

MINUTES

Pacific Fishery Management Council

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March 5-9, 2007

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A. Call to Order

A.1 Opening Remarks, Introductions

Mr. Don Hansen, Chair, called the 187th meeting of the Pacific Fishery Management Council to order on Monday, March 5, 2007 at 2:05 pm.

A closed executive session was held from 1 to 2 pm to discuss litigation and personnel matters.

A.2 Roll Call

Dr. Donald McIsaac, Council Executive Director, called the roll. The following Council Members were present:

Mr. Phil Anderson (Washington State Official)
Mr. Mark Cedergreen (Washington Obligatory)
Ms. Kathy Fosmark (California Obligatory)
Mr. Donald Hansen, Chairman (At-Large)
Dr. Dave Hanson, Parliamentarian (Pacific States Marine Fisheries Commission, non voting)
Mr. Frank Lockhart (National Marine Fisheries Service, Northwest Region)
Mr. Jerry Mallet (State of Idaho Official)
CDR Peter Martin (US Coast Guard, non-voting)
Mr. Curt Melcher (State of Oregon Official)
Mr. Rod Moore (At-Large)
Mr. Dale Myer (At- Large)
Mr. Dave Ortmann, Vice Chairman (Idaho Obligatory)
Mr. Tim Roth (US Fish and Wildlife Service, non voting)
Mr. David Sones (Tribal Obligatory)
Mr. Roger Thomas (At-Large)
Ms. Marija Vojkovich (State of California Official)
Mr. Frank Warrens (Oregon Obligatory)
Mr. Gordon Williams (State of Alaska Official, non voting)

The following Council member was absent from the meeting:

Mr. David Hogan (US State Department, non voting)

A.3 Executive Director's Report

Dr. McIsaac provided an overview of the Informational Reports found in the briefing book.

A.4 Council Action: Approve Agenda

The Council approved the March meeting agenda as shown in Agenda Item A.4, Council Meeting Agenda (Motion 1 moved by Mr. Rod Moore and seconded by Mr. Curt Melcher).

B. Enforcement Issues

B.1 Enforcement Report: Overview of Joint Enforcement Agreement Program

B.1.a Agenda Item Overview

Mr. Jim Seger provided the agenda item overview. 03/05/07; 2:14 pm

B.1.b Report of the Enforcement Consultants

Cpt. Mike Cenci provided a DVD which demonstrated NOAA Fisheries' Joint Enforcement Agreements (JEAs) between the Oregon State Police, California Department of Fish and Game, and Washington Department of Fish and Wildlife Law Enforcement. Cpt. Cenci introduced the Enforcement Consultants and their partners.

B.1.c Reports and Comments of Advisory Bodies

None.

B.1.d Public Comment

None.

B.1.e Council Action: Consider Enforcement Committee Recommendations

Mr. Melcher thanked WDFW and CDFG enforcement for the dungeness crab patrols that went on this winter.

C. Coastal Pelagic Species Management

C.1 National Marine Fisheries Service (NMFS) Report

Mr. Mike Burner provided a brief agenda item overview. (03/05/07; 3:41 pm)

C.1.a NMFS Activities

Mr. Mark Helvey referred to Agenda Item C.1.a, Attachment 1 and Supplemental Agenda Item C.1.a, Attachment 3. Mr. Helvey reported that as of February 16, 2007, 6,551 mt of the 13,845 mt harvest guideline for the directed fishery has been landed and noted that NMFS and CDFG will continue to monitor the fishery and will limit the fishery to incidental landings of 6,000 mt if appropriate.

Mr. Helvey reviewed the CPS regulatory actions contained in Agenda Item C.1.a, Attachment 3.

C.1.b Reports and Comments of Advisory Bodies

None.

C.1.c Public Comment

None.

C.1.d Council Discussion

None.

C.2 Stock Assessment Review (STAR) Panel Terms of Reference for 2007

C.2.a Agenda Item Overview

Mr. Burner provided the agenda item overview. (03/05/07; 3:45 pm)

C.2.b Agency and Tribal Comments

None.

C.2.c Reports and Comments of Advisory Bodies

Mr. Burner read, for the record, Agenda Item C.2.c, Supplemental SSC Report.

C.2.d Public Comment

None.

C.2.e Council Action: Adopt Final Coastal Pelagic Species STAR Terms of Reference

Mr. Moore moved and Mr. Warrens seconded a motion (Motion 2) to adopt the CPS STAR Terms of Reference as shown in Agenda Item C.2.a, Attachment 1. Mr. Moore noted the reference to new MSA provisions in the SSC statement and suggested a broader discussion on the topic under Agenda Item D.2. Motion 2 passed.

D. Administrative Matters

D.1 Future Council Meeting Agenda Planning (03/06/07; 8:01 am)

D.1.a Agenda Item Overview

Dr. McIsaac provided the agenda item overview and noted (1) the work planning attachment covering the trawl individual quota and intersector allocation programs, and the 2009-2010 groundfish management specifications process, and (2) the Habitat Committee report.

D.1.b Reports and Comments of Advisory Bodies

Mr. Stuart Ellis provided Agenda Item D.1.b, Supplemental HC Report.

D.1.c Public Comment

None.

D.1.d Council Discussion of Future Council Meeting Agenda Topics

The Council members worked with the Chairman and Executive Director to flesh out agenda item topics for future Council meetings and to refine the April Council agenda. Those items included initial consideration of an ecosystem fishery management plan, and a response to the Oregon Ocean Policy Advisory Committee (OPAC) report on marine sanctuaries.

D.2 Review and Planning for Implementation of New Requirements Resulting from Reauthorization of the Magnuson-Stevens Act

D.2.a Agenda Item Overview (03/07/06; 8:08 am)

Mr. Mike Burner provided the agenda item overview and reviewed Agenda Item D.2.a, Attachment 3.

D.2.b Reports and Comments of Advisory Bodies

Mr. Bob Conrad provided Agenda Item D.2.b, Supplemental SSC Report. Mr. Moore noted that the SSC currently reviews assessment documents and STAR Panel reports and that those documents then provide the Council with harvest level recommendations. He asked if the SSC sees this process as an indirect mechanism under which the SSC recommends harvest levels. Mr. Conrad stated that the SSC feels the current process works well and provides sound scientific advice and an appropriate separation of science and policy. The SSC is asking if the current process meets the new provisions of the MSA. Mr. Lockhart felt the Council can make a strong case that its current relationship with the SSC meets the new MSA requirements. Dr. McIsaac noted the SSC statement under Agenda Item C.2 addresses the potential blurring of the distinction between science and policy and commends the SSC for bringing these comments and concerns forward.

Mr. Stuart Ellis provided Agenda Item D.2.b, Supplemental HC Report. Mr. Burner read Agenda Item D.2.b, Supplemental LC Report.

D.2.c Public Comment

Mr. Joel Kawahara, troller, Seattle, WA

D.2.d Council Action: Direct Planning and Action on New Requirements as Needed for Timely Implementation

Mr. Lockhart said the passage of the MSRA requires a great deal of action by NMFS to implement the new provisions in the time specified. Establishing annual catch limits (ACLs) and developing new environmental review requirements are the two largest work items for the Council in the near future. Mr. Lockhart mentioned an upcoming *Federal Register* notice announcing scoping sessions on ACLs and highlighted a proposed scoping session during the April Council meeting on April 3. He concluded by announcing that he and Mr. Helvey are serving on the plan review team for getting these new requirements implemented.

Mr. Melcher asked who is completing the required recovery plan for Klamath River coho. Mr. Lockhart stated that the NMFS SWR is in the lead and currently working on the report.

Mr. Moore asked Mr. Lockhart about the timing of Council responses and asked for recommendations on how the Council should prioritize the tasks at hand. Mr. Lockhart said the annual catch limits matter is

perhaps of highest priority followed by the development of new environmental review procedures. Mr. Lockhart noted that appointments to the U.S./Canada Pacific whiting process are not as critical because 2007 management will continue under the old regime and U.S. appointments to the new process could wait until June.

Ms. Vojkovich asked Mr. Lockhart for a practical definition of “annual catch limits.” Mr. Lockhart said a formal definition and application of ACLs has not been completed and that the April 3 scoping session will be very important because NMFS is eager for input on the matter. There is a wide range of fishery management issues around the nation to which ACLs are to be applied and how they will be applied to West Coast fisheries cannot be answered at this time. He reiterated that it will be crucial for the Council to provide guidance to NMFS in April.

Dr. McIsaac stated that in discussions with the SSC it was noted that annual catch limits cover a wide variety of items from science-based ABCs to more policy-based OYs. It will be important for the Council to express its opinion of what ACLs are and how they are applied as the policies and guidance on the matter are developed by NMFS.

Mr. Lockhart reiterated that this measure was likely intended to apply to other Councils and he feels this Council is already operating as Congress intends in the new MSA. It will be important for the Council to make a clear case to this effect.

Mr. Melcher asked for more clarification on the Klamath River coho recovery plan and asked if development of the plan was going to be a “top down” process or will there be opportunities for participation by the States. Mr. Helvey said the Arcata field office is taking the lead on preparing that document and he anticipates availability of a first draft in the middle of April. Mr. Sones asked if the Klamath Tribes are involved in working on the report. Mr. Helvey said they are and noted that NMFS is not reinventing the plan, rather NMFS is pulling together existing coho recovery information and policies that the Tribes and States have already been involved in.

Dr. McIsaac asked if the Klamath River Coho Recovery Plan has a fishery management component that would be appropriate for Council review in April. Mr. Helvey said he did not think the first draft report will be completed by the April meeting, but he added the schedule could be amended to get Council input in April as the June meeting will too late.

Mr. Anderson asked if the provision to develop a Memorandum of Understanding (MOU) for highly migratory species (HMS) management is scheduled for implementation immediately and if NMFS is asking the HMSMT for feedback in development of the MOU. Mr. Helvey said that NMFS and the Council should look for opportunities such as the April HMSMT meeting and a planned joint meeting between the HMSMT and the Western Pacific Fishery Management Council (WPFMC) for development and review of the MOU.

Dr. McIsaac stated that unlike the Pacific whiting situation, the Western and Coastal Pacific Fisheries Commission (WCPFC) is already a functioning body and the U.S. will be entering the process later than most nations. Therefore, there is some urgency to establishing an MOU. He is working with the Executive Directors of the North Pacific Fishery Management Council (NPFMC) and the WPFMC in developing a draft MOU in time for review by the HMS advisory bodies and the Council in April. Dr. McIsaac added that the joint meeting of the Council and WPFMC HMS groups is scheduled for April 17-19.

Ms. Fosmark asked Mr. Helvey about addressing the lack of oversight and poor reporting of HMS landings by foreign governments, specifically catch accountability for tuna caught in U.S. waters and

landed in Canada. Ms. Fosmark asked how NMFS intends to use the new MSA provisions to deal with this problem. Mr. Helvey replied that NMFS is working on these details and is very interested in Council input during the April scoping process.

Mr. Moore asked Dr. McIsaac if he had considered the Council staff's capability to manage the workload resulting from all of the requirements and timelines of the new MSA given all the other Council tasks and existing staff and budget limitations. Dr. McIsaac said Council staff has given serious thought to the workload aspect. He said that at this meeting the Council staff wanted to expose the Council to the full magnitude of the changes in the reauthorized MSA. Our strategy is to expose Council to all the changes and then discuss urgent items at the April meeting such as ACLs and a revised environmental review procedure. He said he is not interested in moving policy development from the Council to the Council staff and that at the April meeting there will be statements from the LC and other advisory bodies to assist in developing Council recommendations on many of the new provisions. Dr. McIsaac asked the Council to anticipate MSA reauthorization will be a consistent agenda item throughout 2007 as the new provisions are implemented.

Mr. Moore stated he was not suggesting the Council Executive Director and staff decide policy matters, but he thought it would be helpful for the Council members to be cognizant of available Council staff resources as policies and recommendations are developed.

Chairman Hansen asked Mr. Lockhart if the LC report contains a comprehensive list of urgent matters for the April meeting. Mr. Lockhart said the recommendations are good with the exception of the Pacific whiting treaty. The treaty itself has not yet been ratified. The implementing language was agreed to by both parties and approved by Congress, but the treaty is not in effect until the instruments of ratification are delivered to the President for signature. He understands that will happen soon and that the Council would not need to address the matter in April.

Mr. Moore moved and Mr. Myer seconded a motion (Motion 6) to accept the report of the Legislative Committee as shown in Agenda Item D.2.b, Supplemental LC Report with the following edit: change the sentence that reads: "The LC recommends the Council and its advisory bodies begin planning for U.S. appointees in April" to say "The LC recommends the Council and its advisory bodies begin planning for U.S. appointees in June". Motion 6 passed.

D.3 Approval of Council Meeting Minutes

D.3.a Council Member Review and Comments

None.

D.3.b Council Action: Approve June 2006 Minutes

Mr. Warrens moved and Ms. Vojkovich seconded a motion (Motion 15) to approve the June 2006 meeting minutes as shown in Agenda Item D.3.b, June 2006 Council Minutes.

Motion 15 passed.

D.4 Legislative Matters (03/09/07 1:26 pm)

D.4.a Agenda Item Overview

Mr. Burner provided the agenda item overview.

D.4.b Legislative Committee Report

Mr. Burner summarized Agenda Item D.4.b, Supplemental LC Report.

D.4.c Reports and Comments of Advisory Bodies

None.

D.4.d Public Comment

Mr. Joel Kawahara, troller, Seattle, WA

Ms. Ann Maurice, Ad Hoc Committee, Occidental, CA

Ms. Ellen Faulkner, North Coast Consumers Alliance, Redwood Valley, CA

D.4.e Council Discussion

Mr. Moore moved and Mr. Cedergreen seconded a motion (Motion 16) to direct Council staff to track potential introduction of a revised version of the National Offshore Aquaculture Act and provide the information to the LC and Council at a later date. Motion 16 passed.

Mr. Moore moved and Mr. Warrens seconded a motion (Motion 17) stating that, if requested by Congress, have the Council ED send a response reflecting the LC concerns on H.R. 1187. Mr. Warrens seconded the motion. Mr. Lockhart abstained.

Ms. Fosmark spoke in support of a sending a letter in accordance with the LC recommendations and emphasized her concerns about new Sanctuary authorities identified in the bill.

Mr. Moore presumed that under the guidance given by this motion that the Executive Director would check with Council members for appropriate comments by Council members before sending the letter.

Mr. Thomas concurred with Ms. Fosmark's remarks on the legislation and expressed specific concern with the authority to regulate vessel discharges. This authority should remain under the USCG.

Mr. Warrens noted that in Agenda Item D.4.a, Supplemental Attachment 4 bottom of page 6, H.R. 1187 states that discharges do not apply to the discharge of fish or fish parts or biodegradable effluents from operable marine sanitation devices. Mr. Moore stated that the LC was recommending the Council request clarification on this part of the bill and confirm that the USCG retains its current level of authority on these matters.

Motion 17 passed.

D.5 Appointment to Advisory Bodies, Standing Committees, and Other Forums, and Changes to Council Operating Procedures (COP) as Needed

D.5.a Agenda Item Overview

Dr. John Coon provided the agenda item overview.

D.5.b Reports and Comments of Advisory Bodies

None.

D.5.c Public Comment

None.

D.5.d Council Action: Consider Changes to COP and Appoint New Advisory Body Members as Needed

Mr. Anderson moved and Mr. Cedergreen seconded a motion (Motion 18) to appoint Ms. Heather Reed to replace Ms. Michele Culver on the Groundfish Management Team. Motion 18 passed.

Mr. Anderson moved and Mr. Melcher seconded a motion (Motion 19) to appoint Dr. Stephen A. Barrager to the Groundfish Allocation Committee as the conservation advisory member. Motion 19 passed.

Ms. Vojkovich moved and Mr. Thomas seconded a motion (Motion 20) to appoint Mr. Steve Foltz to the Highly Migratory Species Advisory Subpanel for the Processors South of Cape Mendocino position. Motion 20 passed.

Mr. Lockhart moved and Mr. Moore seconded a motion (Motion 21) to appoint Mr. Lyle Enriquez to replace Ms. Elizabeth Petras on the Highly Migratory Species Management Team (HMSMT). Motion 21 passed.

Mr. Lockhart moved and Mr. Moore seconded a motion (Motion 22) to appoint Mr. Brian Hallman as the IATTC representative on the HMSMT. Motion 22 passed.

Dr. McIsaac noted Ms. Ginny Goblirsch has resigned as the community representative on the Ad Hoc Groundfish Trawl Individual Quota Committee (TIQC). Through consensus, the Council directed the staff to advertise for that vacancy.

D.6 Council Three-Meeting Outlook and April 2007 Council Meeting Agenda (03/09/07; 2:51 pm)

D.6.a Agenda Item Overview

Dr. McIsaac provided the agenda item overview and noted changes from the Monday review which included the addition of groundfish stock assessments in June, postponing the final approval of the whiting monitoring program, development of alternatives for Amendment 15, review of the OPAC report, and a NMFS coho rebuilding plan report.

D.6.b Reports and Comments of Advisory Bodies

Mr. Tom Ghio provided Agenda Item D.6.b, Supplemental GAP Report. Ms. Vojkovich read agenda Item D.1.b, Supplemental HC Report.

D.6.c Public Comment

None.

D.6.d Council Action: Adopt April 2007 Council Agenda, and Provide Guidance on Three Meeting Outlook and Priorities for Advisory Body Consideration

Council members worked with the Executive Director and Council staff to adopt the April 2007 Council agenda, provide guidance on the three-meeting outlook, and develop priorities for advisory body consideration.

There was a discussion on how to proceed with dealing with future AFA issues, knowing that the emergency rule, if adopted by NMFS, would only be a stop gap measure. While the IQ program might take care of the long term issues, Mr. Melcher supported bringing draft alternatives for Amendment 15 to the April meeting with further refinement in June and final adoption in September to deal with issues until the IQ program came on line. Dr. McIsaac cautioned that with limited staff resources and competing demands, we would need to do a simplified Amendment 15. Mr. Melcher stated that he would work to free up ODFW staff time to work on the amendment and have some preliminary options for April. ODFW does not have the economic expertise to do the full analysis and should not be depended on as the sole source of document development.

Mr. Lockhart said the Olympic Coast NMS has asked to be put on the June agenda tentatively to provide a presentation on their coral cruise.

Mr. Moore asked Mr. Lockhart about moving Amendment 10 (whiting monitoring) to June. Are we going to have it done in time for fishermen and processors to be able to comply with it? Mr. Lockhart replied in the affirmative, he was assured by his staff that if we approve it in June, we can have it in place for 2008.

Mr. Moore asked Mr. Lockhart, if the processor rule which is going to have some new requirements is not going to be in effect for April, would it be done in time for the June fisheries? Mr. Lockhart said he thinks so. Mr. Moore asked to suspend it until next season. Mr. Lockhart said he hears the concerns.

Mr. Anderson suggested moving all Friday groundfish items to Thursday and moving all HMS items to Friday.

Mr. Anderson moved and Ms. Vojkovich seconded a motion (Motion 25) to adopt the draft April agenda concepts as discussed and as shown in Agenda Item D.6.a, Supplemental Attachment 2. Motion 25 passed.

E. Groundfish Management

E.1 Groundfish Harvest Policy Evaluation Workshop Report

E.1.a Agenda Item Overview

Dr. McIsaac provided the agenda item overview.

E.1.b Workshop Report

Dr. Martin Dorn provided a PowerPoint presentation (download from Council website: [Agenda Item E.1.b, Supplemental Workshop Report PowerPoint Presentation](#)).

Mr. Moore asked about stocks with high recruitment variability such as whiting. Will OY projections for such stocks always trend downward? Dr. Dorn said that was an oversimplification but, in most cases, projection trends would be downward since strong recruitment occurs infrequently. The biomass abundance pattern for stocks like whiting are occasional peaks, followed by downward trends until the next strong year class is evident. The management challenge for whiting is developing a control rule that will not cause the stock to become overfished, even in the absence of fishing. Considerations like caps that preserve the abundance of strong year classes until the next strong recruitment event are recommended.

Mr. Anderson requested clarification on considerations for developing harvest policies for stocks like whiting with highly variable recruitment. The point, as he understood it, is that the highly variable whiting stock will decline in abundance from healthy levels to overfished levels even in the absence of fishing. However, managers should still consider the effects of fishing when deciding whiting harvest levels even when the stock is declining for other reasons, such as climatic conditions. Dr. Dorn said there is an effect of fishing on whiting abundance, but it is not the primary determinant of recruitment and biomass.

Mr. Anderson asked what is meant by the recommendation to develop harvest policies that perform robustly in the face of climatic regime shifts. Dr. Dorn replied it depends on the management objectives. An example of harvest policies that perform robustly in the face of climatic regime shifts are the control rules for sardine harvest. Environmental indices are used to characterize the climatic regime and prescribed harvest rates are lower when the regime is less productive. Such considerations could potentially also be applied in managing some groundfish stocks, when recruitment potential correlates with climatic regimes.

Ms. Vojkovich asked if the “Next Steps” recommended by the workshop participants are in priority order. Dr. Dorn said not necessarily- many of these next steps could occur simultaneously. The SSC and/or the Council could certainly prioritize these next steps.

Ms. Vojkovich asked if the recommended review of CPS harvest policies would focus on policies for managing finfish or should the focus be on squid management, where MSY proxies are used. Dr. Dorn said the participants wanted to focus on harvest policies for CPS finfish.

Dr. McIsaac acknowledged Dr. Dorn’s strong role in setting up, chairing, and reporting on the Harvest Policy Evaluation Workshop and thanked him for his efforts.

E.1.c Reports and Comments of Advisory Bodies

SSC Report

Dr. Robert Conrad provided Agenda Item E.1.c, Supplemental SSC Report.

Dr. McIsaac asked about the SSC recommendation to complete work to calculate a prior (assumed value) for steepness for rockfish species as soon as possible to share with assessment authors and STAR penal members. Who is tasked to do this? Dr. Conrad said Dr. Dorn will complete this assignment.

Dr. McIsaac asked about the recommended time frame to convene the next harvest policy evaluation workshop to occur during the off year at a time that doesn’t impact OYs for 2009-10. Is this recommended time frame after June 2008, when the Council is scheduled to decide final management measures for 2009-10 fisheries? Dr. Conrad said the SSC was focusing on a workshop in early 2008, possibly in January or February. Dr. McIsaac asked if the timing for a decision to consider changing

harvest policies would occur after June 2008 and Dr. Conrad said yes since the SSC envisions a three-meeting process would be needed to change harvest policies.

Mr. Moore asked if there was any SSC discussion on calculating or specifying priors on steepness for sablefish and Dr. Conrad said the SSC did not specifically discuss sablefish assessment recommendations. Dr. Dorn clarified the SSC discussion focused on classifications of species assessed in the last cycle. The problem with doing this for sablefish is that there are no other similar species to compare steepness values. This is really a question better suited for the next sablefish STAR panel.

E.1.d Public Comment

None.

E.1.e Council Discussion

Dr. McIsaac said we can put the workshop on the long-term planner. Mr. Moore encouraged the Council to move forward with another workshop. In terms of setting a harvest policy for whiting, we need to stay within the U.S.-Canada whiting treaty provisions on how harvest policy should be developed and decided.

Mr. Phil Anderson said these are critical issues for us to be engaged in, and encouraged the scientific community to stay engaged in it. He supports Dr. Dorn's work and the recommendations for the next steps in these investigations.

Mr. Dale Myer thanked the scientific community for their efforts in this workshop. He felt the B_0 , dynamic B_0 , B_{MSY} evaluations, as well as harvest policies for Pacific whiting should be the highest priorities for the next workshop.

Ms. Kathy Fosmark thanked Dr. Dorn for his report, and felt we should go forward with another workshop and fine tune this ongoing process. She wanted to prioritize investigating harvest policies for CPS species.

Ms. Vojkovich said there was advice to stock assessment authors in the workshop report, and wanted to make sure the next "batch" of stock assessment authors receive this advice.

E.2 NMFS Report (03/07/07; 9:45 am)

Mr. Bob Lohn introduced Mr. Barry Thom as the new Deputy Regional Administrator of the NMFS Northwest Region, replacing Joe Scordino. He also formally expressed the regrets of Dr. Bill Hogarth that he was not able to come to the Council meeting. Mr. Lohn then spoke about the revised Magnuson Act and how the Pacific Council serves as a role model for the rest of the Councils as we move forward in implementing the new amendments. Mr. Rod McInnis spoke briefly about the Council's participation in a recent Inter-American Tropical Tuna Commission meeting and other international issues.

E.2.a Regulatory Activities

Mr. Lockhart provided a brief report, referencing the recent Federal Register Notices (Agenda Item E.2.a, Attachment 1). Mr. Lockhart notified the Council that petrale sole experienced overfishing in 2005 (Agenda Item E.2.a, Attachment 2). As the letter points out, however, the Council took action to address this before NMFS sent the notifying letter, and therefore the Council needs to take no further action.

E.2.b Science Center Activities

Dr. Elizabeth Clarke provided an update on science center activities. The STAR Panel for the whiting stock assessment was held in February and included a Center for Independent Experts- selected reviewer and a reviewer selected from Canada, in hopes of moving forward with a process similar to that which will be required by the Whiting Treaty. A Stock Synthesis 2 training was held in early March and went very well. The NWFSC is holding a series of pre-assessment workshops on the stock assessments that they are sponsoring, in order to allow interested public to engage with the authors. The observer program is training the next class of observers in mid-March. The NWFSC is continuing its planning of the hake acoustic survey, which will take place this year, and is also working on inter-calibrations with the OSCAR DYSON. The NWFSC is still continuing planning for the bottom trawl survey. Dr. Clarke also discussed an item submitted by the SWFSC (Agenda Item E.2.b, Attachment 3), which is a summary of bronzespotted rockfish conservation concerns. Finally, Dr. Clarke referenced a total mortality report produced by the NWFSC.

Dr. McIsaac asked whether the purpose of including the report on bronzespotted rockfish in the briefing book was to inform the Council, rather than to request a bag limit change or to introduce a new stock for stock assessment purposes in this cycle. Mr. Lockhart stated that NMFS is not proposing any action at this point and that the report is informational for the Council. He said that he sees it appropriate for the Council to receive new information as it becomes available.

Dr. Jim Hastie provided a presentation on the total mortality report (Agenda Item E.2.b, Attachment 1 and Agenda Item E.2.b, Supplemental Science Center Activities Powerpoint). Dr. Hastie highlighted total mortality of canary rockfish, given the report's findings that the species' OY was exceeded by 1.9 mt. He explained that this overage was primarily due to trawl catches in the northern fishery shoreward of the RCA. In trying to evaluate what factors led to this, it became apparent that the rates used to model the fishery in late 2005 and 2006, which had been derived from the Oregon selective flatfish trawl EFP, were actually considerably lower than those being seen in the 2005 fishery. Dr. Hastie then reviewed a finer spatial analysis of the canary rockfish bycatch rates (Agenda Item E.2.b, Attachment 2) and suggested potential reasons for the difference between the bycatch rate observed during the EFP and that which occurred in the 2005 fishery.

Mr. Anderson explained that there is a notable difference between the tribal and non-tribal trawl bycatch rates of canary rockfish. Dr. Hastie responded that he had not had discussions with technical managers of the tribal fisheries related to fishing practices that yield these differences. Mr. Anderson then noted that there was a higher percentage of trawls observed on the northern Washington coast as compared to other parts of the coast. He asked if there could be a bias brought about by observing one region, for instance, six months out of the year as compared to another area that is observed two months, given that the lower observation rates could allow for greater opportunity for operators to change their behavior and so yield a different bycatch rate. Dr. Hastie responded that confidence in an estimate's precision increases with higher observation, and he acknowledged that there is a greater chance for a vessel operator to change behavior while not being observed. Mr. Anderson then asked if higher bycatch rates also corresponded to a higher relative distribution of abundance for that area. Dr. Hastie replied that in general the pattern is consistent between the trawl survey data and the bycatch rate, given that the biggest survey tows are generally found in northern Washington. With respect to Dungeness crab bycatch, Mr. Anderson asked whether data was available in higher spatial resolution for its bycatch rate in the north. Dr. Hastie said that such data had not been produced but could be.

Responding to questions from Mr. Moore, Dr. Hastie noted the increase in the bycatch rate from the first four months of 2005 to the first four months of 2006; it was these two windows of data that were used to try to capture the fishery's bycatch rates. Mr. Moore asked if there had been changes to influencing

factors between the two years, such as changes to participation levels. In the observed trips, Dr. Hastie responded, there had been a shift in effort from south of Leadbetter Point to north.

Dr. McIsaac asked about the possibility of an early alert mechanism, so that the Council could be informed about significantly higher bycatch rates in time to take better corrective action. Dr. Clarke said that the current schedule is based on that agreed to by the Groundfish Information Policy Committee. She then offered that she could present to the Council in April an analysis of an alternative schedule, warning, however, that real-time reporting of catch is not possible due to bottlenecks in the process (e.g., fishtickets). Dr. Hastie suggested that the science center could provide the Council with updated bycatch rates on a more frequent basis.

E.2.c Reports and Comments of Advisory Bodies

None.

E.2.d Public Comment

None.

E.2.e Council Discussion on NMFS Report for Groundfish

None.

E.3 Pacific Whiting Harvest Specifications and Management Measures for 2007

E.3.a Agenda Item Overview (03/07/07; 10:52 am)

Mr. John DeVore provided the agenda item overview.

Ms. Eileen Cooney explained the implementing rules for the U.S.-Canada allocation awaits ratification of the Pacific whiting treaty. Therefore, the Council needs to do this until the international whiting advisory bodies are developed. Mr. Moore asked if it was appropriate for the Council to recommend a whiting ABC and OY today and Ms. Cooney said yes.

E.3.b Reports and Comments of Advisory Bodies

SSC Report

Drs. Conrad and Conser provided Agenda Item E.3.b, Supplemental SSC Report.

Mr. Moore asked if the revised executive summary to the new stock assessment provided the most accurate decision table and Dr. Conser said yes.

Mr. Moore said he was confused with the q statement in the last paragraph of the SSC report, which states, "while the absolute biomass level is very sensitive to the value assumed for q , the trend is less so." He asked how this statement was consistent with the flat trend from the acoustic survey data. Dr. Tom Helser, the lead author of the new whiting assessment, said the acoustic survey data points are flat with little annual contrast. The 1986 data point, which did provide contrast, was removed from the series on the advice of an earlier STAR panel. Age and length compositions in the assessment show much annual variation in recruitment and biomass and are mismatched with the acoustic survey data. The catchability coefficient, q , is therefore used as a scalar when determining biomass trends.

Mr. Anderson noted there was extensive age and length data in the assessment and asked what was gained by the extensive sampling needed to obtain these data. Dr. Helser replied these data were used to determine recruitment events and the age structure of the population. Mr. Anderson asked if these data were collected coastwide in the U.S. and Canada and used in the assessment. Dr. Helser said yes, the survey has few data points and more information is therefore derived from age and length compositions.

GMT Report

Ms. Kelly Ames and Mr. Merrick Burden provided Agenda Item E.3.b, Supplemental GMT Report.

Mr. Moore noted the statement, “near average recruitment in 2003 and 2004” in the second paragraph of the GMT report. He also noted the assessment suggested these were above average year classes. Mr. Burden answered this would be true if the 1999 year class was removed from the assessment.

Mr. Moore asked about the concept of setting an OY based on bycatch rates from the non-tribal fishery. Why not include observed bycatch rates from the tribal fleet? Mr. Burden said the assumption was that the Council would continue to specify bycatch caps for the non-tribal sectors and not for the tribal fleet. Mr. Moore said the fishery has been managed with the same whiting OY during the last two years, a lower OY three years ago, and none of the non-tribal bycatch caps have been exceeded. How would this factor into a lower OY? Mr. Burden said the lower OY was due to an increased widow rockfish bycatch rate in the at-sea sectors. Mr. Moore asked if the GMT is expecting this increased trend to continue even though the widow rockfish bycatch rate decreased in the 2006 shorebased whiting fishery and Mr. Burden said yes.

Chairman Hansen asked the states to introduce their new GMT members. Mr. Melcher introduced Ms. Kelly Ames as the new ODFW member and also the new chair of the GMT; and Mr. Anderson introduced Ms. Heather Reed as the new WDFW member of the GMT.

GAP Report

Mr. Tom Ghio provided Agenda Item E.3.b, Supplemental GAP Report. GAP members Dan Waldeck and Bob Alverson were available to answer Council questions.

Ms. Vojkovich asked where the coastwide OY of 364,197 mt came from and Mr. Waldeck said that was last year’s OY. Mr. Moore said this would be the coastwide (U.S. + Canada) OY resulting from the specified U.S. OY and the U.S.-Canada allocation approved in the whiting treaty.

Mr. Anderson asked Drs. Conser and Helser if the 2006 specifications in Table h of the revised executive summary were the same as in the last assessment and Dr. Helser said depletion rates, spawning stock biomass estimates, etc. are all new estimates. Mr. Anderson asked if the 2007 values in Table h derived from the acoustic survey and new age/length compositions were subsequent to the last assessment and Dr. Helser said yes. Mr. Moore asked if the total coastwide catch values in Table g were ABCs or OYs and Dr. Helser said they were OYs. Mr. Moore asked where he could find the ABC projections and Dr. Helser said they were in the text on page 11.

Mr. Moore asked if the $q=1$ model is correct and the total coastwide catch was 300,000 mt, is the depletion rate at the end of 2008 equal to 27.8%. Dr. Helser said no, that would be the depletion rate at the beginning of 2008.

Mr. Moore asked if the last acoustic survey was in 2005 and Dr. Helser said yes. Mr. Moore asked if that meant the only new data in this assessment relative to last year's assessment was fishery catch and age data and Dr. Helser said yes.

E.3.c Public Comment

Ms. Karen Garrison, NRDC, San Francisco, CA
Mr. Mike Okoniewski, Pacific Seafood, Woodland, WA
Mr. Tom Libby, Pt. Adams Packing Company, Astoria, OR
Mr. Ben Enticknap, Oceana, Portland, OR

E.3.d Council Action: Adopt 2007 Stock Assessment, Allowable Biological Catch, Optimum Yield, and Management Measures (03/07/07; 1:20 pm)

Mr. Lockhart said the GMT requested a list of priorities be developed to resolve assessment model uncertainties. He asked Dr. Ray Conser, the STAR Panel chair, to make a list of those priorities. Dr. Conser said some type of follow-up with the GMT would be a useful thing to do.

Mr. Anderson asked the GMT for the estimated depletion rates in 2007 and 2008 using the blended model. Mr. Burden said those estimates were not in the GMT report, but they could be easily provided.

Mr. Moore asked about the discrepancy in the status quo coastwide (U.S. + Canada) OY reported by the GMT and the GAP. He calculated the status quo coastwide OY by dividing the status quo U.S. OY of 269,069 mt by the U.S. allocation percentage of .7388 to derive the GAP-reported figure of 364,197 mt. Mr. DeVore said Mr. Moore's calculation was correct. The GMT-reported OY came from the 2006 assessment, but the 2006 U.S. OY was from the 2005 assessment or, more precisely, a re-specification of the 2005 U.S. OY.

Mr. Moore asked if there was a way to back calculate the coastwide ABC from the coastwide OY last year using the 40-10 rule. Mr. Burden said the OY in these tables are independent of the ABC calculation. Mr. Moore then said he was concerned if the Council were to decide to pick a status quo (2006) US OY and the corresponding coastwide ABC, would we be below the OY that is derived from using the more precautionary assessment model as modified by the 40-10 rule. Mr. Burden said that is correct as indicated in Table g in the STAR panel report.

Mr. Anderson asked Dr. Helser about Table h on page 15 of the revised executive summary of the assessment. The table shows 2005 landings of 360,300 mt and an ABC of 265,000 mt- are these data correct? Dr. Helser said it appears the 2005 ABC value in that table is incorrect; it appears to be a typographic error. Ms. Vojkovich referenced Table e in the same document, which shows a 2005 ABC of 531,124 MT. Mr. DeVore said he referenced last year's assessment document and the ABC value in Table e is the correct specification.

Mr. Anderson said he was still not sure of the 2006 coastwide OY. Mr. DeVore explained it would be 364,197 mt, which is derived by dividing the specified U.S. OY by the U.S. allocation percentage (0.7388). Mr. Anderson asked if that was the coastwide OY value decided last year by the Council and Mr. DeVore said no, the Council specified a coastwide OY of 364,842 mt in 2006.

Ms. Vojkovich asked about the relative strength of the 2003 and 2004 year classes and how well the available fishery dependent data informs us about the relative strength of these year classes. Dr. Helser said there is great uncertainty about the relative strength of these year classes from the fishery dependent data due to the selectivity of the fishing gear, which does not efficiently capture whiting of this size and

age. While the coastwide pre-recruit survey data indicates the 2004 year class is stronger than any since 2001, its strength will not be validated until results of the 2007 acoustic survey are available. Ms. Vojkovich asked if the older assessments that first detected the strong 1999 year class had a similar signal regarding relative year class strength. Dr. Helser said the fishery dependent data in the 2001 assessment showed a very strong signal regarding the strength of the 1999 year class for all fisheries except those in Canada. The signal then was much stronger than the one in this assessment for the 2004 year class.

Mr. Anderson moved and Mr. Cedergreen seconded a motion (Motion 7) to adopt a coastwide 2007 ABC of 612,068 mt for Pacific whiting. This value is calculated using the more conservative $q=1$ model.

Mr. Moore asked if the intent of the motion is to only specify the ABC and not show preference for the $q=1$ model and Mr. Anderson said that was correct.

Motion 7 passed.

Mr. Anderson moved and Mr. Cedergreen seconded a motion (Motion 8) to adopt a coastwide 2007 OY of 328,358 mt for Pacific whiting, of which the U.S portion of the whiting OY would be 242,591 mt.

Mr. Anderson explained this is an extremely valuable fishery and conserving the stock merits precaution. This is not a status quo decision. Without a stronger recruitment signal, we need to proceed more cautiously. The 1999 year class is waning and no strong year classes have evidently been produced since. He is concerned with the declining spawning stock biomass and the depletion trend in this assessment. Last year's assessment projected a 2008 depletion of 25.1%. This year's assessment projects a 2009 depletion of 25.9%. He wanted to set a coastwide OY which would result in a 2008 depletion of 26%. The coastwide OY from this motion is about 10% less than the 2006 coastwide OY.

Mr. Moore offered a substitute motion to Motion 8. He moved and Mr. Warrens seconded a substitute motion to adopt a coastwide OY of 364,198 mt, of which the U.S. portion of the OY would be 269,069 mt.

Mr. Moore explained this is the status quo OY specified in 2005 and 2006. The coastwide OY is based on the status quo U.S. OY divided by the U.S. share of 73.88% of the coastwide OY as stipulated in the U.S.-Canada whiting treaty. The whiting fishery has been fairly stable over the long term. The U.S.-Canada STAR Panel reviewed an alternative Canadian assessment model this year which indicated a much lower B_0 and a more stable spawning stock biomass over time. A stock, such as Pacific whiting, with high recruitment variability will always trend down without a super year class in the recent recruitment. The data indicates above average recruitment of the 2003 and 2004 year classes. The Council shouldn't punish industry for stock assessment uncertainty. He recommended staying with status quo harvest specifications this year. This year's acoustic survey will inform next year's assessment on the strength of recent recruitment.

Mr. Myer said he was expecting better recruitment signals in this year's assessment. Without better recruitment, he believes the Council should be more cautious. Therefore, he is against the substitute motion.

Vote on the substitute motion: 6 yes, 7 no. Messrs. Anderson, Thomas, Myer, Cedergreen, Mallet, Ortmann, and Ms. Vojkovich voted no. The substitute motion failed.

Mr. Moore said he intended to vote against the main motion because of his strong belief the whiting resource is in better shape.

Chairman Hansen asked for the vote. Main Motion 8 passed. Mr. Moore voted no.

Mr. DeVore said the Council still needed to adopt the tribal whiting OY. The US OY tribal allocation sliding scale formula changes if the U.S. OY is under or over 250,000 mt. With a U.S. OY of 242,591 mt, the tribal allocation would be 32,500 mt.

Mr. Sones moved and Mr. Warrens seconded a motion (Motion 9) to adopt a tribal set aside for Pacific whiting of 32,500 mt. This is based on the sliding scale allocation formula developed for tribal whiting fisheries. Motion 9 passed. Mr. Sones recused himself from any discussions and the vote.

Mr. Moore asked if the Council needed to adopt bycatch caps at this point and Mr. DeVore recommended deferring that decision until the groundfish inseason adjustments Agenda Item E.5.

E.4 Trawl Rationalization (Trawl Individual Quota (TIQ) Program)

E.4.a Agenda Item Overview (03/08/07; 9:04 am)

Mr. Seger provided the agenda item overview.

E.4.b Report of the GAC (03/08/07; 9:49 am)

Dr. McIsaac briefly went over Agenda Item E.4.b, Supplemental GAC Report. Mr. Anderson reviewed the goals and objectives attachment.

E.4.c Report of the TIQC

Mr. Seger provided Agenda Item E.4.c, Supplemental TIQC Report. Mr. Seger also referenced Agenda Item E.4.c, Addendum to Supplemental TIQC Report. Council members asked questions of Mr. Seger regarding the report.

E.4.d Reports and Comments of Advisory Bodies (03/08/07; 10:56 am)

Dr. Conrad provided Agenda Item E.4.d, Supplemental SSC Report. Mr. Ellis provided Agenda Item E.4.d, Supplemental HC Report. Mr. Merrick Burden provided Agenda Item E.4.d, Supplemental GMT Report. Mr. Tom Ghio provided Agenda Item E.4.d, Supplemental GAP Report. Mr. Tommy Ancona, GAP, joined Mr. Ghio to field questions from Council members.

E.4.e Public Comment (03/08/07; 1:17 pm)

Ms. Meghan Jeans, NRDC, San Francisco, CA
Ms. Laura Pagano, NRDC, San Francisco, CA
Mr. Jim Wylen, Environmental Defense, Seattle, WA
Mr. Will Stelle, Environmental Defense, Seattle, WA
Mr. Peter Huhtula, PMCC, Astoria, OR
Mr. Tom Libby, West Coast Seafood Processors Association,
Mr. David Jincks, Midwater Trawlers Cooperative, Newport, OR
Mr. A. Pierre Marchand, Jesse's Ilwaco Fish Company, Ilwaco, WA
Mr. Marion Larkin, trawler, Mount Vernon, WA
Mr. Steve Fick, Fishhawk Fisheries, Astoria, OR
Mr. Matthew Love, Ocean Beauty Seafood, Seattle, WA
Mr. Joe Plesha, Trident Seafoods, Seattle, WA

Mr. Brent Paine, United Catcher Boats, Seattle, WA
Ms. Donna Parker, Arctic Storm Management Group, Seattle, WA
Mr. Kent Craford, West Coast Seafood Processors Association, Portland, OR
Mr. Mike Storey, fisherman, Warrenton, OR
Mr. Robert Smith, fisherman, Warrenton, OR
Mr. Richard Carroll, Ocean Gold Seafoods, Westport, WA
Mr. Mark Cooper, Cooper Fishing, Inc., Toledo, OR
Mr. Bob Osborn, United Anglers of Southern California, Surfside, CA
Mr. Mike Okonowieski, Pacific Seafood, Woodland, WA
Mr. Ralph Brown, trawler, Brookings, OR

E.4.f Council Action: Refine Alternatives (03/08/07; 4:25 pm)

Dr. Dave Hanson moved and Ms. Vojkovich seconded a motion (Motion 10), to adopt the GAC Report E.4.b, including attachments, with the following changes (1) change the goals and objectives in E.4.b to the goals and objectives, as they would be modified by the TIQC Report E.4.c, (2) the modifications provided in Agenda Item E.4.f, Supplemental Motion 1, and (3) the shoreside co-op for analysis. The co-op alternatives should be considered works in progress; however, the time for making additional modifications is limited.

Dr. Hanson favored continued consideration of IFQ alternatives for the mothership and catcher processor sectors, along with co-ops, because of concern for the potential for co-op management to deteriorate into a derby. He also highlighted that the motion does not include a use-or-lose provision.

In response to Mr. Moore, Dr. Hanson confirmed that the motion included the grandfather clauses mentioned in the TIQC report and the mothership and catcher-processor co-op alternatives in the GAC report.

Mr. Anderson moved to amend Motion 10 relative to the goals and objectives recommendations in the TIQC Report, under the goal, third line, following the underlined verbage and after the comma, insert "considers environmental impact;" and under objective 3, after "promote practices, reduce discard mortality," insert "and minimize ecological impacts." Mr. Cedergreen seconded the motion to amend. Mr. Anderson said he was making the amendments in response to public comment about the elimination of the language that referenced ecological impacts and the Habitat Committee report. He also wanted to recognize the groundfish FMP goals and objectives related to EFH. Mr. Lockhart, speaking in support of the amendment noted that the conservation benefits are one of the primary reasons we should pursue this action. Mr. Roth also spoke in support of the amendment as a key tool to better meet our conservation goals. The amendment passed.

With respect to providing entry level opportunities, Dr. Hanson noted the extensive divisibility of quota shares (QS) will allow new entrants to buy small quantities and move into the fishery slowly. The Council discussion noted that this issue needed to be considered but that special entry level opportunities are not necessarily required.

Ms. Vojkovich moved to amend Motion 10 to include an option for equitable sharing of observer costs as part of Option 2 under B.3.1. Mr. Thomas seconded the amendment. Ms. Vojkovich said there are many smaller vessels in California that could not take on the burden of observer costs. She would like to look for ways to more equitably distribute the costs for the small vessels. The amendment passed.

Mr. Lockhart noted that implementation of a carryover provision is going to be challenging for NMFS. The permit office has started putting together a “lessons learned” package for the sablefish program and any other kind of permitting programs. With respect to providing special entry level opportunities, he liked Mr. Brown’s idea of having the Council look at this issue after the program has been implemented. He also spoke in support of the option for mandatory information collection, which would help the Council assess the impacts of the program.

Ms. Cooney noted that the co-op alternatives would need to be fleshed out and refined. One issue that will need to be addressed is the proposal for a mandatory commitment to deliver to certain processors for the first two years. This may not be doable under the current Magnuson-Act. Some of the proposals will need rationale for some of the provisions and which dates have been chosen. She also noted the need to clarify the assignment of catch for mothership permits to a co-op and what that means as participants of the co-op change. Mr. Moore encouraged NOAA Fisheries General Counsel to meet with and discuss concerns with the proponents

Mr. Anderson noted the two recommendations by the GMT in their Supplemental Report for allocations based on proxies and asked if Council action was necessary to approve consideration of landing composition information from fish tickets to help determine catch location. Dr. Hanson stated his agreement that GMT proceed in that fashion and Mr. Lockhart concurred. Dr. Hanson noted that the GMT supplemental report recommended dropping the second of the options initially proposed by the GMT and that this was within the intent of his motion. The Council concurred.

Mr. Sones asked about the rationale for not including the GMT recommendation for sideboards for Pacific halibut. Dr. Hanson stated his disagreement with the GMT, noting that IQ programs generally bring about a decrease in bycatch and that this is something the Council can work on later if problems develop. Mr. Anderson did not want to eliminate it. Dr. Hanson said it needs to get fleshed out and discussed and was not necessarily eliminated.

With respect to the attribution of processing history, Mr. Anderson noted the major effort required to analyze Option 2 and his concern that it would detract from meeting the Congressional deadline. Mr. Seger noted that it is likely that we would work with a contractor to develop some of the needed information. Mr. Moore expressed his concern that offloading facilities not receive credit for processing history but concurred with Mr. Anderson that history transfer with the facility transfer or leasing would get messy. Mr. Anderson moved to amend Motion 10 relative to the attribution of processing history, as follows: leave Option 1 as stated, add a new Option 2 that would attribute processing history to the receiver if that entity meets the definition of processor, and create a new Option 3 by modifying the old Option 2 through the elimination of all text following the period after “process.” Mr. Moore seconded the amendment. This modification eliminated references to the transfer of processing history with the transfer of a facility. The amendment passed.

Motion 10 passed as amended 3 times.

Ms. Vojkovich (Motion 11) asked Council staff to develop a white paper exploring alternatives to options in the document that she views as addressing “stranded capital.” Right now there are two options that deal with the allocation of shares between permits and processors. She heard public testimony that there may be ways other than the allocation of IFQ to processors through which processors economic issues might be addressed. Mr. Thomas seconded the motion. Mr. Moore stated stranded capital is not the only reason for providing an allocation to processors. Mr. Myer did not want to lose focus trying to define “stranded capital.” He said he is not in favor of the motion. Ms. Vojkovich explained that her concern was finding different ways to address the fallout impacts on processors, other than allocation of IFQ to processors.

Mr. Moore moved to amend Ms. Vojkovich's motion (Motion 11) and by tasking the GAC and its advisors with recommending suggestions for other alternatives to addressing some of these problems. Mr. Warrens seconded the amendment to Motion 11. Mr. Anderson referenced Objective 6 and the promotion of economic benefits and employment. One of the reasons for the action is concern about overcapitalization. Consolidation will strand capital. The question is how do we get to this objective in a fair way, that avoids putting people out of business. In response to a question from Mr. Anderson, Mr. Seger said Council and NMFS staff have been talking about approaches for estimating stranded capital and approaches to collecting needed information through surveys, etc. These will be pursued in the coming months. On the basis of the potential that some quantitative information may be forthcoming, Mr. Anderson said he would support the amendment to Motion 11. There was a discussion of the motions clarifying that the GAC deliberations would occur first and that a white paper might come out of the GAC discussion. The amendment passed and the main motion passed as amended.

Dr. Dave Hanson moved (Motion 12) to adopt the TIQCs recommendation that the Council ask NMFS, to collect the information needed to evaluate the concentration of ownership as part of the limited entry permit renewal process (Agenda Item E.4.c, Supplemental TIQC Report, page 6). NMFS staff has indicated that this can be done, be in place for 2008, and available for use in the EIS. Mr. Moore seconded the motion. Mr. Moore, asked if some initial work would be done to get the data that would include the processing sector. Dr. Hanson said no, that would not be included as part of the motion. Mr. Moore noted the new MS-Act might provide the authority needed to collect such information. Mr. Seger, noted that information would be available on processors to the degree that processors own permits and that they would be exploring with contractors the possibility of collecting publicly available ownership information on processors. Motion 12 passed.

E.5 Consideration of Inseason Adjustments (03/09/07; 8:10 am)

E.5.a Agenda Item Overview

Mr. John DeVore provided the agenda item overview.

E.5.b Report of the Groundfish Management Team

Ms. Ames and Mr. Burden provided Agenda Item E.5.b, Supplemental GMT Report.

Mr. Moore asked about the projected canary rockfish impacts in this year's limited entry non-whiting trawl fishery under the GMT-recommended adjustments and Mr. Burden answered 8.1 mt.

Mr. Moore noted the GMT's concern with midwater trawls fishing for whiting in the RCA while sorting their catch during the primary season without full monitoring. Why can't an adjustment to this fishing strategy be made as a routine inseason adjustment? Mr. DeVore said a routine adjustment cannot be made because this strategy, its associated impacts, and possible actions to mitigate these impacts were not analyzed in the 2007-08 Groundfish Harvest Specifications and Management Measures EIS. Mr. Moore countered the Council could specify new whiting trip limits and asked Mr. Lockhart and Ms. Cooney why this change could not be routinely made. Mr. Lockhart said Mr. DeVore's conclusion that this change could not be routinely made was correct.

Mr. Anderson noted the GMT was recommending closing shoreward of the trawl RCA north of Cape Alava, which will probably move the small Neah Bay fleet south of Cape Alava. Did the GMT consider the effect of this effort shift? Mr. Burden answered yes, the GMT was trying to shift larger vessels seaward of the RCA. The GMT is uncertain about the effort shift of small vessels.

Mr. Anderson said it is important to pursue hot spot/cold spot (i.e., RCA/GFA [Groundfish Fishing Area]) management to keep from closing large swaths of the coast. He requested help from NMFS on spatial analyses needed to more finely resolve area management strategies.

Mr. Anderson remarked on the GMT recommendation to close the area shoreward of the RCA between the Columbia River and Leadbetter Point to 60 fm. He couldn't understand the GMT's rationale that trawl/crab interactions would be minimized due to a larger shelf area there. He is concerned with trawl interactions with soft-shelled crabs and he noted there is a perception problem with a coincident action to move the trawl fleet inside of 60 fm while closing the crab fishery outside 4 nm. He asked if this adjustment was critical in period 5 and asked the GMT to analyze this prior to inseason adjustment considerations at the April Council meeting. He preferred expanding the trawl RCA to 75 fm in period 5.

Mr. Anderson asked about overfished species' bycatch caps in the whiting fishery and if it was reasonable to increase the widow rockfish cap from 200 mt to 220 mt and Mr. Burden said yes.

Mr. Lockhart mentioned that the NMFS Northwest Region and the Northwest Fisheries Science Center have begun discussing the need for greater spatial analysis. He asked if changing the widow rockfish bycatch cap in the whiting fishery would not have an effect on widow rockfish rebuilding and Mr. Burden said yes, but the action would not compromise the widow rockfish rebuilding plan.

Dr. McIsaac remarked on the bronzespotted rockfish issue discussed under the NMFS Report (Agenda Item E.2) by saying the normal practice is to make changes to a stock's status and management measures for that stock based on recommendations and results from a stock assessment.

E.5.c Agency and Tribal Comments

Tribal Comments

Mr. Steve Joner, representing the Makah Tribe, spoke about strategies employed by the Makah Tribe to reduce canary rockfish and other overfished species' impacts in the two tribal trawl fisheries. The Makah Tribe has a fleet of ten trawl vessels, which may be reduced to eight this year. The majority of canary rockfish bycatch occurs in the midwater trawl fishery. Tribal fishermen minimize bycatch by sharing information from fishermen and observers with the entire fleet. The Tribe also relies on information from non-tribal trawlers, which will be lost if the Council adopts the GMT recommendation to close nearshore trawling north of Cape Alava. An area is deemed safe to fish after 2-3 vessels with at least one observer fish an area and encounter insignificant bycatch. The area stays open until bycatch increases. The canary rockfish bycatch in the tribal midwater trawl fishery targeting yellowtail rockfish in the last few years has been as follows: 2004- 500,000 lbs of yellowtail with 1 mt of canary; 2005- 1,000,000 lbs of yellowtail with 2 mt of canary; and 2006- 250,000 lbs of yellowtail with 1-2 mt of canary. In 2006, the tribal midwater trawl fishery closed early due to concerns with increased canary bycatch. This year the Tribe plans to abandon the high-rise trawls previously used for midwater trawling and will go to a midwater trawl net as defined in federal regulations. The Tribe is encountering more canary rockfish now than in previous years and are working on new strategies to reduce bycatch.

Mr. Anderson said WDFW would share information with the Makah Tribe to shape a more selective tribal fishery and Mr. Joner welcomed the consultation.

NMFS Comments

Mr. Lockhart said the GMT has done a great job of laying out the canary rockfish bycatch problem and

exploring the various options the Council needs to consider to address this concern.

ODFW Comments

Mr. Melcher said ODFW is not currently proposing any inseason changes to their recreational fishery and they are taking these bycatch issues seriously.

WDFW Comments

Mr. Anderson said the proposed changes to the Washington recreational fishery are based on the estimated impacts in their 2006 fishery.

CDFG Comments

Ms. Vojkovich said CDFG is waiting to finalize the 2006 California recreational catch estimates, as well as the re-estimates for their 2004 and 2005 fisheries before proposing inseason adjustments to this year's fishery.

E.5.d Reports and Comments of Advisory Bodies

GAP Report

Mr. Ghio provided Agenda Item E.5.b, Supplemental GAP Report.

Mr. Moore asked if it was possible to limit the number of inseason adjustments requested by the GAP and Mr. Ghio said the GAP would strive to be more selective and vigilant. Mr. Lockhart mentioned the Council's informal policy to not increase fishing opportunities through inseason adjustments in March, but to only consider decreases if needed.

E.5.e Public Comment

Mr. Alan Hightower, F/V Sea Otter, Port Townsend, WA
Mr. Mike Okoniewski, Pacific Seafoods, Woodland, WA
Mr. Ralph Brown, trawler, Brookings, OR
Mr. Ben Enticknap, Oceana, Portland, OR
Mr. Jay Bornstein, Bornstein Seafoods, Bellingham, WA

E.5.f Council Action: Adopt Recommendations for Adjustments to 2007 Fisheries

Mr. Anderson moved and Mr. Moore seconded a motion (Motion 13) to adopt the following inseason adjustments to this year's groundfish fisheries: GMT recommendations #1; #2; #3; and for #4 adopt the bycatch caps for canary, darkblotched, and widow rockfish as recommended by the GAP in Agenda Item E.5.d, Supplemental GAP Report; and #6 (on page 12 of Agenda Item E.5.d, Supplemental GMT Report). For recommendation #6, the analysis does not necessarily have to occur in the Amendment 10 EA.

Mr. Anderson said he thought there was little risk in maintaining the current whiting trawl trip limits outside the primary season since there will be observer coverage for that segment of the fleet. This is why he did not include GMT recommendation #5 in the motion.

Mr. Lockhart said he supports the motion. NMFS will continue to look at whiting trip limits outside the primary season and apprise the Council if any problems emerge. Motion 13 passed.

E.6 Emergency Rule Limiting 2007 Whiting Vessel Participation (03/09/07; 10:09 am)

E.6.a Agenda Item Overview

Mr. Burner provided the agenda item overview.

E.6.b NMFS Report

Mr. Lockhart spoke to Agenda Item E.6.a, Attachment 2; and Agenda Item E.6.a, Attachment 3.

E.6.c Reports and Comments of Advisory Bodies

Mr. Burner noted ODFW submitted written comments (Agenda Item E.6.c, Supplemental ODFW Report) for the Council administrative record. Mr. Ghio provided Agenda Item E.6.c, Supplemental GAP Report.

Mr. Myer noted he would be recusing himself from the vote as advised by NOAA GC as he has financial interests.

E.6.d Public Comment

Mr. Brent Paine, United Catcher Boats, Seattle, WA
Mr. Chris Garbrick, Mark I Inc., Seattle, WA
Mr. Craig Cross, Aleutian Spray Fisheries, Seattle, WA
Mr. Richard Carroll, Ocean Gold Seafoods, Westport, WA
Mr. Craig Cochran, F/V Bay Islander, Newport, OR
Mr. Mark Scheer, Starbound LLC, Seattle, WA
Mr. Tom Libby, Pt. Adams Packing Company, Astoria, OR
Mr. David Jincks, Midwater Trawlers Cooperative, Newport, OR
Ms. Linda Larson, Marten Law Group, Seattle, WA
Mr. John Bundy, Glacier Fish Co., LLC, Seattle, WA
Mr. Mike Hyde, American Seafoods Company, Seattle, WA
Mr. Joe Pleschner, Trident Seafoods, Seattle, WA
Mr. Mike Atteberry, Alaska Ocean Seafoods, Inc., Seattle, WA
Mr. Mike Okoniewski, Pacific Seafood Group, Woodland, WA
Mr. Jim Martin, RFA, Ft. Bragg, CA

E.6.e Council Action: Consider Requesting an Emergency Rule to Limit Vessels in the 2007 Whiting Fishery to Address Conservation Concerns

Ms. Vojkovich moved and Mr. Thomas seconded a motion (Motion 14), to recommend NMFS adopt an emergency rule for the 2007 Pacific whiting fishery that would prohibit participation in the shore-based, catcher processor and mothership sectors of the fishery by any vessel that has no historic participation in these sectors prior to January 1, 2007.

Ms. Vojkovich said she has been a proponent of addressing over capacity and latent capacity issues in our open access groundfish fishery. She reminded the Council of the significant action earlier in the day to close a large portion of the coast in the north to reduce canary rockfish bycatch. We heard during public testimony that there are existing vessels that are already outfitted with the proper gear and capacities to quickly enter the West Coast Pacific whiting fishery. In recent years, we have seen a lot of participation in the Pacific whiting fishery because the price has been attractive and inviting new participants is not

something that would help the groundfish fishery. We take a lot of precautionary management actions based in part on catch and effort projections and in her perspective, this action is a precautionary measure. She stated concern about potential shift in effort from the Pacific whiting fishery to the groundfish bottom trawl fishery by vessels that are not able to compete with new entrants. This situation will only worsen bycatch issues. We have talked about overcapitalization in the groundfish fleet for the many years and we are working on several mechanisms to address overcapitalization. We should not ignore those efforts and provide an avenue that encourages more participation. She believes that people are responsible fishermen as stated in public testimony and that everyone would likely make an effort to avoid bycatch. However, the amount of allowable bycatch for all of our fisheries is very small and she is not comfortable in allowing increased participation that will likely result in less conservative fishing practices.

Mr. Myer asked if the motion would limit participation by both motherships and the catcher vessels that land fish to the motherships. Ms. Vojkovich stated the motion requires historic sector specific activity by all vessels to participate.

Mr. Lockhart stated that in order to maintain the flexibility of the Secretary to review the entire record and make a decision he will have to vote against the motion. His vote is not intended to prejudge the motion or suggest an outcome.

Mr. Anderson stated that this is a tough decision for him as he has been outspoken in his opposition to using emergency rules for the purpose of excluding individuals or vessels from participating in a particular fishery. He spoke to this position at the September 2006 Council meeting and following that meeting he asked WDFW to write a letter to the SOC and Dr. Hogarth opposing the Council's September 2006 action on this matter. He stated he feels just as strongly today as he did then. He said he was persuaded in September 2006 by the testimony regarding the performance of the fishery and the stated needed to prohibit additional effort into this fishery because of the concerns associated with our overfished stocks and salmon listed under ESA. As Ms. Vojkovich said, relative to canary rockfish bycatch, we don't have any room on our bycatch scorecard to exceed our rebuilding OY and we have exceeded the canary rebuilding OY in '03, '04, and '05 and most likely for '06 based on the bycatch update we received this week. We are taking extreme actions to restrict the traditional groundfish sector this year to prevent this from recurring. It is therefore incumbent on us to respond with management actions if a situation develops that has a reasonable degree of risk of exceeding OYs. This motion does that. He is also concerned about the salmon bycatch and acknowledges the public testimony about efforts of the whiting fleet to avoid salmon, but the bottom line is there are newly ESA-listed lower Columbia River coho with lowered exploitation rates and NMFS has revised the recovery standards for lower Columbia River chinook and these changes are having dramatic effects on our salmon fisheries. In recognition of the dramatic reductions to salmon fishery sectors, we need to be cautious. We have reason to believe that not taking this action has the potential of increasing the bycatch of salmon. This action does not set a precedent or prejudge a future decision in the rationalization of the groundfish trawl fishery. He said he will reluctantly support the motion because there is a sound basis established in the record and public testimony that there is a conservation risk for several key species this Council is responsible for managing.

Mr. Cedergreen voiced his support of the motion based on the potential impact to both overfished groundfish and salmon species of concern. The recreational salmon fisheries are not healthy and anything we can do to reduce impacts on the salmon stocks driving our fisheries will be helpful. This is at least a step in the right direction.

Mr. Sones stated he too has struggled with this decision. He is concerned about the use of the emergency rule in this case. He feels emergency rules are intended to address conservation concerns, and although he recognizes the potential conservation issues, after reviewing recent letters from NMFS, he is concerned

about the strength of the conservation issue. He knows how hard the fishermen work to fish conservatively and does not believe that a derby fishery benefits anybody. He is going to vote against the motion and wait until he sees what NMFS has to offer should this motion pass.

Mr. Melcher spoke in favor of the motion. The motion does not represent what ODFW envisioned in September 2006, but he agrees the current participants are doing an exceptional job of fishing responsibly. However, the risk is in the amplification and speed of the fishery as new entrants come into the fishery. As we have heard in public testimony today and in the past, as competition for a limited resource increases, the willingness of all parties to fish responsibly decreases and the Pacific Whiting Conservation Cooperative is a good example of this principle. He is in favor of the motion and concurs with Mr. Anderson and Ms. Vojkovich regarding the thin margin of error on canary rockfish bycatch and the draconian measures taken today to prevent exceeding the OY. We cannot afford to stop taking steps to encourage people to fish responsibly and to remain within our bycatch caps. Not allowing new entrants goes a long way towards those goals. Mr. Melcher noted the GMT report under Agenda Item E.3.b made projections of how long the Pacific whiting fishery would last assuming the current fishing rates. We may fall short of those projections or exceed harvest specifications as bycatch rates and effort levels change without this action. For these reasons, he does view this action as a conservation issue.

Motion 14 vote. Motion 14 passed. Messrs. Lockhart and Sones voted no. Mr. Myer abstained.

F. Pacific Halibut Management

F.1 Report on the International Pacific Halibut Commission Meeting (03/06/07; 9:35 am)

F.1.a Agenda Item Overview

Mr. Chuck Tracy presented the agenda item overview.

F.1.b Summary of Meeting

Mr. Anderson presented Agenda Item F.1.b, IPHC Meeting Summary.

Mr. Anderson recommended the Council direct Dr. McIsaac draft a letter to Dr. Leaman, Executive Director of the IPHC, requesting a meeting between IPHC staff and interested parties from Area 2A to discuss the methodology and implications of the IPHC staff proposed stock assessment.

Mr. Melcher asked if the IPHC included any peer review process for evaluating proposed methodology changes. Mr. Anderson replied there was no formal review process analogous to the Council's SSC review. The IPHC does have an interim meeting in November each year where the IPHC staff has an opportunity to brief the commissioners on proposed changes, prior to adoption at the annual IPHC meeting in January. The Council should be proactive on the proposed stock abundance methodology in order to allow appropriate scientific understanding and review.

Mr. Lockhart asked if the IPHC staff went through a peer review process when developing the proposed methodology. Mr. Anderson replied the IPHC staff works internally to develop proposals and was unaware of any outside or peer review process.

F.1.c Agency and Tribal Comments

None.

F.1.d Reports and Comments of Advisory Bodies

None.

F.1.e Public Comment

None.

F.1.f Council Discussion

Dr. McIsaac asked if there was any Secretarial action regarding the issue of Alaska and Canada exceeding charter catch expectations. Mr. Williams replied the IPHC action was not approved in Washington D.C., and congress was continuing to look at measures that could be implemented in 2007.

Dr. Hanson noted the Canadian and Alaskan charter quotas are taken off the top of the total area allocation, and therefore are using impacts that would otherwise go to directed commercial harvest. The State of Alaska will likely prohibit the skipper and crew from retaining halibut again in 2007, which should help the problem, but will not alleviate it totally for 2007. Mr. Anderson replied the charter allocation is taken off the top, but is a specific number, which has been exceeded, and therefore the overage is not being compensated for by the directed commercial harvest.

Mr. Sones asked if there was discussion about the ecosystem effects on other commercially valuable species of maintaining the Pacific halibut stock at a high level. Mr. Anderson said there was no discussion at the IPHC meeting, nor were concerns raised.

Dr. McIsaac asked if there will be Secretarial action to address the charter overage for 2007. Mr. Williams replied there were active discussions between NMFS and the State of Alaska.

Dr. Hanson noted that the State of Alaska is seeking delegation authority from the NPFMC for managing halibut to the states. That would require reopening the halibut treaty and allowing all states the authority to manage halibut outside the Council process.

Mr. Cedergreen noted that if proposed stock assessment methodology is approved, some Area 2A fisheries would have insufficient quota to be prosecuted.

Dr. McIsaac asked for guidance on timing of a workshop with Area 2A interests and the IPHC staff. Mr. Anderson recommended a presentation in May with distribution of materials so the Council could review the methodology over the summer and provide feedback before the IPHC developed materials for the IPHC interim meeting in November.

Mr. Melcher, Mr. Lockhart, and Mr. Sones supported Mr. Anderson's recommendation.

F.2 Incidental Catch Regulations in the Salmon Troll and Fixed Gear Sablefish Fisheries

F.2.a Agenda Item Overview (03/06/07; 10:12 am)

Mr. Tracy presented the agenda item overview, reviewed the 2006 options that were sent out for public review, and read Agenda Item F.2.b, Supplemental Attachment 2 (Yelloweye rockfish conservation area salmon troll closure) into the record.

F.2.b State Proposals for the Salmon Troll Fishery

None.

F.2.c State Proposals for the Fixed Gear Sablefish Fishery

Mr. Anderson asked if more than one option was necessary for public review. Ms. Cooney replied at least status quo and one other option for comparison purposes was recommended.

F.2.d Tribal Comments

None.

F.2.e Reports and Comments of Advisory Bodies

Mr. Jim Olson presented Agenda Item F.2.e, Supplemental SAS Report.

Mr. Melcher asked what the typical encounter ratio between Halibut and Chinook was. Mr. Olson replied up to one to one; the smaller trip limit in the SAS recommendation would offset any increased catch associated with the lower ratio.

Mr. Tracy read Agenda Item F.2.e, Supplemental GAP Report into the record.

F.2.f Public Comment

Mr. Joel Kawahara, troller, Seattle, Washington

F.2.g Council Action: Adopt Public Review Options for 2007

Mr. Anderson moved (Motion 3) to adopt for public review the options for incidental catch regulations in the non-Indian salmon troll fishery as shown in Agenda Item F.2.e, Supplemental SAS Report, with the correction that the landing limit was per trip rather than per open period. Mr. Cedergreen seconded the motion. Motion 3 passed.

Mr. Anderson moved (Motion 4) to adopt for public review a range of landing restrictions for Pacific Halibut retention in the non-Indian commercial sablefish fishery north of Point Chehalis that include status quo; an option that allows two halibut plus 80 pounds of halibut per 1,000 pounds of sablefish, and; a third option that allows two halibut plus 120 pounds of halibut per 1,000 pounds of sablefish; all options would have an opening date consistent with the May 1 opening of the tiered limit sablefish fishery. Mr. Cedergreen seconded the motion. Motion 4 passed.

Mr. Tracy noted that past public review options for the salmon troll restrictions have included the "C" shaped voluntary yelloweye rockfish conservation area, and recommended the Council notify the public about the mandatory yelloweye rockfish conservation area.

Mr. Anderson moved (Motion 5) to include in the salmon troll options for public review, an option to designate the "C-shaped" yelloweye rockfish conservation area in the North Coast subarea (Washington Marine Area 3 and 4) as an area to be voluntarily avoided for salmon troll fishing to protect yelloweye rockfish. Mr. Cedergreen seconded the motion. Motion 5 passed.

G. Salmon Management

G.1 Review of 2006 Fisheries and Summary of 2007 Stock Abundance Estimates

Vice Chairman Ortmann chaired the salmon agenda items.

G.1.a. Report of the Salmon Technical Team (03/06/07; 10:59 am)

Mr. Dell Simmons, Salmon Technical Team (STT) Chair summarized the Review of 2006 Ocean Salmon Fisheries and Preseason Report I: Stock Abundance Analysis of 2007 Ocean Salmon Fisheries.

Mr. Roth noted the Klamath River fall Chinook (KRFC) forecast was the only Chinook stock with a positive trend in 2007, and asked if the STT discussed the reliability of the record age-3 KRFC forecast. Mr. Simmons replied the large jack return was within the historical range, but the age-3 forecast did have substantial variability.

Mr. Melcher noted that while KRFC was the only Chinook stock with a positive trend, several coho stocks had a positive trend in 2007. He asked how the two hatchery stocks used to evaluate impacts on lower Columbia natural (LCN) coho were being integrated. Mr. Milward replied the early and late hatchery stocks were being averaged to estimate the ocean fishery exploitation rate.

Mr. Melcher asked for a summary of Klamath Ocean Harvest Model (KOHM) updates in light of the recoding of coded wire tags (CWT) from tribal fisheries in 2003, 2004, and 2005, and if any additional changes were anticipated during the preseason process. Mr. Mohr replied the corrected CWT database had been incorporated into the KOHM; the contact rate per effort estimates for the Fort Bragg, San Francisco, and Monterey cells were based on the most recent four years, similar to 2006, and; no further updates of the KOHM were anticipated in 2007.

Dr. McIsaac asked if the contact rate was independent of abundance. Mr. Mohr replied yes.

Dr. McIsaac asked if the age-4 KRFC forecast was within the observed range. Mr. Mohr replied it is the lowest forecast on record, but the forecast was within the range of observed returns.

Mr. Melcher asked if the STT was able to incorporate any effect of landing limits in the KOHM, or observed any effects on model performance. Mr. Mohr replied the KOHM performed well in 2006 without incorporating any effects of landing limits.

G.1.b Agency and Tribal Comments

Mr. Anderson noted there would be significant challenges in 2007 associated with declining stock trends for areas north of Cape Falcon.

Ms. Vojkovich noted stock assessment methods and data availability for Central Valley Chinook stocks was improving, and future forecasts should be more accurate.

Mr. Mike Orcutt, Hoopa Valley Tribe, recommended continuing the functions of the Klamath Fishery Management Council. Mr. Kautsky noted the Klamath River Technical Advisory Team functions were carried out this year to facilitate the stock forecast process. He noted that Hoopa Valley tribe is committed to timely and accurate CWT recovery reporting, and is working with PSMFC to archive the data.

Chairman Hansen asked if the KFMC could be reconstituted. Mr. Orcutt replied the resource requires management, and the KFMC process should continue with or without authorizing legislation.

Mr. Melcher noted USFWS had the funding for this federal fiscal year, but no enabling legislation, and asked if leadership could come from the USFWS or through a contract with PSMFC.

Mr. Roth understood DOI and USFWS had 2006 funding directed to the Yreka office for habitat restoration work and to the Arcata office for developing forecast data.

G.1.c Reports and Comments of Advisory Bodies

Dr. Peter Lawson provided Agenda Item G.1.c, Supplemental SSC Report.

G.1.d Public Comment

Mr. Bill Maahs, fisherman, Fort Bragg, CA
Mr. Dean Estep, commercial fisherman, Fort Bragg, CA

G.1.e Council Discussion on Review of 2006 Fisheries and Summary of 2007 Stock Abundance Estimates

None.

G.2 Identification of Management Objectives and Preliminary Definition of 2007 Salmon Management Options

G.2.a Agenda Item Overview (03/06/07; 1:20 pm)

Mr. Tracy provided the agenda item overview.

G.2.b Report of the Pacific Salmon Commission

Mr. Melcher presented Agenda Item G.2.b, Supplemental PSC Report.

Mr. Williams noted two genetic stock identification (GSI) workshops were planned to discuss both technical issues and management needs and implications. A final report is due February 2008.

G.2.c. Report of the South of Falcon Forum Meeting

Mr. Anderson presented Agenda Item G.2.e, and f, Supplemental WDFW/Tribal Recommendations.

G.2.d NMFS Recommendations

Dr. Peter Dygert presented Agenda Item G.2.d, Supplemental NMFS Report. He noted two corrections, the Skagit summer/fall Chinook critical exploitation rate on page 9 should be 17.0% rather than 15.0% because 2007 is a pink salmon year, which allows greater impacts, and the term non-treaty tribal fisheries at the bottom of page 13 should say non-Indian fisheries.

Mr. Melcher asked if the 13.0% exploitation rate limit on Rogue/Klamath (RK) hatchery coho applied to all hatchery releases or only the unmarked component. Dr. Dygert replied the unmarked component,

which best represents the southern Oregon/northern California coastal coho Evolutionarily Significant Unit (ESU).

Mr. Melcher asked for clarification on the two possible sets of assumptions used to estimate impacts on lower Columbia River (LCR) tule Chinook south of Cape Falcon. Dr. Dygert replied the assumptions relate to the assumed age composition used in the run reconstruction process, which affects exploitation rate estimates.

Mr. Melcher asked why the guidance for LCR tule Chinook was not specific to southern U.S. fisheries like the Puget Sound Chinook and LCN coho guidance. Dr. Dygert replied some Puget Sound Chinook exploitation rate limits are total rates and some are southern U.S., depending on the stock and annual stock status. Total exploitation rate is the focus for recovery on all stocks.

G.2.e Tribal Recommendations

Mr. Troy Fletcher, Yurok Tribe, spoke in favor of a KFMC type forum, encouraged a conservative approach to fall ocean fisheries, and stated the Yurok tribes intent to harvest 80% of the tribal allocation of KRFC.

Mr. George Kautsky, Hoopa Valley Tribe, noted the tribe would evaluate tribal needs in light of abundance forecasts and conservation objectives.

Mr. Raphael Bill, Umatilla Tribe, representing the four Columbia River treaty tribes, presented Agenda Item G.2.e, Tribal Recommendations.

Mr. Sones presented Agenda Item G.2.e, Supplemental Tribal Recommendations.

G.2.f State Recommendations

Ms. Vojkovich noted CDFG held an additional public hearing because the KFMC did not meet in 2007. There was renewed interest in inriver fisheries for the Klamath this year, and for as much commercial opportunity as possible in the Fort Bragg area. The California Fish and Game provided guidance to take as many KRFC impacts in the ocean as allowable and provide any remaining impacts to the inriver fisheries. Because of the uncertainty in the high abundance of age-3 KRFC, the CDFG recommended restraint in fall ocean fisheries.

G.2.g Reports and Comments of Advisory Bodies

SAS members presented Agenda Item G.2.g, Supplemental SAS Report.

Mr. Heikkila noted the following corrections:

- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Options I and II, second bullet-Strike October 4-10; 18-24, and include quotas of 15,000 and 10,000 coho, respectively.
- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Option II, second bullet-Insert landing and possession limit of no more than one coho for each Chinook.
- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Option III, first bullet-Change April 1 to April 10.
- Page 4, Humbug Mt. to OR/CA Border commercial fishery, Options II and III, first bullet-Change March 15 to April 1 and April 10, respectively.
- Page 4, Humbug Mt. to OR/CA Border commercial fishery, Option II-Change ...possession and landing limit of 105 fish per vessel per calendar week to ...per calendar week in June, July, August, and September.

Mr. Melcher asked why the Chinook minimum size limit of 27 inches was recommended in Option III. Mr. Heikkila replied to match the California size limit.

Mr. Anderson asked if the industry was aware of the lower exploitation rate limit on LCR tule Chinook when these recommendations were developed. Mr. Heikkila replied the industry representatives were aware it would be lower than in 2006 but did not know the specific value.

Mr. Anderson asked if the industry was aware of the LCN coho listing when the coho fishery recommendations were developed. Mr. Heikkila replied yes, and the opening was delayed to allow more of the LCN coho to leave the area before the fishery commenced.

Mr. MacLean noted the following corrections and clarifications:

- Page 5, Horse Mt. to Pt. Arena commercial fishery, Option I-Possession and landing limit of 20 fish per day per vessel should be changed to ...per vessel in April.
- Page 5, Horse Mt. to Pt. Arena commercial fishery, Option II-Possession and landing limit of 30 fish per day per vessel should be changed to ...per vessel in September.
- Page 6, Pt. Arena to Pt. Sur commercial fishery, Option I, first bullet-June 29-July 30 should be changed to June 29-July 3.
- Page 6, Pt. Arena to Pt. Sur commercial fishery, Option II, first bullet-The June end date should reflect the number of days in June afforded by closing the May 1-16 period.
- Page 6, Pt. Arena to Pt. Sur commercial fishery, Option III, second and third bullets-The intent was to reflect historical management lines and reduce impacts on KRFC.

Ms. Vojkovich asked why the September quota fisheries opened on Labor Day weekend after the management problems experienced in 2006 with a Labor Day weekend opening in Fort Bragg. Mr. MacLean replied it was an oversight.

Mr. Sorenson noted the following correction:

- Page 13, Cape Falcon to Humbug Mt. recreational fishery, Option II-Add Chinook minimum size limit of 24 inches total length.

Mr. Melcher asked if the 24 inch size limit reflected the uncertainty in the age-3 KRFC forecast. Mr. Sorenson replied yes.

G.2.h Public Comment

Mr. Dave Bitts, PCFFA, Eureka, CA

Ms. Ellen Faulkner, North Coast Consumers Alliance, Redwood Valley, CA

Ms. Ann Maurice, Ad Hoc Committee, Occidental, CA

Mr. Scott Boley, Oregon Salmon Commission, Gold Beach, OR

Mr. Ben Platt, Salmon Trollers Marketing Association, Ft. Bragg, CA

Mr. E.B Duggan, Trinity River Fisheries Group, Willow Creek, CA

Mr. Aaron Newman, Humboldt Fisherman's Marketing Association, Eureka, CA

Mr. Gerald Reinholdt, Reinholdt Fisheries, St. Helens, OR

Mr. Duncan MacLean, Half Moon Bay Fishermen's Marketing Association, El Granada, CA

G.2.i Council Recommendations for Initial Options for STT Collation and Description

Mr. Anderson directed the STT to analyze the proposed SAS options as presented in Agenda Item G.2.g, Supplemental SAS Report, as corrected on the floor, and with the following modifications:

- Page 2, U.S./Canada Border to Cape Falcon commercial fishery, Option III, second bullet-change Cape Flattery control zone open to closed to continue protection for ESA listed Puget Sound Chinook.

Mr. Sones directed the STT to include the tribal fishery options as presented in Agenda Item G.2.e, Supplemental Tribal Recommendations.

Mr. Melcher directed the STT to maintain the 17% allocation to the KMZ ocean recreational fishery.

Ms. Vojkovich concurred with the 17% KMZ ocean recreational fishery allocation and directed the STT to assume a 15% allocation to the inriver recreational fishery. She also recommended avoiding commercial quota fishery openings on holiday weekends; including area landing restrictions when different management lines are used; considering fall commercial fishery opening dates later in September to reduce the effect of the KRFC September 1 birthdate; and splitting the Oregon and California portions of the KMZ recreational fishery for clarity.

Dr. McIsaac asked if there were specific dates for the KMZ and Fort Bragg September quota fishery openings. Ms. Vojkovich recommended September 4th, 10th, and the 17th for KMZ options I, II, and III, respectively.

Mr. Moore asked if the Cape Flattery control zone was closed to both commercial and recreational fisheries. Mr. Anderson replied it was only closed to commercial fisheries, but that recreational closures in the Strait of Juan de Fuca served the same purpose of protecting Puget Sound Chinook.

Ms. Vojkovich directed the STT and SAS work together to address some of the outstanding issues and to consider the need for a closure date in late August to allow accurate accounting of KRFC broods.

G.3 Identification of Stocks Not Meeting Conservation Objectives

G.3.a Agenda Item Overview (03/06/07; 4:35 pm)

Mr. Tracy presented the agenda item overview.

G.3.b Agency and Tribal Comments

Mr. Orcutt, Hoopa Valley Tribe, presented Agenda Item G.3.b, Supplemental Hoopa Tribal Comment.

Mr. Sones presented Agenda Item G.3.b, Supplemental Tribal Comments.

Mr. Lockhart stated NMFS will be sending a letter notifying the Council of the overfished status of KRFC. The date on that letter initiates the one year period for completion of the overfishing review report.

G.3.c Reports and Comments of Advisory Bodies

Dr. Lawson presented Agenda Item G.3.c, Supplemental SSC Report.

Mr. Simmons presented Agenda Item G.3.c, Supplemental STT Report.

Mr. Paul Heikkila presented Agenda Item G.3.c, Supplemental SAS Report.

Mr. Ellis presented Agenda Item G.3.c, Supplemental HC Report.

G.3.d Public Comment

Ms. Ann Maurice, Ad Hoc Committee, Occidental, CA

G.3.e Council Action: Direct Necessary Actions Required by the Salmon Fishery Management Plan

Mr. Anderson confirmed the Quillayute and Queets summer Chinook salmon are exceptions to the Overfishing Criteria of the Salmon FMP by virtue of the low impact rate to those stocks by Council area fisheries. WDFW and the Quileute Tribe were cooperating on a genetic analysis on Quillayute summer Chinook and would provide the Council with a 2007 inriver management agreement. An updated assessment of the Queets River would also be provided to the Council.

Vice Chairman Ortmann confirmed the material in Agenda Item G.3.a, Attachment 2 addressed the identification of stocks, and Mr. Anderson provided direction for the Queets and Quillayute spring/summer Chinook stocks.

Mr. Melcher directed the STT and HC to work with the relevant state and tribal agencies, including the Hoopa Valley Tribe to complete the assessment of the KRFC within one year focusing on the three year period for which the stock failed to meet its conservation objective.

Mr. Moore asked if the SSC should have the opportunity to review the next draft of the KRFC overfishing review before it is finalized. Mr. Melcher replied yes.

G.4 Council Recommendations for 2007 Management Option Analysis (03/07/07; 3:05 pm)

Vice Chairman Ortmann chaired this agenda item.

G.4.a Agenda Item Overview

Mr. Tracy presented the agenda item overview.

Mr. Anderson asked if the NMFS guidance on LCN coho in Agenda Item G.2.d, Supplemental NMFS Report setting a 20% exploitation rate limit was intended to cover all marine fisheries and mainstem Columbia River fisheries, or just Council area marine fisheries as was the case in 2006. Dr. Dygert replied the intent was to cover all marine fisheries, not just Council area fisheries, which would be consistent with OCN and RK coho exploitation rate limits.

G.4.b Report of the STT

Mr. Simmons summarized Agenda Item G.4.b, Supplemental STT Report.

Mr. Anderson asked what level of Columbia River and Canadian fisheries were assumed for the analysis. Mr. Simmons replied the Columbia River fisheries assumed a 15% decrease from a recent year average; Canadian fisheries assumed 2006 levels.

Mr. Melcher asked if the LCR tule Chinook impacts would decrease when 2007 Alaskan and Canadian fishery impacts were known. Mr. Simmons replied some reduction was expected based on decreased abundance of tule stocks and overall stock composition in northern area fisheries.

G.4.c Report of the South of Falcon Forum

None.

G.4.d Reports and Comments of Advisory Bodies

None.

G.4.e Public Comment

Mr. Dave Bitts, PCFFA, Eureka, CA

Mr. Ben Doane, Klamath Management Zone, Willow Creek, CA

Ms. Vojkovich asked if a closure of the KMZ recreational fishery in July to achieve a 17% KMZ ocean recreational allocation would be supported. Mr. Doane replied yes, as long as it was after the July 4th holiday period.

Mr. Melcher asked if shortening the September opportunity from a closing date of the 9th to after the Labor Day weekend would be supported to moderate impacts on 2004 brood KRFC. Mr. Doane replied yes, although allowing fishing through September 4 or 5 would allow local fishers a couple of days after the holiday to finish their season without contributing to the crowded conditions over the Labor Day weekend.

G.4.f Council Direction to the STT and Salmon Advisory Subpanel on Options Development and Analysis

Mr. Anderson asked if north of Cape Falcon ocean fisheries were closed would the PSC Skagit coho exploitation rate objective be achieved. Mr. Simmons replied no.

Mr. Anderson asked to reconvene this agenda item on the morning of 03/08/07 to allow time for regional discussions, which would be necessary before Washington was prepared to give direction to the STT. Ms. Vojkovich replied California is prepared to give direction to the SST to allow the first step in the analysis to proceed.

Ms. Vojkovich directed the SAS and STT to structure Option I to achieve a 17% KMZ ocean recreational allocation of KRFC and to have remaining KRFC impacts above the 35,000 natural spawner floor allocated to the inriver fisheries.

Council adjourned for the day and took up a continuation of G.4 on Thursday, March 8 at 8:20 am.

Ms. Vojkovich directed the STT to model inriver Klamath fisheries to achieve escapements of 35,000, 38,000, and 40,000 natural adult spawners for Options I, II, and III, respectively, to provide a range of options reflecting the uncertainty surrounding estimates of spawners.

Mr. Melcher requested NMFS take inseason action to change the Cape Falcon to the Oregon California border commercial fishery open period of March 15 through April 30 to April 10 through 29 with a 100 fish per vessel per calendar week landing and possession limit in April. He noted this action would provide additional summer opportunity off the Oregon coast and reduce LCR tule Chinook impacts. The 100 fish limit will help maintain the integrity of the KOHM and constrain catch if the catch rates are better than expected.

Ms. Vojkovich requested NMFS take inseason action to change the Horse Mt. to Pt. Arena commercial

fishery open period of March 15 through April 30 to April 9 to 13, 16 to 20, and 23 to 27, or attainment of a 2,000 Chinook quota, and with a landing and possession limit of 20 fish per day per vessel, and a requirement that all fish caught in that area must be landed in the area. She noted the reduced opportunity in March and April would provide: additional fishing opportunity in the summer; data from a data poor cell, and; an opportunity to collect GSI samples done during that same period. The Monday to Friday schedule would allow staff adequate time to monitor the quota.

Mr. Lockhart stated that inseason actions require NMFS to consult with the states and Council, which is normally done via teleconference. He asked if any of the states, the Council Chairman or Executive Director had questions or concerns. Hearing none Mr. Lockhart said NMFS concurs with the recommended changes and would proceed with the requested inseason actions.

Ms. Vojkovich directed the STT to model all three options with the recommended inseason actions.

Mr. Melcher directed the STT to make the following changes to the options contained in Agenda Item G.4.b, Supplemental STT report:

- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Option I, first bullet-Open April 10 to 29, May 1 through June 30, July 11 through August 29, September 6 to 10, 20 to 24, and October 4 to 10 and 18 to 24. Landing and possession limit of 75 Chinook per vessel per calendar week in September and October. Strike the second bullet referring to the coho fishery.
- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Option II, first bullet-Open April 10 to 29, May 1 through June 30, July 11 through August 14, and October 4 to 10 and 18 to 24. In the second bullet strike the landing and possession limit of no more than one coho for each Chinook.
- Page 3, Cape Falcon to Humbug Mt. commercial fishery, Option III, first bullet-Open April 10 to 29, May 1 through June 30, July 6 to 11, July 17 through August 29, and October 1 to 31; close the month of September, and raise the minimum size limit for Chinook to 28 inches for the entire season.
- Page 4, Humbug Mt. to OR/CA Border commercial fishery, Option I, first bullet-Change March 15 through May 31 to April 10 to 29, May 1 to 31. Second bullet- Change 1,500 to 2,600. Third bullet-Change July 1 to July 11 and 1,200 to 1,600. Fourth bullet- Change 1,500 to 2,500. Fifth bullet-Change September 1 to September 6; Change landing and possession limit from 35 fish per day per vessel and 105 fish per vessel per calendar week... to 30 fish per day and 90 fish per week.
- Page 4, Humbug Mt. to OR/CA Border commercial fishery, Option II, first bullet-Change March 15 through May 31 to April 10 to 29, May 1 to 31. Second bullet- Change 1,100 to 1,500. Third bullet-Change July 1 to July 11 and 1,000 to 1,200. Fourth bullet- Change 1,000 to 1,500. Fifth bullet-Change September 1 to September 6.
- Page 4, Humbug Mt. to OR/CA Border commercial fishery, Option III, first bullet-Change April 10 through May 31 to April 10 to 29, May 1 to 31; strike the second bullet.
- Page 9, C.9.a-Strike Chinook-only.
- Page 13, Cape Falcon to Humbug Mt. recreational fishery Option I- change the coho quota from 80,000 to 50,000 marked coho.
- Page 13, Cape Falcon to Humbug Mt. recreational fishery Option II- change the coho quota from 60,000 to 40,000 marked coho.
- Page 13, Cape Falcon to Humbug Mt. recreational fishery Option III- change the coho quota from 40,000 to 15,000 coho and include a closure date for the coho fishery of September 9 rather than October 31.
- Page 14, Humbug Mt. to OR/CA Border and OR/Border to Horse Mt. recreational fishery Option I- Change the opening date from May 19 to May 1 and the closing date from September 9 to September 4.
- Page 14, Humbug Mt. to OR/CA Border and OR/Border to Horse Mt. recreational fishery Option III- Change the closing date from September 5 to September 9.

The full summer fishery in the KMZ recreational fishery should allow reserving of some KRFC impacts in the fall fishery for the summer 2008 fishery.

Mr. Anderson directed the STT to make the following changes to the options contained in Agenda Item G.4.b, Supplemental STT report:

- Page 1, Supplemental Management Information, Option I, Bullet 1. Change the Chinook TAC from 45,000 to 35,750 and the coho TAC from 160,000 to 140,000.
- Page 1, Supplemental Management Information, Option II, Bullet 1. Change the Chinook TAC from 35,000 to 32,500.
- Page 1, Supplemental Management Information, Option III, Bullet 1. Change the Chinook TAC from 25,000 to 26,000.
- Page 2, U.S./Canada Border to Queets River commercial fishery, Option III first bullet-Add possession and landing limit of 80 coho per vessel per open period. Second bullet-Add landing and possession limit of 35 Chinook per vessel per open period and strike the gear restriction.

The STT should model: Option I with a 30% reduction in Columbia inriver fisheries harvest rate on LRC tule Chinook; Option III with a 15% reduction, and; Option II with an inriver harvest rate resulting in as close to a 42% total exploitation rate as possible without exceeding the 15% to 30% sideboards. The direction was intended to address concerns for Interior Fraser and Snohomish coho, and LCR tule and Snake River wild fall Chinook concerns.

Mr. Melcher directed the STT to strike the language allowing Oregon permitted vessels to land their catch in Garibaldi, Oregon during the U.S./Canada Border to Cape Falcon commercial fisheries in Options II and III because the quotas were so small and difficult to manage.

Mr. Sones directed the STT to make the following changes to the options contained in Agenda Item G.4.b, Supplemental STT report:

- Page 18, Supplemental Management Information, Bullet 1, Options I and II -Change the Chinook TAC from 40,000 and 32,500 to 35,000 and 30,000, respectively.

The direction was intended to address LCR tule and Snake River wild fall Chinook concerns.

G.5. Council Direction for 2007 Management Options (If Necessary) (03/08/07; 5:47 pm)

G.5.a Agenda Item Overview

Mr. Tracy presented the agenda item overview.

G.5.b Report of the STT

Mr. Simmons presented Agenda Item G.5.b, Supplemental STT Report, and noted some typographical errors.

Mr. Melcher asked why the LCR tule impacts in Canadian and Alaskan fisheries listed in Table 7 increase when Council area impacts decrease. Mr. Simmons replied the effect is in the FRAM because it is a multiple step model and the cohort size through time increases because of the lower fishing impacts in Options II and III.

Mr. Melcher asked why the LCR tule impacts in the Cape Falcon to Humbug Mt. commercial fishery increased from 5.0% in Option I to 5.2% in Option II when the only difference was four fishing days in September. Mr. Simmons replied it could be partially a rounding issue, and possibly the way the south of Cape Falcon cells are broken out in FRAM.

G.5.c Reports and Comments of Advisory Bodies

None.

G.5.d Public Comment

Mr. Ben Platt, Salmon Trollers Marketing Association, Fort Bragg, CA
Mr. Daniel Platt, Salmon Trollers Marketing Association, Fort Bragg, CA
Mr. E.B Duggan, Trinity River Restoration Group, Willow Creek, CA

G.5.e Council Guidance and Direction (03/08/07; 6:07 pm)

Ms. Vojkovich directed the STT to make the following changes to the options contained in Agenda Item G.5.b, Supplemental STT report:

- Page 6, Pt. Arena to Pigeon Pt. commercial fishery, Option III, first bullet-Change July 5 through August 29 to May 1 to 31, July 27 to July 3, July 5 to August 29, and September 1 to 29 - Strike the second and third bullets.

Mr. Melcher asked if the KMZ recreational allocation under Option I of 18% needed shaping. Ms. Vojkovich replied not at this time. Mr. Melcher concurred.

Mr. Melcher directed the STT to switch Options II and III for the Cape Falcon to Humbug Mt. commercial fishery to achieve compliance with the LCR tule Chinook exploitation rate limit.

Mr. Anderson directed the STT to model the LCR tule Chinook Columbia River inriver commercial fisheries harvest rate for Option II at 0.078 rather than 0.090, which should help bring the overall exploitation rate down to the 42.0% limit.

Mr. Anderson noted all three Options had Skagit coho spawner escapements less than Salmon FMP objective, but that the annual co-manager agreed to exploitation rates were the controlling factor for 2007 and were being met. He noted the Snohomish coho exploitation rates were above the agreed to limits, but that even by completely closing Council area fisheries the limits could not be achieved; therefore the co-managers would address that issue in the North of Falcon process and arrive at a solution prior to Council adoption of final management measure recommendations in April.

Mr. Sones stated the tribes had no changes to the management measures, but would participate in the North of Falcon process to resolve outstanding coho issues.

Mr. Cedergreen directed the STT to change the opening date of the Queets River to Leadbetter Point recreational fishery in Option III from July 1 to July 15.

G.6 Adoption of 2007 Management Options for Public Review (03/09/07; 1:54 pm)

Mr. Ortmann chaired this agenda item.

G.6.a Agenda Item Overview

Mr. Tracy presented the agenda item overview.

G.6.b Report of the STT

Mr. Simmons presented Agenda Item G.6.b, Supplemental STT Report.

G.6.c Reports and Comments of Advisory Bodies

None.

G.6.d Agency and Tribal Comments

Mr. Mike Orcutt presented Agenda Item G.6.d, Supplemental Comments of the Hoopa Valley Tribe.

Mr. Melcher asked if the concept of full utilization meant the tribe was advocating for floor management of KRFC escapement in 2007. Mr. Orcutt replied yes.

Mr. Dave Sones read into the record Agenda Item G.6.d, Tribal Recommendations, Testimony of the Columbia River Treaty Tribes.

Mr. Roth recommended the Council send a letter to all KFMC participants inquiring about co-manager willingness to facilitate and contribute funds toward a Klamath River management forum fashioned after the North of Falcon process.

G.6.e Public Comment

Ms. Ann Maurice, Ad Hoc Committee, Occidental, CA

Ms. Ellen Faulkner, North Coast Consumers Alliance, Redwood Valley, CA

G.6.f Council Action: Adopt Management Options for Public Review

Mr. Anderson moved (Motion 23) to adopt for public review, the non-Indian commercial and recreational fishery management options as shown in Agenda Item G.6.b, Supplemental STT Report. Mr. Melcher seconded the motion. Motion 23 passed.

Mr. Sones moved (Motion 24) to adopt for public review the treaty troll options shown in Agenda Item G.6.d, Supplemental Treaty Troll Options. Mr. Anderson seconded the motion. Motion 24 passed.

G.7 Salmon Hearings Officers

G.7.a Agenda Item Overview

Mr. Tracy presented the agenda item overview.

G.7.b Council Action: Appoint Hearings Officers

Mr. Anderson recommended Mr. Cedergreen act as hearings officer for the Westport, Washington hearing on March 26, 2007.

Mr. Melcher recommended Mr. Moore act as hearings officer for the Coos Bay, Oregon hearing on March 26, 2007.

Ms. Vojkovich recommended Mr. Thomas act as hearings officer for the Santa Rosa, California hearing on March 27, 2007.

Mr. Lockhart stated Dr. Dygert would represent NMFS at the Westport, Washington hearing on March 26, 2007; Ms. Sarah McAvinchey at the Coos Bay, Oregon hearing on March 26, 2007; and Mr. Helvey at the Santa Rosa, California hearing on March 27, 2007.

CDR Martin stated the Coast Guard would appoint local officers to attend the meetings.

H. Habitat

H.1 Current Habitat Issues (03/07/07; 2:05 pm)

H.1.a Report of the Habitat Committee

Mr. Stuart Ellis said the HC does not have a formal report. They have commented under each applicable agenda item for this meeting. The HC concurs with the EC's report and plan on meeting with them jointly in April to further discuss aquatic invasive species.

H.1.b Reports and Comments of Advisory Bodies

Captain Mike Cenci provided Agenda Item H.1.b, Supplemental EC Report. Mr. Dave Hanson requested that the EC and HC invite Mr. Stephen Phillips. Mr. Tim Roth asked they coordinate with a USFWS representative as well.

H.1.c Public Comment

None.

H.1.d Council Action: Consider Habitat Committee Recommendations

None.

Open Public Comment for Non-Agenda Items

Public comment for items not on the agenda are received at this time. Vice Chairman Dave Ortmann chaired this agenda item.

Ms. Dorothy Lowman, Environmental Defense--extended an invitation to the Wednesday evening informal presentation on IFQs.

Mr. Mike Ricketts, PCFFA, Carmel Valley, California--voiced his concerns and opinions on the Monterey Bay National Marine Sanctuary process; and told the Council he was not in favor of it.

Mr. Doug Fricke, fisherman, Westport, Washington--reminded the Council about the HMSAS' November 2006 statement and their recommendations for the DGN EFP.

Mr. Dave Bitts, PCFFA, Eureka, California--asked the Council to instruct the SSC to review the appropriateness of the FRAM adjustments that were made in last year's salmon season.

Mr. Kenyon Hensel, Hensel's, Crescent City, California--expressed concern over fishing closures in marine sanctuaries and the need to study the impacts of such closures on fisheries outside the closed areas.

Mr. John Holloway, Recreational Fishing Alliance--referred to his letter asking the Council to review the status report submitted by the Ocean Policy Advisory Committee to the Oregon Governor and the review of this report by the National Marine Sanctuary Program.

ADJOURN

The 187th meeting of the Pacific Fishery Management Council was adjourned on Friday, March 9, 2007 at 3:30 pm.



Council Chairman

June 15, 2007

Date