

IDENTIFICATION OF MANAGEMENT OBJECTIVES AND  
PRELIMINARY DEFINITION OF 2006 SALMON MANAGEMENT OPTIONS

Using the Salmon Advisory Subpanel (SAS) management recommendations as a base, the Council should identify the range of management elements in the options for public review (harvest ranges, special restrictions, and basic season structure). The Salmon Technical Team (STT) will attempt to collate the Council's identified management elements into coordinated coastwide options. The collated options will be returned to the Council for review and any further direction on Wednesday, March 8, 2006 followed by STT analysis and final adoption of the options on Friday, March 10, 2006. Agenda Item C.4.a, Attachment 1 provides guidance for developing and assessing the options.

Any option considered for adoption that deviates from fishery management plan (FMP) objectives will require implementation by emergency rule. If an emergency rule appears to be necessary, the Council must clearly identify and justify the need for such an action consistent with emergency criteria established by the Council (Agenda Item C.4.a, Attachment 2).

Before defining the options, the Council should be briefed on any pertinent management constraints resulting from: actions by the Pacific Salmon Commission (PSC), recommendations of the Klamath Fishery Management Council (KFMC), action by the California Fish and Game Commission to set the allocation of Klamath River fall Chinook for the inside recreational fishery, and National Marine Fisheries Service constraints for stocks listed under the Endangered Species Act.

**Council Task:**

- 1. Using the SAS proposals and other agency and public input, define basic management elements and alternatives for STT collation into coastwide management options.**

**Reference Materials:**

1. Agenda Item C.4.a, Attachment 1: Guidance for Option Development and Assessment.
2. Agenda Item C.4.a, Attachment 2: Emergency Changes to the Salmon FMP.
3. Agenda Item C.2.d, Supplemental NMFS ESA guidance letter.
4. Agenda Item C.4.g, Supplemental SAS Report: SAS Proposed Initial Salmon Management Options for 2006 Non-Indian Ocean Fisheries.

Agenda Order:

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|--|---|
| a. Agenda Item Overview  | Chuck Tracy                                 |
| b. Report from the PSC   | Jim Harp                                    |
| c. Report of the KFMC  | Curt Melcher                                |
| d. NMFS Recommendations  | Frank Lockhart                              |
| e. Tribal Recommendations  | Jim Harp                                    |
| f. State Recommendations   | Phil Anderson/Curt Melcher/Marija Vojkovich |
| g. Reports and Comments of Advisory Bodies                                       |   |
| h. Public Comment  |   |
| i. Council Recommendations for Initial Options for STT Collation and Description |   |

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02/15/06

## GUIDANCE FOR OPTION DEVELOPMENT AND ASSESSMENT

Developing management options is a complex process which may be assisted by following consistent procedures wherever possible. The recommendations below were developed by the Salmon Technical Team (STT), with input from the Salmon Advisory Subpanel (SAS), and approved by the Council to help guide the option development process. They are suggested guidelines and not inflexible requirements.

### 1. March Management Options:

- a. To aid option assessment, the Council urges pertinent agency and tribal managers to have the Fishery Regulation Assessment Models (FRAMs) ready to run no later than the first day of the March Council meeting.
- b. On the first day of the March meeting, the Council should provide specific guidance for the allowable level of impacts on Oregon coastal natural coho and priorities for the allocation of impacts on critical stocks (e.g., Klamath River fall Chinook, Columbia River natural tule Chinook, Snake River fall Chinook, etc.). Council staff can modify the option tables to insure 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. Generally, Option I should include the SAS's priority seasons and management measures. Options II and III are 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 should meet basic conservation requirements.
- d. SAS representatives should 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.
- e. The SAS requests assessments of impacts off California include tables with data for all harvest cells, not just those below Point Arena.
- f. 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, April 4, 2006).

2. April Meeting:

The Council has indicated that on the last day of the March meeting, it will determine the schedule for final adoption of management measures at the April meeting (Thursday afternoon versus Friday).

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02/13/06

EMERGENCY CHANGES TO THE SALMON FISHERY MANAGEMENT PLAN (FMP)  
(Excerpt from Council Operating Procedure 10)

CRITERIA FOR REQUESTING EMERGENCY CHANGES TO THE SALMON FMP

Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act allows the Secretary of Commerce to implement emergency regulations independently or in response to a Council recommendation of an emergency if one is found to exist. The Secretary has not published criteria for determining when an emergency exists. A Council FMP may be altered by emergency regulations, which are treated as an amendment to the FMP for a limited period of 180 days and which can be extended for an additional 180 days.

Council FMPs can be changed by the amendment process which takes at least one to two years, or modified temporarily by emergency regulations, which can be implemented in a few weeks. Framework plans, like the Council's salmon FMP, have been developed to allow flexibility in modifying management measures between seasons and during the season.

Some measures, like most conservation objectives and allocation schemes, are deliberately fixed in the plan and can be changed only by amendment or temporarily modified by emergency regulation. (Certain conservation objectives also may be changed by court order or without an amendment if, in the view of the Salmon Technical Team, Scientific and Statistical Committee, and Council, a comprehensive review justifies a change.) They are fixed because of their importance and because the Council wanted to require a rigorous analysis, including extensive public review, to change them. Such an analysis and review were conducted when these management measures were originally adopted. It is the Council's intent to incorporate any desired flexibility of conservation objectives into the framework plan, making emergency changes prior to the season unnecessary. The Oregon coastal natural coho conservation objective is an example of a flexible objective, which is more conservative when stock abundance is low.

The use of the emergency process essentially "short circuits" the plan amendment process and reduces public participation, thus there needs to be sufficient rationale for using it. Moreover, experience demonstrates that if there is disagreement or controversy over a council's request for emergency regulations, the Secretary is unlikely to approve it. An exception would be an extreme resource emergency.

To avoid protracted, last-minute debates each year over whether or not the Council should request an emergency deviation from the salmon FMP, criteria have been developed and adopted by the Council to screen proposals for emergency changes. The intent is to limit requests to those which are justified and have a reasonable chance of approval, so that the time spent in developing the case is not wasted and expectations are not unnecessarily raised.

### Criteria

The following criteria will be used to evaluate requests for emergency action by the Secretary:

1. The issue was not anticipated or addressed in the salmon plan, or an error was made.
2. Waiting for a plan amendment to be implemented would have substantial adverse biological or economic consequences.
3. In the case of allocation issues, the affected user representatives support the proposed emergency action.
4. The action is necessary to meet FMP objectives.
5. If the action is taken, long-term yield from the stock complex will not be decreased.

### Process

The Council will consider proposals for emergency changes at the March meeting and decide whether or not a specific issue appears to meet all the applicable criteria. If the Council decides to pursue any proposal, it will direct the Salmon Technical Team to prepare an impact assessment for review by the Council at the April meeting, prior to final action. Any proposals for emergency change will be presented at the public hearings between the March and April meetings. It is the clear intent of the Council that any proposals for emergency change be considered no later than the March meeting in order that appropriate attention be devoted at the April meeting to developing management recommendations which maximize the social and economic benefits of the harvestable portion of the stocks.

The Council may consider other proposals for emergency change at the April meeting if suggested during the public review process, but such proposals must clearly satisfy all of the applicable criteria and are subject to the requirements for an impact assessment by the Salmon Technical Team.

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02/15/06