

DRAFT
COUNCIL STAFF SUMMARY OF POTENTIAL ISSUES AND TIMELINES FOR
AMENDING THE SALMON FMP FOR COMPLIANCE WITH
NATION STANDARD 1 GUIDELINES

Excepted Stocks

The Magnuson-Stevens Act (MSA) provides that stocks managed under an international agreement are excepted from the annual catch limit (ACL) provision. A number of Fishery Management Plan (FMP) stocks may qualify, including Puget Sound, Washington Coast, most Columbia River, and most Oregon coast Chinook, and all coho, as there are included in the Pacific Salmon Treaty (PST).

Conservation Objectives

Annual management objectives for some FMP stocks can be different than the FMP conservation objectives if agreed to by the parties to *U.S. versus Washington* or *Hoh versus Baldrige* (e.g., Puget Sound and Washington coastal coho stocks). If these stocks are classified as exceptions there may not be a conflict with the ACL requirements; however, the FMP's Overfishing Concern criteria is based only on the FMP conservation objectives. Therefore it could be possible to meet agreed to annual management objectives and still trigger an Overfishing Concern. The FMP amendment should resolve this inconsistency by making FMP and PST (or other) objectives consistent or by some other provision in the FMP.

Ecosystem Components

Many of the stocks in the FMP are not significantly impacted by Council-area fisheries, and may possibly be classified as Ecosystem Component stocks, including most of the Chinook stocks mentioned in the Excepted Stocks section above.

Status Determination Criteria

The current FMP provides criteria for a Conservation Alert and an Overfishing Concern, but does not definitively address overfishing and overfished status. Instead, an assessment is conducted when one of these conditions is triggered to determine the cause of the shortfall and to recommend appropriate actions. To align with the ACL requirements that overfishing does not occur, it may be necessary to revise the status determination criteria (SDC) to establish a clear link between overfishing and the ACL. Thus, it may be useful to have more explicit definitions of Overfished, Overfishing, and approaching an Overfished condition in the FMP.

Spawning Escapement/Exploitation Rate Management

Currently, most salmon stocks have conservation objectives stated in terms of numbers of spawners or as exploitation rate limits, or both. Although these metrics may provide the functional equivalent of catch limits, they may not be assessed until postseason. Quotas are used to manage all Council-area fisheries north of Cape Falcon, but only a few south of Cape Falcon. These different management approaches will need to be assessed in the amendment process to determine how they meet the intent of the MSA.

Uncertainty

The reference points discussed in the National Standard 1 (NS1) guidelines are intended to account for management and scientific uncertainty when setting annual management measures. Currently there are few measures of uncertainty in the methodology used for salmon management. Instead, the FMP requires precautionary management by targeting maximum sustainable yield (spawning escapement or exploitation rate) annually, regardless of the status of the stock, and requires either closure of, or a de minimus level of fishing in. Council-area salmon fisheries impacting stocks projected to be below MSY values, thus, reducing the likelihood of overfishing. The FMP's Overfishing Concern is triggered by failure to achieve the conservation objective for three consecutive years, which is a means of accounting for annual variation by establishing a trend, or potential trend, in the stock status. It also ensures that more than one brood is considered in the Overfishing Concern, reducing the influence of annual variability in stock abundance. The relationship between these concepts currently used in salmon management and the intent of the MSA ACL requirements may need to be made clear in the FMP amendment for best compliance with the new NS1 intent.

Accountability Measures

The Salmon FMP contains several measures that align with the description of AMs in the NS1 Guidelines (e.g., inseason quota management north of Cape Falcon, assessments after two years below the conservation objective, etc). These should be clearly identified in the amendment. Although inseason accountability measures (AMs) are not used in some salmon fisheries, the NS1 Guidelines acknowledge that possibility.

State-Federal Fisheries

The NS1 Guidelines acknowledge the role of state-managed fisheries in complying with ACLs and AMs, and allow specification of Federal ACLs and AMs. The amendment process should consider situations where this may be applicable.

Schedule

The schedule for completing the ACL requirements depends on the status of stocks in the FMP. For stocks experiencing overfishing the ACL requirements must be in place for the 2010 fishing season, and for all other stocks for the 2011 fishing season.

Potential Timelines for Salmon FMP Amendment

Stage	Most Aggressive Schedule Possible to meet MRSA	Moderate Schedule to meet MRSA
NS-1 Guidelines Final Rule	January 2009	January 2009
"Council Announces Scoping -EIS or EA Determination -Initiate FMP Amendments"	March 2009	March 2009
First FMP Amendment Drafts, Including Alternatives	June 2009	September 2009
Adopt Preliminary Preferred Alternative for Public Review	September 2009	April 2010
Final Council Action	November 2009	September 2010
Secretarial Approval	April 2010	January 2011
Changes in Existing Fishing Regulations	May 1 2010	May 1 2011

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