

**VOTING LOG**  
Pacific Fishery Management Council  
September 2008

**Motion 1:** Approve the agenda as shown in Agenda Item A.4., September Council Meeting Agenda, with the change in ancillary meeting for the Halibut Managers Workgroup from 7 p.m. to noon.

Moved by: Rod Moore  
Motion 1 passed unanimously.

Seconded by: Jerry Mallet

**Motion 2:** Adopt in priority order for the salmon methodology review, Items #1, #2, and #3 as shown in Agenda Item D.1.c, STT Report.

Moved by: Phil Anderson  
Motion 2 passed unanimously.

Seconded by: Mark Cedergreen

**Motion 3:** Submit comments from Council staff and advisory bodies as shown in Agenda Item D.3.a, Attachment 2 Staff Comments, Agenda Item D.3.d, STT Report, and Agenda Item D.3.d, Supplemental SAS Report, to NMFS and ask that they consider the comments in the re-draft of the Central Valley Salmon Recovery Plan.

Moved by: Marija Vojkovich  
Motion 3 passed unanimously.

Seconded by: Dan Wolford

**Motion 4:** Adopt the recommendations for halibut management for Area 2A as submitted by NMFS NWFSC, and recommend halibut bycatch levels consistent with the observer based viability criteria and the recommendations of the SSC.

Moved by: Phil Anderson  
Motion 4 passed unanimously.

Seconded by: Rod Moore

**Motion 5:** Adopt for public review the proposed changes to the Area 2A Pacific halibut catch sharing plan and 2009 annual regulations as shown in Agenda Item E.3.b, Supplemental WDFW Report.

Moved by: Phil Anderson  
Motion 5 passed unanimously.

Seconded by: Dale Myer

**Motion 6:** Adopt for public review the proposed changes to the Area 2A Pacific halibut catch sharing plan and 2009 annual regulations as shown in Agenda Item E.3.b, Supplemental ODFW Report; in addition, direct NMFS, ODFW, and others to develop an informational report based on recommendations in Agenda Item E.3.c, Supplemental GAP Report.

Moved by: Steve Williams  
Motion 6 passed unanimously.

Seconded by: Frank Warrens

**Motion 7:** Adopt the SSC recommendations as shown in Agenda Item C.3.b, Supplemental SSC Report with the exception of the recommendations for salmon research and data needs.

Moved by: Marija Vojkovich

Seconded by: Kathy Fosmark

Amndmt#1: Switch groundfish priority nine with groundfish priority ten on the first page of the SSC report due to the potential for dropping this need under the Pacific Whiting Treaty

Moved by: Rod Moore

Seconded by: Dale Myer

Amendment #1 to Motion 7 passed unanimously.

Amndmt#2: Change the recommended edit to Section 3.4 on the third page of the SSC report to read "where such studies have not yet been conducted."

Moved by: Rod Moore

Seconded by: Frank Warrens

Amendment #2 to Motion 7 passed unanimously.

Main Motion 7 passed unanimously.

**Motion 8:** Direct Council staff to reorganize the salmon research and data needs chapter along the lines of groundfish chapter so that data needs and research needs are listed and prioritized separately and include in the comments in the supplemental reports of the SSC, the SAS, and the STT.

Moved by: Marija Vojkovich

Seconded by: Kathy Fosmark

Motion 8 passed unanimously.

**Motion 9:** Relative to the Central Valley Chinook Recovery Plan, include the comments of the Habitat Committee as shown in Agenda Item D.3.c, Supplemental HC Report to forward to NMFS. (The rest of the advisory body comments were included to forward to NMFS under Motion 3.)

Moved by: Marija Vojkovich

Seconded by: Kathy Fosmark

Motion 9 passed unanimously.

**Motion 10:** Adopt the following as a preferred alternative to regulatory changes for HMS fisheries for 2009-10:

- A seasonal closure for all HMS commercial shark fisheries south of 34° 27' N latitude that is generally the same as the current drift gillnet (DGN) fishery. (The DGN fishery is closed 0-200 nm February 1 to April 30 and 0-75 nm May 1 to August 14 from the U.S.-Mexico border to the U.S.-Canada border.)
- A seasonal closure for the recreational HMS shark fishery for the entire state (U.S.-Mexico border to California-Oregon border) during that same time period, February 1-August 14, 0-200 nm.

- The Alternatives 1-4, contained in HMSMT Report H.2.b, and a fifth option contained on page 11 of the HMSMT report, a mandatory data collection requirement for all shark tournaments, are also put out for public review.

Moved by: Marija Vojkovich  
Motion 10 passed unanimously.

Seconded by: Kathy Fosmark

**Motion 11:** Request NMFS to adopt revised regulations at 50 CFR 660.704 and in 50 CFR 300.173 to allow, but not necessarily require, vessels to be marked with their international radio call sign (IRCS) consistent with WCPFC CMM 2004-03.

Moved by: Michele Culver  
Motion 11 passed unanimously.

Seconded by: Dale Myer

**Motion 12:** Adopt Agenda Item H.3.c, HMSMT Report, Agenda Item H.3.c, Supplemental HMSMT Report, and Agenda Item H.3.c, Supplemental HMSAS Report as refinements to the alternatives for public review and Council action at the April 2009 meeting

Moved by: Kathy Fosmark

Seconded by: Dan Wolford

Amdmnt#1: Define a range of one to five landings per year to define the term “actively fish.”

Moved by: Marija Vojkovich

Seconded by: David Hanson

Amdmnt#2: Define a range of zero to five landings per year to define the term “actively fish.”

Moved by: Rod Moore  
Amendment #2 to Motion 12 passed unanimously.

Seconded by: Frank Warrens

Amendment #1 to Motion 12 (as amended) passed unanimously.

Amdmnt#3: Include a prohibition on an individual owning both a West Coast SSLL permit and a Hawaii longline limited entry permit simultaneously.

Moved by: Dale Myer

Seconded by: Rod Moore

Amendment #3 to Motion 12 withdrawn, not voted on.

Amdmnt#4: Include a prohibition on a person exercising/utilizing a West Coast SSLL permit while at the same time exercising/utilizing a Hawaii longline limited entry permit.

Moved by: Dale Myer

Seconded by: Rod Moore

Amendment #4 to Motion 12 passed unanimously.

Main Motion 12 as amended passed. 10 yes, 3 no. Ms. Culver, Mr. Dale Myer, and Ms. Vojkovich voted no.

**Motion 13:** Direct the Council Executive Director to send a letter to U.S. Senator Smith and the U.S. House of Representatives Subcommittee on Fisheries, Wildlife and Oceans, regarding H.R. 6537 that reiterates the CCC position on the authority to regulate fishing within National Marine Sanctuaries and requests Council participation at future Congressional hearings on NMSA reauthorization.

Moved by: Rod Moore

Seconded by: Mark Cedergreen

Motion 13 passed. Mr. Lockhart abstained.

**Motion 14:** With regard to groundfish inseason management, adopt the following redistribution of the canary rockfish that the GMT identified is available (4.1 mt):

- 4.1 mt
- 0.4 mt to reopen the non-whiting bottom trawl fishery between 60 fms and 75 fms
- 3.7 mt
- 2.0 mt to reopen the primary whiting fishery
- 1.7 mt remaining residual in the scorecard

Relative to the 2.0 mt canary for the whiting fishery, specify that the whiting fishery is to reopen as soon as possible with a bycatch cap of 1.7 mt. An additional 0.3 mt would be subsequently released, through an automatic action by NMFS, two weeks later, but not later than November 1, 2008. If the 1.7 mt cap is not reached, any remaining canary would rollover to be added to the 0.3 mt. In all cases, the canary rockfish bycatch in the whiting fishery would not exceed 2.0 mt.

This action would not directly affect a long-term allocation of canary rockfish.

Moved by: Dale Myer

Seconded by: Mark Cedergreen

Amdmnt#1: Add 12 mt of widow to the existing whiting bycatch cap of 275 mt for a new cap of 287 mt.

Moved by: Rod Moore

Seconded by: Steve Williams

Amendment #1 to Motion 14 passed unanimously.

Main Motion 14 as amended passed unanimously

**Motion 15:** Utilizing Agenda Item I.1.b, Supplemental GMT Report, make the following recommendations to NMFS for groundfish inseason adjustments:

- Close Federal waters in the North and North-Central management areas (North of Point Arena).
- Increase the limited entry fixed gear sablefish DTL limits north of 36° N. lat. to one landing per week up to 1,500 lb, and 6,500 lb per 2 months; same daily limit of 500 lb.
- Increase open access shelf rockfish limits south of Point Conception (34° 27' N. lat.) to 1,000 lb per 2 months for period 6 only.
- Increase non-whiting trawl cumulative limits as outlined in bold in Table 6.

Moved by: Rod Moore

Seconded by: Marija Vojkovich

Motion 15 passed unanimously.

**Motion 16:** Relative to the groundfish essential fish habitat review process, table the issue until March 2009 to allow an opportunity to clarify and assess the EFHRC proposed changes to COP 22, and for other advisory bodies to comment. The motion included a friendly amendment to provide Council guidance to the EFHRC to facilitate their discussions and recommendations for the March meeting.

Moved by: Frank Warrens  
Motion 16 withdrawn, not voted on.

Seconded by: Rod Moore

**Motion 17:** Adopt COP 22, as shown in Attachment 1.

Moved by: Michele Culver

Seconded by: Frank Warrens

Amdmnt#1: Correct the timing of the five year review by substituting the table in Agenda Item I.2.b, Supplemental EFHRC Report, for the five year review table in the original COP 22.

Moved by: Dale Myer  
Amendment #1 withdrawn, not voted on.

Seconded by: Mark Cedergreen

Amdmnt#2: For the five year review table on page 4 of the original COP 22 in Attachment 1, change June 2008 to June 2011 and add three years to the other dates in that table.

Moved by: Rod Moore  
Amendment #2 to Motion 17 passed unanimously.  
Motion 17 as amended passed unanimously.

Seconded by: Dale Myer

**Motion 18:** Adopt the following as a preliminary preferred alternative for limiting the directed groundfish open access fishery:

1. Alternative A-4, as specified in the Preliminary Draft Environmental Assessment for Amendment 22 (Agenda Item I.4.a, Attachment 1) with a minimum landing criteria of 100 pounds.
2. Qualifying Framework QF-3 (1998-2006, with one trip in 2004-2006).
3. No long-term fleet size goal.
4. Allow for permit transferability after the first year of the program.
5. Allow for use of "A" and "B" permits on the same vessel in the same year using a declaration process.
6. No state landing endorsement provision.
7. No previous year "B" species landing requirement to renew or transfer permit.

8. Species endorsements for sablefish and lingcod; using the following qualifying criteria: one pound, 100 pounds, and 500 pounds in any one year from 1998-2006. All other “B” species will be managed under a general B permit.
9. Council Guidance: Notify all commercial fishery permit/license holders who landed any groundfish since 2004 in Washington, Oregon, and California that the PFMC proposed action may limit their opportunities in groundfish open access. This is to ensure notification of those affected by both the B and C permit alternatives. Include easily understood documents that clearly display the preliminary preferred alternative, that there are other alternatives for consideration, and where they can obtain more detailed information. Include a detailed description of what is allowed under the “C” permit, and how one is obtained. Provide notice of public comment opportunities in early January.

Moved by: Steve Williams  
Motion 18 passed unanimously.

Seconded by: Michele Culver

**Motion 19:** Adopt the Groundfish Stock Assessment Terms of Reference (Agenda Item I.5.a, Attachment 1) with the following additions and changes:

- page 6 – substitute SSC language on the number of STAR panel reviewers from Agenda Item I.5.c, Supplemental SSC Report;
- pages 3 and 5 – substitute text from Agenda Item I.5.a, Supplemental Attachment 5 on Council staff and NMFS staff responsibilities;
- add definition of a data report from Agenda Item I.5.a, Attachment 2 with the recommended SSC change in wording from Agenda Item I.5.c, Supplemental SSC Report;
- give Council staff authority to finalize the Terms of Reference;
- include rejection language for late or incomplete assessments and deadlines for submission of materials for STAR Panels;
- allow STAR panel minority reports; and
- characterize deadlines for submission of STAR panel materials to the briefing book as guidelines.

The motion includes provision of the required elements of pre-STAR draft assessments.

Moved by: Rod Moore  
Motion 19 passed unanimously.

Seconded by: Frank Warrens

**Motion 20:** Adopt the proposed 2009 STAR panel schedule as shown on the Agenda Item SSC report with the following changes:

- keep dates and locations of proposed STAR panels as shown with the proviso that these can be changed for logistic reasons and to meet deadlines; and
- strike the proposed spiny dogfish and greenspotted assessments.

Moved by: Rod Moore  
Motion 20 passed (Mr. Mallet voted no).

Seconded by: Marija Vojkovich

**Motion 21:** Approve the Fosmark EFP as shown in Agenda Item I.6.a, Attachment 1 with the errata in Agenda Item I.6.a, Supplemental Attachment 8. The motion also includes the GMT's retention recommendations for this EFP.

Moved by: Rod Moore  
Motion 21 passed (Ms. Fosmark recused).  
Seconded by: Frank Warrens

**Motion 22:** Approve the RFA chilipepper EFP (Agenda Item I.6.a, Attachment 3) as revised by Agenda Item I.6.a, Supplemental Attachment 11, with the five hook request on page 3 deleted and with a widow cap of 1.7 mt rather than 3 mt. The motion includes a friendly amendment to only allow rockfish retention.

Moved by: Rod Moore  
Motion 22 passed unanimously.  
Seconded by: Frank Warrens

**Motion 23:** Approve the Oregon yellowtail EFP as shown in Agenda Item I.6.a, Attachment 4 with the GMT's recommendations on retention.

Moved by: Steve Williams  
Motion 23 passed unanimously.  
Seconded by: Rod Moore

**Motion 24:** Approve the Morro Bay/Port San Luis (TNC) EFP for next year with the bycatch caps recommended on page 4 of the GMT report, a cowcod cap of 0.2 mt, and a sablefish cap of 150 mt.

Moved by: Marija Vojkovich  
Seconded by: Dan Wolford

Amndmnt: Provide a sablefish cap of 165 mt.

Moved by: Kathy Fosmark  
Amendment to Motion 24 passed on a roll call vote. 7 yes, 5 no. Messrs. Rod Moore, Dale Myer, Steve Williams, Frank Warrens, and David Sones voted no.  
Seconded by: Marija Vojkovich

Main Motion 24 as amended carried unanimously.

**Motion 25:** Approve the June minutes as shown in Agenda Item C.6.b, Draft June 2008 Council Meeting Minutes, with the following changes:

Moved by: Jerry Mallet  
Motion 25 passed unanimously.  
Seconded by: Rod Moore

**Motion 26:** Approve the report of the Budget Committee as shown in Agenda Item C.7.b, Supplemental Budget Committee Report.

Moved by: Frank Warrens  
Motion 26 passed unanimously.  
Seconded by: Jerry Mallet

**Motion 27:** Appoint Ms. Lisa Veneroso to fill the Washington Department of Fish and Wildlife (WDFW) position on the Coastal Pelagic Species Management Team (replacing Ms. Carol Henry).

Moved by: Michele Culver  
Motion 27 passed unanimously.

Seconded by: Mark Cedergreen

**Motion 28:** Appoint Ms. Lynn Mattes to fill the Oregon Department of Fish and Wildlife vacancy on the GMT.

Moved by: Steve Williams  
Motion 28 passed unanimously.

Seconded by: Rod Moore

**Motion 29:** Appoint Ms. Sarah McAvinchey to fill the vacant NMFS Northwest Region position on the Groundfish Management Team (GMT); and appoint Dr. Michael O'Farrell to fill the NMFS Southwest Fisheries Science Center position on the STT (replacing Mr. Michael Mohr).

Moved by: Frank Lockhart  
Motion 29 passed unanimously.

Seconded by: Kathy Fosmark

**Motion 30:** Adopt an addition to COP 1, General Council Operating Procedures, which is a revision gleaned from three options considered under Agenda Item C.2 to formalize the Council's regulatory deeming process. The adopted language (Option 4) is contained in Agenda Item C.8.a, Supplemental Attachment 1.

Moved by: Rod Moore  
Motion 30 passed unanimously.

Seconded by: Frank Warrens