

VOTING LOG
Pacific Fishery Management Council
214th Meeting
June 2012

Motion 1: Approve the Agenda as shown in Agenda Item A.4.a, Proposed Council Meeting Agenda, June 2012.

Moved by: Dale Myer
Motion 1 carried unanimously.

Seconded by: Rich Lincoln

Motion 2: That:

(1) The Council declare that Barotrauma associated with our hook-and-line catch and release recreational groundfish fishery is a priority consideration that needs to be accounted for in our catch forecasting and catch accounting models, and that such accounting should include the differential release mortality associated with depth of catch and depth of release.

- a. That 2 or 3 of our most constraining species be addressed with the highest priority
- b. That additional species be addressed as data, and Council and State workloads permit

(2) in recognition that several viable recompression devices are effective in releasing fish back at depth with low mortality, and that devices are currently in use in West Coast recreational fisheries to conserve various groundfish stocks, that the Council

- a. assign the GMT to develop draft proposed estimates, or methodologies, for decompression release survival rates for appropriate groundfish species in West Coast recreational fisheries – specifically depth-based mortality tables, by the deadline of the September Council meeting advance Briefing Book;
- b. assign the SSC to review the GMT depth based mortality tables with regard to best available science and suitability for use in active fishery management decision making, and produce a statement for consideration at the September Council meeting; and to identify additional research and data needs; and
- c. that the Council consider the GMT proposal, the SSC review, and a GMT response to the SSC review at the September Council meeting, towards consideration for use as soon as practical.
 - i. With an objective for 2013 on the 2 or 3 most constraining species
 - ii. With a broader range of species in the 2015-16 SPEX cycle, as additional data becomes available.

Moved by: Dan Wolford

Seconded by: Buzz Brizendine

Amndmnt 1: Change the September date in sections 2(a) and 2(b) of Motion 2 to November 2012, and change the September date in section 2(c) to March 2013.

Moved by: Marija Vojkovich
Amendment 1 carried unanimously.

Seconded by: David Crabbe

Amndmnt 2 Make the following edits:

- (1) Council declare that barotrauma associated with our hook and line catch and release recreational groundfish fishery is a priority consideration that needs to be accounted for in our catch forecasting and catch accounting models, and that such accounting should include the differential release mortality associated with depth of catch and depth of release.
 - a. ~~That 2 or 3 of our most constraining species~~ Cowcod and yelloweye rockfish be addressed with the highest priority
 - b. That additional species be addressed as data, and Council and State workloads permit
- (2) In recognition that several viable recompression devices are effective in releasing fish back at depth with low mortality, and that devices are currently in use in West Coast recreational fisheries to conserve various groundfish stocks, that the Council
 - a. assign the GMT to provide a progress report to the Council that may include develop draft proposed ~~estimates, or~~ methodologies, for decompression release survival rates for appropriate groundfish species in West Coast recreational fisheries – specifically depth based mortality tables, by the deadline of the November 2012 Council meeting advance Briefing Book;
 - b. assign the SSC to review the GMT progress report which may include depth based mortality tables with regard to best available science and suitability for use in active fishery management decision making, and produce a statement for consideration at the November 2012 Council meeting; and to identify additional research and data needs; and
 - c. that the Council consider the GMT ~~proposal~~ progress report, the SSC review, and a GMT response to the SSC review at the March 2013 Council meeting, towards consideration for use as soon as practical.
 - i. With an objective for 2013 ~~on the 2 or 3 most constraining species for~~ cowcod and yelloweye rockfish
 - ii. With a broader range of species should be analyzed in the 2015-2016 management specifications process, as additional data becomes available.

Moved by: Gway Kirchner

Seconded by: Phil Anderson

Amendment 2 carried unanimously.

Motion 2, as amended carried unanimously.

Motion 3: Adopt for public review the list of stocks to be assessed in 2013 as shown in Agenda Item D.3.b, Supplemental GAP report (aurora rockfish, cowcod, darkblotched rockfish, longspine thornyhead, shortspine thornyhead, Pacific sanddabs, and petrale sole); recommend that yellowtail, rougheye, and sablefish

be listed as candidates for full assessment, depending on data availability. Bocaccio would be an update, and Pacific ocean perch would be a data report.

Moved by: Marija Vojkovich
Motion 3 carried unanimously.

Seconded by: Buzz Brizendine

[Motion was reconsidered on Sunday, June 24, 2012 (Motion 19)]

Amndmnt 1: For the purpose of the public review prior to the final action in the September meeting, to remove sablefish from the list of candidates for full stock assessments and specify the stock as a candidate for an update assessment or to not do an assessment at all next year.

Moved by: David Crabbe
Amendment 1 carried unanimously.

Seconded by: Dorothy Lowman

Main Motion, as amended, carried unanimously.

Motion 4: Adopt for public review the preliminary Terms of Reference for the Groundfish and Coastal Pelagic Species Stock Assessment and Review Process for 2013-2014 (Agenda Items D.3.a, Attachments 2 through 4); and adopt for public review the 2013 Groundfish Stock Assessment Review Panel Meeting Schedule (Agenda Item D.3.b, NMFS Report, Table 1 as updated in the NWFSC PowerPoint.

Moved by: Michele Culver
Motion 4 carried unanimously.

Seconded by: Rich Lincoln

Motion 5: Recommend to NMFS, for the 2013-2014 cycle, approval of all three EFP Applications as shown in Agenda Items D.4.a, Attachment 1, D.4.a, Attachment 2 and D.4.a, Attachment 3 with the following changes:

- For the Fosmark EFP no more than a thousand hooks per set be used.
- The set-aside amounts for the San Francisco Community Fishing Association (SFCFA) and the Fosmark EFP's to be allowed are as listed in Agenda Item D.4.b, Supplemental GMT Report in Table 1 on pages 5 and 6 in the column labeled "EFP totals" with the changes listed below:
 - a. The Fosmark set-aside for Canary is changed to 0.5 mt and for yelloweye 0.15 mt.
 - b. The SFSCA set-aside for Canary is changed to 1.0 mt, for yelloweye 0.15 mt and black rockfish is removed.
- For the Central Coast Sustainable Groundfish Association (CCSGA) EFP, the changes are to adopt the recommendations of the GMT listed in Agenda Item D.4.b, Supplemental GMT Report.

Moved by: David Crabbe

Seconded by: Dan Wolford

Amndmnt 1: Change the set-aside numbers under items "a" and "b" below for yellow eye on both EFP's to 0.01 mt:

- a. The Fosmark set-aside for canary is changed to .5 mt and for yelloweye **.01 mt**.
- b. The SFSCA set-aside for canary is changed to 1.0 mt, for yelloweye **.01 mt**, and black rockfish is removed.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Amendment 1 carried unanimously.

Motion 5 (as amended) carried (Michele Culver and Marija Vojkovich voted no, Frank Lockhart abstained).

Motion 6: In an effort to reduce the analytical workload, ensure that the 2013 regulations are implemented on January 1, 2013 and provide sufficient time for the Council and its advisory bodies to effectively consider major changes to the groundfish harvest specifications, rebuilding plans, stock complexes, and management process, the Council reiterates its intent to keep the harvest specifications and management measures for 2013 and 2014 as close to the 2012 harvest specifications and management measures (i.e., status quo) as much as possible with minimal exceptions.

- 1. Reaffirm its preliminary preferred alternative (PPA) for the ACLs for all groundfish stocks and stock complexes, for 2013 and 2014 in D.5.a, Attachment 2.
- 2. Reaffirm its PPA relative to allocations and harvest guidelines (specifically, these include the actions taken for widow rockfish, overfished species, black rockfish, blackgill rockfish, blue rockfish, cowcod rockfish, longnose skate, and spiny dogfish).
- 3. Reaffirm its PPA relative to season structures, RCA configurations, and recreational fisheries.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Amndmnt 1: Strike cowcod rockfish under item 2, “Cowcod Rockfish,” and add the language “except cowcod rockfish,” with the overfished species.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Amendment 1 carried unanimously.

Motion 6, as amended, carried unanimously.

Motion 7: Council to choose option 1 for the two-year cowcod allocations which are 34 percent trawl and 66 percent non-trawl, as found on page 28 on the DEIS in Appendix C.

Moved by: Marija Vojkovich

Seconded by: Gway Kirchner

Motion 7 carried unanimously.

Motion 8: Adopt the set-asides and allocations for the 2013-2014 tribal fisheries reflected in Table 2-48 or 2-49 of the DEIS with the following changes: in April, the Makah Tribe updated the set-aside request for widow rockfish from 45 mt to 60 mt,

which would not preclude the Council from using other FMPs, as it deems appropriate; and

3. Establish a subcommittee of the Ecosystem Plan Development Team (EPDT) comprised of representatives from the NMFS Northwest and Southwest regions, and the states of California, Oregon, and Washington, and Council staff, as needed, to scope alternatives for unmanaged forage fish protection.

In addition, I move the Council provide the following guidance for the subcommittee:

4. Alternatives should include revising the list of management unit species, ecosystem component species, or both, and restricting the legal gears that can be used so that: (a) the potential for bycatch of unmanaged species is minimized; and (b) new targeting opportunities cannot be started until status determination criteria for the stock can be identified and the Council can fully consider and deliberate on the social, economic, and ecological costs and benefits of the new fishing activity like the Council does now for existing fisheries. As stated above, the CPS FMP would be the primary FMP for consideration; however, if another FMP would be a better fit, then the subcommittee should note that in its report to the Council.
5. To narrow the scope of the alternatives, the subcommittee should focus its efforts on the unmanaged forage fish species that are commercially harvested now in other areas of the world and on the gears and methods used now or that could be reasonably conceived to support significant commercial harvest in the future. In addition, the subcommittee need only discuss and advise the Council on the differences in workload and regulatory effect between the “in the fishery” and ecosystem component species designations generally (i.e., not species by species).
6. The subcommittee should have an initial conference call within the next month to review the Council action and decide next steps. This should be followed by a meeting in conjunction with the November 2012 Council meeting—a portion or all of the meeting should include a joint meeting with the CPSMT. Coordination should also occur with the Council’s CPS and Ecosystem Advisory Subpanels to solicit their comments on the subcommittee’s discussions and reports.
7. The subcommittee should prepare a draft list of alternatives and a timeline for regulatory action through one or more FMPs for the November 2012 meeting for advisory body review and the Council’s consideration.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Amndmnt 1: Include the following objective statement: “It is the Council’s intent to recognize the importance of forage fish to the marine ecosystem off our coast, and to provide adequate protection for forage fish. We declare that our approach is to prohibit the development of new directed fisheries on forage species that are not currently managed by our Council, the States or the Endangered Species Act (ESA), until we have an adequate opportunity to assess the science relating to the fishery and any potential impacts to our existing fisheries and communities.”

Moved by: Dan Wolford

Seconded by: Buzz Brizendine

Amndnt 1a: Make the following edit to change the word in the second sentence from “approach” to “objective.”

Moved by: Steve Williams

Seconded by: Jeff Feldner

Amendment 1a carried unanimously.

Amndnt 1b: Make the following edits to the objective statement by striking “Endangered Species Act” and adding “or” before “the States” in the second sentence.

Moved by: Frank Lockhart

Seconded by: Steve Williams

Amendment 1b carried unanimously.

Amendment 1, as amended, carried unanimously.

Motion 15 was not voted on.

Motion 16: As a substitute motion for Motion 15:

1. Direct the EPDT to proceed with Option 2 as detailed in its report, and schedule a progress report on its work to update and revise the List of Fisheries, to be made to the Council at its November 2012 meeting
 - A. Regarding the List of Fisheries, all Council advisory bodies shall be tasked with identifying fisheries and authorized gears for Federal fisheries operating in the U.S. EEZ off each state in the most specific and narrow terms possible, for incorporation into the updated List. This exercise shall be completed by the advisory bodies and provided to the EPDT in time for inclusion in the November progress report.
 - B. For state-managed fisheries, the states shall be responsible, through their EPDT representatives, for preparing the list of state-managed fisheries which have a nexus with Federal waters, for inclusion in the updated List.
 - C. The EPDT’s progress report shall include any analysis on the possible effectiveness of the LOF application process in meeting the goal of preventing development of non-existent fisheries.
 - D. The report shall also include, to the extent possible, any new information or analysis regarding the application of Section 600.747 of the Federal rules, including whether there is a possibility of amending these regulations for the West Coast such that additional requirements and specifications regarding the Council’s review of applications could be formally incorporated into Federal regulations.
 - E. Regarding the Council’s standards which would be used in assessing whether a proposed new fishery could compromise conservation and management measures within the West Coast EEZ, the EPDT progress report shall provide full detail of the proposed standards and process, in order to make the procedural and content requirements clear and transparent to both applicants and the public, consistent with the recommendations outlined in Option 2 of the EPDT report.

F. At its November 2012 meeting, upon receipt of the Progress Report, the Council shall review and provide guidance so that the content can be finalized for incorporation into the draft FEP, consistent with the FEP development schedule identified on Pg 2 of the draft FEP (Agenda Item H.1.a Attach 1, June 2012).

G. It is the Council's intent to recognize the importance of forage fish to the marine ecosystem off our coast, and to provide adequate protection for forage fish. We declare that our objective is to prohibit the development of new directed fisheries on forage species that are not currently managed by our Council, or the States, until we have an adequate opportunity to assess the science relating to the fishery and any potential impacts to our existing fisheries and communities.

Moved by: Marci Yaremko

Seconded by: David Crabbe

Amndmnt 1: Include the language: "After completion of the FEP, the EPDT shall proceed to incorporate any needed protections into our current suite of FMPs through an amendment process."

Moved by: Dan Wolford

Seconded by: Herb Pollard

Amndnt 1a: Strike "EPDT" and replace it with "Council" proceed to incorporate any needed protections.

Moved by: Michele Culver

Seconded by: Dale Myer

Amendment 1a carried unanimously.

Amendment 1 carried (Mr. Steve Williams voted no).

Amndmnt 2: Make the following edits to the motion by striking words in the substitute motion.

- In section 1, strike "at its November 2012 meeting" and replace with "as soon as possible after completion of the FEP";
- in subpart A, strike "in time for inclusion in the November progress report" and replace with "as soon as possible after the completion of the FEP" and
- In subpart F, strike "At its November 2012 meeting" and replace with "As soon as possible after completion of the FEP."

Moved by: Frank Lockhart

Seconded by: David Sones

Amendment 2 carried (Ms. Culver and Mr. Lincoln voted no).

Motion 16 carried (8 yes, 5 no; Mr. Myer, Mr. Lincoln, Ms. Culver, Mr. Feldner, and Mr. Steve Williams voted no).

Motion 17: The EDPT to continue their work on the FEP document and provide an updated draft in November that considers the recommendations of the EAS, HC, and CPSAS; further, the Council requests that NMFS provide an update in November on plans for a workshop on ecosystem information and the annual report.

Moved by: Michele Culver Seconded by: Rich Lincoln
Motion 17 carried unanimously.

Motion 18: Adopt the recommendations in Agenda Item G.2.b, Supplemental LC Report and direct the Executive Director to convey comments if received, as appropriate.

Moved by: Dorothy Lowman Seconded by: Michele Culver
Motion 18 carried unanimously.

Motion 19: Council to reconsider Motion 3 under Agenda Item D.3.

Moved by: Marija Vojkovich Seconded by: Michele Culver
Motion 19 carried unanimously.

Motion 20: Suspend widow quota share trading until the Council deliberations are completed and NMFS has implemented any widow quota share reallocation or December 31, 2014, whichever is earlier.

Moved by: Gway Kirchner Seconded by: Jeff Feldner
Motion 20 carried unanimously.

Motion 21: Adopt the following:

- a. **Relative to recent participation for processors.**
 - i. Revise Alternative 3 to be 1998-2007.
- b. **Qualifying period for MS/CV Endorsements**
 - i. Same as qualifying period for shoreside harvesters.
- c. **Buyback permit share determination**
 - i. Under all of the alternatives maintain status quo, i.e., the quota pounds from the buyback permits are distributed proportionately among the current qualifying permits (94-03 base period).
- d. **Entity qualifying for initial allocation** (Quota share account holders vs. permit holder).
 - i. For all the alternatives, the quota share adjustments, if needed, would be to the Quota Share Account, not the permit holder.

Moved by: Phil Anderson Seconded by: Rich Lincoln

Amndmnt 1: Edit the motion in part “a” by striking “1998” and replacing with “2004.”

Moved by: Dale Myer Seconded by: Rich Lincoln
Amendment 1 carried (Ms. Vojkovich voted no, Mr. Myer recused, and Mr. Sones abstained).

Amndmnt 2: Make the following edits to the motion: insert “for analysis in the DEA” after “adopt the following” in the first sentence of the motion.

Moved by: Dale Myer Seconded by: Rich Lincoln

2. Adopt the vessel accumulation limits for lingcod as shown in Agenda Item D.9.b, Supplemental GAP Report (5.3 percent north, 13.3 percent south).

Additionally, adopt the set-asides and sector-specific allocations as shown in Attachments 1 (4 tables) and 2 (3 tables) in Agenda Item D.9.b, Supplemental GMT Report. Also, analysis should be included in the Final Environmental Impact Statement to allow implementation of a lingcod minimum size limit of 18 inches for commercial and recreational fisheries through inseason action in 2013-2014.

Moved by: Gway Kirchner

Seconded by: Michele Culver

Amndmnt 1: Make the following edits to the motion under # 2: “Adopt the vessel ~~accumulation~~ use limits for lingcod quota pounds” and retain the rest of the motion as specified.

Moved by: Michele Culver

Seconded by: Marija Vojkovich

Amendment 1 carried unanimously.

Amndmnt 2: Have Council staff go through and align the table on the tribal set-asides to match the tribal request under D.5 and correct any information that is not accurate in the table.

Moved by: David Sones

Seconded by: Herb Pollard

Amendment 2 carried unanimously.

Motion 24 as amended carried unanimously.

Motion 25: Reaffirm the tribal set-asides and allocations adopted under Agenda Item D.5 and also update the Federal regulations as follows:

- Add a sublimit of 800 pounds per trip for redstriped rockfish into the section dealing with “other rockfish.”
- Remove the limit of 50,000 pounds per two months for petrale sole under “Flatfish and other fish” and replace with “For petrale sole the entire fleet will be managed not to exceed the 220 mt set-aside each year.”

Moved by: David Sones

Seconded by: Herb Pollard

Motion 25 carried unanimously.

Motion 26: Instruct Council staff to prepare a letter to meet the August 1 deadline for the ANPR request for comments for revisions to NS 1 Guidelines (Agenda Item G.3.a, Attachment 1) which captures comments from the SSC regarding Issues 2, 3, and 7, include comments in the Supplemental GMT Report, and the GAP statement from page 2, under Issue 3, the paragraph that describes the rebuilding paradox.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Motion 32: Appoint Dr. Correigh Greene to the NMFS Fisheries Science Center position on the Habitat Committee.

Moved by: Frank Lockhart
Motion 32 carried unanimously.

Seconded by: Herb Pollard

Motion 33: Appoint LCDR Brad Soule to the U.S. Coast Guard District 11 position on the Enforcement Consultants.

Moved by: Brian Chambers
Motion 33 carried unanimously.

Seconded by: Dave Ortmann

Motion 34: Adopt the charge and membership composition proposed for the ad hoc South of Humbug Pacific Halibut Policy Committee as provided in Agenda Item G.6.a, Supplemental Attachment 1.

Moved by: Marija Vojkovich
Motion 34 carried unanimously.

Seconded by: Buzz Brizendine

Motion 35: Appoint Ms. Dorothy Lowman as the Pacific Council representative on the Council Coordinating Committee Video and Electronic Monitoring Subcommittee, per the request in Agenda Item D.6.a, Supplemental Attachment 3.

Moved by: Dale Myer
Motion 35 carried unanimously.

Seconded by: Dave Ortmann

Motion 36: Appoint Ms. Michele Culver as our representative on the Regional Planning Body for the West Coast Region and Ms. Gway Kirchner as her alternate, per the request in Agenda Item G.6.a, Supplemental Attachment 2.

Moved by: Marija Vojkovich
Motion 36 carried unanimously.

Seconded by: David Crabbe