

VOTING LOG
Pacific Fishery Management Council
March 2010

Motion 1: Approve the meeting agenda as shown in Agenda Item A.4., Proposed Council Meeting Agenda, March 2010.

Moved by: Rod Moore
Motion 1 carried unanimously.

Seconded by: Jerry Mallet

Motion 2: Move forward with the first letter from the Habitat Committee, recognizing that there will be a need for modifications during the week.

Moved by: Steve Williams
Motion 2 carried. Mr. Lockhart abstained.

Seconded by: Mark Cedergreen

Motion 3: Send a letter to NMFS thanking them and acknowledging them for their actions regarding the Klamath river issue.

Moved by: Jerry Mallet
Motion 3 carried. Mr. Lockhart abstained.

Seconded by: Rod Moore

Motion 4: Have the Executive Director send a comment letter on behalf of the Council to NMFS reflecting the comments made by the SSC and the comments made by Mr. Burner regarding the mechanism and timeline for the proposed qualification of peer review processes.

Moved by: Rod Moore
Motion 4 carried. Mr. Lockhart abstained.

Seconded by: Dale Myer

Motion 5: Adopt for public review the preliminary Terms of Reference (TOR) shown in Supplemental Attachment 4 and include the suggestions by the SSC, the GMT, and a definition of status report as that term is now being used by the SSC.

Moved by: Rod Moore
Motion 5 carried unanimously.

Seconded by: Phil Anderson

Motion 6: Adopt for public review the list of stocks and STAR Panel schedule as shown in Supplemental NMFS Report E.2.b with consideration for the suggestions made by the GAP, SSC, and GMT for additional stocks to be assessed.

Moved by: Rod Moore
Motion 6 carried unanimously.

Seconded by: Steve Williams

Motion 13: Consider Queets coho rebuilt based on the Quinault Tribal Report (Agenda Item G.3.b, Supplemental Tribal Report) and the STT Report (Agenda Item G.3.b, STT Report 1), indicating the 2009 spawning escapement exceeded the 5,800 minimum conservation objective.

Moved by: Phil Anderson
Motion 13 carried unanimously.

Seconded by: Mark Cedergreen

Motion 14: Consider the combined Strait of Juan de Fuca coho stock not overfished based on the conservation objectives adopted by the Council in November 2009, and to submit the two STT Reports (Agenda Item G.3.b, STT Report 2 and Agenda Item G.3.b, Supplemental STT Report) to the co-managers (treaty tribes/WDFW) for consideration of appropriate status determination criteria for Strait of Juan de Fuca coho in September or November 2010.

Moved by: Phil Anderson
Motion 14 carried unanimously.

Seconded by: Mark Cedergreen

Motion 15: Direct the STT to complete an Overfishing Assessment for Sacramento River fall Chinook and directed the Habitat Committee to work with other managers to review the status of the habitat affecting the stock and if appropriate provide restoration measures; the reports would be provided to the Council in the March 2011 briefing materials.

Moved by: Marija Vojkovich
Motion 15 carried unanimously.

Seconded by: Buzz Brizendine

Motion 16: Adopt preliminary preferred FMP language for Amendment 23 which includes option 2 for the 40-10 harvest control rule, a 25-5 harvest control rule for assessed flatfish, remove dusky and dwarf-red from the FMP, no Ecosystem Component (EC) species designation, and include an annual catch target (ACT) as an accountability measure (AM) that can be specified.

Moved by: Michele Culver

Seconded by: Dale Myer

Amdnt 1: Amend Motion 16 to set a limit P* of 0.45 and to go with the option 1, 40-10 control rule.

Moved by: Rod Moore
Amendment 1 to Motion 16 failed (Mr. Moore and Mr. Crabbe voted yes).

Seconded by: David Crabbe

Amdnt 2: Amend the main motion (Amendment 2 to Motion 16) to establish an upper limit of P* of 0.45.

Moved by: Frank Lockhart

Seconded by: Rod Moore

Amdnt 3: Amend the amendment (Amendment 3 to Motion 16) to adopt two alternatives: 1) no P* limit, and 2) a P* limit of 0.45 with no preference for either.

Moved by: Dale Meyer
Amendment withdrawn, not voted on.

Seconded by: Marija Vojkovich

Amdnt 4: Amend Amendment 2 (Amendment 4 to Motion 16) to include the P* approach for category 1 stocks.

Moved by: Rod Moore
Motion failed on a voice vote.

Seconded by: Ms. Lowman

Amdnt 5: Adopt a substitute amendment for Amendment 2 (Amendment 5 to Motion 16) to include the P* concept as one approach that could be taken to decide scientific uncertainty buffers in the biennial specifications process.

Move by: Michele Culver
Amendment 5 to Motion 16 passed (Mr. Lockhart voted no).

Seconded by: Caren Braby

Amdnt 6: Amend the main motion (Amendment 6 to Motion 16) to specify an upper limit of P* of 0.45 if a P* approach is used to decide an ABC.

Moved by: Frank Lockhart
Amendment 6 to Motion 16 passed (Dr. Braby voted no).
Main Motion 16 passed unanimously.

Seconded by: Rod Moore

Motion 17: Adopt as part of the PPA the following changes to the draft FMP language in Attachment 2: on page 21, strike “Approaches to quantifying the variability in biomass estimates include using the standard error about the estimated biomass of a stock in the most recently approved assessment and estimating the between-assessment variance in biomass estimates for a stock with multiple assessments or for all category 1 stocks with multiple assessments in a meta-analysis. A proxy variance (σ) can be calculated using this latter approach for all or some category 1 species. None of these approaches are mutually exclusive and the SSC may recommend stock-specific approaches to quantifying scientific uncertainty for category 1 species. Once scientific uncertainty is quantified, it is mapped to an estimated probability of overfishing (P*) by the SSC.” Further, in the last sentence in that paragraph strike, “based on the estimated P*.”

Moved by: Dan Wolford
Motion 17 carried unanimously.

Seconded by: David Crabbe

Motion 18: Withdrawn; note voted on.

Motion 19: Add the word “generally” back into sections 4.4.2 and 4.4.3.

Moved by: Rod Moore
Motion 19 carried unanimously.

Seconded by: Michele Culver

Motion 20: Modify the draft FMP language in Attachment 2 as follows: On page 53, Section 4.7, strike out: “Numerical one-year OYs will be specified biennially, based on overfishing limits (OFLs) for major species or species groups, which are in turn based on quantitative or qualitative stock assessments.” (The motion includes the definition of OY in the first sentence be consistent with the one provided in the final rule for new National Standard 1 guidelines.)

Moved by: Michelle Culver
Motion 20 carried unanimously.

Seconded by: Dale Myer

Motion 21: Adopt as a preliminary preferred alternative for public review:

- Regarding stock classification (Section 2.1.3) adopt for review Alternative 2 - All species currently in the actively managed and monitored species categories of the CPS FMP are “in the fishery” and krill are reclassified as an EC species.
- Regarding Status Determination Criteria (Section 2.2.1, adopt for review Alternative 2 - Maintain existing SDCs for CPS FMP stocks and develop a maximum sustainable yield (MSY) proxy for the Northern subpopulation of Northern anchovy.
- Regarding OFLs, ABCs, and ACLs for Actively Managed Species (Section 2.3.1), adopt for review Alternative 1 - Maintain the existing harvest control rules as modified to specify the new management reference points.
- Regarding OFLs, ABCs, and ACLs for Monitored Species (Section 2.3.2), adopt for review Alternative 1 - Maintain the default harvest control rules as modified to specify the new management reference points. ACLs would be specified for multiple years until such time as the species becomes actively managed or new scientific information becomes available. Market squid are also a monitored species under the CPS FMP, but the current MSY proxy for market squid is completely different from the finfish species and uses an escapement method detailed in Section 3. Market squid are exempt from ACLs because of their one-year life cycle (see Table 3.3-1 of H.2.a, Supplemental Attachment 2).
- Regarding sector-specific ACLs (Section 3.3.3) – identify no preferred alternative at this time, but rather, leave the options open and consider adding this mechanism under the FMP framework for potential use in the future.
- Regarding ACT and AM Alternatives (Section 3.4) – identify no preferred alternative at this time, but rather, leave the options open and consider adding this mechanism under the FMP framework for potential use in the future.
- Regarding State and Federal Management of Coastal Pelagic Species (Section 3.5), adopt for review, Alternative 1 – Status Quo, all species, including market squid and jack mackerel remain in the CPS FMP and no species is transferred to state management.

Amndt: Keep the motion as specified, except in Section 2.3.1 – OFLs, ABCs, and ACLs for Actively Managed stocks, do not specify a Council-preferred alternative at this time.

Moved by: Michele Culver

Seconded by: Dale Myer

Amendment to Motion 21 carried. Mr. Sones, Mr. Moore, Mr. Crabbe, and Ms. Yaremko voted no.

Motion 21 as amended carried unanimously.

Motion 22: Adopt the EFP proposals for public review (Agenda Item H.3.a, Attachment 1 and Agenda Item H.3.a, Supplemental Attachment 2) including the recommendations of the SSC that, 1) the summer survey design revisions be in accordance with May 2009 STAR Panel recommendations, 2) the summer survey design should address explicit protocols for spatial distribution of point sets, and 3) include the experimental design protocols for the autumn pilot study. Additionally, the motion includes the CPSMT recommendations in H.3.b, Supplemental CPSMT Report.

Moved by: Dave Ortmann

Seconded by: Marci Yaremko

Motion 22 carried unanimously.

Motion 23: Adopt the report of the Legislative Committee (Agenda Item D.3.b, Supplemental LC Report) and direct the Executive Director to send the three letters mentioned in that report.

Moved by: Rod Moore

Seconded by: Dorothy Lowman

Motion 23 carried. Mr. Lockhart abstained.

Motion 24: Adopt the inseason recommendations by the GMT as specified in Supplemental GMT Report E.5.b, page 10 – adopt Recommendation #1 which are incidental landing limits for the shorebased whiting fishery to be included in the exempted fishing permit; Recommendation #2 – reduce the canary bycatch limit for the non-tribal whiting fishery to 14 mt; Recommendation #3 – increase widow bycatch limit for non-tribal whiting fishery to 279 mt; Recommendation #4 – remove the daily limit for the limited entry fixed gear sablefish fishery south of 36° N latitude.

Moved by: Michele Culver

Seconded by: Dale Myer

Amdt: Remove recommendation # 4 (remove the daily trip limit for the limited entry fixed gear fishery south of 36° N latitude).

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Amendment to Motion 24 carried unanimously.

Main motion 24 carried unanimously.

Motion 25: For the purpose of clarifying Council intent, that we will attempt to proceed with our best effort toward our intended date of January 1, 2011, recognizing that the importance of getting it right does not overshadow schedule.

Moved by: Dan Wolford

Seconded by: Dorothy Lowman

Motion 25 carried. Mr. Moore voted no.

Motion 26: Adopt the following with regard to trawl rationalization and the clarifications requested of the Council (Agenda Item E.6.b, Supplemental REVISED NMFS Report 2): With respect to Issue 1, transfer of limited entry permits during application process for QS permit, MS/CV endorsed permit, or C/P endorsed permit, select Option C (*NMFS-preferred*). For issue 2, Status of QS and MS/CV endorsed permits pending appeal, adopt Option A (*NMFS-preferred*). For Issue 5, under the IFQ fishery and vessel accounts, all QP in a QS account must go into a Vessel Account each year, adopt Option B (*NMFS-preferred*). With regard to the mothership and catcher-processor co-ops, Issue 6, which pertains to the At-Sea Whiting Trawl Sector Set-Asides (Amendment 21), there is an inconsistency in the Council's motion from April 2009 on at-sea whiting trawl sector set-asides. In Supplemental Revised Report 2, page 7, select Option A: At least 5 mt minimum set-aside for any species [that is caught in the at-sea fisheries]. On Table 2-13 on page 7 in NMFS Supplemental Revised Report 2, adopt the amounts in Alternative 2, which are the values expressed in the GAC-recommended values, which includes a minimum of 5 mt for any species caught in at-sea fisheries, with the exception of yelloweye rockfish, which would remain at 0 mt. The 10 mt value for Pacific halibut accommodates bycatch in the at-sea whiting fishery and bottom trawl bycatch south of

40° 10' N. latitude. All of the at-sea set aside amounts may be adjusted in the biennial specifications and management measures process. With regard to mothership co-op program, permit transfers, Issue 8, adopt Option B (*NMFS-preferred*). For catcher-processor co-op program, Co-op Failure – IFQ Fishery, Issue 9, adopt Option B (*NMFS-preferred*). With regard to Element A-2.1.3(d), processor initial allocation for whiting in the IFQ fishery (Agenda Item E.6.a, Attachment 2, page A-10), the dates should be specified as 1998-2004 not 1994-2004, per the Council's final motion in November 2008.

Moved by: Michele Culver
Motion 26 carried unanimously.

Seconded by: Dale Myer

Motion 27: Referring to Agenda Item E.6.b, Supplemental REVISED NMFS Report 2, that the Council consider the following issues at their April 2010 meeting. For the IFQ fishery and the Vessel Account, Issue 3 (the 30-day clock), when does the 30-day clock start for vessel overages? On Issue 4 (the 10 percent carryover), the 10 percent carryover provision can be calculated from the vessel account different ways. For the mothership and catcher-processor co-op, the deadline for co-op fishery declaration and permits, Issue 7, what is an appropriate deadline for a coop permit (MS or C/P) and for a MS/CV endorsed permit to declare into a MS coop or the non-coop fishery? At the April 2010 meeting, the Council may reconsider its previous actions on these issues.

Moved by: Michele Culver
Motion 27 carried unanimously.

Seconded by: Dale Myer

Motion 28: Adopt the staff draft amendatory language for Amendment 21 that is contained in Agenda Item E.6.a, Attachment 3.

Moved by: Michele Culver
Motion 28 carried unanimously.

Seconded by: Mark Cedargreen

Motion 29: Adopt sending the letter as shown in Agenda Item C.1.a, Supplemental Attachment 2.

Moved by: Steve Williams
Motion 29 carried. Mr. Lockhart abstained.

Seconded by: Frank Lockhart

Motion 30: Adopt and send the letter in Agenda Item D.1.a, Supplemental REVISED Attachment 3 with the following sentence removed: "On the whole, this policy represents a substantial step forward to improved management of the fishery resources held in trust for the American public."

Moved by: Rod Moore

Seconded by: Jerry Mallett

Amdnt: Replace the removed sentence to read: "We agree with the elements of the draft national policy but have a few minor comments and suggestions."

Moved by: Dorothy Lowman
Amendment to Motion 30 carried. Mr. Lockhart abstained.
Motion 30 carried. Mr. Lockhart abstained.

Seconded by: Mark Cedergreen

Motion 31: Adopt for public review the Treaty Indian ocean salmon fishing options as shown in Agenda Item G.7.d, Supplemental Tribal Motion.

Moved by: David Sones
Motion 31 carried unanimously.

Seconded by: Mark Cedergreen

Motion 32: Adopt the non-Indian commercial and recreational fisheries in the area north of Cape Falcon as presented in Agenda Item G.7.b, Supplemental STT Report with the following modifications:

- Page 1 Table 1 and Page 9 Table 2, Option II, Supplemental Management Information: change the overall non-Indian coho TAC from 100,000 to 90,000 and make adjustments to the sector and port allocations to reflect the overall TAC.
- Page 2, Table 1 Option I: change the landing limits from 200 Chinook north of Leadbetter Point or 200 Chinook south of Leadbetter Point to 150 Chinook north or 150 Chinook south of Leadbetter Point, and delete the remainder of the sentence beginning with “through July 27...”
- Page 2, Table 1 Option II: change the landing limits from 200 Chinook and 50 coho north of Leadbetter Point or 200 Chinook and 50 coho south of Leadbetter Point to 100 Chinook and 40 coho north or 100 Chinook and 40 coho south of Leadbetter Point, and delete the remainder of the sentence beginning with “through July 27...”
- Page 2, Table 1 Option III: change the landing limits from 150 Chinook and 50 coho north of Leadbetter Point or 150 Chinook and 50 coho south of Leadbetter Point to 75 Chinook and 30 coho north or 75 Chinook and 30 coho south of Leadbetter Point.

Moved by: Pat Patillo
Motion 32 carried unanimously.

Seconded by: Mark Cedergreen

Motion 33: Adopt the non-Indian commercial and recreational fisheries in the area from Cape Falcon to the Oregon/California border as presented in Agenda Item G.7.b, Supplemental STT Report with the following modification:

- Page 4 Table 1, Option I, Humbug Mt. to OR/CA Border: change the landing and possession limit date from prior to May 31 to prior to June 1.

Moved by: Steve Williams
Motion 33 carried unanimously.

Seconded by: Rod Moore

Motion 34: Adopt the non-Indian commercial and recreational fisheries in the area from the Oregon/California border to the U.S./Mexico border as presented in Agenda Item G.7.b, Supplemental STT Report with the following modification:

- Page 5 Table 1, Option I, Pt. Arena to Pigeon Pt: reinsert the fall area target zone fishery from Pt. Reyes to Pt. San Pedro open Monday through Friday, October 4-13.

Moved by: Marija Vojkovich
Motion 34 carried unanimously.

Seconded by: Buzz Brizendine

Motion 35: Adopt the Council meeting minutes for June 2009 as shown in Agenda Item D.4.a, Supplemental Attachment 1, with the following change on page 18: Under Motion 4, the roll call vote should be “(4 yes)” to match the four names listed.

Moved by: Rod Moore
Motion 35 carried unanimously.

Seconded by: Michele Culver

Motion 36: Appoint Mr. David Price to the WDFW position on the Habitat Committee (replacing Ms. Theresa Scott).

Moved by: Michele Culver
Motion 36 carried unanimously.

Seconded by: Mark Cedergreen

Motion 37: Based on the review of ad hoc committees and recommendations by Council staff, terminate the following Ad Hoc Committees:
Coastal Pelagic Species tribal Allocation Committee
Highly Migratory Species Management Committee
Marine Protected Area Committee
Shore-based Whiting Amendment Workgroup
Trawl Individual Quota Enforcement Group (Mr. Sones indicated that the Enforcement Consultants can provide any needed advice in the future and if necessary utilize the expertise of Dr. Freese in their meetings), and finally the
Trawl Individual Quota Independent Experts Panel.

Moved by: David Sones
Motion 37 carried unanimously.

Seconded by: Rod Moore