

VOTING LOG
Pacific Fishery Management Council
205th Meeting
September 2010

Motion 1: Approve the meeting agenda as shown in Agenda Item A.5., September Council Meeting Agenda, with the removal of Agenda Item G.2, Legislative Matters.

Moved by: Rod Moore

Seconded by: Steve Williams

Motion 1 carried unanimously.

Motion 2: For salmon methodologies, set the priorities as indicated by the two bulleted items on the bottom of page 1, and the one bulleted item on the top of page two of Agenda Item C.1.b, Supplemental SSC Report.

Moved by: Steve Williams

Seconded by: Rod Moore

Motion 2 carried unanimously.

Motion 3: Adopt the alternatives in Agenda Item C.2.b, SAC Report for public comment and adopt the following as preliminary preferred alternatives (PPA):

- From Table ES-1, Stock Classification Alternative 3 relative to individual stocks in the fishery, stock complexes, ESA listed stocks, hatchery stocks, and exploitation rate exceptions; and to further note that the northern range of KRFC and Sacramento River fall Chinook (SRFC) does not extend North of Cape Falcon.
- From Table 2-7 Status Determination Criteria (SDC) Alternative 2 for Overfishing and Rebuilt and Alternative 3 for Overfished and Approaching an Overfished Condition, except that Alternative 3 would be defined in terms of an arithmetic mean rather than a geometric mean.
- From Table 2-8 and 2-9 Reference Points for individual stocks for S_{MSY} , maximum fishing mortality threshold (MFMT), and MSST associated with Alternative 3 SDC except that for KRFC, S_{MSY} should be 35,000 spawners.
- From Table 2-10 Annual Catch Limit (ACL) Alternative 3, including the 5 percent buffer for tier 1 stocks and 10 percent buffer for tier 2 stocks.
- For Accountability Measures (AMs) Alternative 2 on page 65 and replace the term “overfishing concern” with “abundance alert” and the term “overfished” with “depleted.”
- A new alternative *de minimis* control rule applied to KRFC and SRFC similar to those on page 74 except that F would not fall below 25 percent, but would become undefined at abundance levels less than the midpoint between S_{MSY} and MSST; this would not include a prescriptive approach but require the Council to consider a measured approach should the stock be in that situation, which will allow the Council to consider community impacts as well as stock status.
- Another *de minimis* alternative for KRFC using 86 percent of S_{MSY} as MSST.

Moved by: Dan Wolford

Seconded by: Marija Vojkovich

Amndt #1: Include in the description, that only fishing impacts south of Cape Falcon will be included in that calculation.

Motion 6: Adopt for public review Agenda Item C.5.a, Attachment 1: *Pacific Coast Salmon Essential Fish Habitat Review Draft Report* and Agenda Item C.5.a, Attachment 2: *Appendix A – Annotated Bibliography for 2010 Essential Fish Habitat Update*, with the expectation that this would be returned to the Council showing linkage to Amendment 14, and consider the comments of the Council (verbally today), the SSC, and HC and describe why their comments were or were not included.

Moved by: Rod Moore
Motion 6 carried unanimously.

Seconded by: Dorothy Lowman

Motion 7: Bring Agenda Item C.2. (Motion 3) back to the table.

Moved by: Rod Moore
Motion 7 carried unanimously.

Seconded by: Buzz Brizendine

Return to Consideration of Motion 3:

Amdnt #6: Remove insertion of 35,000 for KRFC as S_{MSY} . [Amendment #6 to Motion 3]

Moved by: Frank Lockhart
Seconded by: Marija Vojkovich

Amdnt #6.a: Establish a conservation objective in Alternatives 2b and 3b of 35,000 for KRFC. [Amendment #1 to Amendment 6]

Moved by: Rod Moore
Motion #6.a was withdrawn, not voted on.

Seconded by: David Crabbe

Amdnt #6.b: Establish a conservation objective in Alternatives 2b and 3b and the PPA of 35,000 for KRFC. [Amendment #2 to Amendment #6]

Moved by: Rod Moore
Amendment #6.b to Amendment #6 carried unanimously.
Amendment #6, as amended, to Motion 3 carried unanimously.

Seconded by: David Crabbe

Amdnt #7: Eliminate from Agenda Item C.2.d, Supplemental Motion in Writing, under the SDC and *De Minimis* Fishing Provisions sections defining Cape Falcon as the northern limit for impacts contributing to Overfishing SDC, ACL compliance and *de minimis* provisions; and add to the *De Minimis* Fishing Provisions section the statement that “for the purpose of implementing *de minimis* fishing provisions, Cape Falcon will be defined as the northern limit for impacts counted toward KRFC and SRFC.”

Moved by: Frank Lockhart
Amendment #7 to Motion 3 carried unanimously.

Seconded by: Marija Vojkovich

Amdnt #8: Remove the reference of $0.86 * S_{MSY}$ as MSST for KRFC under the new *de minimis* fishing Alternative, and to insert it as Alternatives 3a and 5a for KRFC only under the SDC Section Alternatives 3 and 5, respectively.

Moved by: Tim Roth
Amendment #8 to Motion 3 carried unanimously.
Motion 3, as amended, carried unanimously.

Seconded by: David Sones

Motion 8: Adopt for public review, Agenda Item D.1.b, ODFW Report, under Central Coast Subarea, items 1, 2, and 3; and remove item 1 under South of Humbug Mountain Subarea.

Moved by: Steve Williams
Motion 8 carried unanimously.

Seconded by: Rod Moore

Motion 9: Adopt for public review, the proposal provided under Agenda Item D.1.b, Supplemental NMFS Report; and note, NMFS will provide the specific changes to the Council during public review.

Moved by: Frank Lockhart
Motion 9 carried unanimously.

Seconded by: Marija Vojkovich

Motion 10: Approve the Agenda item D.2.b, NMFS Report and transmit it to the IPHC, representing the best available science for West Coast trawl and fixed gear fisheries, including legal and sublegal mortality information, as well as forward the latest pink shrimp trawl bycatch report from ODFW as representing Area 2a bycatch accounting.

Moved by: Michele Culver
Motion 10 carried unanimously.

Seconded by: Dale Myer

Motion 11: Develop an analysis of the biological, socioeconomic, and fishery management costs and benefits of modifying the Area 2A Pacific Halibut Catch Sharing Plan to the allow incidental halibut catch retention in the sablefish fixed gear fishery; which may include limited entry, daily trip limit and open access sectors.

Moved by: Steve Williams
Motion 11 carried. 9 Yes; 4 No. Mr. David Crabbe, Ms. Vojkovich, Mr. Dale Myer, and Ms. Michele Culver voted no.

Seconded by: Rod Moore

Motion 12: Have the EFHRC meet this winter to review and identify the scope/workload for reviewing/recommending potential changes; make comments on COP 22; have the Council identify data sets, including habitat, trawl survey, and other data that the EFHRC might want to consider in their process; and ask the EFHRC to identify other data sets. The EFHRC would meet again potentially in the spring, or when data is available for them to consider; they would also review the description of the goals/objectives of existing HAPCs -- why they were developed (from Amendment19). The Council would then solicit proposals from the public and outside entities after the data is available for them to review; no specific timeline, but at least a month (scheduled for as early as the next Council meeting following the month of review period). The role of the EFHRC is described in COP 22, with no new changes at this time.

Moved by: Michele Culver
Motion 12 carried unanimously.

Seconded by: Rod Moore

Motion 13: Send out the draft TOR for CPS stock assessments and the draft TOR for methodology reviews, as modified by the SSC statements and the CPSMT comments regarding Appendix A of the stock assessment review TOR.

Moved by: Rod Moore

Seconded by: Dorothy Lowman

Motion 13 not voted on (replaced by substitute Motion 14).

Motion 14: Send out for review both of the TORs and direct staff to edit the TOR with the suggested changes in the SSC, CPSMT, and CPSAS reports where there are no disagreements. For those items where there were different interpretations, disagreement, or no discussion, that the CPSMT, CPSAS, and SSC CPS Subcommittee should meet at the November Council meeting and develop final language for the TORs for final adoption by the Council. Also, the CPSMT and CPSAS should draft a list of new sources of information, procedures for data collection, treatment of new data or methods for use of the new data sources and stock assessments that would be reviewed in this next cycle; that the regular review by SSC and Council take place in November; and that staff should apply the appropriate editorial changes to documents as shown in the SSC report.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Motion 14 carried unanimously.

Motion 15: Adopt lower sablefish trip limits for the limited entry fixed gear fishery at 2,800 pounds/week with no daily limit and the open access fixed gear fishery at 800 lbs/week not to exceed 1,600 lbs/month south of 36° N. latitude, as stated in the GAP report.

Moved by: Marija Vojkovich

Seconded by: David Crabbe

Motion 15 carried unanimously.

Motion 16: Adopt for limited entry non-whiting trawl, the cumulative limit increases as described in Alternative 3, Table 6 in the GMT report, which includes leaving petrale cutouts open in period 6.

Moved by: Rod Moore

Seconded by: Steve Williams

Motion 16 carried unanimously.

Motion 17: Preliminarily approve the ODFW yelloweye EFP and prioritize this EFP with respect to the yelloweye set-aside.

Moved by: Michele Culver

Seconded by: Dale Myer

Motion 17 not voted on, substitute Motion 18.

Motion 18: Preliminarily adopt the ODFW EFP and take the yelloweye impacts from the research set-aside.

Moved by: Steve Williams

Seconded by: Rod Moore

Motion 18 carried on a roll call vote (7 Yes, 5 No). Mr. Brizendine, Mr. Myer, Ms. Culver, Ms. Vojkovich, and Mr. Crabbe voted no. Mr. Lockhart abstained.

Motion 25: Adopt, as a prioritized list of trailing amendments, the following issues from Agenda Item I.6.a; Supplemental Attachment 3; September 2010:

1. Disapproved portions of Amendment 21
2. Cost Recovery
3. Safe Harbors including:
 - Bycatch Risk Pools - using the ideas or suggestions in the Burden et al. proposal as a starting point
 - Community Fishing Associations – using the ideas or suggestions in the Burden et al. as a starting point
 - Quota Shares as Collateral in Financing - using the ideas and suggestions in the Burden et al. proposal as a starting point.

[Include issues concerning Quota Share/Quota Pound control and accumulation limits in a range from 1.5 to 2.5 times the adopted levels.]
4. Severability of MS/Catcher Vessel Endorsement.

Moved by: Marija Vjokovich

Seconded by: Michele Culver

Amdnt #1: Under the heading of safe harbors which includes the bycatch risk pools, CFAs, and collateral financing, that the wording be changed to “using the ideas and suggestions on each of these specific topics from a range of suggestions included in the Burden et al., Coos Bay Trawlers, West Coast Seafood Processors, and other written documents and verbal testimony provided here today.”

Moved by: Steve Williams

Seconded by: Rod Moore

Amendment #1 carried unanimously.

Amdnt #2: Indicate that the Council may decide to have a pass-through on the adaptive management program beginning in year three, considered through a regulatory amendment process in conjunction with one of these other items on the list.

Moved by: Michele Culver

Seconded by: Mark Cedargreen

Amendment #2 carried (Mr. Moore voted “no”).

Amdnt #3: In the line about accumulation limits in a range from 1.5 to 2.5 times the adopted levels, strike “in a range from 1.5 to” and insert “up to,” so we would have a 2.5 cap as was suggested earlier, rather than a range.

Moved by: Rod Moore

Seconded by: David Crabbe

Amendment #3 carried unanimously. Motion 25: Passed unanimously as amended three times.

Motion 26: Adopt for public review a range of alternatives for albacore bag limits that would apply on a per-trip basis for the Washington recreational fishery of: status quo, 10, 15, 20 and 25 fish.

Moved by: Michele Culver

Seconded by: Mark Cedergreen

Motion 26 carried unanimously.

Motion 27: Adopt for public review the alternatives proposed by the HMSMT to make west coast regulations at 50 CFR 660.712 consistent with the recommendation made by the WPFMC for changes to the swordfish retention limit in the Hawaii deep-set longline fishery, as identified in Agenda Item K.2.b, Supplemental HMSMT Report (page 2); except under Alternative 2, strike the following: “except for the requirement to use circle hooks.” The alternatives are 1) status quo (no change to current regulations), and 2) establishing a 25 swordfish trip limit for deep-set tuna targeting longline vessels using circle hooks, and 10 swordfish per trip for vessels using tuna-hooks, if vessels are not carrying observers. If an observer is being carried by a deep-set tuna vessel, then there is no limit to the amount of swordfish that can be retained by a longline vessel.

Moved by: Rod Moore

Seconded by: Michele Culver

Amdnt #1: Include in the analysis for public review, the same regulations that are being proposed by WPFMC (for consistency purposes).

Moved by: Mark Helvey

Seconded by: Buzz Brizendine

Amendment to Motion 27 carried. Motion 27 carried as amended. Ms. Vojkovich abstained from both votes.

Motion 28: Using Agenda Item K.3.b, Supplemental HMSMT Report: The U.S. delegation to the 81st IATTC meeting should:

- Support the IATTC Secretariat’s recommendations for bigeye and yellowfin tuna management measures;
- Support renewal of the tuna retention requirement in the purse seine fishery only if uniformly implemented and enforced by all parties to the IATTC.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Motion 28 carried unanimously.

Motion 29: With respect to a conservation measure for Pacific bluefin tuna, recommend, as the U.S. delegation’s primary position, to exempt all fisheries except for the commercial purse seine fishery from the IATTC Secretariat’s Conservation Recommendations (Document IATTC-81-06b), Section 2 on bluefin tuna. As a secondary, fallback position, the U.S. delegation should support a conservation measure where all catches in both recreational and commercial fisheries are accounted for as part of the proposed commercial management measure in the Secretariat’s recommendation (“...during each of the years 2011-2012 to ensure that the annual catches in the Convention Area by the commercial vessels under its jurisdiction do not exceed the average level of such catches during 1994-2007”).

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Motion 29 carried unanimously.

Motion 30: Recommend to the U.S. delegation to the 81st IATTC meeting a position consistent with the three recommendations contained in the HMSAS Report which are:

1. The U.S. should participate in the ad hoc working group on defining current level of effort specified in paragraph 1 of IATTC Resolution C-05-02.

2. The U.S. should evaluate the best base periods for the U.S. fishing fleet to achieve the maximum percentage of harvest when compared to other nations that harvest North Pacific albacore.
3. The U.S. should not propose or endorse any changes to international management of North Pacific albacore until the 2010 stock assessment of North Pacific albacore is completed in 2011.

Moved by: Rod Moore
Motion 30 carried unanimously.

Seconded by: Mark Cedergreen

Motion 31: Reconsider the actions the Council took under Agenda Item I.6 for the purpose of adding the halibut trawl allocation adjustment issue as a trailing action priority item.

Moved by: Steve Williams
Motion 31 passed on a roll call vote (9 yes, 4 no). Ms. Culver, Ms. Vojkovich, Mr. Myer, and Mr. Cedergreen voted no.

Seconded by: Rod Moore

Motion 32: Add to the list of trailing amendment priorities in Ms. Vojkovich's previous motion (Motion 25), a fifth priority examining an adjustment in the overall halibut allocation (Item #7, page 12, of Agenda Item I.6.a, Attachment 2); the information to be presented to the Council in November should include a comparison between the existing IBQ allocation and the most recent halibut bycatch levels in the trawl fishery and the trawl bycatch amounts used by the IPHC in Area 2A.

Moved by: Steve Williams
Not voted on.

Seconded by: Rod Moore

Motion 33: Substitute for Motion 32: Direct Council staff to present information to the Council in November which would include a comparison between the existing IBQ allocation and the most recent halibut bycatch levels in the trawl fishery and the trawl bycatch amount used by the IPHC in area 2A.

Moved by: Frank Lockhart

Seconded by: Michele Culver

Amdnt #1: Specify that data be brought forward on the most recent 5 year period (2005 through 2009), since the most recent data we have is for 2009.

Moved by: Michele Culver
Amendment #1 carried unanimously. Motion 33 carried as amended. Ms. Vojkovich, Mr. Myer, and Mr. Sones voted no.
Motion 25, as amended through the reconsideration, passed unanimously.

Seconded by: Mark Cedergreen

Motion 34: Approve the September 2009 Council Meeting minutes (Agenda Item G.1.a, Supplemental Attachment 1) with the correction in Attachment 1 (correction and spelling out of "coefficient of variation").

Moved by: Rod Moore
Motion 34 carried unaimously.

Seconded by: Dan Wolford

Motion 35: Approve the Budget Committee Report recommendations found on page 2 of that report, concerning adjustments of the CY 2010 operational budget.

Moved by: Marija Vojkovich
Motion 35 carried unanimously.

Seconded by: Dorothy Lowman

Motion 36: Appoint Dr. Phil Levin to the NMFS Northwest Fisheries Science Center position on the Ecosystem Plan Development Team (replacing Dr. Mary Ruckelshaus).

Moved by: Frank Lockhart
Motion 36 carried unanimously.

Seconded by: Herb Pollard

Motion 37: Appoint Ms. Heather Reed to the vacant WDFW position on the GMT.

Moved by: Michele Culver
Motion 37 carried unanimously.

Seconded by: Dale Myer

Motion 38: Approve staff's proposed change to COPs 2 through 8 as shown on pages 2 through 3 of Agenda Item G.5, Situation Summary. The change basically requires a two-week notice to the Executive Director for approving an alternate for an advisory body member.

Moved by: Rod Moore
Motion 38 carried. Ms. Marija Vojkovich voted no.

Seconded by: Steve Williams