

VOTING LOG  
Pacific Fishery Management Council  
206<sup>th</sup> Meeting  
November 2010

**Motion 1:** Approve the meeting agenda as shown in Agenda Item A.4., November Council Meeting Agenda, with the suspension of Council action on Agenda Items C.1.b through C.1.d until Tuesday.

Moved by: Rod Moore

Seconded by: Steve Williams

Motion 1 carried unanimously.

**Motion 2:** Approve the transmittal of the letter to the Bureau of Reclamation as shown in Agenda Item E.1.a, Attachment 1.

Moved by: Steve Williams

Seconded by: Rod Moore

Motion 2 carried unanimously.

**Motion 3:** For Salmon FMP Amendment 16, adopt for public review Stock Classification Alternative 2 in Agenda Item F.2.a, Attachment 1, as the preliminary preferred alternative (PPA), and continue to investigate the possible application of the ACL international exception to the far-north migrating stocks and stock complex.

Moved by: Peter Dygert

Seconded by: Phil Anderson

Motion 3 carried unanimously.

**Motion 4:** For Salmon FMP Amendment 16, regarding status determination criteria for overfishing and overfished species, adopt the following PPA for public review:

Blend of 3-year Arithmetic Mean and single year;  $MSST = 0.5 * S_{msy}$

**Overfishing:** Exploitation rate  $> F_{msy}$  (single-year)

**Overfished:** 3-year Geometric Mean Spawning Escapement  $< MSST$

**Approaching Overfished:** Recent 2-year and projected Geometric Mean spawning escapement  $< MSST$

**Rebuilt:** 3-year Geometric Mean Spawning Escapement  $> S_{msy}$  (single-year)

Moved by: Peter Dygert

Seconded by: Marija Vojkovich

Motion 4 was withdrawn (per parliamentarian request); not voted on.

**Motion 5:** For Salmon FMP Amendment 16, regarding status determination criteria for overfishing and overfished species, adopt for public review Status Determination Criteria Alternative 3 in Agenda Item F.2.a, Attachment 1, as the PPA.

Moved by: Peter Dygert

Seconded by: Marija Vojkovich

Motion 5 carried unanimously.

**Motion 6:** For Salmon FMP Amendment 16, amend the PPA for *de minimis* fishing provisions to indicate an intention to develop qualitative guidance on how fisheries would be reduced as run size declines.

Moved by: Peter Dygert  
Motion 6 carried unanimously.

Seconded by: Marija Vojkovich

**Motion 7:** Adopt and transmit the letter to National Marine Fisheries Service regarding Mitchell Act DEIS as contained in Agenda Item F.4.b, Supplemental MAC Report. The motion includes submittal of comments from Council advisory bodies from both the September and November Council meetings.

Moved by: Steve Williams  
Motion 7 carried. Mr. Bob Turner abstained.

Seconded by: Dave Ortmann

**Motion 8:** Approve the Oregon coastal natural coho abundance predictor forecast model as recommended by the SSC, STT, and the MEW.

Moved by: Steve Williams  
Motion 8 carried unanimously.

Seconded by: Rod Moore

**Motion 9:** Adopt the Chinook FRAM with additional coded-wire-tag groups for Columbia River summer Chinook as described in Agenda Item F.5.a, Attachment 4 for use in 2011 management, consistent with recommendations from the SSC and MEW.

Moved by: Phil Anderson  
Motion 9 carried unanimously.

Seconded by: Peter Dygert

**Motion 10:** Adopt the following proposed changes to the Pacific Halibut Catch Sharing Plan for the 2011 fishery shown in Agenda Item G.1.b, ODFW Report: Second Season Option B and Third Season Option C.

Moved by: Steve Williams  
Motion 10 carried unanimously.

Seconded by: Rod Moore

**Motion 11:** Adopt the proposed changes to the Pacific Halibut Catch Sharing Plan for the 2011 fishery and the codified groundfish regulations shown in Agenda Item G.1.b, Supplemental NMFS Report 2.

Moved by: Frank Lockhart  
Motion 11 carried unanimously.

Seconded by: Michele Culver

**Motion 12:** Consider setting up a task force similar to the recommended composition described on page 13 of the white paper (*Agenda Item H.1.a, Supplemental Attachment 2: Initial*

*Consideration of Revisions to the Groundfish Biennial Harvest Specifications and Management Measures Process*); the timing, composition, and the product delivery would be determined at a later date or through Agenda Item K taken up at this meeting.

Moved by: Michele Culver  
Motion 12 carried unanimously.

Seconded by: Rod Moore

**Motion 13:** Adopt for the limited entry, mid-water trawl fishery the following darkblotched rockfish bycatch caps: 5.5 mt for the mothership sector, 5.5 mt for the catcher-processors sector, and 5.0 mt for the shoreside sector. For the limited entry non-whiting trawl fishery, move the seaward RCA boundary to 250 fm effective as soon as possible, and close the slope rockfish fishery as of December 1, 2010.

Moved by: Rod Moore  
Motion 13 carried. Mr. Lockhart abstained.

Seconded by: Gway Kirchner

**Motion 14:** For the tribal fishery, as stated in the GMT report, adopt the Makah request to increase impacts to yellowtail and widow while testing jig machines to reduce bycatch in the rockfish-directed midwater trawl. For period 6, increase the yellowtail rockfish limits to no more than 169 mt, with widow rockfish being no more than 10 percent of the total weight of yellowtail rockfish for that period.

Moved by: David Sones  
Motion 14 carried unanimously.

Seconded by: Mark Cedergreen

**Motion 15:** Adopt Option 2 for sablefish south of 36° N. latitude on page 13 of the supplemental GMT report. This option closes the open access fishery on December 1, 2010 and reduces the limited entry trip limits to 1,800 lb/week.

Moved by: Marija Vojkovich

Seconded by: Dan Wolford

Amndmt #1: Increase the limited entry and open access daily trip limits north of 36° N. latitude. For limited entry, increase the weekly trip limit from 1,750 lb/week to 2,000 lb/week, and for open access increase period 6 to 400 lbs per day, or one landing per week of 1,500 lbs, with a bi-monthly cumulative limit of 4,500 lbs.

Moved by: Michele Culver  
Amendment carried. Mr. Lockhart abstained.  
Motion 15 as amended carried. Mr. Lockhart abstained.

Seconded by: Gway Kirchner

**Motion 16:** Direct the Council Executive Director to provide a public comment on the proposed rule (75 FR67810) for the 2011-12 harvest specifications and management measures to incorporate the recommendation of the GMT on the RFA EFP to increase the “off the top” EFP deduction for yellowtail rockfish from 2 mt to 10 mt.

Moved by: Rod Moore  
Motion 16 carried. Mr. Frank Lockhart and Mr. Jerry Mallet voted no.

Seconded by: Gway Kirchner

**Motion 17:** Adopt the 2010 Pacific Sardine Stock Assessment for 2011 management as shown in Agenda Item I.2.b Attachment 2.

Moved by: Marci Yaremko  
Motion 17 carried unanimously.

Seconded by: David Crabbe

**Motion 18:** For Pacific Sardine, adopt the CPSMT recommendations as described in Agenda Item I.2.c, Supplemental CPSMT Report 2, including: OFL= 92,727 mt and P-star value of 0.4, equating to an ABC of 84,681 mt.

Moved by: Marci Yaremko  
Motion 18 carried unanimously.

Seconded by: Buzz Brizendine

**Motion 19:** Adopt for Pacific Sardine an ACL of 84,681 mt (equal to or less than ABC).

Moved by: Marci Yaremko  
Motion 19 carried unanimously.

Seconded by: David Crabbe

**Motion 20:** For Pacific Sardine, adopt an HG as detailed in Table 2 of Agenda Item I.2.b, Supplemental CPSMT Report 2 (50,526 mt HG, 4,200 mt potential EFP set-aside [any unused EFP allocation to be added to the period 3 directed fishery], 1,000 mt per period incidental set-asides, and a 2,000 mt management uncertainty buffer in the third quarter.

Moved by: Marci Yaremko  
Motion 20 carried unanimously.

Seconded by: Buzz Brizendine

**Motion 21:** Utilizing Agenda Item I.2.c, Supplemental CPSMT Report 2, for monitored stocks, adopt the recommendations (all of Table 3 OFLs, ABCs, and ACLs for monitored stocks), including 1,500 mt ACT for the northern anchovy subpopulation. The motion also includes seasons for finfish of the calendar year; and for market squid: April 1 to March 31 of the following year.

Moved by: Steve Williams

Seconded by: Rod Moore

**Amndmt #1:** Specify that the 1,500 mt ACT upon achieving it, it would trigger consultation between the WDFW and ODFW, and during that consultation, the states would discuss and reach agreement as to what state actions are needed at that time.

Moved by: Michele Culver  
Amendment carried unanimously.  
Motion 21 as amended carried unanimously.

Seconded by: Mark Cedergreen

**Motion 22:** Direct the Council to encourage NMFS to continue funding comprehensive coastwide annual CPS research; encourage the Council, NMFS, and the State Department to continue working to achieve timely receipt of biological research data from Mexico. Also, the SSC ecosystem subcommittee should provide scientific advice for CPS fisheries regarding ecosystem structure – information that could be used by the EFPDT; and the CPSMT give the Council’s previous guidance on this issue.

Moved by: Michele Culver  
Motion 22 carried unanimously.

Seconded by: Dale Myer

**Motion 23:** Adopt the Draft Terms of Reference for a Coastal Pelagic Species Stock Assessment Review Process as shown in Agenda Item I.3.a, Attachment 1 and the Draft Terms of Reference for Coastal Pelagic Species Stock Assessment Methodology Review as shown in Agenda Item I.3.a, Attachment 2, along with the changes outlined in Agenda Item I.3.b, Supplemental SSC Report.

Moved by: Rod Moore  
Motion 23 carried unanimously.

Seconded by: Dorothy Lowman

**Motion 24:** For methodology reviews, adopt the 3 proposals as proposed by the SSC, as shown in Agenda Item I.3.b, Supplemental SSC Report: 1) the use of satellite imagery during aerial photographic surveys, 2) the use of acoustic and (associated trawl) surveys for abundance estimation, and 3) calibration of aerial photographic surveys using lidar and acoustics.

Moved by: Rod Moore

Seconded by: Dorothy Lowman

Amndmt #1: Include a placeholder for the trawl survey data for Pacific sardine in Canadian waters.

Moved by: Marci Yaremko  
Amendment was withdrawn.  
Motion 24 carried unanimously.

Seconded by: Buzz Brizendine

**Motion 25:** Adopt, for the CPS Essential Fish Habitat Five-Year Review, the recommendations of the CPSMT as described in Agenda Item I.4.b, Supplemental CPSMT Report 2.

Moved by: Michele Culver  
Motion 25 carried unanimously.

Seconded by: Mark Cedergreen

Motion 26: Referencing Agenda Item H.6.b, Supplemental GMT Report 2 under the GMT recommendations section on page 32, adopt the following inseason actions:

- 1. Recommend to the National Marine Fisheries Service (NMFS) that the Council be allowed flexibility to adjust the off-the-top deductions in April 2011.*
- 2. Retain flexibility for adjusting the two-year trawl and non-trawl allocations for these species in 2011, as needed, with exception of petrale sole where the non-trawl allocation will remain at 35 mt.*

3. *Consider implementing the non-routine inseason action regulations recommended by the states to allow the recreational fisheries to begin 2011 as proposed in the 2011-12 draft Environmental Impact Statement (DEIS).*
4. *Implement the 2011 trawl trip limits and Rockfish Conservation Area boundaries (page 12, table 10), if the trawl rationalization program is delayed.*
5. *Request NMFS to implement the landing allowances for non-IFQ species and Pacific whiting coastwide, as described in Tables 1b (North and South) in the November 3, 2010 proposed rule (75 FR 67810).*
6. *Request NMFS lower sablefish harvest specifications and associated tier limits (Table 12 and Table 13), per the analysis in the DEIS, as part of the emergency rule package proposed by NMFS.*
7. *For the limited entry fixed gear sablefish daily trip limit fishery north of 36° N. latitude beginning January 1, 2011, implement cumulative trip limits of 2,000 lbs/week for periods 1 – 6 not to exceed 7,000 lbs/2 months for periods 1-3 and 8,000 lbs/2 months for periods 4-6.*
8. *For the open access fixed gear sablefish daily trip limit fishery north of 36° N. latitude beginning January 1, 2011, implement trip limits for periods 1-3 of 300 lbs/day or one landing per week not to exceed 950 lbs, and a cumulative bimonthly limit of 1,900 lbs/2 months. For periods 4-6 of 300 lbs/day or one landing per week not to exceed 1,200 lbs and a cumulative bimonthly limit of 2,250 lbs.*
9. *Adopt trip limits for the limited entry fixed gear south of 36° N. latitude of 2,100 lbs per week; which is option 2 on page 23.*
10. *Adopt trip limits for the open access fixed gear south of 36° N. latitude of 300 lbs per day, 1,200 lbs per week, not to exceed 2,400 lbs per two months, which is option 3 on page 24.*
11. *Request that information on longnose skate mortality from the West Coast Groundfish Observer program be provided on a timely basis to facilitate the potential need for inseason management.*
12. *Adopt the trawl and non-trawl allocations in Supplemental GMT Report 3. For yelloweye rockfish, use the trawl and non-trawl split found in Supplemental GMT Report 3, except trawl portion will be 0.3 mt.*

Moved by: Rod Moore

Seconded by: Ms. Culver

Amndmt #1: Relative to the yelloweye split--use the Supplemental GMT Report 2, last page of their report (page 34). Adopt the values displayed in the far right-hand column under Council guidance as the yelloweye amounts to be in place at the beginning of 2011. Allocations would be suspended for 2011 and adjusted following the issuance of the NMFS emergency rule in 2011, as appropriate.

Moved by: Michele Culver

Seconded by: Dale Myer

Amendment 1 to Motion 26 carried unanimously.

Amndmt #2: With regard to item 3, include the routine management measures identified in GMT Report 2 for implementation.



*amount of trawl individual bycatch quota (IBQ) pounds that would be distributed to limited entry trawl permit holders for 2011.*

3. *Follow up with a trailing amendment to analyze the following alternatives for specifying the amount of halibut bycatch to be deducted from the TCEY and the calculation method for conversion to IBQ quota pounds to be used beginning in 2012:*
  - a. *For the first four years of the trawl rationalization program, the amount to be subtracted from the TCEY would be 130,000 lbs (legal-sized, net weight), or 15% of the TCEY, whichever is less; and use the calculation described above for IBQ quota pounds (legal and sublegal, round weight). Beginning with the fifth year of the program, the amount to be subtracted from the TCEY would be 100,000 lbs (legal-sized, net weight), or 15% of the TCEY, whichever is less; and use the calculation described above for IBQ quota pounds (legal and sublegal, round weight).*
  - b. *The concept of setting a specific amount of halibut to be subtracted from the TCEY (rather than a percentage) up to a maximum, and use the calculation described above for IBQ quota pounds. Maximum limits to be analyzed would be 100,000 lbs and 130,000 lbs, both expressed in legal-sized, net weight.*
  - c. *In combination with a. or b., provide for adjustment of the trawl halibut bycatch mortality limit through the biennial management process.*

Moved by: Michele Culver

Seconded by: Dale Myer

Motion 30 carried. Mr. Lockhart and Mr. Sones voted no.

**Motion 31:** Have the Council move forward with the process needed to replace Amendment 6 LE/OA allocations consistent with the Council's intentions contained in Amendment 21. This issue needs to be the highest priority for completion.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Motion 31 carried unanimously.

**Motion 32:** Adopt that whenever NMFS takes up the issue of cost recovery for the Trawl Rationalization Program, a great degree of transparency is employed. That transparency should include relevant information on the Federal and State costs of current management in as much detail as possible (i.e. sectors, observers, rulemaking, enforcement, etc) as well as expected costs and cost savings as this program comes on line. Cost recovery should explore efficiencies, technologies, new approaches, and minimal government involvement wherever appropriate.

Moved by: Marija Vojkovich

Seconded by: David Crabbe

**Amdnt #1:** Amend the motion so that the assessment of the recovery of the costs would be done on a sector-specific basis, and that the costs identified would be sector-specific.





**Motion 34:** Adopt safe harbors for risk pools as shown in Agenda Item H.5.a, Attachment, page 7, specific to the language addressing risk pools, the scope of alternatives would be as described in Attachment 1, and include alternatives surrounding the definition of risk pools, required elements, mandatory review or not, or control determination by NMFS. Council response alternatives relative to whether we would have a safe harbor or risk pool would be deemed excessive in QS or QP. The “workgroup” have the appropriate staff including GC and enforcement to speak with industry forming risk pools relative to what types of their plan may or not be acceptable relative to their control; discussion and feedback provided to the Council in trailing amendments as to what the response should be.

Moved by: Michele Culver  
Motion 34 carried unanimously.

Seconded by: Dale Myer

**Motion 35:** Have staff analyze the following alternatives for determination and clarification of scenarios that would allow CFAs to hold quota shares in excess of control caps.

- (1) *Alternative 1: Status quo – community-based entities may form as long as they conform with existing accumulation limits*
- (2) *Alternative 2: CFAs may acquire quota share in an amount:*
  - a. *1.5 times the accumulation limit*
  - b. *2 times the accumulation limit*
  - c. *no specific cap, rather consider the size of the CFA*

*Examine the pros and cons of specific requirements of a CFA, including but not limited to:*

- *obtaining local governmental approval*
- *meeting organizational and control requirements*
- *adopting a community sustainability plan*
- *obtaining required approval from NMFS*
- *submitting required reports to NMFS and PFMC demonstrating compliance with program goals and community development plan*

*As part of this analysis, direct staff to draw on Chapter 4 of the Final EIS, analyzing the effect of the higher accumulation limits which take into account:*

*The subject community’s historical participation in and dependence upon the trawl groundfish fishery, and the potential for a CFA to promote the subject community’s sustained participation in the groundfish fishery post-rationalization, i.e.:*

- *the ability to support full-time captain and crew*
- *the ability to support necessary infrastructure, such as processing capacity, port facilities, etc.*
- *the potential to lose or gain quota share based on market forces alone*
- *the ability to use community-based quota to attract quota and landings*

*For each alternative, all other requirements for trawl IQ participation remain in effect.*

Moved by: David Crabbe

Seconded by: Marija Vojkovich

Amndmt #1: Specifically say the Council would move forward with a trailing amendment process to address CFAs and include the definition of a CFA.

Moved by: Michele Culver

Seconded by: Dale Myer

Amendment 1 to Motion 35 carried. Mr. Moore and Mr. Steve Williams voted no. Motion 35 carried as amended. Mr. Moore and Mr. Steve Williams voted no.

**Motion 36:** Adopt the following:

Move forward with a trailing amendment to address severability of the mothership catcher vessel (MSCV) endorsement and catch history to be effective in 2012, and analyze an alternative that includes the following:

- a. Allow the MSCV endorsement to be severed from the permit together with the catch history (i.e., the endorsement and catch history stay together)
- b. Allow the severed endorsement and catch history to be transferred to any limited entry trawl permit
- c. The endorsement and catch history would be maintained separately on the permit (i.e., stacked, but not merged or combined with any other endorsement or catch history on the permit)
- d. Subdivision of the catch history would not be allowed.

Moved by: Michele Culver

Seconded by: Dale Myer

Motion 36 carried unanimously.

**Motion 37:** Have the Council move forward with developing options for year three of the trawl rationalization program distribution of adaptive management pounds (AMP) within a trailing amendment scheduled to be effective by January 1, 2013. The range of options should be status quo; automatic pass through of AMP to the fleet in year three only; automatic pass through of AMP to the fleet until another FMP amendment implements a different AMP distribution process.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Amndt: Where the word "amendment" appears, that it be changed to "action."

Moved by: Rod Moore

Seconded by: Michele Culver

Amendment to Motion 37 carried unanimously.

Motion 37 carried as amended unanimously.

**Motion 38:** Adopt that lingcod be allocated into the north and south geographic areas on January 1, 2012, and if the catch share plan implementation is delayed for the first few days, then the trawl fishery should be closed in January for those few days.

Moved by: Michele Culver

Seconded by: Marija Vojkovich



Motion 44 carried unanimously.

**Motion 45:** Appoint Mr. Chuck Farwell to the vacant conservation position on the Highly Migratory Species Advisory Subpanel.

Moved by: Frank Lockhart  
Motion 45 carried unanimously.

Seconded by: Buzz Brizendine

**Motion 46:** Appoint Mr. Merrick Burden to the vacant conservation position on the Groundfish Allocation Committee.

Moved by: Steve Williams  
Motion 46 carried unanimously.

Seconded by: Michele Culver

**Motion 47:** For Council operations and stipend program, adopt the motions as shown on K.3.a, Supplemental Attachment 1. Chairman Cedergreen formally charged the teams for MSA funds, and the Council concurred, consistent with the charge of the Council Chairman, to conform the COP/SOP.

Moved by: Dan Wolford  
Motion 47 carried unanimously.

Seconded by: Rod Moore

**Motion 48:** Direct staff review the full content of the September 27, 2010 final rule on Regional Council operations and administrative matters and amend the SOPP to be consistent with the new and revised regulations.

Moved by: Dan Wolford  
Motion 48 carried unanimously.

Seconded by: Dorothy Lowman