

Decision Summary Document
Pacific Fishery Management Council
November 16-21, 2016

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. Results of agenda items that do not reach a level of highlight significance are typically not described in the Decision Summary Document. For a more detailed account of Council meeting discussions, see the [Council meeting record and voting logs](#) or the [Council newsletter](#).

Salmon Management

Salmon Methodology Review

The Council reviewed progress on the development of a new forecast method for Sacramento River winter Chinook. The new forecast was not intended for use in 2017, but rather is part of a larger effort to develop a new forward-looking harvest policy that would replace the existing policy that is based on spawning escapement from the previous three years. In 2017, the Council's ad hoc Sacramento River Winter Chinook Workgroup will consider feedback from the Salmon Technical Team and the Scientific and Statistical Committee as it proceeds with the development and analysis of alternative harvest policies for potential implementation in 2018.

Chinook Fishery Regulation Assessment Model (FRAM) Update

The Council received an update on the implementation of a new base period in the Chinook FRAM from Ms. Angelika Hagen-Breaux and Mr. Larrie LaVoy. The Council considered the schedule for model implementation and compared results of the new and old base periods for stocks of particular interest. The Council anticipates that additional validation of the new model will occur over the winter before its application to the 2017 ocean salmon season setting process. The Council intends to work with National Marine Fisheries Service and the Co-managers to respond to any necessary changes to management objectives or harvest policies in response to the new model outputs.

Preseason Salmon Management Schedule for 2017

The Council adopted the tentative 2017 salmon management schedule ([Agenda Item D.4, Attachment 1](#)) including plans for public hearings in Westport, Washington and Coos Bay, Oregon on March 27 and Fort Bragg, California on March 28.

Pacific Halibut Management

Final 2017 Catch Sharing Plan and Annual Regulation Changes

The Council adopted final changes to the 2017 Catch Sharing Plan and annual fishing regulations for the Washington and Oregon recreational fisheries, described in the reports provided by the

Washington Department of Fish and Wildlife ([Agenda Item E.1.a, WDFW Report](#), [Agenda Item E.1.a, Supplemental WDFW Report 2](#)) and the Oregon Department of Fish and Wildlife ([Agenda Item E.1.a, ODFW Report](#)). For the Washington recreational fisheries, statewide season dates for the South Coast, North Coast, and Puget Sound subareas would be Thursday, May 4; Saturday, May 6; and Thursday, May 11. If sufficient quota remains, the seasons would continue as follows: Sunday, May 21 and/or Thursday, May 25 and Thursday, June 1 and/or Sunday, June 4. Other changes for the Washington recreational fisheries include allowing lingcod retention on halibut days during the month of May in the Columbia River subarea north of the Washington-Oregon border and specify that in the South Coast subarea, the nearshore fishery will open on the Saturday after the quota for the primary season has been achieved. For the Oregon recreational fisheries in all subareas, inseason adjustments (e.g., area restrictions) would be allowed based on bycatch of other limiting species, such as yelloweye rockfish. Additionally, changes to the groundfish retention rules were modified for the Central Coast subarea fisheries.

No changes were proposed for the Southern Oregon or California sub-area recreational fisheries, nor any commercial fisheries. A similar approach to establish the California recreational season structure and inseason management processes used in 2016, as described in the current Catch Sharing Plan ([Agenda Item E.1, Attachment 1](#) and [Agenda Item E.1.a, Supplemental CDFW Report](#)), will be used in 2017.

Groundfish Management

Methodology Review Final Topic Selection

The Council adopted the methodology review topics and timeline for 2017 reviews recommended by the Groundfish Management Team and the Scientific and Statistical Committee (SSC) detailed in [Agenda Item F.2.a, Supplemental SSC Report](#). These methodologies, if endorsed by the SSC in their reviews, will be used in analyses to inform future harvest specifications and management measures decisions as well as stock assessments in 2017.

Inseason Management Final Action

The National Marine Fisheries Service (NMFS) recently published the proposed rule for 2017 and 2018 groundfish harvest specifications and management measures ([Agenda Item F.1.a, Supplemental NMFS Report 3](#)) proposing the Council's preferred alternatives. The proposed rule apportioned the coastwide 2017 and 2018 annual catch limits (ACLs) of sablefish north and south of 36° N. lat. according to the relative biomass reported in the [2015 sablefish update assessment](#) of 15.1 percent in the south and 84.9 percent in the north to determine ACLs north and south. However, that apportionment represented the estimated relative biomass north and south of Pt. Conception at 34° 27' N. lat. rather than 36° N. lat., the management line used to manage sablefish. The Council recommended NMFS use the recalculated values of 26.2 percent in the south and 73.8 percent in the north be used in the final rule implementing the regulations ([Agenda Item F.1, Supplemental Attachment 1](#)).

The Council is also recommending adjustments to 2017 cumulative landing limits for sablefish that are responsive to the recommended reapportionment of proposed sablefish ACLs. The recommended cumulative landing limits are as follows:

- Limited Entry Fixed Gear North of 36° N. lat.: 1,100 lbs./week, not to exceed 3,300 lbs. bimonthly;
- Open Access Fixed Gear North of 36° N. lat.: 300 lbs./day or 1 landing per week up to 900 lbs., not to exceed 1,800 lbs. bimonthly; and
- Limited Entry Fixed Gear South of 36° N. lat.: 2,000 lbs./week.

Groundfish Essential Fish Habitat (EFH) and Trawl Rockfish Conservation Area (RCA) Amendment 28 Alternatives

The Council provided guidance on further analysis of alternatives for revisions to groundfish EFH and the trawl RCA. For waters off Oregon and California, the Council adopted the following:

- Move forward [Alternative 1b](#) (Collaborative) for further analysis
- Move forward [Alternative 1c](#) (Oceana et al.) for further analysis, with CDFW recommended modifications to areas in the Southern California Bight ([Agenda Item F.4.b, Supplemental CDFW Report](#))
- Include for further analysis all six areas off Oregon proposed by the Midwater Trawler's Cooperative in public comment ([Agenda Item F.4.c, Supplemental Public Comment 2](#)), with Heceta Head and Daisy Bank as modified by the GAP report ([Agenda Item F.4.b, Supplemental GAP Report](#))
- Include for further analysis the individual area "Garibaldi Reef South" closure ([Agenda Item F.4.a, Project Team Report](#); Appendix F, Table F-4a)
- Include for further analysis the modification to Rittenburg Bank closure ([Agenda Item F.4.b, Supplemental NMS Report](#))
- For Subject Area 10, include corrected coordinates for Potato Bank
- Eliminate Subject Area 2 (New EFH Conservation Areas (EFHCAs) within the trawl RCA, based on priority habitats)
- Eliminate Alternative 3c (Discrete Area Closures for Overfished Species)
- Adopt Alternatives 3b (Remove groundfish trawl RCAs) and 3d (Block Area Closures) for groundfish and protected species (primarily salmon) as a Preliminary Preferred Alternative. This would address any unexpected catches of groundfish or protected species, as necessary.

The Council adopted the following for waters off Washington:

- Adopt [Alternative 1a](#) (No Action) as a preliminary preferred alternative, which would maintain the existing configuration of EFHCAs
- Adopt [Alternative 3a](#) (No Action) as a preliminary preferred alternative, which would maintain the trawl RCA, but continue analyzing the efficacy of discrete area closures to reduce catch of overfished species.

The Council adopted a modified Purpose and Need (page 2 of the [Analytical Document](#)), for Purpose 2 and Need 2 (P2 and N2), as follows:

P2: Reconsider the purpose of Rockfish Conservation Areas as long-term closures to reduce catch of overfished species in the bottom trawl sector in light of the 2011 implementation of the individual fishing quota program and the individual catch accountability that it provides.

N2: Consider transitioning from long-term Rockfish Conservation Area closures to the Shorebased Individual Fishing Quota (IFQ) Program as the primary catch control tool for IFQ species in the bottom trawl sector in order to provide the bottom trawl sector increased flexibility to achieve Optimum Yield and economic efficiency.

The Council also directed the Project Team to add methane seeps to the description of groundfish habitats in [Appendix B](#).

Trawl Gear Modification EFP Final Action

The Council recommended that NMFS implement the Selective Flatfish Trawl EFP (as described in Agenda Item F.5, [Attachment 1](#), [Supplemental Attachment 2](#), and [Supplemental Attachment 3](#)) with the following modifications:

- Set the Chinook salmon limit for this EFP at no more than 4,000 fish.
- Add a sub-limit of 17 percent, or 680 Chinook, for the Eureka management area (number of fish to be adjusted to the final Chinook salmon limit).
- Remove the provision to trigger a closure of the Columbia River Salmon Conservation Zone to EFP fishing when 1,000 Chinook have been caught by EFP fishers (such that there would not be a conservation zone closure in this area).
- Add the following criteria to the definition of a high bycatch trip: 1 adult Chinook (defined as 20 inches or greater) caught in the California portion of the Klamath Management Zone (KMZ, defined consistent with salmon regulations as waters from the California/Oregon border south to Horse Mountain).

Further, the Council recommended that vessels be allowed to fish concurrently under both this EFP and the electronic monitoring EFP, and that the EFP applicants prepare an informational report for the April 2017 Council meeting briefing book, and a full report for the June 2017 meeting. Additionally, the permit should not be automatically renewed, but rather resubmitted to the Council in September 2017 for recommendations for 2018—if an extension of the EFP is needed.

5-Year Catch Share Program and Intersector Allocation Review Plans and Fishery Management Update

In development of the catch share review report, the Council directed analysts to take into account and focus on concerns about the catch share program articulated through public comment; community hearings; Community Advisory Board, Groundfish Advisory Subpanel, Groundfish Management Team, and Scientific and Statistical Committee reports; and the 2016

Pacific Coast Groundfish Quota Program Workshop (“Santa Rosa III”). The Council deferred, until June 2017, finalization of the update to the description of the trawl catch share program (Appendix E, to the groundfish FMP). The Council is scheduled to release a public review draft of the program review report at the June 2017 meeting.

The Council directed staff to begin developing a review of intersector allocations and report back on progress at the April 2017 Council meeting following the approach outlined in [Agenda Item F.6, Attachment 3](#). Any revisions to the allocations would follow the review and be developed through the Council’s Groundfish Allocation Committee, although the catch share review Community Advisory Board may address within trawl allocation and comment on trawl/nontrawl allocations as they relate to performance of the catch share program. At this time, it is not the Council’s intent to focus on reconsideration of within trawl whiting, sablefish, or trawl/nontrawl allocations.

Mid-Biennium Harvest Specification Adjustment Policies

The Council adopted a range of alternatives for a mid-biennium harvest specification adjustment policy that included: 1) no-action, 2) consideration for overfished species only, and 3) any stock scheduled for assessment. The Council also identified alternative 3 as their preliminary preferred alternative, which would allow an increase in groundfish harvest specifications in the second year of a biennial management cycle when a new assessment indicates a substantial increase in the available harvest of a stock. The new policy would allow such an increase for any newly-assessed stock in cases where a significant increase in available yield would provide substantial benefits to fisheries and fishery-dependent communities. The Council scheduled final action on this policy for their September 2017 meeting. The Council also directed staff to develop a draft process and schedule for future implementation of potential adjustments.

Coastal Pelagic Species Management

Methodology Review Preliminary Topic Selection

The Council approved a methodology review for the California Department of Fish and Wildlife and California Wetfish Producers Association [aerial survey](#), to be scheduled some time in spring 2017, with the Coastal Pelagic Species Advisory Subpanel's report back to the Council scheduled for June 2017.

Small-Scale Fishery Management Alternatives

The Council selected the following range of alternatives to allow small-scale directed fishing to continue when the directed Coastal Pelagic Species (CPS) finfish fishery is closed: 1) No Action, 2) allow a trip limit up to 0.5 mt for CPS, 3) allow a trip limit up to 1.0 mt for CPS, and 4) allow a trip limit of up to 1.0 mt for CPS with a limit of one trip per vessel per day or one beach seine delivery per day. Alternative 4 was identified as the Council’s preliminary preferred alternative. Selection of a final preferred alternative is scheduled for the April 2017 Council meeting. The Council also asked for an update on the fishery as an informational report at the September 2017 meeting.

Northern Anchovy Stock Assessment and Management Measures

The Council directed the Scientific and Statistical Committee (SSC), Southwest Fisheries Science Center, Coastal Pelagic Species Management Team, and Coastal Pelagic Species Advisory Subpanel to develop an integrated stock assessment and procedures for setting and updating overfishing limit (OFL), acceptable biological catch, and Minimum Stock Size Threshold for the central subpopulation of northern anchovy (CSNA), consistent with [Agenda Item G.4.a, Supplemental SSC Report](#). The Council also directed the SSC to identify alternative approaches to developing a revised OFL for the CSNA, as well as a process and timeline to consider OFL alternatives, for consideration at the April 2017 Council meeting.

Habitat

Current Habitat Issues

The Council directed staff to revise the [draft letter](#) on Columbia River hydropower operations with edits intended to clarify the intent to address improved life cycle survival and send the letter prior to the comment deadline of January 17, 2017.

Highly Migratory Species Management

International Issues

The Council made recommendations to the U.S. Delegation to the Thirteenth Meeting of the Western and Central Pacific Fisheries Commission (WCPFC) with respect to Pacific bluefin tuna. The WCPFC Northern Committee has put forward a conservation and management measure that the Commission will consider at its upcoming meeting. The proposed measure establishes an interim rebuilding target to be met by 2024. A second rebuilding target will be chosen in 2017 to be achieved by 2030. The Council reiterated its previous recommendations by noting that the stock should be rebuilt to a higher spawning biomass than the interim target, consistent with producing maximum sustainable yield. The current measure requires members to reduce catch of Pacific bluefin less than 30 kg to 50 percent of 2002-2004 average catch. While reducing catch of small fish in the Western Pacific is important, future changes to the measure should protect the spawning age population, which could be accomplished in part by closing areas during times of the year that spawning is known to occur. The provision that allows members to use part of the catch limit for Pacific bluefin tuna smaller than 30 kg to catch Pacific bluefin tuna 30 kg or larger in the same year should be carefully reviewed, as stipulated, for its impact on current spawning biomass.

The Council recommended that NMFS continue the current landing limits for Pacific bluefin tuna for 2017-2018 as part of implementing domestic obligations pursuant to Inter-American Tropical Tuna Commission Resolution C-16-08 (Measures for the Conservation and Management of Pacific Bluefin Tuna in the Eastern Pacific Ocean). This Resolution establishes a 600 metric ton (mt) biennial commercial catch limit for Pacific bluefin in the Eastern Pacific Ocean for 2017 and 2018,

and catch is not to exceed 425 mt in either year. Recommended landing limits are a 25 mt trip limit until catch is within 50 mt of the annual limit, at which time a 2 mt trip limit would be imposed.

The Council concurred with NMFS' response to the portion of the Center for Biological Diversity's (CBD) Petition for Rulemaking that calls for landings of Pacific bluefin to be prohibited or substantially limited. NMFS concluded that there is little evidence to suggest that imposing a unilateral prohibition on the retention of Pacific bluefin by U.S. West Coast fishermen would either end overfishing or have a consequential impact on reducing overfishing. The Council noted that a prohibition on retention would have significant economic impacts and place a disproportionate burden on the U.S. West Coast fishing industry, and hence would not be in the best interest of the nation. CBD also requested that management reference points be established for Pacific bluefin as required by the Magnuson-Stevens Fishery Conservation and Management Act. In its response, NMFS concurred and noted that this task is appropriate for the Council to undertake consistent with its obligations stemming from the Highly Migratory Species Fishery Management Plan. The Council directed its Highly Migratory Species Management Team to identify Pacific bluefin management reference points for Council review in 2017. These management reference points are maximum sustainable yield, optimum yield, status determination criteria, and the overfishing limit.

U.S.-Canada Albacore Tuna Treaty

The Council supported the Department of State in reaching a satisfactory conclusion to negotiations with the Government of Canada in relation to a renewed regime for reciprocal fishing and port access privileges in 2017 and beyond under the U.S.-Canada Albacore Treaty. The Council expressed appreciation for the Department of State's efforts to consult with stakeholders on their views, as represented in the [advisory body statements and public comments](#) received at the Council meeting.

Deep-Set Buoy Gear EFPs

The Council:

- Granted preliminary approval for the EFP applications submitted by [Mr. Fred Hepp](#) (standard deep-set buoy gear) and the [Pfleger Institute of Environmental Research](#), (linked buoy gear) taking into account the recommendations made in [Agenda Item I.4.a, Supplemental HMSMT Report](#). The Council will finalize its recommendation to NMFS on EFP issuance in March 2017.
- Recommended that NMFS reissue a standard deep-set buoy gear (DSBG) EFP to Mr. Stephen Mintz for 2017-2018 with observer coverage consistent with the recommendations from [Agenda Item I.4.a, Supplemental HMSMT Report 2](#). The geographic area for the EFP would cover waters adjacent to California and Oregon including designated leatherback sea turtle critical habitat.
- Approved for use the DSBG EFP application template developed by the HMSMT (see [Agenda Item I.4.a, HMSMT Report](#)) with the addition of a question to solicit information

from the applicant on past violations. The final application template will be posted to the Council's and NMFS' websites for easy access.

- Approved the criteria proposed by the HMSMT for determining appropriate levels of observer coverage (see [Agenda Item I.4.a, Supplemental HMSMT Report 2](#)).
- Tasked the HMSMT with developing criteria for deciding if a DSBG EFP application could be approved in one Council meeting rather than the currently required two Council meetings. This would further streamline the process for approving and issuing EFPs for DSBG fishing that are very similar to current EFP fishing. The Council intends to consider one-meeting approval beginning with the March 2017 meeting.

Swordfish Fishery Management

The Council heard [Agenda Item I.5.a, Supplemental NMFS/CDFW Report](#) from CDFW and NMFS on their ongoing work to detail the elements of the Council's preliminary preferred alternative to create a Federal limited entry permit for the California large mesh drift gillnet fishery. The Council supports the direction the agencies are taking and looks forward to taking action on a detailed proposal on a Federal permit in March 2017.

The Council tasked its HMSMT to begin working on a range of alternatives for permitting and other aspects of authorizing a deep-set buoy gear fishery, using the [HMSAS's recommendations](#) as a starting point. The HMSMT will seek input from the HMSAS when developing the range of alternatives. The Council expects that continued fishing under EFPs, particularly in areas outside of the Southern California Bight, will inform the development of alternatives.

The Council recognized that as it moves forward on these initiatives, it will need to consider the interplay of various gear types used to target swordfish including currently authorized gear types and the potential to authorize deep-set buoy gear and pelagic longline to target swordfish.

The Council reviewed the proposed rule to establish hard caps for the California large mesh drift gillnet fishery and determined that it is consistent with the Council's final action on this matter in September 2015. The Council supports NMFS' decision to separate the monitoring requirements component of Council action for subsequent implementation as described in [Agenda Item I.5.a, Supplemental NMFS Report](#).

Administrative Matters

West Coast Regional Operating Agreement Final Review

The Council directed staff to work with NMFS/ National Oceanic and Atmospheric Administration (NOAA) staff to finalize a revised Regional Operating Agreement (ROA) and prepare the document for signatures by the parties. The ROA is a document that describes roles and responsibilities of the regional Council staff and its corresponding NMFS/ NOAA General Counsel regional partners in planning, developing, and approving fishery management plans, amendments, and regulations.

Fiscal Matters

The Council approved a Provisional CY 2017 Operating Budget of \$4,884,362, which included hosting a meeting of the Scientific Coordination Subcommittee of the Council Coordination Committee in late 2017. The SCS consists of SSC chairs, members, and Council staff from the eight regional Councils who meet to discuss science issues of national interest. The Council also tasked the Executive Director with pursuing additional funding for special projects not covered by base-level funding. The Council is scheduled to adopt a final CY 2017 operational budget at its June 2017 meeting.

Membership Appointments and Council Operating Procedures

Council Chair Herb Pollard appointed Mr. Josh Churchman to the trawl catch share review as hoc Community Advisory Board as an at-large member.

The Council adopted revisions to Council Operating Procedure 9 regarding the annual management cycle and activities related to Pacific halibut management, which specify a meeting be held to assist the management entities in coordinating their input to the International Pacific Halibut Commission annual meeting and to prepare the Council representative for the annual meeting.

PFMC
11/28/16
3:40 PM