

Pacific Coast Groundfish and Endangered Species Work Group Draft Terms of Reference

PURPOSE:

The Pacific Coast Groundfish and Endangered Species Work Group is established pursuant to Section 302(g)(2) of the Magnuson-Stevens Act to serve as a multi-party advisory body to the Council for the purpose of supporting Endangered Species Act (ESA) compliance of the Pacific Coast Groundfish Fishery (Fishery) for green sturgeon, eulachon, humpback whales, Steller sea lions, leatherback sea turtles, and short-tailed albatross consistent with the requirements of NMFS and USFWS ESA Section 7(a)(2) biological opinions on the continuing operation of the Fishery.¹

COMPOSITION:

The Work Group shall consist of 11 or more members as specified from each entity or category below. The representatives selected to serve on the Work Group shall have appropriate expertise in conservation of the aforementioned species, groundfish fisheries management, or quantitative analysis.

- Four taxa experts. One each for fish, marine mammals, sea turtles, and seabirds.
- One representative of the West Coast Groundfish Observer Program.
- Two representatives from the NMFS. One from the Protected Resources Division and one from the Sustainable Fisheries Division.
- One representative from the USFWS.
- Three representatives of State management agencies. One each from California, Oregon, and Washington.
- Other representatives as determined by the Council. Representatives in this category may be short-term appointments (e.g., one meeting) to address specific issues.

OBJECTIVES AND DUTIES:

1. The Work Group shall at a minimum convene on a biennial basis or more frequently as directed by the Council.
2. The Work Group shall review NMFS reports on annual tracking of observed take, fleet-wide take reporting, spatial and temporal characteristics of fisheries by gear type, observer coverage analysis and implementation plans, and other reports as outlined in the biological opinions or generated under 3.a, below.
3. Based on review of the NMFS reports, the Work Group shall

¹ The opinions are available here:

- https://alaskafisheries.noaa.gov/protectedresources/seabirds/esa/pcgf_biop1112.pdf
- https://pcts.nmfs.noaa.gov/pcts-web/dispatcher/trackable/NWR-2012-9437?overrideUserGroup=PUBLIC&referer=%2fpcts-web%2fpublicAdvancedQuery.pcts%3fsearchAction%3dSESSION_SEARCH

- a. Recommend new analyses, reports, or changes to sampling protocols to improve bycatch estimates of the aforementioned species.
 - b. Consider whether the amount or extent of incidental take stipulated in the biological opinions is exceeded.
 - c. Consider whether new information reveals effects in a manner or to an extent not previously considered in the biological opinions.
 - d. Propose, for Council² consideration, conservation³ and management measures to minimize bycatch of the aforementioned species. If directed by the Council, the Work Group will meet jointly with the Groundfish Management Team, Groundfish Advisory Panel, or other Council advisory bodies, to incorporate stakeholder perspectives in the development of management measures.
4. NMFS shall take a lead role in chairing the committee, developing agendas, developing or procuring review materials, and drafting and presenting Work Group reports.
 5. Council staff will notice meetings, coordinate presentations to the Council and its advisory bodies, and provide logistical support.

² Section 7(a)(1) of the ESA directs Federal agencies to use their authorities to further the purposes of the ESA by carrying out conservation programs for the benefit of the threatened and endangered species. Specifically, conservation recommendations are suggested regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat or regarding the development of information.

³ Conservation measures are actions to benefit or promote the recovery of listed species that are proactively taken to minimize or compensate for effects on the species under review. These may include actions taken prior to initiation of consultation or actions committed to through the course of a consultation.