects on open access and limited entry harvest levels.

G.3.c. Treaty Indian Harvest Guidelines

Mr. Steve Joner and Mr. Russ Svec offered comments from the Makah Tribe.

The Tribes are concerned about the GMT recommendation for a more conservative harvest regime for sablefish in 2000.

While the tribes are fully supportive of taking needed conservation measures to protect stocks, we do not believe the situation with sablefish warrants taking such a conservative action this year.

The latest sablefish biomass may be less than 40% of its unfished level, but that does not mean that we are facing an immediate crisis with sablefish. We are not aware of any scientists or managers that believe sablefish is in a crisis that warrants extreme action.

The Council should keep in mind that sablefish are not in the same situation as many rockfish and lingcod. They have very different life histories, biology, and behavior.

We experienced severe social and economic impacts in 1998 due to the reduction in the sablefish harvest guideline which was subsequently corrected to pre 1998 levels following the two independent assessments in 1998. We do not want to make a down payment on future reductions absent thorough scientific review of the need to reduce the harvest level for sablefish.

A harvest rate policy workshop was convened a year ago.

For yellowtail rockfish, we believe that sufficient evidence exists that the biomass is increasing and the OY should remain at the F40 level until the harvest rate workshop is completed next year.

The tribes believe that the most appropriate action for the Council to take at this time is to follow through with the recommendation that the Council made at the September meeting for an OY of 7,919 metric tons. Then at the harvest rate workshop planned for next spring, the scientists can work on determining the most appropriate harvest rate for sablefish. If it is scientifically warranted, then action can be taken for 2001 fisheries. We do not feel that this delay will pose any risk to the sablefish stock.

Mr. Harp presented the following statement:

The tribes (the four ocean coastal tribes) are proposing essentially status quo harvest limits for 2000 tribal fisheries and at the September Council meeting provided a supporting document indicating this proposal will produce very moderate harvests. This document is again being provided to the Council. We have made very minor wording changes in our proposal to reflect the GMT’s recommendation to discontinue the use of the Sebastes Complex as a management grouping. Otherwise, the tribal proposal is the same as was accepted by the Council in September.

The Council should adopt the following options for 2000 tribal fisheries:

- **Black Rockfish** - The 2000 tribal harvest guidelines will be set at 20,000 pounds for the management area between Cape Alava and the US/Canada border, and 10,000 pounds for the management area located between Destruction Island and Leadbetter Point. As with the non-treaty regulations, no tribal harvest restrictions are proposed for the management area between Cape Alava and Destruction Island.
Sablefish - The 2000 tribal set aside for sablefish will be set at 10 percent of the Monterey through Vancouver area OY.

Thornyheads Rockfish - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries. This trip limit will be for short and longspine thornyheads combined.

Lingcod - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.

Canary rockfish - Tribal fisheries will be restricted to a 300 per trip limit for all fisheries.

Other Rockfish Species - The 2000 tribal longline and trawl harvest restrictions regarding the landing other rockfish species will operate under trip and cumulative limits. For other rockfish, tribal fisheries will operate under the same trip limits as the limited entry fishery provided that any time restrictions imposed on the nontreaty limited entry fisheries might not be imposed on treaty fisheries in the same manner. However, because of the relatively small expected catches of the treaty fisheries, the trip limits established at the beginning of the year will not be adjusted downward unless the harvest guidelines are achieved or unless in season catch statistics demonstrate that the tribes have taken ½ of the harvest in the tribal area.

The back of the handout gives preliminary landings of the tribal groundfish fishery with the exception of whiting and sablefish in both tables.

G.3.d. Other Specifications

Mr. Robinson reported domestic fishers and processors will utilize all the fish available in 2000, noting that since jack mackerel has been removed from the FMP, only shortbelly rockfish could be available for foreign processors. However, that stock is also fully utilized and therefore there will be no allocation for joint venture processing or total allowable level of foreign fishing (TALFF). He also reported no designated species "B" permits will be issued. He suggested that the Council consider designating all species as fully utilized in the next groundfish FMP amendment, and that the Council consider dropping the designated species "B" permit provision. Mr. Robinson also referenced the letter from the two NMFS regional administrators supporting the GMT's proposal to increase the $F^{marg}$ by five percentage points (e.g., from $F^{35%}$ to $F^{40%}$).

G.3.e. Comments of Advisory Entities and Public

SSC

Dr. Conser read the report of the SSC.

The Scientific and Statistical Committee (SSC) reviewed the Groundfish Management Team (GMT) final optimum yield (OY) recommendations for groundfish in 2000, with a focus on species where the GMT final OY differed from the preliminary Council OY. In most cases, the difference is due to the GMT recommendation to reduce OY's for all species except flatfish and whiting, because of revised $F_{marg}$ proxies for these species. This change would increase the spawning potential per recruit (SPR) values used in calculating the OY's by 5% (e.g., from $F^{40%}$ to $F^{45%}$ for Sebastes). The SSC supports this recommendation, because the best available data indicate these West Coast groundfish species are less productive than previously estimated. This change should not be viewed as a precautionary adjustment, but rather as an improvement in our understanding of West Coast groundfish productivity.

The SSC also discussed the issue of whether there has been "double" application of the precautionary principle in GMT groundfish management recommendations. The precautionary approach is evident in three areas, (1) the 40-10 policy used to reduce exploitation rates below the routine $F_{marg}$ harvest rate when stock biomass falls below a "precautionary threshold" of $B_{40%}$, (2) the 50% reduction which is applied to unassessed rockfish species where historical catch is used as a proxy for acceptable biological catch (ABC), and (3) the 25% reduction that is applied to rockfish
when the $F=4$ approach is used to obtain ABC. The SSC does not find duplicative application of the precautionary principle by the GMT. The SSC also reaffirmed that stock assessment authors have been directed to produce assessments that are risk-neutral. This policy has been applied as a routine part of the Stock Assessment Review Team (STAT)/Stock Assessment Review (STAR) Panel process, and is an integral component of the stock assessment terms of reference.

Comments on specific species are as follows:

The SSC supports the GMT recommendation for shortbelly rockfish. Evidence of poor recruitment since 1989 supports the reduction of this OY to 13,900 mt coastwide.

The SSC supports the chilipepper OY of 2000 mt, derived from recent average landings (1992-1997). This management measure will help to reduce unintended bycatch of other groundfish, which are subject to severe reductions as part of a stock rebuilding plan.

The SSC recommends that the OY of shortspine thornyhead be established based on an SPR rate of $F_{45\%}$, rather than the GMT recommendation of $F_{40\%}$. It appears to be inconsistent to recommend higher exploitation rates for this slow growing species when the $F_{\text{max}}$ harvest proxy of $F_{45\%}$ has been recommended for other rockfish species.

GAP

Mr. Rod Moore read the report of the GAP.

The Groundfish Advisory Subpanel (GAP) discussed the harvest levels for the 2000 groundfish fishery as proposed by the Council and the recommendations made by the Groundfish Management Team (GMT). As it did in September, the GAP - with one dissenting vote - strongly disagreed with the GMT recommendations.

In our September statement, the GAP specifically mentioned problems with an across-the-board increase in F percentage in regard to yellowtail rockfish, widow rockfish, and sablefish. For yellowtail, survey and anecdotal data indicate an increase in biomass, a situation the Council has recognized by rejecting additional "precautionary" reductions in optimum yield (OY). If the biomass is increasing under existing F percentages, we fail to see any rationale for raising F percentages.

In the case of widow rockfish, the GAP noted that a precautionary increase in F percentage has already been imposed, and we fail to see any rationale for a further precautionary increase absent more thorough scientific review.

In the case of sablefish, conservative assumptions were used to establish an acceptable biological catch (ABC), based on two stock assessments reviewed by a Stock Assessment Review (STAR) Panel. The Council added additional precaution by using an $F_{40\%}$ rate instead of the default harvest rate. Again, there is no reason to further increase the F percentage absent scientific review.

Further, the GAP emphasizes that changing the F percentage across the board prior to the scheduled scientific review by the Scientific and Statistical Committee ignores scientific advice provided by the National Academy of Sciences (NAS), among others, that such major scientific decisions be subject to proper peer review. In this regard, the GAP is surprised at the advice contained in the letter sent to the Council by the NMFS regional administrators advocating an immediate increase in the F percentage. The standard in the law is to use the best scientific information available. While the regional administrators used some science, they certainly did not examine all of the information available, including information that was presented at the referenced harvest policy workshops. They also ignored the NAS' advice on peer review.
For these reasons, along with those provided in our September statement, the GAP strongly disagrees with the GMT proposal advocating an across-the-board increase rather than a species by species increase based on sound scientific review. The GAP recommends that the Council adopt the harvest level proposal it made in September.

The dissenting member reminds the Council that the law requires the use of best available science and prohibits knowingly overfishing a stock. Although there isn't consensus on the most appropriate default fishing rates, there is concern that the current default fishing rates ($F_{35%}/F_{40%}$) are generally too aggressive. Thus, the Council should adopt more precautionary rates for 2000.

**Tribal**

Mr. Harp referenced the Hoh Indian Tribe intention to fish for whiting in 2000 (Supplemental Tribal Comment G.3.). The Makah's request is for 32,500 mt and the Hoh's request is for 2,000 mt.

**Public**

Mr. Tom Ghio, Ghio Fish Company, Salinas, California  
Ms. Andy Oliver, World Wildlife Fund, Washington, DC  
Mr. Bill Cameron, sport fisherman, Sacramento, California  
Mr. Michael Hunter, charterboat operator, Whitehorn, California  
Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon  
Ms. Karen Garrison, Natural Resources Defense Council, San Francisco, California  
Ms. Barbara Stickel, PCFFA, Moss Beach, California  
Mr. Kenyon Hensel, fisherman, Crescent City, California  
Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon  
Ms. Jennifer Bloeser, Pacific Marine Conservation Council, Arcata, California  
Mr. Joe Easley, Oregon Trawl Commission, Newport, Oregon  
Dr. Joshua Nowlis, Center for Marine Conservation, San Francisco, California  
Mr. Dan Parker, trawler, Astoria, Oregon

**G.3.f. Council - ACTION**

Mr. Brown asked for clarification about the process for adopting OYs and management measures, noting the Council had already set harvest levels for rebuilding species. He was concerned about canary rockfish. If there are no allocations between north and south and between different gears, one sector could shut down the entire coast. He wanted to know if the Council could establish allocations in the emergency rule to prevent that. Mr. Robinson indicated that if allocations are necessary to prevent overfishing or to achieve the rebuilding plan, they could be done as part of the emergency rule.

Mr. Boydston suggested the OYs and management measures to achieve them are tightly linked and must be considered together. The Council should tentatively adopt OYs at this time, and then revisit them under the management measures. The choices may be clearer after we deal with the management measures.

Mr. Bohn made a motion to adopt the ABCs as identified in Attachment G.3.a. Mr. Brown seconded the motion. (Motion 20)

Mr. Boydston questioned whether the 5,693 mt ABC for minor rockfish was correct. Mr. Glock explained that 5,693 mt is correct, due to the adjustment for black rock in the northern area. The GMT agreed.

Mr. Anderson asked about the ABC range for canary rockfish of 287-356, and Mr. Boydston suggested 287 mt as a friendly correction. The Council concurred with that number. Dr. Hastie clarified this is the $F_{40%}$ value.

Motion 20 passed.
Mr. Anderson asked Dr. Hastie about the GMT's recommendation of $F_{40\%}$ for shortspine thornyhead and whether the GMT had discussed the SSC's suggestion for $F_{45\%}$. Dr. Hastie said no. Mr. Anderson moved adoption of the OYs as shown in Attachment G.3.a. with the following clarifications: for lingcod, 378 mt; whiting 232,000 mt; sablefish 7,919 mt (472 mt in the Conception area); POP 270 mt; shortbelly 13,900 mt; widow 4,333 mt; canary 200 mt; chillpepper 2,000 mt; bocaccio 100 mt; splintnose 615 mt; yellowtail 3,539 mt; shortspine 970 mt (179 mt in the Conception area); longspine 4,102 mt (429 mt in the Conception Area); cowcod under 5 mt; minor rockfish (north 3,664 mt and south 1,899 mt); and Dover sole 9,426 mt. Mr. Harp seconded the motion. (Motion 21) Mr. Anderson explained rationale for the motion.

Mr. Brown moved to amend the motion to set shortspine at 1,150 mt. Mr. Bohn seconded the amendment.

Mr. Brown talked about the need to balance the health of the resource and survival of the industry. Shortspine trip limits as low as they can reasonably be and further reductions can only be achieved by taking boats off the water for some period, and it would reduce Dover sole and sablefish by 15%. There is too much uncertainty in the information to support deeper cuts. From Coos Bay south, half of the income from groundfish comes from the DTS complex. The 970 mt OY would take another 7.5% out of the income to the plant and the fleet. We already will have major economic problems with rebuilding, and from the point of view and health of the coastal communities, we don't need more reductions this year.

Mr. Robinson opposed the motion, noting that the scientific papers and discussions to date indicate $F_{35\%}$ is too aggressive and the productivity of west coast stocks is lower than we assumed. The current F rates cannot sustain groundfish stocks at their MSY levels, and that is why we moved to $F_{40\%}$. That is the GMT and SSC advice. Mr. Anderson agreed with Mr. Brown about the uncertainty in the assessments, but believed it has been clearly demonstrated productivity of our stocks is low. Everything we have indicates this stock is in a state of decline and is not replacing itself. This would be the third year in a row we failed to step up to the shortspine thornyhead issue, and have been adopting OYs which have been higher than what the SSC and GMT have been recommending.

Dr. Radkte supported the amendment, based on the economics for Oregon. This sector of the industry went from $80 million to $40 million and will probably go down $7 million. With the $F_{msy}$ review taking place in March, he will stay with his decision, even if he takes heat for it later.

Mr. Caiot supported the amendment. Being a processor, we are looking at keeping the processors going and the communities. We know we are going to look at the F factors this next year. Until better times, hopefully this will keep the fisherman going a little longer.

The amendment to Motion 21 failed; 8 no, 6 yes on a roll call vote.

Mr. Boydstun asked about the OY for minor rockfish in the north. Dr. Hastie said the GMT supports going with 3,814 mt at this time. Mr. Boydstun offered a friendly amendment to set the OY for minor rockfish in the north at 3,814 mt. Motion 21 passed.

Mr. Boydstun asked whether the new minor rockfish subcategories should also have OYs. Mr. Glock explained that the GMT suggested they have harvest guidelines rather than an OY.

Mr. Glock reported that he and the GMT had completed a new table with all the Council's ABC and OY recommendations, referring to Revised Supplemental GMT Attachment G.3.(4).

Mr. Harp proposed that for Tribal groundfish fisheries other than whiting and halibut, the Council adopt the limits as outlined in Tribal Comment G.3.(2). (Motion 22) Mr. Anderson seconded the motion. Motion passed.

Mr. Harp proposed for Tribal Pacific whiting fisheries, that the Council adopt a set aside of 34,500 mt. Mr. Anderson seconded the motion. (Motion 23) Mr. Harp explained the Makah tribe harvest would be 32,500 mt and the Hoh Tribe would be authorized to harvest 2,000 mt. Mr. Harp said that if the Hoh Tribe does not harvest the 2,000 mt in 2000, the Makah Tribe would not increase its harvest above 32,500 mt.
Mr. Brown argued that there must be a justification for the whiting set-aside, not just based on the tribes' asking. Mr. Brown opposed the motion because he did not see where the quantification was. Ms. Cooney and Mr. Robinson both noted that the tribal set-aside is being litigated in court cases.

Mr. Steve Joner was asked to provide the quantification. He reviewed the history of the allocation. Mr. Robinson said that each party involved has its own ideas about what they feel they believe is "quantification." Mr. Anderson spoke about the history, the court orders, and how each party has in the past come together to discuss quantification. There have been no meetings between the parties since August 1998. Since no further negotiations have taken place, and based on the idea that the federal government did not want to get into the business of allocation between tribal entities, Mr. Anderson did not support the motion. He did support the idea of restarting the negotiations again and coming to agreement outside of the legal arena. He would support a smaller number than 34,500 mt.

Mr. Bohn opposed the motion for the same reasons provided by Mr. Brown regarding the lack of quantification and justification.

Motion 23 failed; 12 no, 2 yes on a roll call vote.

Mr. Anderson moved to establish a 32,500 mt set aside for the tribal whiting fisheries for the year 2000. (Motion 24) Mr. Alverson seconded the motion. The motion passed. Mr. Caiuto opposed the motion.

Mr. Robinson moved to designate shortbelly rockfish as fully utilized by domestic harvesting and processing for 2000; therefore TALFF and JVP are set equal to zero. (Motion 25) Mr. Fletcher seconded the motion. Motion passed.

G.4. Regulatory Amendment to Establish an Observer Program

G.4.a. Summary of Proposed Amendment

Mr. Robinson briefly discussed the draft proposed regulations to implement a West Coast groundfish observer program. The current draft regulations are generic, minimal regulations. At this time, the sampling design has not been completed. The idea is to allow operational flexibility when the sampling design is complete. NMFS will complete the regulatory package, including draft EA/RIR, for final Council action in April.

Dr. Rick Methot described the sampling design, which is being developed in concert with an analysis of observer coverage alternatives and a review of Oregon's Experimental Data Collection (EDC) project. Dr. Methot explained that the way discard occurs in the fishery influences the observer coverage. Management with cumulative limits also influences how observers should be deployed. A question to be answered is – should observers be deployed randomly or assigned to a vessel to observe its operations throughout the cumulative period? The latter option provides data about total discard for a given vessel, the former provides an overview of fleet operations throughout a cumulative period. Both have significant differences in terms of logistical needs and statistical sampling.

Dr. Methot explained the diversity of overfished species, and how and where they are caught, prevents focusing observer effort on collecting data on overfished stocks. The program will need to focus on do-able subcomponents. The Council may want to consider a smaller program, focused on specific areas or gear types for a year, and switching focus to another area/sector in subsequent years. This approach ("staged coverage"), over several years, would provide complete data by fishery by area by year. However, Dr. Methot noted that because we lack "area registration," logistics are not suited to focusing on one small area; we may need to focus on one gear type over a broad geographic area. Focusing efforts will refine statistics.

Dr. Methot also discussed the differences between deploying an observer to a vessel for a single trip versus for the entire cumulative period. Preliminary analysis of the EDC data indicates that discard occurs infrequently. Therefore, accurate estimates of discard will require greater flexibility in terms of how
observers are deployed to increase the likelihood that observers are onboard when discard occurs. A low level of coverage (i.e., single trip) will decrease likelihood of collecting discard data. Cumulative limits may also affect discard activities, as a vessel nears its limit, there is a greater likelihood that discard will increase. Because of these two factors, random deployment, focused on single trips, may not be appropriate for collecting robust data on groundfish discards.

Mr. Robinson said it was highly unlikely there would be FY 2000 funding for an observer program, but some of the Council's management measures presume we have more discard information than we do. Accounting for total mortality will be critical for management and rebuilding success, therefore, the Council should still push for an observer program. If we can't get an observer program, the Council needs to explore other ways to obtain the necessary information.

In response to Mr. Fletcher's questions about cost estimates in the draft regulations, Mr. Robinson explained that contractor training and deployment costs would be funded by the observer program, but vessels would pay for an observer's food, lodging, etc. These costs would be relatively small, but would accumulate over time. The cost estimates in the draft regulations were high-end projections. That will be refined in the RFA, RIR, and EA analyses.

Dr. Radtke asked about the possibility of requiring total catch retention by smaller vessels as an alternative to carrying observers because costs to a vessel would vary depending on vessel size. His impression was that this was the case in the shoreside whiting fishery. Dr. Methot responded that this was a possibility and could be explored as an alternative in the coverage analysis. However, total retention in the shoreside whiting fishery works because there is no sorting at sea, but other fisheries may sort at sea.

Mr. Alverson asked what role the Council would have in determining observer deployment. He did not see language in the draft proposed regulations that provided for Council input on an annual basis or on an even broader scale. He also noted that the PSMFC is not mentioned in the process outlined in the draft proposed regulations. Mr. Robinson said the draft proposed regulations do not presume who will run the observer program. The generic nature of the draft regulations is to allow for flexibility in developing an observer operating plan. They do not preclude Council participation. The Council will provide guidance to the observer program about priorities and what information is needed, as well as equity considerations. However, he did not expect the Council to be involved in the specifics of observer deployment.

Mr. Brown expressed concern about the 24 hour pre-departure and 48 hour pre-cease fishing notification requirements in the draft proposed regulations. Sometimes boats that must make quick decisions to cease operations, e.g., due to weather. Mr. Robinson responded: 1) the purpose was to get an observers to vessels, and some advance notice is needed; 2) the notice requirement, as written, may need some modification; and 3) he expects public comments in response to the proposed regulations to address these types of concerns.

G.4.b. Comments of Advisory Entities and Public

No comments of the advisory entities.

Public

Ms. Karen Reyna, Conservation Ocean Network, San Francisco, California
Mr. Bob Eaton, Pacific Marine Conservation Council, Astoria, Oregon
Mr. Jack Crowley, Fishing Vessel Owners Association, Seattle, Washington

G.4.c. Adopt Proposed Amendment for Public Review - ACTION

Mr. Alverson moved that the Council adopt and send out for public review, the draft proposed regulations (Supplemental Attachment G.4.b.). (Motion 26) Mr. Ralph Brown seconded the motion.
Mr. Brown spoke in favor of the motion. In terms of funding, he is not sure if the Council is at the point where it can wait for funding from other sources. The Council may no longer be able to justify fishing without observers. However, there is no authority to impose fees at this time. He suggests a "fleet insurance pool" to help cover observer costs. Vessels would incur a small periodic fee, which would be used to cover the large cost for carrying an observer. His opinion is that the Council may want to consider imposing a fee on fishermen, rather than wait for federal funds to be made available.

Motion 26 passed.

G.5. Review of Stock Assessment Process and Stocks to be Assessed in 2000

G.5.a. Report of the Stock Assessment Coordinator

Ms. Cyreis Schmitt presented details from the joint meeting to review the 1999 stock assessment process and initiate the process for 2000. See Supplemental Attachment G.5.b.

The GAP, SSC, and GMT met jointly to review the STAR process for 1999 and to comment on the plans for 2000. The meeting was well attended.

We first discussed the plans for 2000. There was agreement among the group to modify the list of species to be assessed. An assessment of black rockfish in the south would replace the assessment of splitnose rockfish. This change was recommended because the 1999 black rockfish assessment, as all previous assessments, only covered northern areas and it is difficult to use the results coastwide.

Otherwise, the group did not recommend changes to the plans for 2000. The list of panels, dates, and locations are attached. I will develop the STAR process calendar to reflect this plan by mid-December.

There were relatively few concerns about the process in 1999, and they centered mainly around the difficulty of recruiting sufficient reviewers, both external ones and ones from the Council family. Participants at this review session did not recommend departing from the current terms of reference regarding STAR panel composition, although they seemed to regard it more as a goal than a strict requirement.

An ongoing concern is the timeliness of STAT team reports prior to the STAR panel meetings.

There was general agreement to discontinue soliciting anonymous reviews of past assessments, which have been provided to STAT teams for their use while doing the assessment. This practice did not seem necessary any longer because all of the species we assess have had their most recent assessment reviewed by a STAR panel.

The group also discussed the issue of rebuilding analyses and monitoring requirements and their relationship to the STAR process. The group agreed that the terms of reference should be modified to require additional values, such as $B_{new}$, to be tabulated in the STAT team report when the assessment relates to an overfished species. There seemed to be general agreement that the STAR process should review assessments of overfished species, which are still likely to be on a 3-year cycle, but the STAR process is not the appropriate process for the monitoring reports (required every 2 years), when they differ from an assessment.

In addition, we agreed that certain additional values should be consistently tabulated in the STAT team report in order to build a long-term computerized database of key parameters. This requirement typically would not impose additional calculations upon the STAT team but would simply require them to be reported in like manner.
It was recommended that we have a half-day meeting in January or February to develop these changes to the terms of reference.

Mr. Brown asked about meshing rebuilding plans with the STAR process. Do we need a STAT Team and STAR Panel review process for rebuilding plans? He asked the Council to consider establishing a STAT Team process for review of rebuilding plans. He noted that, in 1999 only one person did the assessments for some species. Ms. Schmitt said that the SSC would provide comment on this in their statement and probably ask the Council for guidance on this issue.

Mr. Boydstun inquired about the nearshore rockfish workshop scheduled for Portland, Oregon. He requested that the workshop be held in Monterey, California. Ms. Schmitt noted that travel costs to Monterey, California might be too high for some participants. She also has had difficulty in finding affordable public venues. Mr. Boydstun asked if Ms. Schmitt would be willing to keep her options open. Ms. Schmitt answered that she would investigate venues in California.

G.5.b. Comments of Advisory Entities and Public

SSC

Ms. Cynthia Thomson read the report of the SSC.

Following the joint session on the groundfish stock assessment process, the Scientific and Statistical Committee (SSC) discussed issues on the process with Ms. Cyreis Schmitt from the National Marine Fisheries Service (NMFS) who coordinates annual West Coast groundfish stock assessments and reviews. Several new issues arose during this discussion. First, any stock assessment analyses commissioned by private groups must be included in the stock assessment review (STAR) process to be used by the Groundfish Management Team (GMT) and Council in establishing annual harvest specifications. In addition, it is critical that any assessment documents produced by private entities must be completed following the STAR meeting and be incorporated into the Council’s annual stock assessment and fishery evaluation (SAFE) document. The coordinator has started to update the annual assessment calendar; the final calendar will be completed once the dates for the three STAR panel meetings are final. The SSC partnership with the coordinator has worked very well. However, one improvement would be to have the coordinator convene the presentation of the stock assessment reports to the Council. In the past three years, the SSC has arranged for independent anonymous reviews of prior stock assessment reports which have not been subjected to the STAR review process. There will be no need for any anonymous reviews this coming year. For new stocks which are projected by the Stock Assessment Review Team (STAT) to fall below overfishing thresholds, the STAT teams need to be instructed to estimate the SSC’s baseline rebuilding parameters, specifically:

- Determine $B_0$ as the product of SPR in unfished state multiplied by the average recruitment during early years of fishery.
- Recruitment during the earliest part of the record for the stock.
- $B_{ref} = 0.4 B_0$.
- Mean generation time.
- A forward projection using recruitment based on Monte Carlo sampling from a recent time series of recruitment estimates.

We recommend that the terms of reference and the Outline for Groundfish Stock Assessment Documents for 2000 be modified to include all of the above items.

By December 1, the SSC Groundfish Subcommittee chairman will assign members to the three proposed STAR panels and notify the Council and NMFS.
The STAR process was specifically developed after a long and involved negotiation among the Council's groundfish entities, SSC, and NMFS to resolve the problem of providing independent and comprehensive review of stock assessment reports. The STAR process, as currently structured, is not designed to review rebuilding plans or monitor rebuilding progress. The Council's Ad-Hoc Groundfish Allocation Committee took the lead in initiating the preparation of the Council's three rebuilding plans. The SSC took the initiative to develop guidance and standard procedures for these plans. The Council needs to establish procedures to initiate and review rebuilding plans and monitor and report on rebuilding progress of overfished stocks.

Public

Mr. Don Standley, Humbold Fisherman's Marketing Association, Eureka, California
Mr. Bruce Adams, open access fisherman, Half Moon Bay, California

G.5.c. Council - ACTION

Mr. Brown asked Ms. Thomson to clarify the passage in the SSC statement regarding assessments commissioned by private groups. Ms. Thomson responded that these assessments would still be part of the STAR process, but, to be included in the SAFE report, would need to be finalized by their authors subsequent to the STAR Panel meetings.

Mr. Brown asked that the SSC be directed to address how the rebuilding issue, relative to the STAR process, could be dealt with.

Mr. Lone inquired about what action the Council needed to take. Mr. Waldeck noted that the SSC asked for items to be added to the terms of reference and also the decision to approve the preassessment workshop.

Mr. Bohn moved to incorporate in the terms of reference the five bullets from the SSC statement (revised supplemental SSC report G.5.) for new stocks which are projected to go over the overfishing threshold. The five bullets were: 1) determine B*, as the product of SPR in unfished state multiplied by the average recruitment during early years of fishery; 2) recruitment during the earliest part of the stock for the stock; 3) B_{m/2} = 0.4 B*; 4) mean generation time; and 5) a forward projection using recruitment based on Monte Carlo sampling from a recent time series of recruitment estimates. (Motion 27) Mr. Anderson seconded the motion. Mr. Brown made a friendly amendment to include the following paragraph in the terms of reference (supplemental attachment G.5.b.) "In addition, we agreed that certain additional values should be consistently tabulated in the STAT team report in order to build a long-term computerized database of key parameters. This requirement typically would not impose additional calculations upon the STAT team but would simply require them to be reported in like manner". Both the maker of the motion and the seconder agreed. Motion passed.

Mr. Brown moved that the STAR Panels hold a half-day workshop in January or February to develop the terms of reference for 2000 (as noted in Supplemental Attachment G.5.b.). (Motion 28) Mr. Jim Caiello seconded the motion. Motion passed.

Mr. Anderson also noted the unresolved issues of 1) designing and 2) reviewing and monitoring the rebuilding plans. He inquired whether the Council could make an assignment or a proposal on how to draft terms of reference for developing the initial rebuilding plans and monitoring rebuilding progress.

Ms. Schmitt said she would be happy to work with the GMT, SSC, and GAP to achieve this objective. She said that there is a large role for the GMT in terms of the rebuilding plans and that she would be happy to coordinate this activity with participation from the other entities.

Mr. Brown asked about the process that led to the development of the STAR process and the terms of reference. Ms. Schmitt said that former SSC member Larry Jacobson took a large role in coordinating those meetings.
Mr. Bohn noted that some of these short sentences say a lot. There are several jobs here review of rebuilding plans, monitoring, and recording. He would like to see the SSC and Ms. Schmitt develop some sort of process. Mr. Bohn was referring to a sentence in the SSC statement (Revised Supplemental SSC Report G.5.):

The Council needs to establish procedures to initiate and review rebuilding plans and monitor and report on rebuilding progress of overfished stocks.

Mr. Brown requested that the panels should be put on the next available slot for the GMT and SSC to get together. Ms. Schmitt replied you can expect a product back to you maybe during the regular STAR/STAT process.

G.6. Terms of Reference for Harvest Policy Workshop


Ms. Thomson read the report of the SSC.

An estimate of the fishing mortality rate associated with maximum sustainable yield (Fmsy) is an intrinsic element of all fishery management plans (FMP) developed under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). For the Council’s groundfish FMP, a reliable Fmsy estimate is especially important since it forms the baseline for implementation of the "40-10" harvest policy control law used to determine acceptable biological catch (ABC) levels for all species covered by the FMP.

There are significant conceptual and statistical difficulties in directly estimating an Fmsy level for many West Coast groundfish stocks. To circumvent these difficulties, the Council has employed a proxy for Fmsy based on spawning potential per recruit (SPR) concepts (e.g., F35%), which is the instantaneous fishing mortality rate that reduces lifetime reproductive output of a typical female in the population to 35% of what it would be in the absence of fishing. The primary advantage of a SPR-based proxy for Fmsy is that it is relatively easy to calculate from the basic life history information that is commonly presented in stock assessment documents. The current Council proxies for West Coast groundfish are F40% for Sebastes species and F35% for other groundfish.

Recent scientific studies have suggested that the proxies currently used for West Coast groundfish may overestimate the true Fmsy for these species. The Scientific and Statistical Committee (SSC) will convene a Harvest Rate Policy Review Workshop to address this issue. The review will be chaired by Dr. Steve Ralston of the SSC. It will be held at the National Marine Fisheries Service (NMFS) Alaska Fisheries Science Center (Seattle, Washington) during March 20-24, 2000.

The formal review panel will consist of five scientists (in addition to the Chairman): (1) two additional SSC members; (2) two external experts; and (3) one expert from within the West Coast groundfish scientific community. In addition, the Groundfish Management Team (GMT) and Groundfish Advisory Subpanel (GAP) will each designate one representative to contribute to the review, but the GMT and GAP representatives will not serve as formal panel members. The principal investigators involved in recent scientific studies on this issue will be invited to present their work to the review panel. The process will also be open for other scientists to present relevant work to the review panel (at the discretion of the Chairman).

The terms of reference for the review panel are:

1. Review the current body of existing scientific work and any additional (relevant) work presented during the review panel meeting. All scientific contributions must be well documented with draft papers provided to the review panel well in advance of the meeting.
2. Evaluate the appropriateness of the current Council Fmsy proxies (i.e., $F_{40\%}$) for Sebastes species and $F_{35\%}$ for other groundfish.

3. If the current proxies are not appropriate, suggest alternative harvest rate policies consistent with the requirements of the Magnuson-Stevens Act and the Council groundfish FMP objectives. Such alternatives may include, but are not limited to, alternative $F_{\text{may}}$ proxies (such as $F_{50\%}$ or some other level). Review panel suggestions on closely related management reference points are encouraged (e.g., on the direct estimation of $B_{\text{may}}$ or its proxy).

4. Suggest procedures for incorporating uncertainty, risk, and the precautionary approach in establishing harvest rate policies.

5. Provide a comprehensive report to the SSC and the Council that clearly documents the findings and recommendations of the review panel.

Significant funding will be required to support the Harvest Rate Policy Review. As with the Stock Assessment Review (STAR) Panel process, the Council should anticipate the need to cover travel costs for the non-federal SSC, GMT, and GAP participants. Additional funding sources will need to be identified for the three non-SSC Review Panel members.

G.6.b. Comments of Advisory Entities and Public

There were no comments from the advisory entities or the public.

G.6.c. Council - ACTION

Mr. Anderson moved the Council adopt the terms of reference for the harvest policy workshop as identified in Supplemental Attachment G.6.a. (Motion 29) Dr. Radtke seconded the motion. The motion passed.


G.7.a. Staff and GMT Reports

Mr. Jim Glock summarized the materials and needed action.

Dr. Hastie presented the GMT's recommendations for management of the commercial fisheries in 2000 as provided in Revised Supplemental GMT Report G.7.(1). He reported the GMT and GAP had held numerous discussions throughout the week and had reached consensus on nearly all the proposals. He described the difficulties and assumptions used in estimating fishing effort in 2000, and the difficulty in estimating appropriate trip limits. He explained how expected recreational catches were estimated and their effects on commercial harvests. He described the intention to intensify fishing for some species in areas at times when they are aggregated and can be captured with less bycatch. Dr. Hastie and the Council members discussed the proposal for larger trawl trip limits for vessels using pelagic gear, and whether other gear could be onboard at the same time. Mr. Anderson asked about discard assumptions with Dover sole in the summer, and the assumed discard rates of bocaccio and other rockfish. They discussed whether there would be different trip limits for fixed gear and trawl vessels for nearshore and shelf rockfish, and limits for open access fishers, including setnets in California.

CDFG

Mr. Tom Barnes explained how CDFG came up with the recreational catch estimates and limits (Attachment G.7.c). He indicated on October 20, 1999 the California Fish Commission met and tentatively adopted the limits.

G.7.b. Comments of Advisory Entities and Public
Mr. Rod Moore gave the GAP statement.

The Groundfish Advisory Subpanel (GAP) met jointly with the Groundfish Management Team (GMT) in an attempt to reach agreement on proposed management measures for the 2000 fishery. Although we were able to reach consensus in many areas, there are still some places where we disagree. The charts presented by the GMT identify both the areas of agreement and the areas of disagreement. This statement provides the rationale the GAP used to make its proposal and lays out the GAP's proposals for the recreational fishery.

As a general statement, the GAP continues to support the Pacific groundfish fishery management plan (FMP) goal of maintaining a year-round fishery for all sectors.

Recreational Fishery

Regarding the recreational fishery in general, the GAP notes that inconsistent regulations can cause effort shifts, especially in border areas. The GAP urges the Council and the states to keep this point in mind when setting regulations.

For California, the GAP proposes the following recreational measures:
1. Reduce the rockfish bag limit from 15 fish to 12 fish.
2. Reduce the rockfish fishing season from 12 months to 10 months, as follows:
   a. March 1 to December 31 from the Mexican border to Piedras Blancas (Southern area).
   b. January 1 to February 29 and May 1 to December 31 from Piedras Blancas to the Oregon border (Northern area).
3. Set the bocaccio bag limit at 2 fish.
4. Reduce the canary bag limit to 3 fish in the Northern area and to 2 fish in the Southern area.
5. Reduce the cowcod limit to 1 fish, with a 1-fish-limit per boat.
6. Limit the rockfish season to the use of 3 hooks.
7. For the California Northern area to the Washington border, a lingcod fishery from January 1 to February 29 and May 1 to December 31 with a 2-fish bag limit and a minimum size of 26" and no maximum size.

California recreational fishermen believe this combination of time closures, reduced bag limits, and hook limits will achieve savings for those species of primary concern.

For Oregon, the GAP proposes the following recreational measures:
1. Set the lingcod season at 12 months with a minimum size of 24" and a maximum size of 34" and a bag limit of 1 fish.
2. Set the rockfish season at 12 months with a bag limit of 10 fish.

The GAP notes that, in regard to canary rockfish, encounter rate data indicate that near shore the ratio of other rockfish to canary is 20:1. Offshore, the ratio of other rockfish to canary is 4:1. There is no proposed sub-limit of canary rockfish within the 10-fish bag limit in order to avoid wastage associated with the discard of canary rockfish.

For Washington the GAP recommends the following:
1. For lingcod, fishing from April 1 to October 31 with a 1-fish bag limit, a 24" minimum size, and no maximum size.
2. For rockfish, a 12-month fishery with a 10-fish bag limit.

Regarding lingcod, the GAP believes the 1-fish bag limit will cause a drastic reduction in the number of anglers and will, therefore, significantly reduce catch. Very few large lingcod are caught, but the perceived ability to catch a trophy fish is important in selling trips.
Regarding rockfish, the GAP believes education on avoiding canary rockfish rather than targeting them will reduce canary catch. If more restrictive measures are needed, sublimits would be preferable to time closures. Washington charter vessel operators believe they can target healthy stocks without discarding canary rockfish through fishing methods and avoiding specific areas.

**Open Access**
The vertical line and troll open access fishermen believe they can fish in a way that eliminates their canary catch. By trolling gear higher in the water column, troll fishers can interact with yellowtail and widow rockfish without catching canary rockfish. Vertical lines can be fished without being lowered into the canary biomass; this can be done at first drop and result in no canary catch. The few fishermen now fishing in the outer reaches of the open access fishery are big-boat fishermen with just this kind of expertise.

All open access fishermen are confident in their ability to fish without affecting canary rockfish. With a zero retention policy on canary, there will be no reason to fish in areas where canary rockfish are found. They are interested in demonstrating the selectivity of their gear and how that might help management.

In the same way, troll and vertical jig gear can be used to take chililpepper rockfish without interaction with bocaccio and to execute a widow rockfish fishery with yellowtail rockfish as a bycatch.

**Limited Entry Fixed Gear**
With the exception of shortspine thornyheads, sablefish, and near shore rockfish, the limited entry fixed gear measures proposed by the GAP consist of a set of cumulative limits which mirror the limits proposed by the GAP for the limited entry trawl fishery.

For shortspine thornyheads, the cumulative limits vary from the trawl limits, but the total possible amount of annual thornyhead catch per vessel is the same as the possible trawl catch. The variation is designed to reflect a constant value of incidental catch.

For sablefish, the GAP notes that a separate allocation and management regime already exists for fixed gear. For the daily-trip-limit fishery, the GAP proposes two options: a 300-pound daily limit with a 2,100-pound two-month cumulative; and an option similar to one suggested by the GMT which allows a weekly landing of up to 900 pounds, with a cap of 1,800 pounds every two months. The GAP proposes that this second option be in effect on an experimental basis for the first two cumulative periods (January - February and March - April), after which the fishery will revert to a 300-pound daily limit with a 2,100-pound two-month cumulative, while the results of the weekly limit experiment are evaluated for possible reinstatement at the June Council meeting.

For nearshore rockfish, cumulative limits are different for trawl and fixed gear fisheries, because this is almost exclusively a nontrawl fishery.

For all other fisheries, fixed gear limits are the same as trawl limits, because the limits make no difference in terms of bycatch of overfished species. Fixed gear representatives on the GAP also expressed concern that - except as noted above - establishing different limits between the two gear types could constitute an allocation without establishing a clear basis or need for such allocation.

**Limited Entry Trawl**
The most significant differences between the GAP and GMT recommendations are found in the trawl proposals. The primary reason for these differences is a disagreement between the GAP and the GMT on the effect restrictions in gear use will have on avoiding harvest of species designated as overfished or approaching an overfished condition.
Other gear sectors have emphasized the savings that can be achieved when proper use of their gear is combined with avoidance of sensitive species and education of fishers. This was the same rationale used by the trawl and processing sectors in presenting a proposal to the Council in September.

After receiving a preliminary proposal from the GMT, the trawl and processor sectors of the GAP modified their proposal in several ways in an effort to reflect GMT concerns. These included:

- Defining a "small footrope" as a footrope with a single string of discs with a disc size no larger than 8", to be measured by examining each disc.
- Allowing certain species to be retained only by vessels using small footropes, including shelf rockfish species, near shore rockfish species, arrowtooth flounder during the primary fishing season of June 1 to September 30, and petrale sole during the months of March through October.
- Allowing vessels to carry gear of more than one type, but only allowing landing of the most restrictive limit associated with the types of gear on board.
- Establishing differential cumulative limits for widow rockfish and yellowtail rockfish, with the higher limit only available to vessels using midwater gear.
- Prohibiting retention of lingcod during several periods suggested by the GMT and cowcod at any time.
- Reducing cumulative limits on chili pepper rockfish and requiring that small footrope gear be used to harvest them.
- Establishing trip limits on arrowtooth flounder outside the primary fishing season in order to avoid targeting on Pacific ocean perch.

All sectors of the GAP believe their proposals reflect a conscientious effort to support Council rebuilding goals and compliance with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Each sector has suggested a combination of gear modifications, changes in fishing strategy, avoidance of sensitive species, disincentives for targeting such species, and education of sector members as a way of achieving these goals. While some differences still exist between GAP and GMT proposals, the GAP is confident they have made an honest attempt to maintain a fishery that is as economically viable as possible under the conditions that exist. They note, even with their efforts, there will be a tremendous economic and social effect on those involved in the fishery and the coastal communities in which they live and work. However, adoption of the GAP recommendations will allow some fishing and processing to continue while stocks are rebuilt. The GAP strongly urges the Council to adopt their recommendations.

Enforcement Consultants

Sgt. Dave Cleary gave the report of the Enforcement Consultants.

_The Enforcement Consultants have the following comments on management measures for the year 2000._

_Recreational Options_

A. The change in bag limits and sub-bag limits are not new, so we see no major problems._
B. The addition of possible season length/closures in recreational groundfish fisheries is new. We have had these type of regulations in other fisheries, and its use as a measure to restrict fisheries has been enforceable. We do see difficulty if part of the bag limit has one season and a sub-bag limit has a different season.

ex: Attachment G.7.a. option 1-P
Rockfish season May-August
Lingcod May to July

Enforceable yes, but large education effort necessary by all to make clear to the fisherman.

C. Possible slot limit for lingcod. The addition of an upper size limit should not be an enforcement problem. If we are measuring a fish, we can make two measurements as well as one.

How well the public accepts this will relate to the effectiveness. We have slot sizes on Sturgeon fisheries, and this has not been a major problem.

Trawl Gear

A: Small Footrope- will be defined as any footrope with no individual disk, roller, bobbins, or any other device that exceeds 8" in diameter.

The footrope will be measured in a straight line from the outside edge to the opposite outside edge at the widest part on any individual part.

Small footrope nets will under 8" will not be allowed to have any chaffing gear on the body of the net.

B: Would ask that a declaration must be made and the form signed by both the operator of the vessel and a plant employee certifying what type of footrope was used. This form would have to be attached to the fish ticket/unloading slip as a permanent record.

C: In regards to which gear type may be on board a vessel; if the vessel is restricted to the most restrictive trip limit that applies to the different gear, there should not be a problem.

However, if there are differential in trip limits based on gear type and the above does not apply, then enforcement would ask only on-gear type be carried on board.

Public

Mr. Mark Cedergreen, Westport Charterboat Association, Westport, Washington
Mr. Ken Culver, Westport Charterboat Association, Westport, Washington
Mr. Kelly Smotherman, fisherman, Hammond, Oregon
Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon
Mr. Marion Larkin, fisherman, Mt. Vernon, Washington
Mr. Tom Morrison, F/V Pacific Queen, Warrenton, Oregon
Dr. Joshua Sladek Nowlis, Center for Marine Conservation, San Francisco, California
Mr. Joe Easley, Oregon Trawl Commission, Newport, Oregon
Mr. Dan Parker, trawler, Astoria, Oregon
Ms. Jennifer Bloeser, Pacific Marine Conservation Council, Arcata, California
Mr. Don Crisp, charterboat operator, Brookings, Oregon
Ms. Karen Garrison, Natural Resources Defense Council, San Francisco, California
Ms. Francesca Crow, longliner, Moss Landing, California
Mr. Terry Thompson, F/V Olympic, Newport, Oregon
Mr. Tommy Ancona, Fisherman’s Marketing Association, Fort Bragg, California
Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon
Mr. Stephen Culbreth, open access longliner, Half Moon Bay, California
Mr. Pete Leipzig, Fisherman’s Marketing Association, Eureka, California
Dr. Richard Young, sportfisherman, Crescent City, California
Ms. Peggy Beckett, Huckfinn Sportfishing Center, Half Moon Bay, California
Mr. Robert Ingles, sportfisherman, Half Moon Bay, California
Ms. Barbara Stickle, PCFFA, Moss Landings, California
Mr. Josh Churchman, fisherman, Bolinas, California
Mr. Tom Jones, Monterey Bay Sportfishing Association, Moss Landing, California
Mr. William Smith, F/V Riptide, San Francisco, California
Mr. Tom Ghio, Ghio Fish Company, Moss Landing, California
Mr. Wayne Garman, F/V Pisces, Crescent City, California
Mr. Jim Bassler, Salmon Trollers Marketing Association, Fort Bragg, California
Mr. Michael Hunter, sportfisherman, California
Mr. Ray Monroe, Pacific City, Oregon
Mr. Craig Warnick, Pacific City, Oregon
Mr. Bruce Adams, F/V Madeline II, Half Moon Bay, California
Mr. B.J. Johnson, Port Commercial Fisherman’s Association, California
Mr. Kenyon Hensel, Crescent City, California
Mr. Don Standley, Humbold Fisherman’s Marketing Association, Eureka, California
Mr. Lou Ferrari, longline fisherman, Greenbrae, California
Mr. Steve Moore, Avila Beach, California

G.7.c. Adopt Final Measures - ACTION

Mr. Fletcher commented about the California Keeley Bill and whether state groundfish regulations must undergo a consistency determination.

Mr. Anderson stated that WDFW is opposed to ratcheting down trip limits due to increased discards and unmeasured mortality. He stressed that the Council and NMFS need to come up with more realistic accounting of discards. We need to find a means to reduce effort, quantify and reduce discard, and provide reasonable trip limits. He does not believe we can achieve these objectives while continuing to pursue a year-round fishery. He wants the strategic planning process to resolve those issues.

Mr. Anderson moved the Washington recreational lingcod season be April 1-October 31 with a one fish bag limit, minimum size 24 inches, and a 10 rockfish bag limit including not more than two canary and two yelloweye rockfishes. Mr. Harp seconded the motion. (Motion 30) Motion passed.

Mr. Bohn moved that Oregon have a 12-month sport lingcod season with a daily bag limit of one fish, minimum size 24 inches and maximum size 34 inches, and a 10-rockfish bag limit including not more than three canary rockfish. Mr. Brown seconded the motion. (Motion 31) Motion passed.

Mr. Boydstun moved to establish a rockfish bag limit of 10 per day, including not more than 3 bocaccio, 3 canary, and not more than one cowcod per boat; and 2 lingcod per day, with lingcod not less than 26 inches in length. Seconded by Mr. Calto. (Motion 32) Mr. Fletcher moved to amend Motion 32 to increase the rockfish bag limit to 12. Seconded by Mr. Thomas. Chairman Lone took a roll call vote: on the amendment: 3 yes, 10 no. Amendment to Motion 32 failed. Main motion passed.

Mr. Anderson moved and Mr. Boydstun seconded the following motion (Motion 33):

*Adopt the management measures as presented in "revised Supplemental GMT Report G.7,(1) November 1999" for yellowtail north trip limits for trawl when using gear other than mid-water gear would be 1,500 lb/month.*
Regarding the trawl gear that may be on-board, a vessel may have multiple gears on-board however, the vessel will be governed by the most restrictive trip limit that applies to the gear on-board.

Prior to unloading, a "declaration form" must be completed and signed by both the vessel operator and the employee of the facility that is off-loading the catch. The form must be attached to the fish receiving ticket.

A "small footrope" will be defined as any footrope with no individual disk, roller, bobbins, or any other device that exceeds 8". Small footrope nets will not be allowed to have any chaffing gear on the body of the net.

Regarding limited entry fixed gear, the widow rockfish trip limit be 3,000 lbs/month, the yellowtail north trip limit would be 1,500 lbs/month, and the chilipepper south trip limit would be 2,000 lbs/month.

Trip limits for minor nearshore rockfish would be 2,400 lbs/2-months, no more than 50% of which can be species other than black or blue.

Regarding the open access fishery, the motion does not include the limits relative to spot/ridgeback prawn, California halibut, sea cucumber, or pink shrimp fisheries.

Minor nearshore rockfish south 550 lbs/2-months

Minor nearshore rockfish north 800 lbs/2-months
No more than 50% of which can be species other than black or blue.

Conception area sablefish daily trip limit of 350 pounds for open access, with the option of a single landing up to 600 lb weekly, not to exceed 1,800 lb per two months

For cowcod, not more than one fish per landing.

South of Cape Mendocino close the commercial fixed gear fishery (limited entry and open access, including setnet) for nearshore and shelf rockfish during the recreational fishery closures; the fishery for minor slope rockfish and sablefish will remain open with a 500 lb trip limit of slope rockfish.

North of Cape Mendocino, the open access minor nearshore rockfish limit will be 1,000 lbs per two months (no more than 50% of which can be species other than black or blue rockfish)

Motion 33 passed.

Mr. Boydstun moved that the Council direct the GMT to analyze the setnet rockfish species composition data relative to address rockfish concerns, and consolidate our OY management line and trip limit management line at 40 10°. Mr. Fletcher seconded the motion. (Motion 34) Mr. Anderson asked for a friendly amendment as to whether or not we should assign a bycatch mortality rate - recognize mortality for minor rockfish, nearshore minor rockfish and something south. Both Messrs. Boydstun and Fletcher agreed.

Mr. Bohn then asked about the issue of the appropriate trip limit in the pink shrimp fishery. Mr. Bohn said we need the appropriate number for the pink shrimp fishery. Mr. Bohn's request was taken as a friendly amendment. Motion 34 passed.

Mr. Robinson talked about the 10,000 pound trip limit both before and after the whiting season. We adopted the 20,000 pound trip limit outside of the regular season, but did not concurrently adopt the 10,000 pound per month trip limit inside the 30 fathom Eureka area, thus Mr. Robinson moved that the Council adopt a 10,000 pound per month trip limit inside the 30 fathom Eureka area. Mr. Boydstun seconded the motion. (Motion 35). Motion passed. Mr. Brown abstained from the vote.
Mr. Fletcher moved to reconsider the main motion passed for Motion 35. Mr. Boydstun seconded the motion. Motion 36 passed.

Mr. Fletcher then moved that Motion 35 be amended to use 36° N Latitude instead of using Piedras Blancas. Mr. Thomas seconded the motion. (Motion 37) Motion passed.

Mr. Glock presented the GMT and staff understanding of the Council's actions of the previous evening and asked for Council confirmation (Final Supplemental GMT Report G.7.(1).)

Mr. Boydstun asked about clarification on the declaration statement in the motion. He clarified that the states (California) will require the reporting of gear type used in the bottom trawl fishery thru its existing fish ticket system and no declaration or new action is needed there; and with regard to the fixed gear open access limited entry minimum size limit on lingcod increase it from 24 inches to 26 inches south of Cape Mendocino.

Mr. Fletcher moved to reconsider Motion 33. (Motion 38) Second by Mr. Thomas. Motion 38 passed.

Mr. Boydstun moved, (Mr. Brown seconded the motion) to amend Motion 33 as follows: (Motion 39)

*With regard to fixed gear open access and limited entry fixed gear fisheries south of Cape Mendocino, that the minimum lingcod size limit increase from 24 to 26 inches.*

*With regard to the closure of the open access and limited entry fixed gear fisheries south of Cape Mendocino during the closed periods for recreational. The closure applies to nearshore rockfish and shelf rockfish and lingcod.*

*The states will require gear types used in trawl fisheries to be reported on state fish receipts or other state reporting documents.*

*With regard to exempted trawl, excluding pink shrimp, 300 pounds groundfish per trip not to exceed the poundage of targeted species or any other open access species limit. Spiny dogfish can exceed target poundage but not more than 300 pounds per trip.*

*Include Item #3 on Supplemental GMT Report G.7.(3)., (page 2 regarding trip limits).*

Motion 39 passed.

Ms. Cooney advised the Council there should be a trip limit established for the pink shrimp fishery, at least as a placeholder that may be modified later if necessary.

Mr. Bohn moved that as a placeholder, the Council use last year's 500 pounds per day, 2,000 pounds per trip (status quo). Mr. Brown seconded the motion. Motion 40 passed.

The Council then voted on the main motion of Motion 39 (to vote on the main motion, since the amendment had passed). (Motion 41) Motion 41 passed.

G.8. Status of Fisheries and Inseason Adjustments (If Necessary)

G.8.a. GMT Report

Mr. Glock reported the GMT did not propose any adjustments.

G.8.b. Comments of Advisory Entities and Public

There were no comments from advisory entities or the public.
G.8.c. Council - ACTION

None.

G.9. Control Date for Groundfish Limited Entry

G.9.a. Staff Report

Mr. Dan Waldeck gave a brief report and characterized the issue before the Council as one of whether the April 9, 1998 control date is sufficient to dampen effort that may occur in anticipation of individual quota programs or does the Council need to adopt a new control date at this time.

G.9.b. Comments of Advisory Entities and Public

Mr. Bob Eaton, Pacific Marine Conservation Council, Astoria, Oregon

G.9.c. Council

Mr. Brown noted that the original intent for the agenda item was to address “portfolio” fishing, under which people fish primarily to develop catch history in order to qualify for future ITQ programs. However, for many years capacity has been a priority issue that has not really been addressed. The issue is broader than just a limited entry ITQ program. Ms. Cooney responded to a question from Mr. Brown and noted that a control date is a “heads up” to the public and not a controlling legal document. She stated the April control date (Attachment G.9.a) was primarily aimed at harvest allocation between limited entry gear groups, commercial and recreational fisheries and further limiting access to certain species within the Pacific coast groundfish complex. It seems focused on the limited entry segment of the fishery. Mr. Fletcher noted that in June 1999 the Council specifically voted down a control date for the open access fishery, sending a very clear message that should be reversed by additional action by the Council, if that is the Council’s desire.

Mr. Brown moved that the Council adopt November 5, 1999 as a control date for future capacity control measures and various types of limited entry that might be considered for the open access fleet. Mr. Caltto seconded the motion. (Motion 42)

This would essentially provide notice to the open access fleet similar to that which was provided to the limited entry fleet on April 9, 1998 date. The April 9, 1998 date would still be used for the segments of the fleet covered by that control date so that the capacity issue can be addressed in a comprehensive fashion for the entire groundfish fishery. These control dates provide notice that landings during the year 2000 and later may not be considered in a quota share development program. The dates are intended to discourage vessels for which the primary incentive to fish might be to develop additional catch history in order to qualify for individual quotas or other forms of limited entry access rights (e.g. permits). Elimination of this incentive is considered particularly important for the coming year since fishing opportunities are expected to be very restricted. Motion 42 passed.

G.10. Strategic Plan for Groundfish


Dr. Dave Hanson gave an update on strategic plan development. The Ad-Hoc Groundfish Strategic Plan Development Committee (GSPDC) met October 18-19, 1999 to review the materials resulting from the strategic planning sessions at the September Council meeting. The GSPDC is moving forward on developing the framework and outlining issues. Generally, the process is working well.

Ms. Deborah Nudelman gave a presentation summarizing material presented in Attachment G.10.a. and supplemental GSPDC report G.10. Ms. Nudelman provided an overview of where we have been, where we are, and where we will be six months from now.
Mr. Neal Coenen detailed a number of issues that he had heard at the strategic planning sessions, but did not see in the GSPDC report: 1) year round fishery is connected to an infrastructure that includes processing plants, ports, and communities, which should be considered in the strategic plan; 2) other fisheries (e.g., crab, shrimp) may be harmed by lower groundfish OYs as effort moves out of groundfish and into other fisheries; 3) species diversity, spatial arrangements (North-South, onshore-offshore), and seasonal shifts in effort highlight the need to consider some type of area management; 4) distrust and stereotyping among advisory entities often hinders the Council process, need to consider ways to modify Council structure to improve relationships between advisory entities and provide more time for these bodies to do their work.

Dr. Hanson stated that while Mr. Coenen raised some very good points, the report is a summary of what happened at the strategic planning sessions. And that the issues raised by Mr. Coenen will be addressed at future GSPDC meetings. Mr. Coenen responded that the points he raised were discussed at the strategic planning meetings in September, he did not see them in the report and believed that they should be part of the record. Mr. Coenen will provide his comments in writing for consideration by the GSPDC.

Mr. Fletcher noted that he agreed with Dr. Hansen's comments that this only a beginning, and added that he believed it has been a good start to a difficult process.

G.10.b. Comments of Advisory Entities and Public

There were not comments from the advisory entities or the public.

G.10.c. Council Guidance - ACTION

None.

G.11. Groundfish Priorities and Schedules

G.11.a. Staff Review

Mr. Jim Glock reviewed the groundfish priorities and schedules as outlined in attachment G.11.a. Highest priority items include: required analyses and emergency rule to implement 2000 management measures, finish rebuilding plans, and initiate rebuilding process for canary and cowcod rockfish.

G.11.b. Comments of Advisory Entities and Public

SSC

Mr. Waldeck read the report of the SSC.

Mr. Jim Glock reviewed the Council's groundfish priorities and schedules.

*The Scientific and Statistical Committee (SSC) encourages the Council to avoid formalizing its groundfish priorities (especially for issues below the line in Attachment G.11.a.) until the Council's strategic planning process has been completed.*

*Capacity reduction has been a high priority issue for the SSC and other Council advisory entities for several years and should be included as a high priority issue (above the line) in the Council Work Plan (Attachment G.11.a.). The SSC Economic Subcommittee is willing to prepare a discussion paper documenting the overcapacity problem and outlining potential ways the Council may want to proceed on this issue.*

Public

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon
G.11.c. Council - ACTION

The first action related to combining several issues on the priorities table (Attachment G.11.a.) into a "capacity reduction" category. Mr. Brown suggested directing the SSC to produce the capacity reduction discussion paper. He recommended against tasking the GAP with developing capacity reduction measures at this time, as the Council needs to articulate its priorities before directing work to develop specific measures.

Second, Mr. Brown suggested combining the sale of overages and salmon donation into a more general category (i.e., bycatch/discard), but to leave it below the line as some of the causes will be addressed through capacity reduction. Bycatch and discard are issues that need to be dealt with as a comprehensive package to be addressed eventually.

Mr. Six gave an update on the issue of marine reserves. He noted that work is proceeding and that analytical assistance is now dedicated to the marine reserves issue. He anticipates a decision at the April meeting on whether the Council will proceed with siting marine reserves. The amount of work involved will depend on the Council's directives.

Dr. Radtke recommended the Council accept Mr. Moore's suggestion about including the sale of overages issue as part of full retention.

Mr. Anderson stated that combining issues may be useful, but his more immediate concern was evaluating the 2000 management measures the Council had adopted. He asked, how does the Council know if the management measures will constrain total catch within OY for the rebuilding species? He suggested that the GMT develop tools by the March 2000 meeting to help evaluate the management measures. He finished by stating that combining categories and shuffling priorities are all well and good, but the broader and comprehensive picture needs to be developed through the strategic plan. The strategic plan will make these decisions more deliberate.

Chairman Lone noted that the workplan (Attachment G.11.a.) is a helpful document for planning and prioritizing, which shows staff time and what the goals are for the Council. He thinks the original intent was to simply identify planned work and prioritize it.

Mr. Brown said that was his intention on combining those issues. He assumed the Council had told the GMT that our management measures need to be monitored. He stated that capacity reduction is the paramount issue, much of the Council's discussion in the strategic planning sessions centered around capacity issues; and he is certain the strategic planning process will identify capacity as the number one problem. By highlighting the issue the Council directs the SSC subcommittee to develop their report and indicate that capacity reduction is the Council's first priority.

Dr. Radtke moved that the Council accept the SSC's offer to produce a report on capacity reduction. Seconded by: Mr. Ralph Brown. (Motion 43)

Mr. Alverson stated that he was not sure what the SSC intended to do, and was concerned that their efforts were not in sync with the GSPDC. He was not sure what the SSC report was intended to be, is it a capacity reduction report – with goals and measures?

Dr. Hanson stated that the GSPDC was planning to produce the draft strategic plan by the March 2000 meeting, and was concerned about the SSC working on a parallel effort unless it could be incorporated into the GSPDC effort. If the SSC's report won't be ready until March, it won't be very useful. Other Council members supported the SSC offer and wanted to make sure the SSC report would be presented to the committee as soon as possible, preferably by the December GSPDC meeting (December 14, 1999). This was accepted as a friendly amendment.

Motion 43 passed.
Mr. Glock summarized the activities that need to take place before the April Council meeting: 1) SSC's capacity reduction report; 2) F_{meq}, Workshop; 3) evaluating year 2000 management measures; 4) finish rebuilding plans for lingcod, bocaccio, and POP, and initiate rebuilding plans for canary and cowcod rockfish; 5) evaluate effectiveness of current inseason management; and 7) finish the bycatch amendment to the FMP.

H. Administrative and Other Matters

H.1. Report of the Budget Committee - ACTION

Mr. Harp read the report of the Budget Committee.

*The Budget Committee ( Committee) reviewed the status of current year 1999 Council expenditures through September, calendar year 1999 budget projection, distribution of calendar year 1999 surplus funds, status of appropriations for 2000, the revised budget request for 2000, and 2003 meeting site proposals.*

*Expenditures for the nine-month period ending September 30, 1999 are about two percent under budget.*

*Projected expenditures through December 31, 1999 are estimated to provide a surplus of $42,471. The surplus has accrued from lower than expected travel costs for the first four Council meetings and the loss of one staff member for the remainder of 1999. All of the estimated surplus is to be distributed to the three state planning contracts using the established allocation percentage.*

*Congressional appropriations for 2000 are still not known at this time. A $150,000 increase in federal funding over the 1999 level, to be shared by all eight Councils, is expected. This increase is one-half of the increase anticipated in September.*

*The Committee reviewed the revised draft 2000 budget proposal prepared by Council staff. Due to the reduction in expected federal funding, professional recording of hearings was eliminated, and ad-hoc travel was decreased. The Committee recommends that the Council authorize staff to prepare and submit the 2000 budget as revised.*

*The Committee directed staff to continue to search for low cost alternate meeting sites for 2003. Suggested locations include Seattle, Washington; and Orange County, San Diego, and Burlingame, California.*

The Council adopted the report of the Budget Committee as shown in Supplemental Budget Committee Report H.1. (Motion 44) Moved by Mr. Cai, seconded by Mr. Thomas.

Mr. Anderson asked for a discussion on the meeting locations. He realizes there is a concern about getting closer to the coast. He finds the Sacramento Inn to be a decent facility, and it is economical for the Council to meet here.

Mr. Bohn noted that the Budget Committee report should just say "other alternative sites".

Mr. Harp noted that the intent was to have some Council meetings on the coast where fisherman could attend the meetings, but not to exclude Sacramento, California. We are looking at the year 2003, which is almost four years from now. Things change, and we were trying to give staff some guidance to look at other locations. This was just for guidance.

Mr. Brown said that some of the towns are easier for fisherman to get to, but not others. Fishermen from Westport have an equally hard time getting to some of these locations.
H.2. Status of Legislation

Dr. Dave Hanson gave the report. Major issues holding up the budget have been resolved. The gridlock is breaking down. We should see a Commerce budget sometime early next week. The states of Washington and Oregon may see an increase in salmon funds compared to the last draft of the budget.

Mr. Brown mentioned that the last time we met, there was discussion on the NOAA research budget. Some Senators felt that NOAA had a line item for the trawl survey. Has there been any attempt to straighten that out? Dr. Hanson said he was not aware of any.

H.3. Appointments - ACTION

Mr. Bohn nominated Mr. Wayne Butler to replace Dick Overfield on the GAP for the remainder of the term. Seconded by: Hans Radtke. Motion passed. (45)

Mr. Harp moved to nominate Mr. Dave Hillemeier to replace Troy Fletcher on the Salmon Advisory Subpanel for the duration of the term. Mr. Boydston seconded the motion. Motion passed. (46) The Hoopa tribe agreed to this and would like the Council to consider the rotation between the tribes the next time this position comes up. Mr. Harp noted it was his understanding that there was an agreement they would rotate their terms. That is why I put in this motion for the remainder of Troy's term.

Mr. Bohn moved appointment of Ms. Jean McCrae on the Highly Migratory Species Plan Development Team and Coastal Pelagic Species Management Team. Seconded by: Ralph Brown (Motion 47). Motion passed.


Mr. Six presented Supplemental EXHIBIT H.4, a draft list of March 2000 agenda items. He said we need to add the pink shrimp fishery (bycatch). He also noted we need to consider having a HMSAS meeting in conjunction with the March meeting.

Mr. Anderson asked Dr. Hanson about the current marine reserves schedule. Is there a need for a Marine Reserve Committee meeting in March and will there be options for the public to review prior to the meeting? Dr. Hanson said the committee is waiting on staff work and he will work with Jim Seger in scheduling the next committee meeting.

Mr Six asked about G.3., did you want that in March or April? Mr. Robinson replied "in April".

Mr. Robinson requested the Council add (1) a CPS report on the status of the limited entry program and (2) under HMS, F.1., "and guidance to the plan development team". Under groundfish management for setnet fisheries, he requested the item be changed to say "setnet fishery review".

With regard to CPS, Mr. Boydston asked Mr. Six if the squid MSY issue is for March or April? Mr. Six said to add it as a placeholder on the March agenda - including the bycatch issue. For G.6., also add bocaccio, canary (the whole suite) and take out the word minor.

With respect to the March meeting, Mr. Glock noted it has not been a groundfish meeting in the past. The Council may want to get some thought on how to get advice from the groundfish industry.

Mr. Brown noted that for G.6. we need the groundfish advisors at the meeting. Mr. Anderson said he appreciates the concern, but that getting a report back from the GMT is very important to our overall management strategy for 2000. Whether we took actions to modify our management regimes is another question. We could delay action to April with regard to looking at alternatives in terms of altering the fishing regimes. In March, the Council would get an update, discuss some potential actions, and put it out to the public.
Mr. Brown questioned if we would have enough landing information in March. It is likely we would only have January landing data. Mr. Anderson said he thinks the GMT may have other information to draw on. Mr. Brown noted that most of the information they have to look at will not be applicable since things have changed so much. The fishermen have changed their patterns and their gear, so old data is not applicable. We have a new world which starts in the new year. Mr. Anderson said he just views this as a update from the GMT to give to the GAP to look at in April.

Mr. Lone met with each of the panels here this week and conducted a consensus on who the chairs would be for the advisory entities.

SAS - Mark Cedergreen/Duncan MacLean
HSG - Michele Robinson/Jennifer Bloeser
GAP - Don Hanson/Rod Moore
HMSAS - not available
CPS - not available

Mr. Anderson spoke to the draft March agenda. In response to his question, the Council clarified that the Update on Activities to Restore Natural Stocks was about habitat actions by the states and tribes that had previously been scheduled during November meetings. Mr. Anderson also noted that the Council had some input from the scoping sessions on HMS for having some broader representation on that advisory group. He moved to add two commercial at large positions to the HMSAS and direct staff to solicit nominations. The Council agreed. Mr. Alverson seconded the motion. (Motion 48)

Mr. Anderson added that there may be some changes to the FRAM chinook model prior to March and to add a review of those changes to the March agenda.

**ADJOURN**

The Council was adjourned at 10:34 a.m., on Friday, November 5, 1999.

__________________________________________  __________________________
Jim Lone, Council Chairman                      Date
MOTION 1: Adopt the agenda as shown in EXHIBIT A.2. with the following changes: drop the September meeting minutes, under Agenda Item C.6.a. add a WDFW report by Sgt. Mike Cenci; under Agenda Items D.1. and D.2. add a report by the working group for fishing gear impacts. Under Agenda Item G.2., alter the order slightly to include a report from Dr. Alec MacCall, receive the reports from the advisory entities, receive the summary of written public comments then hold the public hearing.

Moved by: Jim Harp
Motion passed.
Seconded by: Hans Radtke

MOTION 2: Approve the June 1999 Council meeting minutes as shown in EXHIBIT A.3..

Moved by: LB Boydstun
Motion passed.
Seconded by: Jerry Mallet

MOTION 3: Modify sections b(1), (2), and (3) of the Pacific Halibut catch sharing plan consistent with the recommendations on page one of Attachment B.3.b. to implement the equitable allocation adjustment agreement among the state, federal, and tribal entities.

Moved by: Phil Anderson
Motion passed.
Seconded by: Jim Harp

MOTION 4: Adopt the proposed changes in the first two paragraphs under “Washington Recreational Fishery” in Attachment B.3.a. These changes (a) move the boundary between the Puget Sound and North Coast subareas eastward from the Bonilla-Tatoosh line to the mouth of the Sekiu River while adjusting the subarea harvest quotas to account for the change in areas and (2) allow opening of the “hotspot” area in the South Coast Subarea by inseason action, effective upon notice via the NMFS halibut hotline rather than upon publication in the Federal Register.

Moved by: Phil Anderson
Motion passed.
Seconded by: Jim Harp

MOTION 5: Adopt the recommendation under #1 in Supplemental ODFW Report B.3. to manage the inside 30-fathom fishery from Cape Falcon to Humbug Mountain under one quota rather than the present scheme of two subareas split at the Florence north jetty.

Moved by: Burnie Bohn
Motion passed.
Seconded by: Ralph Brown
MOTION 6: Direct the STT to complete its report on hooking mortality studies and provide that report and recommendations for an interim rate for the sport fishery to the SSC prior to the March meeting. Alert the public that, at its March meeting, based on the STT recommendations, the Council will formally consider adopting a new interim rate for the year 2000 ocean sport fisheries off Washington and Oregon and that preliminary analyses indicate the rate will likely be increased.

Moved by: LB Boydstun Seconded by: Jim Caico
Motion passed.

MOTION 7: Open the recreational fishery off California as scheduled with a provision for an inseason action by NMFS delaying the opening south of Pt. Arena with the intent of conserving listed species.

Moved by: LB Boydston Seconded by: Roger Thomas
Motion passed.

MOTION 8: Adopt Attachment C.5.a. with the following modifications: (1) in A.1 for 2000, allow submission of proposals up to the March meeting; (2) add item A.3. that states previously approved test fisheries do not need to be resubmitted each year; (3) add somewhere in the document that fishery sponsors are urged to coordinate their proposals through the appropriate management entities; (4) under B.3., expand the sentence to say an explanation would be provided if a request is denied; and (5) deleted the word "budgeted" in C.5.

Moved by: LB Boydstun Seconded by: Bob Fletcher
Motion passed.

MOTION 9: Instruct the Habitat Steering Group (HSG) to take the lead on addressing the impact of fishing gear on habitat and that they utilize members of the GAP representing the different gear types and their work; and that we approve of the workplan shown in Supplemental WGI Report D.

Moved by: Phil Anderson Seconded by: Bob Alverson
Motion passed.

MOTION 10: Direct the HSG to develop letters for the Council on the issue of the Potter Valley FERC project; and the second letter for comments on the Trinity River DEIS, and the have the Council use the fast response mechanism.

Moved by: LB Boydstun Seconded by: Bob Fletcher
Motion passed.

MOTION 11: Adopt a final harvest guideline for the 1999-2000 pacific mackerel season of 46,428 mt, and effective January 1, 2000 subtract the landings of the season (three months) from that quota.

Moved by: Patty Wolf Seconded by: Bob Fletcher
Motion passed.
MOTION 12: For coastal pelagics, adopt the Council Operating Procedure as shown in Attachment E.2.b.
Moved by: Bob Fletcher
Motion passed.
Seconded by: Roger Thomas

MOTION 13: Direct the Highly Migratory Species Plan Development Team (HMSPDT) to give the Council information on the control date at the March meeting.
Moved by: Bob Fletcher
Motion passed.
Seconded by: Phil Anderson

MOTION 14: Add two commercial at-large seats to the Highly Migratory Species Advisory Subpanel.
Moved by: Phil Anderson
Motion passed.
Seconded by: Bob Alverson

MOTION 15: Adopt guidance to the HMSPDT as shown in Supplemental NMFS Report F.1., with the addition of suggestions by Ms. Wolf and Mr. Anderson.
Moved by: Burnie Bohn
Motion passed.
Seconded by: Bob Alverson

MOTION 16: Delay action on Amendment 12 to the groundfish fishery management plan until the April meeting.
Moved by: Phil Anderson
Motion passed.
Seconded by: Jim Harp

MOTION 17: Adopt the lingcod rebuilding plan as presented in Attachment G.2.b. utilizing Option 5 for the purposes of establishing rebuilding yields (OYs) in Council managed fisheries.
Moved by: Phil Anderson
Motion passed.
Seconded by: Jim Harp

MOTION 18: Adopt the Pacific Ocean perch rebuilding plan as presented in Attachment G.2.d. Rebuilding yields (OYs) shall be determined utilizing the reproductive success reflected from 1980-on coupled with an "F" value of 0.035.
Moved by: Phil Anderson
Motion passed.
Seconded by: Jim Harp

MOTION 19: Adopt the Bocaccio rebuilding plan as presented in Attachment G.2.c. utilizing medium recruitment for 1999, F 0.03, 100 mt option.
Moved by: LB Boydstun
Motion passed.
Seconded by: Bob Fletcher
MOTION 20: Adopt the ABCs as identified in Attachment G.3.a.

Moved by: Burnie Bohn          Seconded by: Ralph Brown
Motion passed.

MOTION 21: Adopt the OYs as shown in Attachment G.3.a. with the following clarifications: for lingcod, 378 mt; whiting 232,000 mt; sablefish 7,919 mt (472 mt in the Conception area); POP 270 mt; shortbelly 13,900 mt; widow 4,333 mt; canary 200 mt; chilipepper 2,000 mt; bocaccio 100 mt; splitnose 615 mt; yellowtail 3,539 mt; shortspine 970 mt (179 mt in the Conception area); longspine 4,102 mt (429 mt in the Conception Area); cowcod under 5 mt; minor rockfish (north 3,664 mt and south 1,899 mt); and Dover sole 9,426 mt.

Moved by: Phil Anderson          Seconded by: Jim Harp
Amendment: Set shortspine at 1,150 mt.

Moved by: Ralph Brown          Seconded by: Burnie Bohn
Roll call vote on amendment: 6 yes, 8 no.
Amendment failed.
Main motion passed.

<table>
<thead>
<tr>
<th>Roll Call Vote, Amendment to Motion 21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>Alverson, Bob</td>
</tr>
<tr>
<td>Anderson, Phil</td>
</tr>
<tr>
<td>Barracough, Jack</td>
</tr>
<tr>
<td>Bohn, Burnie</td>
</tr>
<tr>
<td>Boydstun, LB</td>
</tr>
<tr>
<td>Brown, Ralph</td>
</tr>
<tr>
<td>Caito, Jim</td>
</tr>
<tr>
<td>Fletcher, Robert</td>
</tr>
<tr>
<td>Harp, Jim</td>
</tr>
<tr>
<td>Lone, Jim (Chairman)</td>
</tr>
<tr>
<td>Mallet, Jerry</td>
</tr>
<tr>
<td>Radlke, Hans</td>
</tr>
<tr>
<td>Robinson, Bill</td>
</tr>
<tr>
<td>Thomas, Roger</td>
</tr>
<tr>
<td>Total:</td>
</tr>
</tbody>
</table>

MOTION 22: For Tribal groundfish fisheries other than whiting and halibut, adopt the limits as outlined in Tribal Comment G.3.(2).

Moved by: Jim Harp          Seconded by: Phil Anderson
Motion passed.
MOTION 23: For Tribal Pacific whiting fisheries, adopt a tribal set aside of 34,500 metric tons.

Moved by: Jim Harp           Seconded by: Phil Anderson
Chairman Lone called the roll, 2 yes and 12 no.
Motion failed.

<table>
<thead>
<tr>
<th>Roll Call Vote, Motion 23</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member</td>
</tr>
<tr>
<td>Alverson, Bob</td>
</tr>
<tr>
<td>Anderson, Phil</td>
</tr>
<tr>
<td>Barraclough, Jack</td>
</tr>
<tr>
<td>Bohn, Burnie</td>
</tr>
<tr>
<td>Boydston, LB</td>
</tr>
<tr>
<td>Brown, Ralph</td>
</tr>
<tr>
<td>Caito, Jim</td>
</tr>
<tr>
<td>Fletcher, Robert</td>
</tr>
<tr>
<td>Harp, Jim</td>
</tr>
<tr>
<td>Lone, Jim (Chairman)</td>
</tr>
<tr>
<td>Mallet, Jerry</td>
</tr>
<tr>
<td>Radtke, Hans</td>
</tr>
<tr>
<td>Robinson, Bill</td>
</tr>
<tr>
<td>Thomas, Roger</td>
</tr>
<tr>
<td>Total:</td>
</tr>
</tbody>
</table>


Moved by: Phil Anderson           Seconded by: Bob Alverson
Motion passed. Mr. Caito opposed the motion.

MOTION 25: Designate shortbelly rockfish as fully utilized by domestic harvesting and processing for 2000; therefore TALFF and JVP are set equal to zero.

Moved by: Bill Robinson           Seconded by: Bob Fletcher
Motion passed.

MOTION 26: Adopt and send out for public review, the draft proposed regulations for an observer program as described in Supplemental Attachment G.4.b.

Moved by: Bob Alverson           Seconded by: Mr. Ralph Brown
Motion passed.
MOTION 27: Incorporate in the terms of reference the five bullets in revised Supplemental SSC Report G.5. for new stocks which are projected to go over the overfishing threshold. The five bullets were: 1) determine $B_n$, as the product of SPR in unfished state multiplied by the average recruitment during early years of fishery; 2) recruitment during the earliest part of the record for the stock; 3) $B_{max} = 0.4 \text{ B}_n$; 4) mean generation time; and 5) a forward projection using recruitment based on Monte Carlo sampling from a recent time series of recruitment estimates. Also include the following paragraph in the terms of reference (as shown in Supplemental Attachment G.5.b.) “In addition, we agreed that certain additional values should be consistently tabulated in the STAT team report in order to build a long-term computerized database of key parameters. This requirement typically would not impose additional calculations upon the STAT team but would simply require them to be reported in like manner”.

Moved by: Burnie Bohn  
Seconded by: Phil Anderson  
Motion passed.

MOTION 28: Instruct the STAR panels meet to have a half-day workshop in January or February to develop the changes to the terms of reference (as noted in Supplemental Attachment G.5.b.).

Moved by: Ralph Brown  
Seconded by: Jim Caito  
Motion passed.

MOTION 29: Adopt the terms of reference the harvest policy workshop as identified in Supplemental Attachment G.6.a.

Moved by: Phil Anderson  
Seconded by: Hans Radtke  
Motion passed.

MOTION 30: Move that the Washington recreational lingcod season be April 1-October 31 with a one fish bag limit, minimum size 24 inches, and a 10 rockfish bag limit including not more than two canary and two yelloweye rockfishes.

Moved by: Phil Anderson  
Seconded by: Jim Harp  
Motion passed.

MOTION 31: Move that Oregon have a 12-month sport lingcod season with a daily bag limit of one fish, minimum size 24 inches and maximum size 34 inches, and a 10-rockfish bag limit including not more than three canary rockfish.

Moved by: Burnie Bohn  
Seconded by: Ralph Brown  
Motion passed.

MOTION 32: Establish a rockfish bag limit of 10 per day, including not more than 3 bocaccio, 3 canary, and not more than one cowcod per boat; and 2 lingcod per day, with lingcod not less than 26 inches in length.

Moved by: LB Boydstun  
Seconded by: Jim Caito
Amendment: Mr. Fletcher moved to amend Motion 32 to increase the rockfish bag limit to 12.

Moved by: Bob Fletcher    Seconded by: Roger Thomas
Roll call vote on the amendment: 3 yes, 10 no.
Amendment to Motion 32 failed.
Main motion passed.

### Roll Call Vote, Amendment to Motion 32

<table>
<thead>
<tr>
<th>Council Member</th>
<th>YES</th>
<th>NO</th>
<th>ABSTAIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alverson, Bob</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anderson, Phil</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barracough, Jack</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bohn, Burnie</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boydstun, LB</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brown, Ralph</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caioto, Jim</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fletcher, Robert</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harp, Jim</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Lone, Jim (Chairman)</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mallet, Jerry</td>
<td></td>
<td></td>
<td>Absent</td>
</tr>
<tr>
<td>Radtke, Hans</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Robinson, Bill</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomas, Roger</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td>3</td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>

**MOTION 33:** Adopt the management measures as presented in "revised Supplemental GMT Report G.7.(1) November 1999" for yellowtail north trip limits for trawl when using gear other than mid-water gear would be 1,500 lb/month. Regarding the trawl gear that may be on-board, a vessel may have multiple gears on-board however, the vessel will be governed by the most restrictive trip limit that applies to the gear on-board. Prior to unloading, a "declaration form" must be completed and signed by both the vessel operator and the employee of the facility that is off-loading the catch. The form must be attached to the fish receiving ticket.

A "small footrope" will be defined as any footrope with no individual disk, roller, bobbins, or any other device that exceeds 8". Small footrope nets will not be allowed to have any chaffing gear on the body of the net. Regarding limited entry fixed gear, the widow rockfish trip limit be 3,000 pounds per month, the yellowtail north trip limit would be 1,500 pounds per month, and the chilipepper south trip limit would be 2,000 pounds per month. Trip limits for minor nearshore rockfish would be 2,400 pounds/2-months, no more than 50% of which can be species other than black or blue. Regarding the open access fishery, the motion does not include the limits relative to spot/ridgeback prawn, California halibut, sea cucumber, or pink shrimp fisheries.

Minor nearshore rockfish south 550 pounds/2-months
Minor nearshore rockfish north 800 pounds/2-months, (no more than 50% of which can be species other than black or blue).
Conception area sablefish daily trip limit of 350 pounds for open access, with the option of a single landing up to 600 pounds weekly, not to exceed 1,800 pounds per two months.

For cowcod, not more than one fish per landing

South of Cape Mendocino close the commercial fixed gear fishery (limited entry and open access, including setnet) for nearshore and shelf rockfish during the recreational fishery closures; the fishery for minor slope rockfish and sablefish will remain open with a 500 pound trip limit of slope rockfish.

North of Cape Mendocino, the open access minor nearshore rockfish limit will be 1,000 pounds per two months (no more than 50% of which can be species other than black or blue rockfish).

Moved by: Phil Anderson  Seconded by: LB Boydstun
Motion passed.

MOTION 34: Direct the GMT to analyze the setnet rockfish species composition data relative to address rockfish concerns, and consolidate our OY management line and trip limit management line at 40° 10'. Include Mr. Anderson's friendly amendment as to whether or not we should assign a bycatch mortality rate - recognize mortality for minor rockfish, nearshore minor rockfis and something south.

Moved by: LB Boydstun  Seconded by: Bob Fletcher
Motion passed.

MOTION 35: Adopt a 10,000 pound per month trip limit inside the 30 fathom Eureka area.

Moved by: Bill Robinson  Seconded by: LB Boydstun
Motion passed.
Mr. Brown abstained from the vote.

MOTION 36: Reconsider the main motion passed for Motion 35.

Moved by: Bob Fletcher  Seconded by: LB Boydstun
Motion passed.

MOTION 37: Move that Motion 35 be amended to use 36° N Latitude instead of using Piedras Blancas.

Moved by: Bob Fletcher  Seconded by: Roger Thomas
Motion passed.

MOTION 38: Moved to reconsider Motion 33.

Moved by: Bob Fletcher  Seconded by: Roger Thomas
Motion passed.
MOTION 39: Amend Motion 33 to reflect the following: With regard to fixed gear open access and limited entry fixed gear fisheries south of Cape Mendocino, that the minimum lingcod size limit increase from 24 to 26 inches. With regard to the closure of the open access and limited entry fixed gear fisheries south of Cape Mendocino during the closed periods for recreational. The closure applies to nearshore rockfish and shelf rockfish and lingcod. The states will require gear types used in trawl fisheries to be reported on state fish receipts or other state reporting documents. With regard to exempted trawl, excluding pink shrimp, 300 pounds groundfish per trip not to exceed the poundage of targeted species or any other open access species limit. Spiny dogfish can exceed target poundage but not more than 300 pounds per trip. Include Item #3 on Supplemental GMT Report G.7.(3), (page 2 regarding trip limits).

Moved by: LB Boydstun
Amendment passed.

Seconded by: Ralph Brown

MOTION 40: As a placeholder, (for pink shrimp) have the Council use last year’s 500 pounds per day, 2,000 pounds per trip (status quo).

Moved by: Burnie Bohn
Motion passed.

Seconded by: Ralph Brown

MOTION 41: Adopt Motion 39 as amended (the vote on the main motion).

Moved by: Mr. Boydstun
Motion passed.

Seconded by: Ralph Brown

MOTION 42: Move that the Council adopt November 5, 1999 as a control date for future capacity control measures and various types of limited entry that might be considered for the open access fleet.

Moved by: Ralph Brown
Motion passed.

Seconded by: Jim Caito

MOTION 43: Move that the Council accept the SSC’s offer to produce a report on capacity reduction.

Moved by: Hans Radtke
Motion passed.

Seconded by: Ralph Brown

MOTION 44: Adopt the report of the Budget Committee as shown in Supplemental Budget Committee Report H.1.

Moved by: Jim Caito
Motion passed.

Seconded by: Roger Thomas

MOTION 45: Appoint Mr. Wayne Butler to replace Dick Overfield on the GAP for the remainder of the term.

Moved by: Burnie Bohn
Motion passed.

Seconded by: Hans Radtke
MOTION 46: Appoint Mr. Dave Hillemeier to replace Troy Fletcher on the Salmon Advisory Subpanel for the duration of the term.

Moved by: Jim Harp
Motion passed.  
Seconded by: LB Boydstun

MOTION 47: Appoint Ms. Jean McCrae to the Highly Migratory Species Plan Development Team and the Coastal Pelagic Species Management Team.

Moved by: Burnie Bohn
Motion passed.  
Seconded by: Ralph Brown

MOTION 48: Add two commercial at large positions to the HMSAS and direct staff to solicit nominations to fill those positions.

Moved by: Phil Anderson
Motion passed.  
Seconded by: Bob Alverson