



DECISION SUMMARY DOCUMENT  
PACIFIC FISHERY MANAGEMENT COUNCIL MEETING  
MARCH 8-13, 2014

**ECOSYSTEM MANAGEMENT**

**California Current Ecosystem Report Including Integrated Ecosystem Assessment**

The Council and NOAA's Integrated Ecosystem Assessment (IEA) Team reviewed the state of the California Current ecosystem as well as recent work done under the IEA. The report was well received and the Council and NMFS agreed to explore ways to increase future coordination and collaboration to further optimize these annual reports. The Council reviewed progress on the Fishery Ecosystem Plan initiatives and is scheduled to review alternatives to achieve protective measures for unmanaged forage species at its April meeting in Vancouver, Washington.

**HABITAT**

**Current Habitat Issues**

The Council directed staff to send the proposed letter to KZO Sea Farms ([Agenda Item E.1, Attachment 1](#)) with the Habitat Committee's (HC) suggested edits and with a paragraph recommending a) financial responsibility of KZO Sea Farms for recovering lost equipment, b) holding fishermen harmless from liability in the event of accidental contact with the project structure, and c) requiring a mitigation plan for lost and damaged fishing gear as a result of the project. In addition, the Council directed the Habitat Committee to comprehensively examine the Bay/Delta Conservation Plan and prepare a summary and a draft Council comment letter for the advance Briefing Book for the June Council meeting. The Council also tasked Council staff with sending a letter to the U.S. Fish and Wildlife Service (USFWS) regarding their Coleman National Fish Hatchery (NFH) release plan, noting the unique conditions during this water year, the merits of the plan, and thanking the USFWS for establishing a protocol for future years should these conditions arise again. In a related matter, the Council requested that the HC be briefed on the status of Coleman NFH releases at its April meeting.

**GROUND FISH MANAGEMENT**

**Essential Fish Habitat Evaluation Criteria and the Essential Fish Habitat Review Committee (EFRHC) Phase 2 Report**

The Council accepted the EFHRC Phase 2 report, thus formally ending the Phase 2 process. Towards the next step in the Phase 3 process, the Council requested that the Northwest and Southwest Fisheries Science Centers investigate the question of essential fish habitat (EFH) effectiveness, accuracy, and completeness, in the best way possible within the next five months, using existing staff resources, and to present their findings in the advance Briefing Book for consideration at the September 2014 Council meeting. At the September meeting, the

Council is tentatively scheduled to initiate a fishery management plan amendment, including alternatives for refining elements of groundfish EFH as warranted by new information, the Science Center evaluation, and proposals received.

### **Barotrauma Device Mortality Rates**

The Council adopted new depth-based mortality rates for cowcod, canary rockfish, and yelloweye rockfish discarded in recreational fisheries using descending devices to mitigate barotrauma. The adopted rates were based on the upper 90 percent confidence intervals as provided in Table 1 in [Agenda Item D.3.b, Supplemental GMT Report 2](#).

### **Inseason Adjustments, Including Carryover**

The Council recommended that the National Marine Fisheries Service issue the maximum eligible surplus carryover (up to 10 percent) for all non-whiting species in the shore based individual fishing quota fishery.

### **Biennial Harvest Specifications for 2015-2016 and Beyond Groundfish Fisheries**

The Council adopted 2015 and 2016 overfishing limits (OFLs) for cowcod south of 40°10' N latitude, and for the Oregon sub-stock of kelp greenling (under the  $P^*=0.45$  scenario) as provided in Table 2 [Agenda Item D.5.a, Attachment 1](#). The Council also adopted the 2015 OFL for the Washington sub-stock of kelp greenling under a new  $P^*=0.40$  scenario. Those OFL values will be available for the April Council meeting. At the April Council meeting, the Council is also scheduled to adopt OFLs for the Nearshore Rockfish complex, which have been delayed due to technical difficulties.

### **Trawl Rationalization Trailing Actions**

For the proposed observer catch monitor rule published in the *Federal Register* on February 19, 2014 ([Agenda Item D.6.b, NMFS Report 2](#)) the Council provided National Marine Fisheries Service (NMFS) with comments on a number of topics including: ensuring that states and municipalities will have an opportunity to act as observer and catch monitor providers; not increasing the restrictiveness of conflict of interest provisions (including expansion of the geographic areas covered and evaluating restrictions already in regulation to determine whether they may be excessively restrictive); ensuring that if any observer or observer provider refuses to provide services for a vessel that the vessel be notified as quickly as possible of the reasons that refusal; and not requiring higher levels of education and training than is necessary for observers to carry out their basic responsibilities.

With respect to the whiting cleanup rule that NMFS reported on in [Agenda Item D.1.b, NMFS Report](#), the Council scheduled a report from NMFS at the April 2014 Council meeting on the timing for a comment period for the rule, such that the comment period would be open during a Council meeting, thus providing the Council opportunity to comment on both the rule and the accompanying environmental assessment. For the issue of continuing the adaptive management program (AMP) pass through after the end of 2014, the Council adopted for consideration at its June 2014 meeting three action alternatives which would continue the pass through for a number of additional years (at least through the end of 2017). See the three action alternatives on our website at: <http://www.pcouncil.org/2014/04/30241/tr-amp-passthru-update/>.

## **PACIFIC HALIBUT MANAGEMENT**

### **Incidental Catch Recommendations for the Salmon Troll and Fixed Gear Sablefish Fisheries**

The Council adopted halibut landing ratios for the commercial salmon troll fisheries from April 1-30, 2014 of no more than one halibut per each four Chinook, except one halibut may be landed without meeting the ratio requirement and no more than 12 halibut may be landed per trip. Salmon regulations will also require state landing receipts to include both the number of halibut landed, and the total dressed, head-on weight of halibut landed, in pounds. The Council adopted three options for public review for halibut landing ratios in the salmon troll fisheries from May 1, 2014 through December 31, 2014 and April 1-30, 2015.

The options can be found on the Council blog <http://www.pcouncil.org/2014/03/29494/halibut-march2014/>. Final action is scheduled for the April Council meeting.

The Council also adopted halibut landing restrictions for the primary fixed gear sablefish fishery north of Pt. Chehalis, Washington from April 1, 2014 to October 31, 2014. The limits are 75 pounds dressed weight of halibut for every 1,000 pounds dressed weight of sablefish landed and up to two additional halibut in excess of the 75-pounds-per-1,000-pound ratio per landing.

## **ENFORCEMENT ISSUES**

### **Vessel Monitoring System Ping Rate**

The Council identified a number of areas on which it would like additional information appropriate to initiating a regulatory action. Next consideration for this issue was scheduled for the June 2014 meeting. At that time, the Council will decide on the relative priority for this issue and the appropriate timeline for noticed Council decision making.

## **COASTAL PELAGIC SPECIES MANAGEMENT**

### **Pacific Sardine Temperature Parameter Review**

The Council adopted the technical change of using the CalCOFI temperature index, rather than the Scripps Pier temperature recordings, in calculating the annual overfishing limit (OFL) for Pacific Sardine. The new temperature index and new temperature-productivity relationship will be used for establishing the OFL starting with the April 2014 meeting, when the Council will establish annual harvest specifications and management measures for the fishing year beginning July 1, 2014.

Before applying the new temperature index and temperature-productivity relationship in the harvest guideline control rule, the Council requested evaluation of additional alternatives regarding the harvest fraction term (Emsy), including a 0-20 percent and a 5-20 percent Emsy, both of which would preserve current policy by allowing relatively higher harvest rates in periods of high biomass and productivity, but would constrain harvest rates when biomass and productivity are low. The Council is tentatively scheduled to consider the analysis of these alternatives at the September 2014 meeting and take final action at its November, 2014 meeting for application to the 2015-2016 fishing year.

## ADMINISTRATIVE MATTERS

### **Magnuson-Stevens Act Reauthorization Priorities and Other Legislative Matters**

In accepting the Legislative Committee report, the Council tasked the Executive Director with sending a letter responding to a request to comment on the Hastings Discussion Draft on Reauthorization of the Magnuson-Stevens Act (MSA). The letter will include most of the recommendations in the Legislative Committee Report ([Agenda Item J.1.b, Supplemental Legislative Committee Report](#)) and most of the additional recommendations from the Highly Migratory Species Advisory Subpanel (HMSAS) report ([Agenda Item J.1.c, Supplemental HMSAS Report](#)), as modified by Council discussion during the floor session.

## HIGHLY MIGRATORY SPECIES MANAGEMENT

### **Vessel Monitoring Systems (VMS) for Highly Migratory Species Fisheries**

The Council elected to not formally comment on the regulation proposed by NMFS requiring VMS on vessels longer than 24 meters, which is in the process of being promulgated under the Tuna Conventions Act by the NMFS. The Council asked Departments of State and Commerce representatives to make note of the Council preference to have this rulemaking decision and any future rulemakings similar to it, made under MSA authority rather than the Tuna Conventions Act. The Council acceded to the Federal government commitment to implement regulations to comply with an Inter-American Tropical Tuna Commission (IATTC) resolution (requiring VMS) before the July 2014 IATTC meeting. In doing so, the Council recognized that because there is insufficient time to complete the Council-MSA process in time, NMFS will use their authority under the Tuna Conventions Act.

### **Recommendations for International Management Activities**

The Council directed staff to continue working on the development of a precautionary management framework for North Pacific albacore at the international level, including in both the IATTC and the Western and Central Pacific Fisheries Commission arenas.

### **U.S.-Canada Albacore Treaty Update**

The Council heard reports and public testimony regarding the future of a reciprocal fishing regime under the US-Canada Albacore Treaty, but elected to not take a position prior to the upcoming bilateral negotiations scheduled for mid-April 2014.

### **Drift Gillnet Monitoring, Management and Alternative Gear Report**

The Council took several actions toward a goal of developing a comprehensive plan to transition the current drift gillnet fishery to a fishery utilizing a suite of more environmentally and economically sustainable gear types that can effectively target the healthy West Coast swordfish stock operating under MSA authority. The Council actions are:

1. Sending a letter to NMFS requesting reinstatement of the emergency rule that lapsed on January 31 and implementation of the Pacific Offshore Cetacean Take Reduction Team recommendations so there is no gap in application while NMFS implements permanent regulations on this matter.
2. Requesting NMFS provide a report at the June Council meeting on issues and possible solutions to more comprehensively placing a transitioning swordfish fishery under MSA

authority, including Federal permit options that would replace the current California State permit regime.

3. Tasking Council staff with noticing the public that the Council would consider preliminary experimental fishing permit (EFP) approval on fishery transition proposals at the June 2014 Council meeting, and encouraging EFP submission. Further, the Council directed the Highly Migratory Species Management Team (HMSMT) to prepare research protocols to guide the evaluation of EFPs to test alternative gear types.
4. Tasking Council staff, the HMSAS, and the HMSMT with initial development of a fishery transition plan and possible regulations under a typical MSA process, with the transition period being of sufficient duration to maintain a reasonable commercial flow of swordfish to domestic markets during the transition. The initial compilation of ideas was scheduled for the June 2014 Council meeting, with typical MSA process management tools to use such things as, seasons, areas, allowable gear alternatives, and integration of EFP results.

## **SALMON MANAGEMENT**

### **Review of 2013 Fisheries and Summary of 2014 Stock Abundance Forecasts**

The Scientific and Statistical Committee endorsed and the Council adopted the 2014 forecasts, acceptable biological catches, and overfishing limits in the [Preseason Report I](#) as the best available science for use in 2014 salmon management.

### **Adoption of 2014 Management Alternatives for Public Review**

The Council adopted 2014 management alternatives for public review that are posted to the Council web page and will be analyzed and published in Preseason Report II. Public hearings will be held in Coos Bay, Oregon and Westport, Washington on March 24 and in Santa Rosa, California on March 25 and the Council is scheduled to adopt final management measures at its April 5-10, 2014 meeting in Vancouver, Washington.

### **Salmon Hearings Officers**

The Council assigned hearings officers from the Council, Council staff, the Salmon Technical Team, the U.S. Coast Guard, and NMFS. Hearings will be held in Coos Bay, Oregon and Westport, Washington on March 24 and in Santa Rosa, California on March 25.

### **Sacramento Winter Chinook Harvest Control Rule**

The Council reviewed alternative harvest control rules as analyzed in a NMFS management strategy evaluation (MSE) for this stock as well as the NMFS request for comments on the matter. The Council directed its Executive Director to submit Council recommendations for a harvest control rule (alternative 4 from the MSE) that provides *de minimis* harvest opportunities at lower abundance levels, but is not projected to significantly increase risk to the stock relative to the existing harvest control rule.

### **California Coastal Chinook Update**

The Council appreciated the presentation by California Department of Fish and Wildlife (CDFW) on Northern California salmonid monitoring and remains interested in pursuing alternative management strategies for California Coastal Chinook that are more directly based on the

status of those stocks. The Council is encouraged by NMFS and CDFW plans to hold a workshop on the matter in 2014.

## **ADMINISTRATIVE MATTERS**

### **Approval of Council Meeting Minutes**

The Council approved the September 2013 Council Meeting Minutes.

### **Advisory Body Position Appointments and Council Operating Procedures**

The Council made the following advisory body appointments:

Mr. Kris Northcut to fill the new Tribal seat on the Highly Migratory Species Management Team.

Ms. Melodie Palmer-Zwahlen to replace Ms. Jennifer Simon as the California Department of Fish and Wildlife representative on the Salmon Technical Team.

Lt. Tim Schwartz to replace Lt. Dave Anderson in the Oregon State Police seat on the Enforcement Consultants.

Dr. Galen Johnson to replace Mr. Bob Conrad as the Tribal Agency representative on the Scientific and Statistical Committee.

Dr. John Stadler to replace Mr. Eric Chavez as the NMFS West Coast Region representative on the Habitat Committee, and to designate Ms. Korie Schaeffer as his alternate.

For the ad hoc Lower Columbia River Natural Coho Workgroup:

Mr. Chris Kern and Mr. Geoffrey Whisler, Oregon Department of Fish and Wildlife

Ms. Cindy LeFleur and Mr. Doug Milward, Washington Department of Fish and Wildlife

Mr. Jeromy Jording and Mr. Enrique Patiño, National Marine Fisheries Service

Mr. Stuart Ellis and Mr. Hap Leon, Tribal governments.

The Council also announced that Mr. Greg Johnson would fill the Gillnet seat on the Salmon Advisory Subpanel on an interim basis during the 2014 preseason planning process, and that the seat would be filled for the remainder of the 2013-2015 term at the June 2014 Council meeting. Council staff will solicit nominations for the seat, along with the California Troll seat, following the April 2014 Council meeting.

### **Future Council Meeting Agenda and Workload Planning**

The next meeting of the Pacific Fishery Management Council is scheduled for April 5-10, 2014. A draft proposed agenda for the April Council meeting ([single-page graphic](#)) can be found on the Council website [www.pcouncil.org](http://www.pcouncil.org).

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