

Exhibit A.4  
April Council Meeting Agenda  
April 2001

Agenda w/  
tape time and dates

**PROPOSED AGENDA ITEMS**  
**Pacific Fishery Management Council**  
Red Lion Hotel Sacramento  
1401 Arden Way  
Sacramento, CA 95815  
(916) 922-8041  
April 1-6, 2001

<b>COUNCIL MEETING AGENDA SUMMARY</b>				
<i>Monday April 2</i>	<i>Tuesday April 3</i>	<i>Wednesday April 4</i>	<i>Thursday April 5</i>	<i>Friday April 6</i>
<b>No Council Session</b>	Closed Executive Session	Coastal Pelagic Species	Groundfish Management	Groundfish Management
	Salmon Management			
	Marine Reserves	Groundfish Management	Salmon Management	Salmon Management
	Habitat Issues			Administrative Matters
	4 p.m. Public Comment Period (for items <u>not</u> on the agenda)		Pacific Halibut	

Ancillary meetings of advisory subpanels, technical teams, subcommittees, etc. begin Sunday (see last page of detailed Council agenda daily schedule).

**Notice to Public**

Please note the actual order and timing of agenda items may vary somewhat from the proposed agenda. For example, items not completed on the scheduled day will be carried over to the next day, and items may be moved to an earlier time than shown on this proposed agenda. In accordance with the Magnuson-Stevens Fishery Conservation and Management Act, issues not contained in this agenda may come before this Council for discussion. However, such issues may not be the subject of formal Council action during this meeting unless they are emergency in nature and are declared such with justification on the meeting record. Formal Council action will be restricted to those non-emergency issues specifically identified as **action items** in the agenda. Public comments on items not on the agenda will be accepted at 4 p.m. on Tuesday.

**To present verbal testimony at this meeting**, please complete a registration card and specify the agenda item on which you wish to speak. Cards are available at the entry desk inside the Council meeting room. After public comment begins on each agenda item, additional cards will not be accepted on that item. Verbal testimony is limited to five minutes for individuals and ten minutes for groups or individuals representing organizations. Please identify yourself and whom you represent at the beginning of your testimony.

**Written comments or materials received at the Council Office by March 26, 2001** will be included in the materials distributed to the Council for consideration at this meeting. Comments received by March 19 will be mailed to Council members prior to the meeting. **After March 26, it is the submitter's responsibility to provide Council staff with an adequate number of copies to assure coverage of the Council (a minimum of 40 copies).**

Financial interest statements for the appointed Council members are available for inspection at the documents table in the Martinique Ballroom.

# DETAILED COUNCIL MEETING AGENDA

SUNDAY, APRIL 1 THROUGH FRIDAY, APRIL 6

## ANCILLARY SESSIONS

Various technical and administrative committees, advisory entities, work groups, and state delegations will meet throughout the week, beginning Sunday afternoon. See the SCHEDULE OF ANCILLARY MEETINGS at the end of this agenda for a complete listing of these meetings.

TUESDAY, APRIL 3, 2001

### CLOSED SESSION 8 A.M.

(Closed to all except Council members, their designees, and others designated by the Council Chair to discuss litigation and personnel matters.)

### GENERAL SESSION 8:30 A.M. Martinique Ballroom

#### A. Call to Order

- |    |   |  |             |
|----|---|--|-------------|
| 1A | 1. Opening Remarks, Introductions - 8:56A                                 |  | Jim Lone    |
| 1A | 2. Roll Call - 8:58A  |  | Don McIsaac |
| 1A | 3. Executive Director's Report - 9:00A                                    |  |             |
| 1A | 4. <b>Council Action:</b> Approve Agenda - 9:02A                          |  |             |
| 3D | 5. <b>Council Action:</b> Approve November 2000 Minutes - 10:27A (Friday) |  | Jim Lone    |

#### B. Salmon Management

- |        |   |  |                    |
|--------|---|--|--------------------|
| 1A     | 1. National Marine Fisheries Service (NMFS) Report - 9:05A  |  | Bill Robinson      |
| 1A     | a. Status of Regulatory and Nonregulatory Activities - 9:08A  |  |                    |
| 1A     | b. Status of Sacramento River Winter Run Chinook Recovery Plan  |  | Svein Fougner      |
|        | c. Council Discussion (NONE)  |  |                    |
|        | 2. Identification of Stocks Not Meeting Escapement Goals for Three Consecutive Years                              |  |                    |
| 1A     | a. Report of the Salmon Technical Team (STT) - 9:12A  |  | Dell Simmons       |
| 1A     | b. Reports and Comments of Advisory Bodies - 9:17A  |  |                    |
| 1A     | c. Public Comments (NONE)   |  |                    |
|        | d. <b>Council Action:</b> Identify any actions necessary under the Council's Overfishing Review Procedure - 9:20A |  |                    |
|        | 3. Methodology Reviews for 2001   |  |                    |
| 1A     | a. Report of the Scientific and Statistical Committee (SSC) - 9:42A   |  | Cindy Thomson      |
| 1A 2A  | b. Recommendations of the States, Tribes, and Federal Agencies - 9:55A  |  |                    |
| 2A     | c. Reports and Comments of Advisory Bodies - 10:01A   |  |                    |
| 2A     | d. Public Comment - 10:02A  |  |                    |
|        | e. <b>Council Action:</b> Establish 2001 Schedule and Methodologies To Be Reviewed. - 10:04A                      |  |                    |
|        | 4. Tentative Adoption of 2001 Ocean Salmon Management Measures for Analysis                                       |  |                    |
| 2A     | a. Summary of Public Hearings - 10:14A  |  | Hearing Officers   |
| 2A     | b. Summary of Written Public Comments - 10:29A  |  | Chuck Tracy        |
| 2A     | c. Recommendations of the U.S. Section of the Pacific Salmon Commission - 10:32A                                  |  | Participants       |
| 2A     | d. Recommendations of the North of Cape Falcon Forum - 10:36A   |  | WA, OR, Tribes     |
| 2A, 3A | e. Recommendations of the Klamath Fishery Management Council (KFMC) - 10:43A                                      |  | Mary Ellen Mueller |
| 3A     | f. Update on Estimated Impacts of March Options - 10:46A  |  | Dell Simmons       |
| 3A     | g. Reports and Comments of Advisory Bodies - 10:46A   |  |                    |
| 3A     | h. Tribal Comments - 11:02A   |  | Jim Harp, et. al.  |
|        | i. Agency Comments and Recommendations - 11:16A   |  |                    |

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3A  
3A, 4A

- j. Public Comments - 11:20A
- k. **Council Action:** Tentatively Adopt Management Measures for 2001 Ocean Salmon Fisheries - 11:27A

**C. Marine Reserves**

4A  
4A, 5A  
5A  
5A  
5A, 6A  
6B

- 1. Channel Island National Marine Sanctuary Program (CINMSP)
  - a. Agendum Overview - 1:10P
  - b. Report of CINMSP - 1:21P
  - c. Reports and Comments of Advisory Bodies - 2:03P
  - d. Public Comment - 2:14P
  - e. **Council Action:** Consider Recommendations of the CINMSP - 2:26P

Jim Seger  
LT CDR Matt Pickett

**D. Habitat Issues**

6A  
6A  
6A  
6A  
6A

- 1. Council Letters of Comment on External Essential Fish Habitat Issues
  - a. Agendum Overview - 3:06P
  - b. Report of the Habitat Steering Group (HSG) - 3:07P
  - c. Reports and Comments of Advisory Bodies - 3:23P
  - d. Public Comment (NONE)
  - e. **Council Action:** Consider HSG Recommendations - 3:26P

Chuck Tracy  
Michele Robinson

6A, 7A

PUBLIC COMMENT PERIOD - 4:02P  
4 P.M.  
Public comments on fishery issues not on the agenda are accepted at this time.

WEDNESDAY, APRIL 4, 2001

GENERAL SESSION  
8 A.M.  
Martinique Ballroom

**A. Call to Order, (reconvene)**

Jim Lone

1B

- 6. Commencing Remarks - 8:07A

Don McIsaac

**E. Coastal Pelagic Species**

1B  
1B  
1B, 2B  
2B  
2B  
2B  
2B  
2B  
2B, 3B

- 1. NMFS Report
  - a. Status of Regulatory and Nonregulatory Activities - 8:09A
  - b. Council Discussion (NONE)
- 2. Review Capacity Goal and Related Issues
  - a. Agendum Overview / REPORT - 8:10A
  - b. Reports and Comments of Advisory Bodies - 8:54A
  - c. Public Comments (NONE)
  - d. **Council Action:** Consider Capacity Goal and Related Issues in the Coastal Pelagic Species Limited Entry Fishery - 9:06A
- 3. Update on Squid Maximum Sustainable Yield Methodologies Workshop
  - a. Agendum Overview / REPORT - 9:15A
  - b. Reports and Comments of Advisory Bodies - 9:20A
  - c. Public Comments (NONE)
  - d. Council Discussion - 9:22A

Svein Fougner

Dan Waldeck

Dan Waldeck

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**B. Salmon Management, (continued)**

- 5. Clarify Council Direction on 2001 Management Measures, If Necessary
  - a. Report of the STT - (NONE)
  - b. Council Direction - (NONE)

Dell Simmons

**F. Groundfish Management**

- 3B 1. NMFS Report
  - 3B, 4B a. Status of NMFS Regulatory and Nonregulatory Activities - 9:56A
  - 4B b. Council Discussion - PUBLIC COMMENT - 10:34A
- 4B 2. Groundfish Strategic Plan Implementation
  - 4B, 5B a. Agendum Overview - 10:55A
  - 5B b. Reports and Comments of Advisory Bodies - 10:58A
  - 5B, 6B c. Public Comments - 1:11P
  - 6B, 7B d. **Council Action:** Consider Further Implementation Measures - 1:30P
- 7B, 8B 3. Reconsideration of 1997 Huntington Flats Decision
  - 8B a. Agendum Overview / CF & G Report - 2:14P
  - 8B b. Reports and Comments of Advisory Bodies - (NONE)
  - 8B c. Public Comment - 2:38P
  - 8B d. **Council Action:** Consider Reconsideration of Huntington Flats Decision - 3:34P
- 8B 4. Discard Adjustment for Bocaccio and Lingcod
  - 8B a. Agendum Overview - 3:36P
  - 8B b. Reports and Comments of Advisory Bodies - 3:38P
  - 8B c. Public Comments - 3:43P
  - 8B d. **Council Action:** Consider Inseason Adjustments in Discard Assumptions - 3:46P

Bill Robinson

Dan Waldeck

Jim Glock

Jim Glock

THURSDAY, APRIL 5, 2001

GENERAL SESSION  
8 A.M.  
Martinique Ballroom

**A. Call to Order, (reconvene)**

Jim Lone

- 7. Commencing Remarks - 8:14A

Don McIsaac

**F. Groundfish Management, (continued)**

- 1c 5. Status of Fisheries and Consideration of Inseason Adjustments
  - 1c, 2c, 3c, 4c a. Agendum Overview - 8:16A
  - 4c b. Reports and Comments of Advisory Bodies / STATE COMMENTS - 8:18A
  - 4c, 5c c. Public Comments - 10:21A
  - 5c d. **Council Action:** Consider Inseason Adjustments in Groundfish Fisheries - 11:00A
- 5c 6. Future Groundfish Management Process and Schedule
  - 5c a. Agendum Overview - 11:16A
  - 5c b. Reports and Comments of Advisory Bodies - 11:19A
  - 5c c. Public Comments - 11:37A
  - 5c, 6c d. **Council Action:** Consider Changes to the Existing Groundfish Management Process - 11:41A
- 6c 7. Rebuilding Plan Status Report
  - 6c a. Agendum Overview - 1:36P
  - i. Terms of Reference
  - ii. Canary Rockfish
  - iii. Cowcod
  - iv. Widow Rockfish
  - v. Darkblotched
  - vi. Pacific Ocean Perch
  - vii. Bocaccio

Jim Glock

Dan Waldeck

Jim Glock

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Cc  
Cc  
Cc, Tc

- viii. Lingcod
- b. Reports and Comments of Advisory Bodies - 1:45p
- c. Public Comment - 1:56p
- d. **Council Action:** Final Action on Cowcod and Canary Plans; Council Guidance on Widow, Darkblotched, Pacific Ocean Perch, Bocaccio, and Lingcod Plans - 2:05p

**B. Salmon Management, (continued)**

Tc  
Tc  
Tc  
Tc  
Tc, Cc  
Cc

- 6. Final Action on 2001 Management Measures
  - a. Agendum Overview - 2:56p
  - b. Analysis of Impacts - 3:02p
  - c. Comments of the KFMC (None)
  - d. Reports and Comments of Advisory Bodies - 3:09p
  - e. Tribal Comments - 3:13p
  - f. Public Comments - 3:23p
  - g. **Council Action:** Adopt Final Measures - 3:24p

John Coon  
Dell Simmons  
Mary Ellen Mueller  
  
Jim Harp, et. al.

**G. Pacific Halibut Management**

Cc  
Cc  
Cc, Tc  
ID

- 1. Proposed Incidental Catch Regulations for Sablefish Longline Fishery North of Point Chehalis
  - a. Agendum Overview - 3:34p
  - b. State Proposals for the Sablefish Longline Fishery - 4:00p
  - c. Tribal Comments (None)
  - d. Reports and Comments of Advisory Bodies - 4:02p
  - e. Public Comments (None)
  - f. **Council Action:** Adopt Framework Regulations and Proposed Options for Incidental Halibut Catch Regulations - 8:10A

John Coon

FRIDAY, APRIL 6, 2001

GENERAL SESSION  
8 A.M.  
Martinique Ballroom

**A. Call to Order, (reconvene)**

Jim Lone

ID

- 8. Commencing Remarks - 8:07A

Don McIsaac

**F. Groundfish Management, (continued)**

ID, 20  
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20  
20  
20  
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20, 30  
30  
30

- 8. Observer Program
  - a. Implementation Status Report - 8:18A
  - b. Reports and Comments of Advisory Bodies - 9:02A
  - c. Public Comment - 9:04A
  - d. Council Guidance - 9:15A
- 9. Bycatch Full Retention Options
  - a. Agendum Overview - 9:45A
  - b. Report of the Groundfish Management Team - 9:47A
  - c. Reports and Comments of Advisory Bodies - 10:01A
  - d. Public Comment - 10:03A
  - e. **Council Action:** Consider Implementation of Full Retention Measures - 10:17A

NMFS

Jim Glock  
Brian Culver, Jim Hastie

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**B. Salmon Management, (continued)**

7. Clarification of Final Action on 2001 Measures, **(IF NECESSARY)** (None)

**H. Administrative and Other Matters**

30  
30  
30, 40  
40, 50  
50

1. Appointments to Advisory Bodies or Other Council Positions - 10:29A
2. Council Staff Work Load Priorities - 10:30A
3. June 2001 Council Meeting Draft Agenda
  - a. Consider Agenda Options - 10:32A
  - b. **Council Action:** Adopt Draft Agenda for the June 2001 Meeting - 11:08A
  - c. Consider Advisory Body Analysis Priorities - 11:35A

Jim Lone  
Don McIsaac  
Don McIsaac

ADJOURN

## SCHEDULE OF ANCILLARY MEETINGS

### SUNDAY, APRIL 1, 2001

Groundfish Management Team	2:30 p.m.	Berryessa Room (524)
Klamath Fishery Management Council	3 p.m.	Comstock 1 Room

### MONDAY, APRIL 2, 2001

Council Secretariate	7 a.m.	California Room
Salmon Advisory Subpanel	8 a.m.	Sierra A Room
Scientific and Statistical Committee	8 a.m.	Comstock 3 Room
Salmon Technical Team	8 a.m.	Sierra B Room
Habitat Steering Group	9 a.m.	Klamath Room (513)
Groundfish Advisory Subpanel	1 p.m.	Comstock 2 Room
Groundfish Management Team	As necessary	Berryessa Room (524)
Klamath Fishery Management Council	As necessary	Comstock 1 Room
Tribal Policy Meetings	As necessary	Almanor Room (303)
Tribal and Washington Technical Groups	As necessary	Shasta Room (305)
Washington State Delegation	As necessary	Oroville Room (608)

### TUESDAY, APRIL 3, 2001

Council Secretariate	7 a.m.	California Room
California State Delegation	7 a.m.	Sierra A Room
Oregon State Delegation	7 a.m.	Comstock 2 Room
Washington State Delegation	7 a.m.	Oroville Room (608)
Scientific and Statistical Committee	8 a.m.	Comstock 3 Room
Groundfish Advisory Subpanel	As necessary	Comstock 2 Room
Groundfish Management Team	As necessary	Berryessa Room (524)
Klamath Fishery Management Council	As necessary	Comstock 1 Room
Salmon Advisory Subpanel	As necessary	Sierra A Room
Salmon Technical Team	As necessary	Sierra B Room
Tribal Policy Meetings	As necessary	Almanor Room (303)
Tribal and Washington Technical Groups	As necessary	Shasta Room (305)
Enforcement Consultants	5:30 p.m.	Tahoe Room (514)

### WEDNESDAY, APRIL 4, 2001

Council Secretariate	7 a.m.	California Room
California State Delegation	7 a.m.	Sierra A Room
Oregon State Delegation	7 a.m.	Comstock 2 Room
Washington State Delegation	7 a.m.	Oroville Room (608)
Groundfish Advisory Subpanel	As necessary	Comstock 2 Room

Groundfish Management Team	As necessary	Berryessa Room (524)
Klamath Fishery Management Council	As necessary	Comstock 1 Room
Salmon Advisory Subpanel	As necessary	Sierra A Room
Salmon Technical Team	As necessary	Sierra B Room
Tribal Policy Meetings	As necessary	Almanor Room (303)
Tribal and Washington Technical Groups	As necessary	Shasta Room (305)
Enforcement Consultants	As necessary	Tahoe Room (514)

THURSDAY, APRIL 5, 2001

Council Secretariate	7 a.m.	California Room
California State Delegation	7 a.m.	Sierra A Room
Oregon State Delegation	7 a.m.	Comstock 2 Room
Washington State Delegation	7 a.m.	Oroville Room (608)
Groundfish Management Team	As necessary	Berryessa Room (524)
Klamath Fishery Management Council	As necessary	Comstock 1 Room
Salmon Advisory Subpanel	As necessary	Sierra A Room
Salmon Technical Team	As necessary	Sierra B Room
Tribal Policy Meetings	As necessary	Almanor Room (303)
Tribal and Washington Technical Groups	As necessary	Shasta Room (305)
Enforcement Consultants	As necessary	Tahoe Room (514)

FRIDAY, APRIL 6, 2001

Council Secretariate	7 a.m.	California Room
California State Delegation	7 a.m.	Sierra A Room
Oregon State Delegation	7 a.m.	Comstock 2 Room
Washington State Delegation	7 a.m.	Oroville Room (608)
Salmon Advisory Subpanel	As necessary	Sierra A Room
Salmon Technical Team	As necessary	Sierra B Room
Tribal Policy Meetings	As necessary	Almanor Room (303)
Tribal and Washington Technical Groups	As necessary	Shasta Room (305)
Enforcement Consultants	As necessary	Tahoe Room (514)

PFMC  
03/19/01



**DRAFT NOVEMBER MINUTES**  
**Pacific Fishery Management Council**

Red Lion Hotel at the Quay  
100 Columbia Street  
Vancouver, Washington 98660  
October 30 - November 3, 2000

Motion 17  
Alverson/Harp

A.5.	<i>Council Action:</i> Approve Agenda .....	4
B.1.	Sequence of Events and Status of Fisheries in 2000 .....	4
B.1.c.	Council Discussion on Sequence of Events and Status of Fisheries in 2000 .....	4
B.2.d.	<i>Council Action:</i> Approve Methodology Changes for 2001 .....	6
B.3.e.	<i>Council Action:</i> Consider Adopting Technical Adjustments to Amendment 13 .....	9
B.4.e.	Council Discussion on Progress Report on Review of Queets Wild Coho Status .....	10
B.5.d.	Council Discussion and Guidance on Location of Salmon Option Hearing Sites .....	10
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C.2.e.	<i>Council Action:</i> Adopt Apportionment Values for 2001 .....	17
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C.7.e.	<i>Council Action:</i> Adoption of 2001 Groundfish Management Process .....	26
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C.10.e.	<i>Council Action:</i> Adopt Permit Transfer Regulatory Amendment .....	42
C.11.d.	<i>Council Action:</i> Consider Adjustments in Groundfish Management Measures .....	42
D.1.d.	Council Guidance on Estimate of Bycatch in 1999 .....	43
D.2.f.	<i>Council Action:</i> Consider Adopting Regulatory Changes for 2001 Halibut Management .....	46
E.1.d.	Council Discussion on CPS Capacity Goals and Other Issues .....	49
E.2.d.	<i>Council Action:</i> Adopt 2001 Sardine Harvest Guideline .....	54
E.3.d.	Council Discussion on Allocation Measures for Northern Areas .....	57
F.1.f.	<i>Council Action:</i> Consider HSG Recommendations .....	60
G.1.b.	Council Discussion on Update to the HMS Fishery Management Plan Development .....	61

H.3.e. *Council Action: Consider Final Adoption of Research and Data Needs and Economic Data Plan Documents* ..... 64

H.4. Appointments to Advisory Bodies for 2001 Through 2003 ..... 64

H.4.a. Election of Council Chairman and Vice-Chairman ..... 66

H.5. Draft Agenda Ideas for March 2001 - *DISCUSSION* ..... 66

## A. Call to Order

### A.1. Opening Remarks, Introductions

Chairman Jim Lone called the meeting to order at 8:12 a.m.

### A.2. Roll Call

#### Voting Members

Mr. Bob Alverson  
Mr. Phil Anderson  
Mr. Jack Barraclough  
Mr. Burnell Bohn  
Mr. LB Boydston  
Mr. Ralph Brown  
Mr. Jim Caito  
Mr. Jim Harp  
Mr. Donald Hansen  
Mr. Jim Lone  
Mr. Jerry Mallet  
Dr. Hans Radtke  
Mr. William Robinson  
Mr. Roger Thomas

#### Non-Voting Members

Mr. Dave Gaudet  
Dr. Dave Hanson  
Mr. Tim Roth  
CDR Ted Lindstrom

#### Members Absent

Mr. Stetson Tinkham

### A.3. Executive Director's Report

Dr. McIsaac welcomed the Council to their first meeting in Vancouver Washington, described the general strategy of the week long agenda, and mentioned certain logistics and amenities associated with the new meeting location (the Inn at the Quay).

### A.4. Report on Federal Regulation Implementation

For salmon, the National Marine Fisheries Service (NMFS) approved the Amendment 14 to the Salmon Fishery Management Plan (FMP) on September 27, 2000. This incorporated all of the Sustainable Fishery Act (SFA) provisions and made adjustments to the allocation provisions. The related proposed rule was published on October 20, 2000 and the comment period ends on December 4. There were a number of inseason actions.

For groundfish the following items were published in the *Federal Register* (FR): on September 8 a notice of availability was published for amendment 12; on September 13, an advanced notice of proposed rulemaking for permits for the AFA qualified vessels; September 14, a proposed rule for baseline regulations for a West Coast Observer program; September 15 shorebased whiting fishery reached their limits and closed; September 22 a notice of availability for Amendment 13 to the groundfish fishery management plan (FMP) was published (resubmission of the bycatch amendment and frameworking the management measures for rebuilding plans and other housekeeping items) on October 2 last round of trip limits adjustments were published; and on October 6 the proposed rule for amendment 12 was published

The California Fish and Game Commission took action to close the lingcod fishery statewide for the last two months of the year; and based upon the action taken by the Pacific Fishery Management Council at their September meeting, there will be a complementary federal closure.

Mr. Boydston said the California Department of Fish and Game they would be checking with the California Fish and Game Commission, on an effective date, probably of November 1.

Mr. Robinson then noted that for whiting, the mothership sector has been closed since June; shorebased closed September 15. The catcher-processor sector should reach their allocation and be closed either on November 4 or 5. The tribal whiting fishery will not harvest its entire allocation, they have not been able to have the fishery they have had in the past; they proposed that NMFS reapportion 10,000 mt of the tribal allocation back to the nontribal sector. NMFS did not do that because the chinook salmon bycatch had exceeded the 11,000 fish limit in the Biological Opinion (BO). The consequences of that BO is to require NMFS to reinitiate consultation; the reportionate was a discretionary action that would reauthorize fisheries - they did not do the reallocation. In conjunction with that, there will be a section 7 consultation. NMFS will hold a meeting this evening to discuss the section 7 consultation (reallocating among sectors; pursue additional management measures to slow the bycatch).

Mr. Brown asked about the whiting fishery, when you tell them about the decision of allocation, please announce the meeting again when we get to the groundfish agenda. Mr. Bohn noted that due to the difficulty the tribal fishery had getting to their whiting - do you have any information on how the Canadians did? Mr. Robinson said they did not come close to taking their quotas that they set. Mr. Alverson asked is this meeting to try to open the fishery again? Mr. Robinson said this is about next years management in the whiting fishery.

#### **A.5. Council Action: Approve Agenda**

The Council approved the proposed agenda with the following additional items: under administrative items add "elections of the Council Chairman and Vice-Chairman" and "workload priorities". Under coastal pelagic species, add an informational item from the NMFS SWR for Pacific mackerel management. Under sequence of events and status of salmon fisheries in 2000, Sgt. Mike Cenci from the Washington Department of Fish and Wildlife (WDFW) will be giving a short presentation. (Motion 1)

### **B. Salmon Management**

#### **B.1. Sequence of Events and Status of Fisheries in 2000**

##### **B.1.a. Agendum Overview and Status Report**

Dr. Coon provided a brief introduction to the salmon agenda and noted that there had been no inseason salmon management conferences since the last Council meeting.

Messrs. Doug Milward, Curt Melcher, and Alan Grover briefed the Council on the 2000 salmon harvest as presented in Exhibit B.1, Supplemental Salmon Technical Team (STT) Report.

Sgt. Mike Cenci presented a synopsis of enforcement activities by WDFW for the coastal selective salmon fishery (Exhibit B.1, Supplemental WDFW Report).

##### **B.1.b. Public Comment**

None.

##### **B.1.c. Council Discussion on Sequence of Events and Status of Fisheries in 2000**

Council members asked several questions to clarify the effort and harvest information for various fisheries.

#### **B.2. Results of Scientific and Statistical Committee Methodology Review**

##### **B.2.a. Agendum Overview**

Dr. Coon provided a short summary of the status of the Scientific and Statistical Committee (SSC) review of salmon estimation methodologies (Exhibit B.2, Situation Summary).

## **B.2.b. Report and Comment of Advisory Bodies**

### **SAS**

Mr. Mark Cedergreen presented the comments of the Salmon Advisory Subpanel (SAS).

*The Salmon Advisory Subpanel commends the hard work and progress made by those working on the Klamath Ocean Harvest Model. We urge those involved to carry on this work for implementation in the 2002 fishing season.*

### **SSC**

Dr. Peter Lawson presented the report of the SSC.

*The Scientific and Statistical Committee (SSC) reviewed two methodologies that are under development: the revised Klamath Ocean Harvest Model (KOHM) and the Coho Cohort Reconstruction project. Progress is good on both projects, but neither will have a product ready for use in the 2001 season setting process.*

*Mr. Allen Grover (CDFG), Dr. Lloyd Goldwasser (NMFS), and Mr. Michael Mohr (NMFS) briefed the SSC salmon subcommittee on the progress of the Klamath Ocean Harvest Model (KOHM) revision. This team has undertaken a thorough reworking of the input data sets and many of the supporting analyses, as well as the KOHM itself. The ocean coded-wire tag (CWT) database, which is one of the foundations of the model, was checked for accuracy and consistency. A new, corrected data base was created. The SSC recommends the corrected data base be made available through the Pacific States Marine Fisheries Commission (PSMFC). In addition, several freshwater CWT data sets that the KOHM team has assembled should be considered for inclusion on the PSMFC system. Using the revised data sets, along with an age composition analysis (marine and in-river) and a size-at-age analysis, the KOHM team produced a new cohort analysis. Remaining work includes a catch-effort analysis, inclusion of Central Valley and Rogue River stocks in the ocean populations, and creation of the harvest model itself. This project appears to be well conceived, carefully executed, and well documented. Progress is slower than expected due, in part, to the large number of interdependent elements in the analysis and the overall scope of the project. The final products, which will include revised Klamath fall chinook data sets and a new harvest model, should be completed in time for review prior to the 2002 management season.*

*Mr. Jim Packer of Washington Department of Fish and Wildlife presented a progress report on the coho cohort analysis and coho FRAM development. This project was initiated in 1994 with the goal to revise the base period used in the coho FRAM model to improve the harvest estimates in mixed stock fisheries. Progress to date includes production of historical exploitation rates and contribution rates for stocks and fisheries from 1986 to 1991. Work to be done includes incorporation of the new data set in the structure of FRAM. There are several challenges that remain. Six years of data need to be condensed into a single base period. The new data set has many more stocks and fisheries than the existing model. Stock size predictions are needed for each included stock. The increased resolution of the new model must be reconciled with the capability of tribes and agencies to predict stock size. The new data set has four time periods (January through June, July, August, September through December) compared with 13 for the existing model. The current system of Terminal Area Management Modules will not work with the new data set. This will necessitate development of new techniques for modeling late-season and terminal area fisheries. The new model structure will permit a functional internet interface, simplifying model distribution and coordination of preseason negotiations. Mr. Packer indicated the final model should be ready for review in the summer of 2001 and for the use in fishery management in 2002. In order to conduct that review the SSC will need thorough documentation of the model and the methods used to develop the new data base.*

### **B.2.c. Public Comment**

None.

### **B.2.d. Council Action: Approve Methodology Changes for 2001**

There were no methodology changes for the Council to approve.

### **B.3. Final Report of the Oregon Coastal Natural Coho Work Group**

#### **B.3.a. Agendum Overview**

Dr. Coon provided an overview of the Agenda item (Exhibit B.3, Situation Summary).

#### **B.3.b. Report by Work Group Leader**

Mr. Sam Sharr, Oregon Department of Fish and Wildlife (ODFW), summarized the Oregon coastal natural (OCN) coho review and provided the work group's recommendations:

*Based upon the results of our analyses the consensus of the OCN Work Group is that the following changes to the management matrix in Amendment 13 will reduce the risk of extinction and improve the likelihood of recovery for OCN coho:*

- *Add "Critical" and "Very Low" parental spawner categories to the matrix. "Critical" is defined as spawner densities less than four fish per mile in the Northern, North-Central, and South Central sub-aggregates, and as less than 12% of full seeding in the Southern sub-aggregate. "Very Low" is defined for each sub-aggregate as greater than "Critical" but less than 19% of full seeding.*
- *Retain the "Low", "Medium" and "High" parental spawner categories as defined in the existing matrix (i.e. >19% and ≤50% of full seeding, >50% and ≤75% of full seeding, and >75% of full seeding, respectively).*
- *Eliminate the provision that prevents moving to a higher harvest rate based upon one major basin having less than 10% of full seeding.*
- *Define the spawner abundance status of OCN coho based upon the status of the weakest sub-aggregate as determine by the aforementioned criteria.*
- *Add a new "Extremely Low" marine survival category that has an OPI hatchery jacks:smolts ratio of less than 0.0008.*
- *Re-define the "Low" and "Medium" survival categories. OPI hatchery jacks:smolts ranges that define the two categories should be 0.0008 to 0.0014 and greater than 0.0014 to 0.0040 respectively.*
- *Retain the existing "High" marine survival definition as an OPI hatchery jacks:smolts ratio greater than 0.0040.*
- *Adjust allowable fishery impact rates in the matrix consistent with results of the Nickelson/Lawson habitat based production model.*

In response to questions, Mr. Sharr stated that the risk assessment of the original Amendment 13 is not superseded by the work group review. The risk assessment is still valid and the extinction probabilities have not changed.

#### **B.3.c. Report and Comments of Advisory Bodies**

##### **STT**

Dr. Gary Morishima gave the report of the STT.

*The Salmon Technical Team (STT) appreciates the work that went into the report of the Amendment 13 Review Committee.*

*Clarification of the technical basis for the Committee's recommendations: The report presents results from the Nickelson-Lawson Model and a simplified deterministic version of that model as the basis*

for proposing a new decision matrix containing limitations on allowable exploitation rates. The report is not clear as to the details underlying the various technical analyses presented. The STT, therefore, recommends a technical appendix describing the detail underlying the derivation of the proposed decision matrix be produced. The appendix should provide an explanation of modeling decision points and modeling details that support the proposed new decision matrix so it can be understood and followed. Additionally, the appendix should include derivation of the model parameters for the original decision matrix established by Amendment 13, as requested by the STT and Scientific and Statistical Committee (SSC) (Amendment 13 should be attached for reference since it is referenced extensively by the Committee's Report).

Potential confusion and misinterpretation of "extinction risk": There is some potential for confusion and misinterpretation regarding the "extinction risk" presented in the report. An extinction risk analysis was completed prior to Council adoption of Amendment 13. The "extinction risk" presented in this review should not be interpreted as a substitute for or an update of that analysis. The extinction probabilities shown in Figure 9 were contrived in an attempt to generate relationships between model-estimated spawners per mile and the risk of extinction four generations later. The relationship represents model results under the assumption of prolonged periods of constant, low marine survival rates; additionally, the definition of "extinction" differs significantly in the two analyses (.05 spawners per mile over four generations in the committee's review versus 50 spawners per basin over 100 years in the Amendment 13 Risk Assessment). The relationships depicted in figure 9 should not be interpreted as true risks of extinction under actual conditions. The original risk analysis examined the risk of extinction at 0% harvest rate and the harvest rates prescribed by the matrix in Amendment 13 with a minimum harvest rate of 13%. The committee did not complete an "extinction risk" analyses comparable to that provided for Amendment 13; however, the 8% maximum exploitation rate proposed by the Committee at critical parental escapements should produce extinction risks within the bounds depicted in the Amendment 13 assessment of extinction risk.

Modified decision matrix: The STT supports the addition of the critical parental spawner status and extremely low projected marine survival rates to provide additional guidance in responding to conservation concerns. However, the STT notes that the 8% exploitation rate limit allowed under critical parental stock status is somewhat arbitrary. This rate represents the lowest preseason rate anticipated by the regulations adopted by the Council in recent years; no significant modeling or biological thresholds can be attached to this rate. The STT is concerned that application of the 8% exploitation rate limit uniformly across all expectations of marine survival may not be appropriate or consistent with the objective of achieving full seeding of high quality habitat (defined at an assumed marine survival rate of 3%). Of particular concern is the application of the limit at medium and high marine survival rates. While there is increased uncertainty regarding compensatory effects at low spawning densities and some uncertainty regarding production response at critical parental escapement and medium to high marine survival levels, the STT notes that such events have occurred historically. The STT recommends that the committee reconstruct historical production to provide an indication of what production response might be expected under such conditions. The STT also wishes to note that a limitation of exploitation rates at 8% at medium and high survival rates will increase the contentiousness of allocation issues that come before the Council. At critically low parental escapement levels and low projected marine survivals, the STT concurs that an 8% exploitation rate would likely delay the attainment of the full seeding objective. At very low projections of marine survivals and critical parental spawning escapements, the STT concurs that there is no biological justification for harvest of the OCN stock.

Modeling capacities: The STT notes that application of the deterministic Nickelson-Lawson model to individual sub-aggregates produces inconsistent results. This simplified model overpredicts spawning escapement in the north and north-central sub-aggregates while underpredicting production in the south-central and southern sub-aggregates. This could be due to a variety of factors, including differences in marine survival rates or fishery impacts, two critical elements that are assumed invariant under Amendment 13. Currently, the STT does not have the capability to evaluate differences in fishery impacts between the sub-aggregates if they exist; marine survival differences between sub-aggregates would require revision of Amendment 13.

## SSC

Mr. Bob Conrad presented the SSC report.

*Mr. Sam Sharr, Oregon Department of Fish and Wildlife (ODFW), reviewed the final draft report "2000 Review of Amendment 13 to the Pacific Coast Salmon Plan" for the salmon subcommittee of the Scientific and Statistical Committee (SSC). This report thoroughly addresses two items previously identified by the SSC and Salmon Technical Team as critical to the review:*

- *An assessment of the current status of the Oregon Coastal Natural (OCN) stock towards rebuilding to full seeding of the spawning grounds, and*
- *A review of the marine survival and parental spawner trigger points in the harvest management matrix.*

*The SSC encourages the proposed changes to the harvest management matrix, because they are based on a peer-reviewed model, reflect conditions that have been experienced in the 1990s, and provide additional protection to OCN stocks when they are at low levels of abundance. Given the continuing depressed status of OCN stocks, the recommendations to expand the harvest management matrix defined in Amendment 13 to include two new parental spawner categories ("Very Low" and "Critical") and one new marine survival category ("Extremely Low") are warranted. The recommended allowable fishery impacts in the new harvest management matrix are consistent with the historical performance of the fishery and provide escapement levels that are consistent with the goal of full seeding of the spawning grounds. The results from the model are difficult to interpret when parental spawner levels are in the "Critical" category. The SSC stresses that when stocks are in the "Critical" parental spawner category there is no biological justification for allowing harvest.*

*It is important to note that the risks of extinction used in the 2000 review report do not supercede the previous risk assessment developed for Amendment 13 (Appendix C). Although the extinction risks in the 2000 review were developed with the same model used for the original risk assessment in Amendment 13, they were used only to address issues pertinent to the 2000 review. The assessment developed for Amendment 13 remains the best assessment of the risk of extinction for OCN populations.*

*Finally, the SSC supports research that focuses on the underlying assumptions of the model, such as ODFW's life-cycle monitoring project. This research, in addition to analyses currently under way, will provide new information that can be incorporated into future reviews of Amendment 13 and the harvest management matrix. We recommend another review be conducted in 2003.*

## SAS

Mr. Cedergreen gave the report of the SAS.

*The Salmon Advisory Subpanel reviewed the final draft of the 2000 Review of Amendment 13 to the Pacific Coast Salmon Plan.*

*The recommendations presented on page 32, and in Table 6 on page 30, have substantial allocation implications. Other than the last paragraph of the Executive Summary on page V, there is no discussion regarding the allocation of proposed reductions under "Critical Parent Spawner Levels" and low levels of marine survival. However, we generally support the direction of the report.*

*Our recommendation would be to at least adopt the report as an advisory document.*



#### **B.3.d. Public Comment**

Dr. Stan Gregory, IMST, Oregon  
Mr. Mark Cedergreen, Westport Charter Boat Association, Westport, Washington  
Mr. Paul Englemeyer, National Audubon Society, Yachats, Oregon

#### **B.3.e. Council Action: Consider Adopting Technical Adjustments to Amendment 13**

Mr. Boydston noted that if there is no biological justification for harvest when the OCN coho stock is in the lower matrix levels, then likewise there should be no allowable habitat impacts as well.

Mr. Anderson asked Mr. Sharr how the work group would address the STT comment that the 8% exploitation rate limit is somewhat arbitrary and they are concerned about using it across the board. Mr. Sharr stated that the work group had discussed at great length how to deal with our lack of knowledge about the population behavior at critically low levels. In the absence of being able to predict it, the sense of the work group was you have to see some positive ("show me") results before the harvest rates get cranked up.

Mr. Bohn recommended the Council accept the report of the work group as biological guidance to incorporate and use along with the existing Amendment 13 for the next two or three years. Another review could be instituted in 2003 as suggested by the SSC. In the interim, the work group could put together the information the STT requested in the first paragraph of their statement (i.e., "The STT, therefore, recommends a technical appendix describing the detail underlying the derivation of the proposed decision matrix be produced. The appendix should provide an explanation of modeling decision points and modeling details that support the proposed new decision matrix so it can be understood and followed."). He would also like to see the work group look further at the habitat model and report back on that information probably by the March meeting.

Mr. Bohn clarified that the work group report would be for guidance in addition to Amendment 13. It would not replace the current matrix of Amendment 13 since there is some disagreement on the technical details of the new matrix. As ocean conditions turn around, more information will be available from which to judge the matrix decision points. Mr. Bohn believes the Council is not ready to do the allocative type of process by next March for the 2001 fisheries which adopting the new matrix could trigger. Mr. Anderson agreed that the work group should address the technical issues raised by the STT and SSC, but they are not the appropriate group to consider the social and economic ramifications of a new matrix.

As proposed by Mr. Bohn, the Council agreed to accept the report of the OCN Coho Work Group as additional information to be used in conjunction with the harvest matrix of Amendment 13 and to request that the work group answer the technical questions of the STT (Motion 2).

#### **B.4. Progress Report on Review of Queets Wild Coho Status**

##### **B.4.a. Agendum Overview**

Dr. Coon presented the situation summary.

##### **B.4.b. Report of Tribes and Washington Department of Fish and Wildlife**

Mr. Anderson reported that he has not met with the Quinalts on this issue, but that Dr. Morishima will be working with Mr. Doug Milward and appropriate staff to pull together the basic data necessary for the review. Once the basic data is assembled, it can be presented to the Council, possibly by March, with a draft report completed by the June Council meeting.

Mr. Harp clarified that he does not speak for the Quinault Indian Nation on this issue. He knows there is an outline draft in development which the STT has discussed. He has reviewed the outline draft and believes the schedule that Mr. Anderson has mentioned would probably work out. The information for the escapements for the 2000 fishery should be available by January.

#### **B.4.c. Report and Comment of Advisory Bodies**

##### **STT**

Dr. Morishima and Mr. Milward stated that the STT has discussed the review time line and will attempt to meet it. Dr. Morishima reported that the STT is currently in the process of developing an outline to address the issues for the Queets coho assessment, respectful of staffing limitations. It was unclear to him exactly how the habitat issues involved would be dealt with by the Habitat Steering Group (HSG).

#### **B.4.d. Public Comment**

None.

#### **B.4.e. Council Discussion on Progress Report on Review of Queets Wild Coho Status**

Mr. Anderson noted Amendment 13 says that in addition to the STT assessment, the Council will direct its HSG to review the status of the essential fish habitat (EFH) for the stock. He recommends that the STT flesh out the initial outline and in March we can review it and make assignments to the HSG for the review of pertinent habitat issues.

#### **B.5. Salmon Option Hearing Sites**

##### **B.5.a. Agendum Overview**

Dr. Coon summarized the situation summary. He referred the Council to the proposed salmon preseason management schedule for 2001 (Exhibit B.5, Attachment 1) and noted that it is similar to previous years. However, he stated that due to limited staff and numerous other priorities during the brief period between the March and April Council meetings, the Council staff recommends only one public hearing on the salmon options per state. The recommended Council-staffed hearings are in Westport, Washington; North Bend (or Coos Bay), Oregon; and Eureka, California.

##### **B.5.b. Report and Comments of Advisory Bodies**

##### **SAS**

Dr. Coon read the report of the SAS.

*The Salmon Advisory Subpanel (SAS) supports the hearing site proposal with the exception that we recommend the addition of Tillamook as an official Council hearing site. Our recommendation will be elaborated on by Oregon SAS member(s) during public comment.*

##### **B.5.c. Public Comment**

Mr. Don Stevens, Oregon Salmon Commission, Newberg, Oregon  
Mr. Mark Cedergreen, charterboat operator, Westport, Washington

##### **B.5.d. Council Discussion and Guidance on Location of Salmon Option Hearing Sites**

The Council adopted the salmon preseason schedule as provided in Exhibit B.5, Attachment 1 (Motion 3). Mr. Boydston said that the California Department of Fish and Game (CDFG) will also continue with the Moss Landing hearing, tentatively set for March 28. Mr. Anderson said WDFW will be having their normal North of Falcon meetings in addition to the hearing in Westport, Washington.

In response to a request from Mr. Don Stevens, the Oregon Salmon Commission, and the SAS, Mr. Bohn said that, within the currently very tight budget constraints, ODFW will try to hold additional hearings in Tillamook and Newport. These would be combined with other issues rather than just the ocean salmon seasons. Mr. Stevens said the Oregon Salmon Commission would be willing to help pay for them.

## **C. Groundfish Management**

### **C.1. Rebuilding Plans for Canary Rockfish and Cowcod**

#### **C.1.a. Agendum Overview**

##### *Canary Rockfish*

Mr. Glock reviewed the situation summary and suggested the Council keep the groundfish strategic plan in mind as they worked through the issues. He and Dr. Rick Methot gave a powerpoint presentation to summarize the canary rockfish rebuilding plan and management issues. Dr. Methot said he adjusted the estimates of recent recruitment downward by 50% because they appeared unnaturally high. Council members had several questions about the high level of uncertainty, about the 2001 survey, and recruitment. Mr. Anderson believed Dr. Methot's downward adjustment to the recent recruitment estimates might be too extreme. Dr. Methot agreed there is a lot of uncertainty about recent recruitment, and relaxing his adjustment would provide the Council with a better understanding of the uncertainty and the effect of different recruitment levels on the 2001 optimum yield (OY). Mr. Anderson asked him to rerun the model using slightly higher values. Dr. Methot agreed to report his results later in the meeting.

##### *Cowcod Rockfish*

Mr. Boydston provided a brief history of events relating to groundfish management in California, touching on the Groundfish Management Team's (GMT) June 2000 projection that landings of bocaccio and cowcod would go over the OYs; the California Fish and Game Commission meeting and CDFG's recommendation to delay action on catch restrictions (due to uncertainty about the recreational catch projections; the Department's filing of a number of management proposals for 2001, including time closures, bag limit reductions and the concept of a cowcod area closure in Southern California; and the August 10-11 meeting of the ad-hoc allocation committee. It was not until the preliminary canary rebuilding analysis was available at the September Council meeting that we understood the severity of the problem. CDFG conducted public hearings to educate the public and receive input. He said over 300 people attended the October 10, 11, and 12, 2000 hearings. The majority of the comments were on fishing regulations for particular areas, but there was a general call for better data, especially concerns about the Marine Recreational Fisheries Statistics Survey (MRFSS) data. There was repeated referral that the closures will adversely affect businesses. He said the CFG Commission concurred with the range of options presented to the allocation committee and is prepared to adopt regulations consistent with the Council's. Mr. Barnes then gave the briefing on the regulation options, including cowcod area closure proposals (contained in Supplemental CDFG Overheads).

#### **C.1.b. Report of the Ad Hoc Allocation Committee Report**

Mr. Anderson briefly summarized Supplemental Allocation Committee Report C.9.b.

#### **C.1.c. Report and Comments of Advisory Bodies**

##### **ODFW**

Mr. Neal Coenen presented Supplemental ODFW Report Exhibit C.1.c. This memorandum to the Council members summarized the three state meetings with industry. ODFW explained the situation with attendees and attempted to develop appropriate strategies and management measures. He suggested the allocation committee's report was too drastic for implementation by emergency rule, that the situation should be verified before the Council voted to shut down the industry. He suggested taking a little more risk about the stock by waiting to get the next recruitment data point from the upcoming trawl survey. He suggested the 2000 trawl regulations be continued, and that OY should be about 80 mt to allow for some fishing on the shelf.

Mr. Anderson expressed understanding of Mr. Coenen's concerns, but said the allocation committee felt obligated to accept the 60 mt total catch limit, and that will require drastic measures. The allocation committee had to look at closing down all fisheries where canary rockfish are present. He agreed there are

public process issues here that are relevant but stressed the allocation committee had instructions to develop a management regime to meet the 60 mt. Mr. Coenen agreed action is necessary, but suggested less drastic action.

## **Enforcement**

Mr. Tom Shuler and Mr. Steve Springer presented information about vessel monitoring systems, surveillance and monitoring.

*The Enforcement Consultants (EC) want to brief the Council on one of the proposals that has been mentioned for consideration.*

*The issue surrounding an area for the protection of canary rockfish which is based on a depth or fathom curve of 50 fathoms to 150 fathoms. Currently, the states have limited resources or capability for offshore patrols. The 50 fathom line is close enough for some enforcement, but outside 10 miles becomes a problem; particularly in October to March, due to weather constraints.*

*The U.S. Coast Guard has capability to go offshore, but have limited cutter patrol hours. When spread to all three states, this asset becomes very sparse.*

*We have evaluated the use of aircraft, and again, the states are very limited in their ability.*

*The U.S. Coast Guard has approximately 1,400 hours for fishery enforcement for helicopter use in Oregon and Washington; and about 200 hours for C130 aircraft. Three are 200 to 400 hours available for northern California. The effectiveness of aircraft is directly related to their ability to identify the fishing activity from the air.*

*With current enforcement budgets and manpower, it will be extremely difficult to adequately enforce this type of regulation.*

*If the Council proceeds with large closure areas, the EC recommends careful consideration of what is to be accomplished. The structure of the regulations relating to the closure can have large impacts on our ability to enforce, unfortunately the more restrictive the closure, the better the ability to enforce. Some measures to be considered are:*

- 1. No fishing within the closure.*
- 2. Observers to fish in closure area.*
- 3. Declaration of vessels fishing in closure and notification of landing time.*
- 4. Vessel monitoring system.*
- 5. Consolidate fishing time into shorter time frames.*
- 6. No retention in any fisheries for species to be protected.*

*The EC recognizes that all these examples of measures have impacts or different effects on industry, communities, and the states. Real effectiveness of the closure will depend on industry acceptance and not enforcement.*

*We encourage the Council to proceed with evaluation of vessel monitoring system for use in the fishery. We think there may be opportunity for its use in some areas.*

*The EC also would urge the Council to write a letter to the states, National Marine Fisheries Service, and the U.S. Coast Guard that reflects the need for adequate enforcement. We are not asking you to necessarily ask for more money to fund these programs, but the EC stresses the need for adequate marine enforcement, because it is critical to the Council's ability to manage resources.*

## GMT

Dr. Jim Hastie reviewed Supplemental GMT Report 4 under C.3.c, focusing on recreational catch estimates of canary rockfish and concluding the California/Oregon recreational catch could easily be 55-59 mt, rather than the 44 mt figure presented to the allocation committee. He said there is no way to accurately predict next year's catch, but there are some likely scenarios. He said he did not want to convey that 59 mt was more likely than 44 mt this year, but based on a reasonable alternative set of assumptions, the result could as high as 59 mt. He said it seemed reasonable to him that some fishers who were prevented from fishing during the period covered by wave three of the survey would reschedule a trip during another period.

Mr. Boydston agreed effort shifts occur and wished he had this information before CDFG went out for the public hearings. He asked if he thought CDFG had chosen the wrong months to close. Dr. Hastie responded the data show different trends in different years, so there is no way to tell for sure. He said the GMT believes it is better to look not just at the year that shows the lowest landings, but at a range of years. He suggested if recreational fishing were restricted to water shallower than 20 fathoms, more canaries would be saved than if fishing were allowed out to 50 fathoms. They also discussed the different views on the effect the overall rockfish bag limit would have on catch; Dr. Hastie supported his own view, stating he had gone back and looked at the bag distributions on the Recreational Fishery Information Network (RecFIN) website.

Mr. Anderson asked about how the catch is distributed between the southern and northern areas. Dr. Hastie said most of the California catch appears to be taken south of Cape Mendocino. Of the 24 mt estimate, 22 mt would be south of Cape Mendocino.

## GAP

*The Groundfish Advisory Subpanel (GAP) reviewed proposed rebuilding programs for canary rockfish and cowcod.*

*In regard to both rebuilding plans, the GAP continues to express strong concerns over the intent and ability to monitor rebuilding. Although the law requires rebuilding plans be monitored every two years, it is unclear how this is going to be done. Management regulations to accomplish rebuilding will further disrupt the flow of data required to rigorously examine rebuilding progress, a problem we are already facing. This is especially true for those species that rely heavily on fisheries dependent data. There is no clear determination of who will pay the cost of monitoring or where the money will come from. There seems to be no way of determining when we have done enough. These are serious questions the Council will need to address.*

*In regard to cowcod, the GAP believes adjustments need to be made to the text on page 4 regarding area closures. It is the GAP's understanding the specific closures identified are not those proposed to accomplish rebuilding. The plan needs to be modified to reflect Council action.*

*In regard to canary rockfish, a majority of the GAP believes modifications can be made which will accomplish rebuilding while still allowing a carefully-managed fishery to be prosecuted. The GAP notes the uncertainty associated with the canary stock assessments, including a decision to discount the results of the 1998 triennial survey. Further, the assumptions used to judge recruitment ignore the higher level of recruitment identified in recent years. Given that the acceptable biological catch (ABC) suggests 228 tons of canary could be caught while maintaining stock status quo, a decision to reduce harvest to 60 metric tons seems extreme, especially given the economic impact. If the Council chose to accept a recruitment level between the low recruitment assumed and the higher recruitment noted, and added a reasonable level of catch to reflect what seem to be healthier southern stocks, the GAP believes a conservative harvest of between 120 and 150 metric tons coastwide could be allowed. The GAP recommends the Council adopt a more moderate assumption on recruitment strength, so a modest fishery can continue for both recreational and commercial sectors. The results of the 2001 triennial survey will provide better data in time for the 2002 stock assessment (which coincides with the 2-year monitoring requirement). This more moderate approach makes sense in light of the questions surrounding the assessments, available data, and recent recruitment strength.*

*A minority of the GAP believes the rebuilding plan should be adopted as presented, using the 60 metric ton harvest amount.*

*The GAP spent a considerable amount of time discussing the allocation issues that arise from the presumed apportionment of canary rockfish impacts among the various fisheries. Similar issues were raised in regard to the apportionment of minor nearshore rockfish both north and south of the Mendocino line.*

*The GAP is extremely concerned the presumed apportionments constitute an allocation among fishery sectors. The GAP notes the Groundfish fishery management plan and implementing regulations are very clear on what constitutes an allocation and how allocations are to be accomplished by the Council. The Council has established an allocation process, which the GAP has supported. The GAP believes the Council should - and in fact is required by law to - adhere to this process. Simply deciding that one sector or another should be allowed a larger share of a diminished harvest undermines confidence in the management process. If allocation is to be accomplished, the GAP believes the established process must be followed.*

*Looking further at proposals for apportioning canary rockfish harvest, a majority of the GAP recommends reductions made in 2001 be proportional to the harvest levels that were allocated under emergency regulations for the 2000 fishery. This will provide the equitable treatment of fishing sectors required by law.*

*A minority of the GAP agrees reductions must be made, but disagreed with establishing a particular proportional target, because only vigorous efforts by all sectors to avoid canary harvest will meet harvest goals. All GAP members agreed reductions can only be accomplished if efforts are made to avoid harvesting canary rockfish and noted both state and anecdotal data indicating many fishermen - both recreational and commercial - are already making efforts to avoid harvesting canary rockfish. Because many people are unaware of the serious problem with canary rockfish, better public education and changes in fishing techniques can significantly reduce canary catch, as demonstrated in the Washington recreational fishery this year.*

After the GAP report, Council members discussed how best to conduct the public testimony portion of this agenda item, whether public comments should be limited to the OY or should include allocation issues. Ms. Cooney explained there is no locked-in allocation at this time, but allocation and management issues must be included in the rebuilding plan when it is submitted. She wanted to make sure both the Council and the public addressed the necessary issues, including the parameters and allocations included in that rebuilding plan. Mr. Robinson listed the parameters that must be included in the rebuilding plan, and said there should be a discussion of the tradeoffs and what decisions were made to get to that rebuilding plan. Mr. Brown said Amendment 12 authorizes changes to allocations during the rebuilding period, but there should be discussion about allocations after the rebuilding period as well. Allocations are part of the rebuilding plan development, and some people in the audience do not know where on the agenda to talk about allocations.

Mr. Anderson asked Dr. Methot what the effect would be of assuming a higher value of recruitment, so the public could comment on a broad range of recruitment assumptions. Dr. Methot referred the Council to page three of the addendum to the canary rockfish rebuilding plan. Assuming a 25% reduction in the estimates of recent recruitment, rather than the 50% and 0% reductions already discussed, the minimum rebuilding time would be 41 years, plus one mean generation (17 years) would allow a 58-year rebuilding time.

Dr. McIsaac noted that there were a couple of requests of Dr. Methot for additional information. He suggested the new information be presented before the public comment period.

Mr. Boydston asked what catch level would stop the recent decline in canary rockfish biomass. Dr. Methot repeated it depends on the 1996-1998 recruitment; if it's low, perhaps 70-100 mt in the north, definitely less than 200 mt. He said his calculations indicated a catch of 73 mt in the north would stop the decline even under the low recruitment scenario. If an additional 18-20 mt is added to account for the southern region, the total would be 91-93 mt coastwide. He noted that in the short term, a catch as high as the acceptable biological catch (ABC) of 228 mt would stop the decline, but that level of catch would make the problem worse in the longer term.

Dr. McIsaac suggested the public focus their testimony on the number of years in the rebuilding plan, the annual catch level, and general sport/commercial allocation (for canary rockfish only).

#### **C.1.d. Public Comment**

Mr. Mark Powell, Center for Marine Conservation, San Francisco, California  
Mr. Bob Fletcher, Sportfishing Association of California, San Diego, California  
Mr. Jeff Boardman, Shrimp Producers Marketing Cooperative, Newport, Oregon  
Mr. Gary Smith, F/V Migrant, Brookings, Oregon  
Mr. Dave Parker, Sea Eagle Fisheries, Astoria, Oregon  
Mr. Pete Leipzig, Fishermen's Marketing Association, Eureka, California  
Mr. Brian Petersen, Shrimp Producers Cooperative, Toledo, Oregon  
Mr. Chris Olson, Newport Marina Store and Charters, Newport, Oregon  
Mr. Ken Culver, charter boat operator, Westport, Washington  
Mr. Mike Sorensen, charter boat owner, Newport, Oregon  
Mr. Bill Whitmer, Betty Kay Charters, Charleston, Oregon  
Mr. Darby Neil, sport fisherman, Morro Bay, California  
Mr. Joe Easley, Oregon Trawl Commission, Astoria, Oregon  
Ms. Jennifer Bloeser, Pacific Marine Conservation Council, Astoria, Oregon  
Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon  
Mr. Steve Moore, Patriot Sportfishing, Avila Beach, California  
Mr. William Smith, Monterey Fisherman's Association, San Francisco, California  
Mr. Craig Cochran, F/V Bay Islander, Newport, Oregon  
Mr. Robert Waddel, Newport Tradewinds, Newport, Oregon  
Mr. Gary Frederic, F/V Tabitha, Toledo, Oregon  
Mr. Gordon Murray, trawler, Astoria, Oregon  
Mr. Jeff Boardman, SPMC, Newport, Oregon

#### **C.1.e. Council Action: Adopt Rebuilding Plans for Cowcod and Canary Rockfish**

The Council approved a cowcod rebuilding plan that limits fishery impacts to 1% per year (about 2.4 mt for 2001) with a 95-year rebuilding period, and annual consideration of allocation to each fishery sector south of Pt. Conception. The rebuilding analysis indicates a 55% likelihood of rebuilding the cowcod stock in the specified time period. (Motion 4)

Mr. Anderson moved to adopt a canary rockfish rebuilding plan based on Exhibit C.1, Attachment 1, with a limit on coastwide fishery impacts of 93 mt coastwide annually for the next two years and a 57 year rebuilding period. The 93 mt OY is based on 73 mt for the north and 20 mt for the south. The OY will remain in place for 2 years, at which time the Council will re-evaluate. Five mt of the OY will be set aside for research, 44 mt for sport fisheries, and 44 mt for commercial fisheries. These allocation shares are not locked into the rebuilding plan, but will be reviewed in 2 years when the OY is reviewed. The analysis shows a 52% likelihood of rebuilding in the required time (Motion 5). Mr. Anderson explained this is based on the average recruits per spawner (R/S) of 1978-97, with the estimated level of recruitment in 1996-1998 reduced by 25%. He said the southern portion is 20 mt; because the R/S level is higher in the south, he added 2 mt to the 18 mt suggested by Dr. Methot. He stressed there is a lot of uncertainty in the recruitment assumptions, and he could not justify going above the 75% level for 1996-1998. He rejected a request by Mr. Boydston to make the coastwide total 100 mt. Dr. Radtke expressed concern about discards being ignored, and said he would feel better if total retention of canary rockfish was required. Mr. Brown supported the motion as a fair compromise that protects the stock and gives fishers two years of stability. He noted the earlier discussion with Dr. Methot that the stock will not be harmed, and appreciated the industry will not be put completely out of business. Mr. Robinson said he believed the motion meets the federal standards. Motions 4 and 5 passed.

The Council clarified the general allocation in the canary rockfish rebuilding plan. Mr. Brown moved that 5 mt of the 93 mt total be for research, with the remaining 88 mt split 50:50, which is a preseason target but not a specified allocation. The objective is to keep the catch of canary rockfish as low as possible, not to target 93 mt. The intent is to allow as many fisheries as possible without exceeding 93 mt. (Motion 6).

Mr. Anderson suggested the GAP and GMT refer to the Allocation Committee report as they devise their management recommendations. Motion 6 passed.

## **C.2. Apportionment of Sablefish Discard Estimates for 2001**

### **C.2.a. Agendum Overview**

Mr. Glock reviewed the situation summary. He noted the GMT made a revised table.

### **C.2.b. Report of the Ad Hoc Allocation Committee**

Mr. Anderson spoke for the allocation committee. They had a brief discussion of the options, and due to the nature of the discussions on canary, they did not bring forward a recommendation as to which of these options to adopt.

### **C.2.c. Report and Comments of Advisory Bodies**

Dr. Jim Hastie gave the report of the GMT.

## **GMT**

*This report is an update of the preliminary analysis of options to apportion sablefish bycatch/discard mortality in 2001. The first table is an updated version of the 4-option table presented at the September Council meeting. The second is a step-by-step review of the assumptions in arriving at the discard rates used in the first table. It is important to clarify that because some survival of discarded sablefish is expected, the term 'total catch' OY is misleading. Rather, it should be considered a 'total kill' OY or allocation. As a result, it is no more appropriate to apply a discard mortality rate to the total amount of fish caught, than it would be to apply the rate to the total landings. In this analysis, the GMT has attempted to reconstruct the amount of fish that would be killed as discard mortality, per 100 lb of landings, and to calculate an appropriate rate by dividing this amount by the sum of landings (100) plus the discard mortality.*

**Fixed-gear fleet:** *The GMT drew upon its previous analysis of fish-size differentials between the different phases of the fishery to postulate the amount of fish the fleet might be cycling through, in order to achieve higher percentage of larger fish in the daily trip limit (DTL) and mop-up phases. Since we know next to nothing about how the fish are actually handled or how much ghost fishing is occurring, the GMT chose a mortality rate of 20% for discarded fish. The GMT consulted with Mike Rust, NMFS, about potential long-term stress mortality that might be delayed after capture and release. He pointed out that the effect of a stressful event may not run its course for a week after the event. Even if the fish are handled well, changes in water temperature as they are brought to the surface can provide sufficient shock to the system to eventually result in death. The GMT also included some anticipated discard for participants in the 3-tiered fishery who were at or near the limit in the 1999 fishery.*

**Trawl fleet:** *In calculating total trawl discard mortality, the GMT tried to acknowledge two facts. First, some discard occurs in trips without Dover sole, thornyheads and trawl-caught sablefish (DTS) complex landings (and these were not included in deriving the 29% figure). Second, elimination of the limit for small sablefish, if continued in 2001, will reduce size-related discards. The GMT assumed this might result in a 20% reduction in the 29% rate, due to increased retention of small fish. The GMT then added an arbitrary 5%-points to this amount to reflect discard that was not included (which presumably occurred because vessels were already at their limit). The GMT assumed an average mortality rate of 70% for discarded fish, which may be too low for a predominantly summer fishery, and may be too high for a winter fishery. It may be appropriate to estimate trawl discard survival based on the target fishing opportunities the Council adopts.*



## **GAP**

Mr. Rod Moore read the report of the GAP.

*The Groundfish Advisory Subpanel (GAP) reviewed proposed formulas for allocating sablefish discards among gear sectors.*

*After considerable discussion and a presentation from the Groundfish Management Team (GMT), a majority of the GAP recommended the Council adopt the apportionment identified as "2001c" in the Supplemental GMT Report under this agenda item. A minority of the GAP agreed apportionment by sector is appropriate, but recommended no particular apportionment scheme.*

### **C.2.d. Public Comment**

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon

Mr. Gary Frederick, F/V Tabitha, Toledo, Oregon

Ms. Michele Longo Eder, (F/V Nesika, Newport, Oregon), on behalf of the following group:

Ms. Laura Deach,

Mr. Jim Miller

Mr. Eric Olson

Mr. Charlie Noggle

Mr. Arnie Yardstrom

Mr. Jack Crowley

Mr. Paul Clampett

Mr. John Crowley

Mr. Tim Hinkle

Mr. Jim Potts

### **C.2.e. Council Action: Adopt Apportionment Values for 2001**

Mr. Bohn moved to approve option 2001c in the GAP report. Mr. Anderson seconded the motion. (Motion 7) [Option 2001c was chosen as a method of calculating sablefish landed catch allocations to the various commercial fishery sectors based on accounting for discard mortality within each individual sector, as opposed to the current non-incentive based general value taken "off the top" for all sectors.]

Mr. Alverson took Mr. Bodner's comments to heart about the logbook issues. He understood that comments about requirements for logbooks and felt that maybe that issue should be taken up by the strategic plan committee. Motion 7 passed.

## **C.3. Final Harvest Levels for 2001**

### **C.3.a. Agendum Overview**

Mr. Glock reviewed the situation paper and material provided.

### **C.3.b. Resolution of Marine Recreational Fisheries Statistics Survey and State Catch Estimates**

Mr. Russ Porter described the MRFSS/RecFIN data issues and their efforts and plans to improve the data.

### **C.3.c. Groundfish Management Team Recommendations and Impact Analysis**

## **GMT**

Dr. Hastie presentation of Revised Supplemental Replacement GMT Report 3. He noted the update of the 1998 whiting assessment showed the stock declining as predicted, and the US OY would drop to 190,400 mt. The sablefish ABC in the Conception area was adjusted to 212 mt, based on the "unassessed stock" and discard adjustments. Pacific Ocean perch (POP) would be 40 mt, based on the final STAR panel report.

Widow rockfish is overfished, with OY at 1,775 mt. Longspine thornyhead and shortspine thornyhead in the Conception area adjusted as per sablefish. Darkblotched rockfish would be 130 mt, based on 5% of the Soviet catch.

#### **C.3.d. Treaty Indian Harvest Guidelines**

Refer to Council discussion.

#### **C.3.e. Other Specifications**

None.

#### **C.3.f. Report and Comments of Advisory Bodies**

### **SSC**

Dr. Ralston presented the SSC report.

#### *Widow Rockfish*

*The Scientific and Statistical Committee (SSC) reviewed Appendix B of the widow rockfish stock assessment, which considers alternative minimum stock size/overfishing thresholds for widow rockfish. The report contrasts the default definition of stock status with the results of a new analysis of spawner-recruit (S/R) data, which had not been reviewed by the Stock Assessment Review (STAR) Panel.*

*The stock assessment results indicate the point estimate of spawning output in 1999 is 23.6% of the unfished level, which is below the fishery management plan amendment 11 default minimum stock size threshold (25%). The approximate 95% confidence interval ranges from 16% to 38.6% of the unfished level. The new S/R analysis estimates  $B_{msy}$  and presents the case that stock status could range from nearly overfished (Ricker model) to healthy (Beverton Holt model).*

*The SSC finds the results of the new S/R analysis are not adequate to reliably characterize widow rockfish stock status. The S/R data used in the analysis are not sufficiently informative to describe a meaningful stock-recruit relationship, and some of the results of the S/R analysis are not internally consistent with the results of the stock assessment. In particular, it is difficult to reconcile the Beverton Holt model results with the long term decline in spawning biomass and recruitment shown by the stock assessment.*

*The SSC encourages further S/R work for widow rockfish and other species. It is important to consider a variety of potential S/R relationships, and modeling should provide likelihood profiles of the steepness parameter. It would be useful if the analyses could be presented together with stock assessments to assure internal consistency of the results and to get the maximum benefit from a full STAR Panel review of the work.*

*While recognizing the uncertainty about the point estimate of stock status, the SSC supports the optimum yield (OY) of 1775 mt recommended by the Groundfish Management Team for widow rockfish in 2001, which was derived from an  $F_{65\%}$  harvest rate as modified by the 40-10 policy. Projections indicate this policy will result in rebuilding the widow rockfish stock within a ten-year period.*

#### *Pacific Ocean Perch*

*The SSC is concerned the preliminary OY for Pacific Ocean perch (POP) (626 mt) reflects overly optimistic projections of stock rebuilding due to a reliance on potentially untenable stock recruitment assumptions. The new stock assessment indicates an improvement in POP stock status, suggesting that it may be possible to rebuild the stock faster than previously thought, or, alternatively, to obtain*

higher yields during the period of rebuilding. Until a thorough rebuilding analysis is conducted with the new assessment results, the SSC recommends using the yield projected for 2001, as put forth in the existing rebuilding plan (303 mt) as a lower bound. The SSC further recommends the new stock rebuilding analysis should provide catch projections based on a constant fishing rate and not a constant catch over the rebuilding time period.

#### Whiting

Biomass estimates produced by the new assessment are very close to the values reported by the 1999 assessment. Some errors were identified in the catch tables of the new assessment; however, the SSC was informed that the correct catch values were used in the stock assessment model, so this error does not affect the assessment results. The SSC recommends the Council should use the 2001 OY (238,000 mt) as put forth in the previous assessment. Assuming an 80% US share, this corresponds to 190,000 mt.

#### Darkblotched Rockfish

The OY range is based on uncertainty in the amount of darkblotched rockfish taken in the foreign rockfish fishery. The SSC understands that data are available which may provide an opportunity to better estimate the species composition of the Russian catch in the early years of the fishery. These data should be evaluated, and, if found reliable, should be incorporated into the next darkblotched stock assessment and other applicable slope rockfish stock assessments.

#### RecFIN

The SSC reviewed a report prepared by the RecFIN statistics subcommittee, which evaluated alternative estimators of ocean boat fishing effort and catch in Oregon. The report compared the sampling programs of the NMFS Marine Recreational Fisheries Statistics Survey (MRFSS) and the Oregon Ocean Boat Survey (OBS). The SSC is impressed with the quality of the report and the level of effort put into examining the properties of two recreational fishery survey datasets. The SSC endorses the subcommittee's recommendations for improvements in both surveys, and concurs with their recommendations to 1) use adjusted OBS estimates during periods when the two surveys overlap, and 2) use stratified MRFSS without the freshwater stratum during other periods. The SSC also recommends that Oregon Department of Fish and Wildlife derive variance estimates to accompany past and future OBS estimates of recreational catch.

#### GAP

Mr. Rod Moore read the GAP report.

*The Groundfish Advisory Subpanel (GAP) reviewed proposed harvest levels and specifications for the 2001 groundfish fishery.*

*The GAP used Groundfish Management Team (GMT) Report 1 under this agenda item as the basis for its recommendations on harvest levels. The GAP notes this report will be supplemented with changes when it is presented to the Council. A majority of the GAP provides the following recommendations regarding 2001 Optimum Yields (OYs):*

*For whiting, the GAP notes the projected OY for the U.S. portion of the fishery is now projected to be 190,400 mt, based on the 1998 stock assessment. While the GAP believes the projection is low, the GAP recommends accepting this figure with the knowledge a more complete assessment will be made following the 2001 acoustic survey.*

*For sablefish in the Conception area, the GAP strongly disagrees with the 55% reduction in harvest proposed for 2001. There are no new data available to justify such an arbitrary reduction. The GAP recommends harvest levels be set closer to the ABC.*

*For Pacific Ocean perch, the GAP recommends the Council adopt the conservative OY of 626 mt identified in the GMT report. The most recent stock assessment demonstrates this level of harvest can be maintained while still providing rebuilding.*

*For widow rockfish, the GAP recommends a harvest level in the middle of the range noted in the GMT report, due to uncertainty in stock status.*

*For canary rockfish, as noted in the GAP comments on agenda item C.1, the GAP recommends a harvest level in the range of 120 to 150 mt, based on more reasonable assumptions of recruitment and recognizing the strength of the southern stock and uncertainties in the data and the most recent stock assessments.*

*For darkblotched rockfish, the GAP recommends an OY of 130 mt, based on an estimate of the amount of darkblotched assumed present in historic foreign catch figures. As it has previously, the GAP strongly recommends the Council resolve the issue of double counting of red rockfish in the historic foreign catch figures.*

*A minority of the GAP disagreed with these recommendations and suggested the Council should adopt the updated GMT proposals, especially in regard to canary rockfish.*

*The GAP also continues to recommend no tribal harvest of whiting be provided until such time as issues involving quantification and extent of tribal usual and accustomed areas are resolved by the courts.*

### **C.3.g. Public Comment**

Mr. Ray Monroe, Pacific City, Oregon  
Mr. Curtis Solomon, Solomon Live Fish, Moss Landing, California  
Mr. Steve Moore, Patriot Sportfishing, Avala, Beach,  
Mr. Kenyon Hensel, fisherman, Crescent City, California  
Mr. William Smith, Monterey Bay Sportfishing Association, San Francisco, California  
Mr. Doug Fricke, Washington Trollers Association, Hoquiam, Washington  
Mr. Brian Peterson, Shrimp Producers Marketing Cooperative, Toledo, Oregon  
Mr. Jeff Boardman, Shrimp Producers Marketing Cooperative, Newport, Oregon  
Mr. Gary Smith, F/V Migrant, Brookings, Oregon  
Mr. Darby Neil, Central Coast Sportfishing, Morro Bay, California

### **C.3.h. Council Action: Adopt Final Groundfish Harvest Levels for 2001**

Mr. Anderson referring to "Exhibit C.3.c, GMT Report 1, Final ABC Recommendations for 2001" moved to adopt the ABC and OY recommendations listed with the following modifications: the whiting OY would be 190,400 mt instead of 232,000 mt; POP would be the same as set by the rebuilding plan (303 mt, by GMT); widow 2,300 mt and darkblotched would be 130 mt and the rest of the values would remain the same. Mr. Alverson seconded the motion (Motion 8)

Mr. Anderson said that the number for POP is the same as last year. He is recommending this because the new assessment indicates stock status has improved. However, there is a lot of concern about the alternative rebuilding model in the scientific community that it is over optimistic. He urged the Council to follow the SSC's recommendation and stay the course with the rebuilding plan for POP. He wanted the new stock rebuilding analysis completed quickly and the projections based on a constant fishing rate. For widow rockfish, the 2,300 mt will be a move towards rebuilding. For darkblotched, 130 mt is based on a assumption that about 5% of the rockfish in the foreign fishery catch was darkblotched rockfish, which he believes is a reasonable assumption.

Mr. Boydston asked that the sablefish ABC in the Conception area be 425 mt and the OY should be 212 mt. Mr. Anderson accepted this as a friendly amendment. Mr. Robinson suggested the 60 mt for canary should be replaced with 93 mt in light of a previous motion. Mr. Boydston said longspine in the Conception area

should be 390 mt for the ABC and landed catch OY of 195 mt. Mr. Bohn asked about shortspine for the Conception area, are the values listed correct? Shortspine in the Conception area should be 123 mt and 62 mt as shown in the table. All were taken as a friendly amendments.

Mr. Anderson asked the GMT for clarification on POP, whether the 294 mt OY was after discards had been removed. The intent of the motion is to have the same OY as we did last year so it is consistent with the POP rebuilding plan. Dr. Hastie explained the rebuilding plan included a small increase for the year 2001. The correct total catch OY would be 303 mt. Mr. Anderson amended his motion to include this value. Mr. Robinson clarified the motion includes the ABCs as well as the OYs. Motion 7 passed.

Mr. Jim Harp moved that the Council adopt the Treaty Indian Harvest Guidelines as follows (Motions 9 and 10):

*To facilitate final Council Action on the 2001 groundfish harvest limits for the Treaty tribes, I would like to make two separate Motions for tribal fisheries.*

**Motion 1:**

*For Tribal groundfish fisheries other than Pacific whiting and halibut, I move that the Council adopt as final the proposed harvest limits that were adopted as preliminary limits at the September meeting. These are as follows:*

**Black Rockfish** - *The 2001 tribal harvest guidelines will be set at 20,000 pounds for the management area between the US/Canada border and Cape Alava, and 10,000 pounds for the management area located between Destruction Island and Leadbetter Point. As with the non-treaty regulations, no tribal harvest restrictions are proposed for the management area between Cape Alava and Destruction Island.*

**Sablefish** - *The 2001 tribal set aside for sablefish will be set at 10 percent of the Monterey through Vancouver area OY.*

**Thornyhead rockfish** - *Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries. This trip limit will be for short and longspine thornyheads combined.*

**Lingcod** - *Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.*

**Canary rockfish** - *Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.*

**Other rockfish species** - *The 2001 tribal longline and trawl harvest restrictions regarding the landing of other rockfish species will operate under trip and cumulative limits. For other rockfish, tribal fisheries will operate under the same trip limits as the limited entry fishery, provided that any time restrictions imposed on the non-treaty limited entry fisheries will not be imposed on Treaty fisheries. Because of the relatively small expected catches of the Treaty fisheries, the trip limits established at the beginning of the year will not be adjusted downward, nor will time restrictions be imposed, unless the harvest guidelines are achieved or unless in-season catch statistics demonstrate that the tribes have taken 1/2 of the harvest in the tribal area.*

**Motion 2:**

*For tribal Pacific whiting fisheries, I move that the Council endorse the Makah Tribes' proposed allocation framework originally presented to the council in 1998 and utilized to set tribal harvest limits in 1999 and 2000. Under the originally proposed OY of 232,000 mt. the framework would provide for a tribal set aside of 32,500 mt. However, that tribal set aside could change if a different OY is finally adopted.*

Mr. Brown asked about the tribal catch of canary rockfish. Mr. Harp said the last couple of years the estimated tribal landings of canary rockfish have been a couple of tons. Mr. Brown said that we may have to adjust that. Mr. Harp answered yes, I think you are correct. The Northwest Indian Fisheries Commission (NWIFC) and NMFS will be meeting and compiling and submitting a report for the 2000 season, and come March or April we should have a report of the landings. Mr. Anderson asked if the tribes recorded separate landings totals of shortspine and longspine thornyheads. Mr. Harp said the majority of the landings are shortspine thornyhead, but data are not broken out between the two species. That is one of the tasks the new staff will be assigned to, and when we complete the 2000 landings of groundfish he hopes to be able to answer that more clearly. Mr. Anderson asked if the tribes will undertake an education program regarding canary rockfish. Mr. Harp said yes we will be undertaking the effort to tell the tribal fisherman of the status of canary rockfish and to not target them. We feel the 300-pound per trip limit is consistent with that, we are not encouraging targeting. It is not to encourage targeting but to allow tribal fishers to land the fish caught in the conduct of their other fisheries. Motion 9 passed.

Mr. Bohn said Oregon will abstain due to litigation on the issue. Mr. Bohn said Oregon did not sign off the first sliding scale back in 1998 and will not this time either. Mr. Brown said he will abstain from the vote due to litigation issues (conflict of interest). Motion 10 passed with two abstentions (Mr. Brown and Mr. Bohn).

Mr. Anderson moved to adopt the values of expected catches for the recreational and commercial fisheries, including open access and limited entry allocations, as presented in Revised Revised Supplemental Replacement GMT Report 3, November 2000. (Motion 11). Mr. Anderson said the GMT needs to take the lead in developing with the GAP a set of management measures to achieve the OYs in this table, and they should take the same general approach taken by the allocation committee. That is, creating harvest opportunities on healthy stocks to get the greatest benefits out of the small canary rockfish OY.

Council members discussed directions to the GAP with Mr. Moore regarding closure options in California, and regarding the types of options they wanted from the GAP and GMT. Mr. Boydston said under all the options the nearshore commercial would be operating for minor rockfish south of Mendocino. Motion 11 passed.

Mr. Robinson said the Council does not need to take action on joint venture and foreign fishing because the FMP amendment will be approved in time.

PUBLIC COMMENT PERIOD  
4 P.M. Tuesday, October 31, 2000

Public comments on fishery issues not on the agenda.

Mr. Pete Leipzig, Fisherman's Marketing Association. Spoke about his attempts to pursue a groundfish buyback program. He has been actively involved in pursuing this. He recognizes there are other issues before the industry which will influence the size of the fleet beyond just stock assessments themselves. Observers and marine reserves are being talked about and those are all a cost. There is a need for additional research and industry will be asked to foot the costs of that; same goes for the vessel monitoring system. We may have to be reduced by at least 2/3. It is not just for the trawl fleet, but for the fixed gear fleet as well. He spoke about his handout, asked folks to read through the proposal. Unlike what we have talked about in the past, this would be groundfish trawl and fixed gear and would entail the sale of the vessel and any state permits along with the vessel. This hopefully addressed the concerns people had over "spill over". The industry funding in this proposal, since there would be a reduction of fisheries, there will be a shouldering from that particular fishery proportionate from the benefits which would be derived. He brought it to the Council members attention in order to have full discussion about it. He is hoping to pull people together sometime this week and would be glad to sit and talk with folks about it. He would like to take the package to Congress to seek funds; and is looking for the Council's support. This is identified in the strategic plan.

Mr. Kenyon Hensel. He brought forth the subject of the vertical line fisherman. This gear type is a clean type of fishing gear and would like to see them in their own class. He wanted to reiterate this from previous meetings. He would like to see this on the Council agenda in the future.

**C.4. Status of National Marine Fisheries Service (NMFS) Research Programs and Other Non-regulatory Activities**

**C.4.a. NMFS Report**

This agenda item was consolidated -- please see Agenda Item A.4.

**C.5. Update on American Fisheries Act Measures**

**C.5.a. Agendum Overview**

Mr. Waldeck noted that this item was an informational staff report, and no Council action was called for.

The primary goal of the American Fisheries Act (AFA) was to rationalize the pollock fishery in Alaska. In the Act, it is anticipated that the AFA could have spillover effects on other fisheries, including the West Coast groundfish fisheries. To prevent this harm, the AFA provides the Pacific Council opportunity to develop management measures to protect fisheries under Council jurisdiction. Earlier this year, Council staff initiated analyses of protective measures for West Coast groundfish fisheries. In June 2000, the Council set aside, for the time being, consideration of protective measures for shorebased processors. In part, this delay was intended to allow the North Pacific Fishery Management Council to finalize protective measures for shorebased processors in their fisheries. For this meeting, the Council requested an update on North Pacific Council actions.

Staff report:

Implementation of the AFA is a significant burden on the North Pacific Council and NMFS. The latest version of 2001 appropriations shows 8.3 million dollars earmarked for AFA implementation. Specific to North Pacific Council actions, in the briefing book is a summary of their recent activities (Exhibit G.5, Attachment 1). Of greatest significance to the Pacific Council, in October 2000, the North Pacific Council recommended that action on processor sideboards be postponed so that other alternatives could be considered in the analysis. Thus, there is no formal information or analyses to help the Pacific Council in your consideration of processor protective measures.

Per Council priorities, analysis of AFA measures remains a low priority for the Council staff.

**Comments of the GAP**

Mr. Rod Moore presented the GAP comments.

*The Groundfish Advisory Subpanel (GAP) discussed Council actions to date on implementation of American Fisheries Act (AFA) measures. The GAP noted it has devoted significant time and energy to this issue, which is important to the West Coast groundfish fishery. The GAP believes the Council should move final action on AFA measures to a higher priority.*

**C.5.b. Public Comment**

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon

**C.5.c. Council Discussion on Update on American Fisheries Act Measures**

Mr. Caito agreed with Mr. Moore's testimony. Stating that he would like to move the AFA analysis to a higher priority and include analysis of protective measures for the processing sector before there is harm. He believes the Council should act now before it is too late and harm is caused.

Mr. Alverson asked Mr. Caito what authority does the Council have in regard to protecting the processing sector? What would you have the Council address? Mr. Caito noted that the Council had identified several options, analysis of which was postponed by the Council.

Mr. Alverson noted that, currently, many businesses on the West Coast are suffering (close to bankrupt). He opined that, if AFA participants wanted to use their available assets to enter West Coast fisheries, the investment could be used for buy outs as a means to reduce capacity.

Dr. McIsaac stated that, depending on Council priorities, the AFA analysis could be taken up this winter. He noted that staff workload would be discussed later in the week under Administrative Business, and asked if the Council could discuss this at that time. The Council concurred.

Mr. Bohn reflected that, per the AFA, the Council was to recommend management measures in July 2000, and wondered what point would NMFS step in and determine if a management measures were necessary. Mr. Robinson stated that, at this time, NMFS was not considering taking action and was comfortable waiting for Council action on this matter.

## **C.6. Exempted Fishing Permit Applications**

### **C.6.a. Agendum Overview**

None.

### **C.6.b. NMFS Report**

Mr. Robinson said NMFS does not have a formal exempted fishing permit (EFP) to put before the Council. They are working on two, one for compensation for the vessels that participate in the 2001 slope survey. The other would allow samplers to ride along on vessels and take samples of fish that are in excess of trip limits and/or size limits. There are a number of coordination issues that need to be worked out before the March meeting.

### **C.6.c. Report and Comments of Advisory Bodies**

#### **ODFW**

Mr. Bohn referred the Council to ODFW Report C.6. regarding the shorebased whiting EFP for all three states.

#### **GAP**

Mr. Rod Moore presented the GAP report.

*The Groundfish Advisory Subpanel (GAP) received presentations from the National Marine Fisheries Service (NMFS) and Oregon Department of Fish and Wildlife (ODFW) on exempted fishing permit applications involving research permits (including the NMFS "Vessel of Opportunity" program) and permits to land unsorted whiting. The GAP supports the permit applications as they were presented.*

### **C.6.d. Public Comment**

None.

### **C.6.e. Council Action: Recommendations to NMFS on Research and Other Exempted Fishing Permit Applications**

The Council approved of forwarding the EFPs as presented to NMFS. (Motion 38)

## **C.7. 2001/2002 Groundfish Management Process and Schedule**

### **C.7.a. Agendum Overview**

None.



### **C.7.b. Stock Assessment Process**

Ms. Cyreis Schmit reported three STAR Panels are scheduled during May and July, and listed the anticipated assessments (Supplemental Overhead Presentation C.7, November 2000): Dover sole, sablefish, shortspine thornyhead and several rockfish species. Mr. Anderson said we need to build some more time in between our September and November meeting, and asked if any items on the schedule could be two or three weeks earlier to give us some flexibility. He wanted to improve the process so we could operate in a more sane environment in the fall.

Mr. Robinson expressed the same concern. Similar to what we do for salmon, we need to leave the September meeting with a set of proposed management measures for public comment and analytical review. We get the stock assessment information too late and need time to digest it, and get us to the point to where we can react to those stock assessments and construct a proposed management regime for comments.

Ms. Schmit said the GMT meets in August to review the assessments and prepare for the September Council meeting. The crunch is worse between September and November. The September Council meeting was difficult to move into August. Moving the reviews into June was not really buying you anything. She is interested in hearing other options or reasons out there. Questions regarding conflicts with Council staff issues were referred to Dr. McIsaac.

Dr. McIsaac asked if all the STAR Panel meetings could be moved to May so we could get preliminary summaries at the June Council meeting. Ms. Schmit responded that NMFS surveys are not completed until fall, and data are not ready in time for the more complicated assessments. She was also concerned about getting the rebuilding analyses ready that soon. In 2001, we are expecting sablefish and shortspine assessments, and those are typically complicated and controversial. We cannot get them any earlier.

Mr. Alverson asked Ms. Schmit about changing the beginning of the fishing season to April 1 to get more time for economic analysis and other input. She said the stock assessment authors might see that as a benefit.

### **C.7.c. Report and Comments of Advisory Bodies**

#### **SSC**

Ms. Thomson read the report of the SSC.

*The Scientific and Statistical Committee (SSC) discussed the groundfish management process and schedule for the upcoming year. In recent years, the Council's groundfish process has become increasingly more complex with each management cycle. Growing demands on the system coupled with inherently difficult management decisions have taxed all elements of the Council family. Completion of advisory committee documents and analyses needed to support Council decision making is often delayed until late in the calendar year, leaving little time for reflection and discussion. The problems facing the groundfish management process involve many different issues. The SSC is best suited to address stock assessment review (STAR) issues and looks forward to working with the rest of the Council family on developing long-term solutions for the overall problem.*

*The STAR process was developed after long and involved negotiations among the Council's groundfish entities, the SSC, and National Marine Fisheries Service (NMFS) to resolve the problem of providing independent and comprehensive review of stock assessments. Over the past few years, the STAR process coupled with SSC review has taken on additional responsibilities with the need to review more complex stock assessment models, additional analyses related to rebuilding plans, and harvest policy rate guidelines. The SSC partnership with the STAR coordinator, Ms. Cyreis Schmit (NMFS) has generally worked well, but the process is being strained under the weight of increasing demand but few additional resources. Long-term solutions may require rethinking the frequency with which assessments are conducted and the need to formally review all stock assessments, as well as other streamlining measures that bring the demand more in line with available resources.*

For the short term, the SSC suggests the following:

- (A) As indicated in the June 2000 SSC statement, the SSC Groundfish Subcommittee will develop guidelines on the technical aspects of rebuilding plans, based on the experience with such plans to date. These guidelines will facilitate the process of developing and approving rebuilding plans for overfished stocks.
- (B) All members of the SSC Groundfish Subcommittee will attend the August 2001 Groundfish Management Team (GMT) meeting to discuss the 2001 assessments and STAR Panel reports with the GMT and to identify any important loose ends not adequately covered by the STAR Panel reviews.
- (C) All stock assessment analyses, including those commissioned by private groups, must be included in the STAR process, including adherence to all terms of reference and the STAR process schedule. In addition, it is critical that assessment documents be completed following the STAR meeting and incorporated into the Council's annual stock assessment and fishery evaluation (SAFE) document.

#### **GAP**

Mr. Glock read the GAP report.

The Groundfish Advisory Subpanel (GAP) discussed a Council staff proposal to establish a subcommittee of the Ad Hoc Groundfish Strategic Plan Oversight Committee which would examine the groundfish management process and provide recommendations for potential future changes. The GAP also participated in a joint meeting with the Scientific and Statistical Committee (SSC) and the Groundfish Management Team (GMT) to review the Stock Assessment Review (STAR) process.

The GAP has actively participated on STAR panels and will continue to do so. The GAP has stated on several occasions previously that it supports continuation of the STAR process and reiterates that support at this time.

The GAP, with some reservations, agrees it may be appropriate to examine the groundfish management process, but expresses the following concerns:

1. Any special subcommittee formed should include membership from the GAP.
2. The subcommittee should not report until at least April; the GAP does not meet in March and wants an opportunity to comment on the subcommittee's report.
3. No changes in the groundfish management process should be made without thorough review and discussion.
4. As frustrated as we are with the current management process, the Council should not devote extensive time and resources to "reinventing" itself at the expense of other crucial conservation and management issues.

#### **C.7.d. Public Comment**

None.

#### **C.7.e. Council Action: Adoption of 2001 Groundfish Management Process**

The Council approved of convening a committee to review the groundfish management process and schedule. (Motion 30)

Mr. Anderson liked the idea of a subcommittee to flesh this out, but he did not want the Strategic Plan Oversight Committee (SPOC) appointing a subcommittee for this project and reporting back to them. He suggested the Council Chairman should appoint the committee, and have the committee report back to the

Council in March. There is obvious linkage between the two groups because several people are involved in both groups. The maker and seconder both agreed to the friendly amendment.

Mr. Bohn said when the committee is formulated, he wants to consider setting up management measures for two years at a time. The first year of the two-year management cycle would be the stock assessments and STAR/STAT process, the second year would be management, then get into a rotation that makes sense. A radical change in the system is needed. It may take some work to break this cycle. We took a baby step in setting up the allowable catch for canaries for two years.

Chairman Lone will appoint the subcommittee as stated in the friendly amendment. (Motion 30 passed).

Chairman Lone asked for discussion on the stock assessment calendar. Mr. Anderson, speaking on the 2001 stock assessment calendar, said he did not mind adopting it as a tentative schedule and did not want to totally tie our hands so we cannot make revisions to it. This needs to be adopted in a manner that we can change it after the subcommittee meets. Given the composition, the pertinent people would be at the meeting, those folks could tell us whether or not the changes could be made sense. Chairman Lone said that would seem to allow time to make changes if necessary. Mr. Bohn said he knows the rigorous schedule, there is going to be quite a few dates that cannot be changed, he said he would not want people to get their hopes up to make revolutionary changes to the schedule.

Chairman Lone asked Ms. Schmit about the difficulty said of getting external reviewers. She said two of the reviewers have come from the Center for Independent Experts from Miami. She would have to check with all the reviewers schedules. She needs to be able to notify people in advance. Summer time is difficult due to vacations and surveys. She can do most of her work in March, it would be helpful to get the info out to folks as soon as possible. Mr. Anderson said that major changes this year would be after the July STAR panel meeting. That is where the big changes would be most likely to occur. That would not affect the folks Cyreis was speaking too. The followup on the panels, everyone is aware of meeting the deadlines and what goals need to be met. The one informational item is that it takes about two weeks after the star panel meeting to finalize the stock assessment documents.

Mr. Anderson moved to tentatively adopt the stock assessment review calendar for 2001. (Motion 31) Mr. Brown seconded the motion. Mr. Brown said that there were not many days you could possibly change, and we probably could make more changes for next years. Motion 31 passed.

Mr. Don Hansen asked about when is the proper time to address the items Burnie brought up? (When the committee is appointed).

## **C.8. Sablefish Permit Stacking**

### **C.8.a. Agendum Overview and Summary of Impact Analysis**

Mr. Seger gave his powerpoint presentation.

### **C.8.b. Report and Comments of Advisory Bodies**

## **SSC**

Ms. Cindy Thompson presented the comments of the SSC.

*Mr. Jim Seger briefed the Scientific and Statistical Committee (SSC) on the completed Draft Analysis of Permit Stacking for the Limited Entry Fixed Gear Sablefish Fishery. The revised analysis includes 1) a description of relevant policies and recommendations from the Groundfish Strategic Plan, 2) a description of the fishery, 3) a qualitative analysis of each option, and 4) social and economic impacts.*

*The results of the analysis are not substantially different from the September draft report. The general conclusion is that, unless the individual quota (IQ) moratorium is lifted, voluntary permit stacking is not likely to increase the duration of the fixed gear sablefish season, alleviate safety concerns and complex management decisions associated with short seasons, or result in significant capacity reduction. In order to achieve capacity reduction, voluntary stacking will need to be followed by a properly designed IQ system (an uncertain prospect at this time, given the moratorium) or some other stringent capacity reduction mechanism.*

*The SSC has the following recommendations:*

- The analysis contains ten key objectives and relates each objective to the appropriate Strategic Plan recommendations, National Standards or Groundfish Fishery Management Plan (FMP) objectives. The permit stacking objectives are sometimes contradictory. For instance, while the objective of capacity reduction is consistent with selecting options that encourage permit stacking, other objectives are consistent with options that would discourage stacking. The analysis could be simplified by focusing on a small number of priority objectives. As a related issue, the SSC also notes that some of the goals and objectives of the Groundfish FMP may not be consistent with the Strategic Plan. The SSC recommends that the FMP be revised to incorporate Strategic Plan objectives and that FMP objectives be prioritized; this would be useful not just for evaluating permit stacking options but for evaluating options contained in future FMP amendments.*
- Transitioning to an IQ program is a recommendation of the Groundfish Strategic Plan. The SSC recommends that the Council evaluate the permit stacking options in terms of whether they would accommodate a smooth transition to an IQ program. In other words, in considering options pertaining to restrictions on concentration of permits, restrictions on permit ownership, and permit-on-board and U.S. citizenship requirements, it would be helpful to consider whether such provisions are also what the Council would like to see in an IQ program.*
- Given existing uncertainties regarding whether the various sets of options will encourage permit stacking, the SSC recommends that the Council evaluate the program after one year to determine its effectiveness and consider revising options if the program is not meeting key objectives. As part of this evaluation, we recommend that transaction prices as well as permit ownership be tracked over time. Because prices reflect the expectations of permit holders regarding current and future earnings in the fishery, they would be a key indicator of the success of the stacking program.*
- Many of the objectives and options in the analysis focus on social, economic and community effects. This emphasis reinforces the need for additional social science expertise within the Council family to evaluate such effects.*

## **GAP**

Mr. Rod Moore presented the comments of the GAP.

*The Groundfish Advisory Subpanel (GAP) discussed options for sablefish permit stacking as presented in Exhibit C.8.a, Attachment 1. The focus of the discussion was a proposal presented by the fixed gear fleet. Due to conflicts with other meetings, only nine GAP members were present. Seven of those present supported the fixed gear fleet proposal; one abstained; and one supported most of the proposal, but disagreed with some elements. The proposal and areas of disagreement are as follows:*

### **Provision 1: Basic Stacking**

*The Council should proceed with stacking, regardless of whether there is an extended season. Those that choose to stack should bear the burden of any*

decrease in limits or time which might result from lack of an exception to an individual transferable quota moratorium.

**Provision 2: Base Permit & Gear Usage**

Option 2c: A vessel may fish with any fixed gear endorsed on at least one of its stacked permits; waive trawl permit downsizing provisions for stacked fixed gear permits (applies only if stacked permits can be unstacked).

**Provision 3: Limits on Stacking and Ownership**

Stack no more than three permits per vessel; allow ownership of no more than three permits. Any percentage of permit ownership will be considered full ownership. Provide a grandfather clause with a control date of November 1, 2000, exempting current levels of ownership.

**Provision 4: Combination of Stacked Permits**

The majority supported option 4a, allowing permits to be unstacked. A minority supported option 4c, making stacking permanent but allowing trading of tier endorsements among the endorsed fleet.

**Provision 5: Fishery Duration**

For 2001, start the season as soon as possible after April 1<sup>st</sup> and extend it to October 31<sup>st</sup>. For subsequent years, set the season as April 1<sup>st</sup> to October 31<sup>st</sup>.

In regard to mid-season permit transfers, require the seller to provide fish ticket information to the buyer and require the buyer to keep the seller's fish ticket information on board during that season.

**Provision 6: At-sea Processing**

Adopt option 6a prohibiting at-sea processing except for vessels that can demonstrate through acceptable documentation the landing of at least 2000 pounds of frozen sablefish in 1998, 1999, or 2000.

**Provision 7: Permit Ownership/Owner On Board**

The majority supported option 7a, which provides that only individual human beings (with a heart) can acquire permits; that the permit owner must be on board while fishing; that an exception be made for - as of November 1, 2000 - businesses already owning permits and permitting current owners to be absent while fishing as long as they also own the vessel. These exceptions will expire with a change in permit or business ownership. Permit owners can be required to submit ownership information to management authorities.

A minority supported option 7b, allowing business entities to own a permit and imposing no requirements for the owner to be on board the vessel while fishing.

**Provision 8: Nonsablefish Cumulative Limits**

Adopt option 8a providing no stacking of nonsablefish cumulative limits. Vessels with stacked permits can land only one daily trip limit fishery limit.

**Provision 9: Vessels Without Sablefish Endorsements**

*Adopt option 9b, allowing unendorsed vessels to fish during the primary fishery.*

**Provision 10: U.S. Citizenship Requirement**

*Adopt option 10a allowing only U.S. citizens to acquire fixed gear sablefish permits.*

**Provision 11: Advance Notice of Landing**

*Adopt option 11c requiring six hours advanced notice for all fixed gear sablefish tier permits and providing that additional information may be required.*

**Provision 12: Stacking Deadline**

*Declare an intent to stack by a date as late as possible which meets the needs of Council and/or National Marine Fisheries Service staff.*

**C.8.c. Public Comment**

Mr. Rod Moore, representing himself, Portland, Oregon  
Mr. Bob Eaton, Pacific Marine Conservation Council, Astoria, Oregon  
Ms. Michele Longo Eder, (F/V Nesika, Newport, Oregon) on behalf of the following group:  
John Warner  
Jim Ponts  
Eric Olson  
Paul Clampett,  
Laura Deach  
Jack Crowley  
Tim Hinkle  
Jim Miller  
Arnie Lindstrom  
John Crowley  
Charlie Noggle  
Tom Ghio

**C.8.d. Council Action: Consider Final Adoption of Sablefish Permit Stacking Plan Amendment**

Mr. Robinson prefaced the Council discussion commenting that the provisions contained in the stacking proposal would be more complicated to implement and take more time than it appears on the surface. It is likely NMFS will have to return to the Council in March with requests for clarification and additional guidance. At the same time there are at least 4 provisions that are subject to the Paperwork Reduction Act (OMB). The PRA process requires about six months. A simplified version of the stacking program may have to be implemented for the 2001 season. Another consideration is that the NMFS staff will have to work first on the annual management regulations before they can get started on the stacking program, if it is adopted by the Council.

Ms. Cooney commented that the ownership limitations would require submission of ownership information for the entire sablefish endorsed fleet, not just those that stack permits, and that such submissions can be fairly burdensome. Permit owners should not be surprised if they get asked for that detailed information.

Mr. Alverson stated that he understands the limitations on implementing the stacking program by 2001. He suggested that even if stacking could not be implemented for 2001, if possible, the duration of the season should be extended and the stacking program could be fully implemented for 2002.

Mr. Anderson asked about the need to specify a season as part of this action on permit stacking. Ms. Cooney clarified that the current regulatory language specified a season length of up to 10 days. The proposal in this

action would allow the season to be lengthened if there is a possibility (if this fishery is not under an individual fishing quota [IFQ] moratorium). Ms. Cooney then pointed out that the package presented was a combination of plan and regulatory amendments and suggested that plan amendments be made only where necessary and that other aspects be regulatory amendments.

Mr. Robinson suggested that current regulatory restrictions on season length be removed; that season length be established under existing framework processes under which season length can be adjusted every year; and that the Council make clear its intent to establish a long season.

In response to a question from Mr. Anderson, CDR Ted Lindstrom commented that enforcement had been supportive of ending the derby for safety reasons. He mentioned the difficulty of evaluating the enforcement burden of the current proposal as opposed to the burden that would be associated with an individual transferable quota (ITQ) program, which is better understood. Enforcement is willing to make some adjustments to fit into the stacking program. Mr. Anderson noted that a shorter than six-month season might achieve the safety benefits with a lesser burden on enforcement. CDR Lindstrom commented that they had gained some experience with IFQs in Alaska that had increased their confidence in their ability to track landings.

Mr. Robinson questioned the need for Provision 10 (Option 10a). Mr. Seger said Option 10a mainly reinforces the Council's intent with respect to what would happen if Option 7a is adopted. Option 10a would add something to the overall package if ownership is not restricted to individuals (Option 7a). Mr. Alverson, recalled that 10-15 years ago there was a change in the ownership documentation provisions in California and Hawaii with respect to foreign ownership of a 5 net ton vessel. This provision dealt with the Vietnamese influx 15 years ago. He believed there was a difference in the standard of vessel ownership on this coast. The intent is to clarify the foreign ownership situation, particularly with respect to the second generation owners. CDR Lindstrom responded that he would have to look at the rules but believed the rules allowed, in California, some ownership by individuals applying for US citizenship. Ms. Cooney asked that if the only effect of this provision is to disqualify resident aliens who have applied for citizenship from acquiring permits, is that what the Council wants to do and, if so, what would be the purpose of the action.

Mr. Alverson moved that the Council adopt Exhibit C.8.b Supplemental GAP Report 2000 majority viewpoints on Provision 1, basic stacking; Provision 2, Option 2c, allow the use of the fixed gear endorsed on any of the stacked permits ; Provision 3, limits of no more than 3 permits per vessel as well as no more than 3 permits per ownership and using a control date of November 1, 2000 to determine that ownership; Provision 4, Option 4a, allow permits to be unstacked; Provision 5, start the season as soon as possible after April 1<sup>st</sup> and extend the season to October 31<sup>st</sup>, for subsequent years set the season as April 1 to October 31 and for midseason transfers require fish tickets information be transferred with the transfer of permits; Provision 6, Option 6a prohibit at-sea processing except for qualifying vessels. With respect to Provision 7, reference the RIR. Adopt all language of Option 7a including requirements that individuals be on board, with a grandfathered corporation and partnership exemption and emergency exceptions, but excluding the vessel ownership requirement for stacking and adding a control date of November 1, 2000 for determination of ownership. Following the GAP majority recommendations on Provision 8 there would be no cumulative stacking of nonsablefish or daily trip limit fishery limits; Provision 9 adopt Option 9b; Provision 10 adopt Option 10a; Provision 11 adopt Option 11c, excluding language on the collection of additional information (except not excluding information on the expected weight of landing, buyer and port of call in addition to time of landing), Provision 12 adopt a deadline if the IFQ moratorium is continued and applies to fixed gear sablefish. Mr. Bohn seconded the motion. (Motion 13)

Mr. Alverson then spoke to the motion. In the motion, the basic stacking provision applies to the tiered endorsed sablefish permits. With regards to unstacking, he pointed out that people are allowed to "stack" and "unstack" IFQ under the Alaska program for halibut and sablefish. He felt that unstacking provides necessary flexibility for the small boats and individual owners. The Council should work with this for a couple seasons to see if it achieves the goals of the Council in reducing overall capacity by 50%. Under the IFQ program, the halibut fleet has dropped from about 4,000 vessels to 1,800 vessels and the sablefish fleet has dropped from 1,200 vessels to 420 even with the flexibility to accumulative and disperse shares. On fishing seasons, he stated that he was open to consideration of different seasons but had limited the season to six months due to considerable comments from enforcement when IFQs were discussed several years ago. For at-sea

processing, the intent is that the license would be endorsed either as a freezer endorsement or nonfreezer sablefish endorsement. For ownership onboard, the Regulatory Impact Statement (RIR) speaks to this and to the history of this fishery being significantly owner-operated. Owner-operation helps create interest in safety for the individual owner, to the benefit of both the owner and crew. Along the lines of the Alaska salmon, sablefish and halibut limited entry systems, it creates a division between the labor (boat owners and crew) and processors. This continues that separation for those not grandfathered-in and, in general, keeps processors from bidding against crewman in the open market. This type of option was referenced in the National Academy Science Report "Sharing the Fish". This is a social issue more than it is an economic issue. For the U.S. citizen requirements, when it gets down to an individual citizen, if that is going to be the requirement any way, we just would like to reinforce this issue (with Option 10a) because the U.S. citizen ownership issue has been a concern in Congress.

Mr. Caito agreed with Mr. Alverson except for the ownership clause. His company has looked at buying a tier and has had fisherman approach them about loans in return for a stake in the permits. This restricts the free market. The caps would exist to prevent one corporation from owning too many permits. There are small family owned processors that may view permit ownership as a way to stay in business. Vessels are moving between different parts of the coast, making it difficult for some processors to maintain their supply of fish.

Mr. Alverson commented that this goes beyond just a limitation on processors' ability to buy. He expressed concern that other entities, such as land holding companies, not be able to buy into the fishery, as has happened in the sablefish fishery in Canada. Therefore, the requirement that the owner be on board will provide a separation. The Council could change this in the future but he believed the program should start out being more restrictive. His observation with respect to IFQs in Alaska was that once money starts changing hands constituencies are created and then it becomes almost impossible to become more restrictive.

Mr. Brown, stated his disagreement with the exception to trawl permit downsizing that was included for combination trawl/fixed gear permits as part of Provision 2. The downsizing provision had been the subject of much debate as part of the original limited entry program. He would prefer that the permit be downsized if it was transferred back to a trawl vessel. He also objected to the permit owner-on-board requirements and viewed the ban on at-sea processing as setting up the share cropping situation that the owner-on-board requirement was intended to minimize.

Mr. Alverson, noted that while the downsizing exception might apply to only a very few permits it would encourage that stacking of those permits on smaller vessels by eliminating the permanent downsizing penalty for such permits. The prohibition on at-sea processing was a major concession by the harvester fleet. The concession took into account that the primary purpose of permit stacking is to reduce capacity at-sea rather than provide an opportunity for the fleet to move up to a higher level of the market by landing frozen product. Other issues include environmental concerns related to gear loss, safety, and bycatch issues. These are harvester issues, not processor issues. If the at-sea processing prohibition was not there, there might be an evolution to small freezer vessels that would cut out the traditional shorebased plants and their crews.

Dr. Radtke stated that he will vote for this, he believes the pluses outweigh the minuses. He expressed concern about at-sea processing prohibitions, the paper work that might be associated with Provision 7 and the lack of rationale for Provision 10.

Mr. Anderson moved to amend the main motion by adopting Option 4b instead of 4a and changing Provision 6 so that at-sea processing would be prohibited and there would be no grandfather provision. Dr. Radtke seconded the amendment. Mr. Anderson withdrew his amendment to the motion in order to separate the issues into two discussions. Dr. Radtke agreed with the change.

Mr. Anderson, commented that the individual ownership and owner-on-board provisions of Issue 7 would exclude processors in 90% of the cases. On the other hand, Option 6a, would grandfather in at-sea processing for vessels that have been freezing sablefish. He was concerned that excluding processors from harvesting but allowing harvesters to process would be an inconsistent policy. Mr. Alverson replied that shorebased processors that currently own permits would be allowed to continue to own the permits and would not be required to be on board the vessel. Thus, he viewed the two groups as receiving similar treatment.



He was not aware of any vessels that have been freezing and believed that most of the permits will be nonfreezer permits. Mr. Robinson expressed concern that if there is a competitive advantage to processing at-sea that this advantage would accrue to those grandfathered in but not to subsequent entrants. Mr. Alverson replied that the advantage that would be given would be to those few that have been doing it already. Similarly, under provision 7, a processor who owns a permit already will have an advantage over a competing processor that has never owned a tiered permit. Mr. Alverson viewed the fairness to be based on how businesses had invested up until November 1, 2000. On that basis, Mr. Robinson suggested consideration of a grandfather clause for Provision 6 that would end at-sea processing opportunities if the vessel sold its permit? Mr. Alverson responded that the approach might be fair, i.e. when a processing permit is transferred it could only be transferred as a nonprocessing permit. Dr. Hanson said that Provision 7 does not just prevent processors from buying but prevents entry by any absentee owners that might view the permits as an opportunity to acquire an ownership stake in the fishery on an absentee basis. This would keep ownership more in the small communities up and down the coast.

On the issue of the permanence of permit stacking Mr. Anderson commented that strategic plan almost solely relies on permit stacking as the means of reducing harvest capacity. He expressed concern that starting out liberal, allowing permits to be stacked and unstacked, would reduce the chances of reaching the goals of the strategic plan. He suggested the possibility of not allowing the permits to be unstacked in order to gain a reduction in capacity and for purposes of discussion suggested that allowing endorsement tradeability might allow new entry into the fishery with a lower level of investment. Mr. Alverson commented that the strategic plan recommends voluntary stacking as a first step, Provision 4a provides this. Mr. Alverson believed there would be faster accumulation of permits if there is the possibility of unstacking in the future. Many participants are involved in other nongroundfish fisheries and it may benefit them to put their permit on someone else's boat eliminating the vessel from the sablefish fishery as well as the rockfish and other groundfish fisheries. If permits cannot be unstacked, the transfers for stacking become forced sales. This may reduce the amount of stacking. With respect to allowing just the sablefish endorsement to be transferred from the permit, Mr. Alverson expressed concern that the sablefish endorsements might be removed and the permit used to allow the vessel to target rockfish. Additionally, since the strategic plan contemplates the possibility of rockfish endorsements, if permit stacking were a permanent action there are about 50 permits that would not likely stack for fear of losing their rockfish history. Mr. Brown agreed with Mr. Alverson but pointed out the examples Mr. Alverson used in his justification would only apply to those who were allowed to be absent from fishing operations (those grandfathered in under Option 7a). He also noted that most people he knew, including himself, started by leasing a boat from someone who wanted to retire. Such leasing would be prohibited from these particular options.

Mr. Bohn, noted that there was broad support for the stacking proposal, including the unstacking feature. This support included representative from pot and longline vessels, from small and large vessels and from holders of permits of different tiers. Chairman Lone noted his support for options that were in line with the strategic plan.

Mr. Robinson said the strategic plan did not contemplate capacity reduction through just any one action. He offered two friendly amendments: First, for those individuals who are allowed to process at-sea based on the qualifying requirements (Provision 6), the privilege of at-sea processing goes away when the permit is transferred to another owner. The maker of the motion and seconder agreed. Second, Mr. Robinson requested that Provision 10 be withdrawn. Provision 10 would create citizenship requirement to acquire a permit different from the requirement to own a permit, the citizenship issue is addressed by the regulations that address owning a permit. If Congress adds any requirements, then those laws would be followed and adjustments made. Both the maker of the motion and the seconder agreed.

Dr. Hanson commented that unstacking and stacking is not a problem with the strategic plan. There is a need to reduce effort because there may not be an ability to use market based solutions. By allowing unstacking, the market is allowed to decide on how many vessels will fish for blackcod. To prevent unstacking would be inconsistent if there were not a provision that you cannot also stack rockfish and other trip limits. Therefore, by stacking there will be a reduction in effort in that other segment of the fishery. Mr. Anderson agreed this

is not inconsistent with the strategic plan. He did disagree with Mr. Robinson saying that there are other measures which could reduce capacity. Mr. Donald Hansen, noted that based on his experience with limited entry programs, achieving the desired results will not be quick. This is going to be a long process.

Motion 13 passed by a unanimous voice vote.

## **C.9. Management Measures for 2001**

### **C.9.a. Agendum Overview**

Mr. Glock summarized the information before the Council and suggested a sequence of presentations.

Mr. Brian Culver presented Exhibit C.9.c, Supplemental GMT Report 3.

*The GMT continues to remind the Council that lacking a comprehensive observer program, or a verified full retention program, our estimates of total fishing mortality remain highly uncertain. Absent a tool to measure changes in fishing mortality that result from management changes, the GMT has no recourse other than the review of trawl logbooks (which contain no discard information) and then make "guesstimates" as to what extent measures such as gear modification or changes in fishing behavior have altered observed logbook bycatch rates. Moreover, for the nontrawl sector, the GMT has no logbook program or other information to gauge the bycatch consequences of the Council's management measures. The GMT strongly supports the rapid development of an observer program that will provide information on total mortality in the groundfish fisheries.*

*In addition to the attached tables recommending cumulative trip limits, the GMT discussed the following issues for GAP and Council consideration.*

1. *GAP recommendations on differential landings limits for the trawl DTS complex (Dover sole, thornyheads, sablefish) north and south of Cape Blanco raise enforcement concerns similar to those currently associated with rockfish limits north and south of Cape Mendocino. Current management measures include "crossover" provisions to deal with trip limits that are differential by area. In general, a vessel that fishes for the same species or species group in areas with different trip limits during the same cumulative limit period, that vessel is subject to the more restrictive limit for that species or species group. Enforcement of trip limits that are differential by area is usually done on a port-of-landing basis, although some at-sea enforcement of the restrictions on "taking, retaining, possessing, or landing" also occurs.*  
*"Operating in areas with different trip limits." Trip limits for a species or species group may differ in different areas along the coast. The following "crossover" provisions apply to vessels operating in different geographical areas that have different cumulative or "per trip" limits for the same species or species group....*
  - (a) *Going from a more restrictive to a more liberal area. If a vessel takes and retains any groundfish species or species group in an area where a more restrictive trip limit applies, before fishing in an area where a more liberal trip limit (or no trip limit) applies, then that vessel is subject to the more restrictive trip limit for the entire period to which that trip limit applies, no matter where the fish are taken and retained, possessed, or landed.*
  - (b) *Going from a more liberal to a more restrictive area. If a vessel takes and retains a groundfish species or species group in an area where a higher trip limit or no trip limit applies, and takes and retains, possesses or lands the same species or species group in an area where a more restrictive trip limit applies, then that vessel is subject to the more restrictive trip limit for that trip limit period."*
2. *The GAP has recommended summer flatfish limits that are relatively liberal when compared against 2000, particularly for Dover sole south of Cape Blanco. While the GMT is willing to support these limits at this time, it is with the understanding that the GMT will be spending time this winter looking at 1999 and 2000 logbook data on catch composition and tow location for the summer months, and may recommend more restrictive inseason changes early next year to canary rockfish from bycatch effects.*
3. *The GMT notes that the California delegation will be proposing a change in a southern management line for some recreational and commercial fisheries from 36°00' in 2000 to Point Conception (34°27')*

- in 2001. While this management line differs from the standard Monterey/Conception areas border, the GMT does not see this line shift as posing resource management concerns.
4. The GMT concurs with the GAP recommendation for removing the 22" size limit for sablefish now in effect for the limited entry trawl fishery and fixed gear primary season, and expects that this change should result in lower sablefish discards for small-size sablefish.
  5. For widow rockfish, the GMT supports higher limits during the winter months, when widow rockfish are more aggregated, rather than a constant limit throughout the year. The GMT also recognizes the necessity of providing some widow rockfish allowance for incidental retention during mid-water yellowtail rockfish fisheries.
  6. The GMT concurs with the recommendations of the Oregon delegation for Pacific City, Oregon, which are:
    - a. An April-September season for nearshore rockfish, with a 2,200 lb per month limit, of which no more than 700 lb may be rockfish other than black or blue rockfish.
    - b. Outside of that season, in January-March and October-December, a 200 lb per month limit for black or blue rockfish.
    - c. If nearshore rockfish limits are increased inseason for vessels outside of Pacific City, the Pacific City nearshore rockfish limits will be increased proportionately during the months of April-September.
  7. There are several open access exempted trawl fisheries (pink shrimp, spot and ridgeback prawns, California halibut, sea cucumber) that take incidental groundfish. With the exception of pink shrimp, these exempted trawl fisheries were managed in 2000 under standard Open Access landings limits, with no more than 300 lb of groundfish per trip. Additionally, the amount of groundfish landed per trip in these fisheries could not exceed the amount of target species landed, except that the amount of spiny dogfish landed could exceed the amount of target species landed. In April 2000, the Council set differential cumulative limits for exempted trawl vessels participating in the pink shrimp fishery. In general, the groundfish species-specific limits (canary rockfish, lingcod, sablefish) for this fishery were higher than the open access limits. The pink shrimp fishery also had a per trip limit of 500 lb of groundfish per day, multiplied by the number of days in the fishing trip, but not to exceed 2,000 lb of groundfish per trip. Similar to other exempted trawl fisheries, the amount of groundfish landed could not exceed the amount of targeted pink shrimp landed.

Although the GMT would support continuing the pink shrimp exempted trawl limit for sablefish at 2,000 lb per month starting April 1 and for lingcod at 400 lb per month starting May 1, we have some reservations about allowing a canary rockfish limit any higher than the standard open access canary rockfish limit. For canary rockfish, the GMT recommends a cumulative limit of 50 lb per month (same as open access) in April, and 200 lb per month in May through October. The overall groundfish limit would be 500 lb per day, no more than 1,500 lb per trip. The GMT recommends the use of /finfish excluders or other canary-avoidance management (avoiding areas of high canary rockfish interaction, fleet education on canary rockfish avoidance) to ensure that the shrimp fishery does not exceed its expected canary rockfish mortality level. Limited entry permitted vessels participating in the pink shrimp fishery may be affected by DTS limits that are differential by area, as described above.

Mr. Tom Barnes presented Supplemental GMT Report 2.

The Groundfish Management Team (GMT) discussed the proposed cowcod groundfish area closure, and concluded that prohibition of federal groundfish within the proposed boundaries will achieve the rebuilding yields for the Southern-California Bight. As originally proposed, the closure would eliminate groundfish fishing in a large geographic area, resulting in a 55% reduction in total cowcod mortality. The closure is primarily located far offshore where cowcod catches and catch rates remain high, but where total groundfish effort has been comparatively lower than for fishing grounds closer to the mainland. Therefore, the area closure is likely to be less disruptive to southern California fisheries than alternative measures applied across the board to all shelf fishing grounds.

Some of the proposed area closure alternatives raise concern that efforts to allow fishing for selected groundfish species within the proposed area closure would result in enforcement difficulties and cowcod bycatch. These concerns must be addressed and resolved to maintain an expectation that rebuilding yields will not be exceeded. Total allowable 2001 fishing mortality under the base case in

*the rebuilding plan is 2.4 mt (55% probability of success within 98 years), which is about one half of the current take, and far less than average annual catches during the 1990's (25.9 mt/yr). Rebuilding analyses suggest that for the base case scenario, recovery will be jeopardized if rebuilding yields are exceeded by any significant amount.*

*In order for the proposed closure to be effective, it is necessary that all fishing opportunities for shelf groundfish be eliminated within the proposed closure boundaries. The proposed boundaries (all 3 options) encompass virtually all offshore fishing grounds that still exhibit high catch rates for cowcod. There are at least three logically plausible alternatives for eliminating cowcod catches within the proposed area boundaries:*

- 1) Complete prohibition of groundfish fishing and prawn trawling, as specified in the original proposal.*
- 2) Prohibit fishing for and retention of shelf groundfish and prawn trawling, with allowance for nearshore and slope fishing within the closure.*
- 3) Redefine the area boundaries to exclude nearshore and/or slope fishing grounds from the closure. This option may require provision for transport of prohibited groundfish through closed areas.*

*Although all options raise significant enforcement concerns, those other than Option 1 (above), present increased problems. If fishing for nearshore or slope species is permitted within the proposed boundaries, bycatch of shelf species has the potential to result in cowcod mortality if those fishing activities are not precisely constrained to shallow nearshore (<20fm) or slope (>175fm) fishing grounds. Enforcement of depth-specific regulations is problematic for large geographic areas located far offshore. Alternate area boundaries have been proposed to allow some slope fishing grounds to remain open, resulting in an irregular shaped closure that will be more difficult to enforce than the rectangular-shaped alternatives. The GMT expects that it would also be difficult to identify, define and enforce shallow-water boundaries to provide access to nearshore (<20fm) fishing grounds within the proposed closure boundaries. Also, any new proposal to redraw area boundaries to allow some productive offshore shelf habitat to remain open may result in effort shift that has the potential to result in cowcod catches in excess of rebuilding yields. The same concerns that have been identified for cowcod also apply to expected savings for bocaccio from the various closure options.*

*Input from Enforcement Consultants will be essential in consideration of all options, especially those that allow nearshore and slope fishing within the proposed boundaries. In order to meet rebuilding yields based on area closures, the measures under consideration must be enforceable, and not result in additional cowcod fishing mortality.*

*The GMT recommends that retention of cowcod in recreational and commercial fisheries be prohibited. It is important that the angling public and commercial fishers understand the importance of avoiding the take of cowcod, and this measure would achieve that purpose. The status of cowcod as a highly prized trophy species in the recreational fishery raises the possibility of targeting, even under a one-fish bag limit. Also, the one fish per landing allowance in the commercial fishery is expected to result in only a few hundred pounds of landings in 2000. The GMT believes the potential for increased discards is more than offset by the benefits of prohibition.*

Dr. Hastie presented Exhibit C.9.c, Supplemental GMT Report (Table of proposed trip limits). He explained the GMT had worked with the GAP and achieved consensus on nearly all the proposals. The basic structure is two 2-month periods, followed by three 2-month periods, followed by the November-December period that has a mix of monthly and 2-month cumulative limits. The proposed measures address the allocation committee's approach of allowing as many fisheries as possible within the canary rockfish OY. The GMT estimated the amounts of canary expected to be taken in each fishery, based on best information regarding catch ratios. The small footrope requirement would be continued, and midwater opportunities for widow rockfish, yellowtail rockfish, and chilipepper. There are questions about flatfish opportunities the Council will need to discuss. He noted the differential in limited entry trawl north and south of Cape Mendocino, and said if reduction is necessary, it may be proportional between the areas. For the fixed gear sablefish, the GMT suggests staying with daily trip limits until there is information on the effects of the one landing per week option.

Council members asked several questions about the potential catch of canary rockfish by the open access sector, in the yellowtail rockfish midwater fishery, and the summer petrale sole fishery.

#### **C.9.b. Report of the Ad Hoc Allocation Committee**

None.

#### **C.9.c. Report and Comments of Advisory Bodies**

##### **GAP**

Mr. Rod Moore presented the report of the GAP.

*After receiving direction from the Council, the GAP held several joint meetings with the GMT to develop management measures for the 2001 groundfish season.*

*For the sake of brevity, I will not repeat all of the proposals advanced by the GMT, as we are in agreement on most of them. I will identify where there are areas of disagreement or additions to the GMT statement:*

##### Cowcod area closure south of Conception

*While the GAP fully supports the protection of cowcod stocks, the extensive area closure to all groundfish fishing is unnecessary and will have severe economic impacts on both commercial and recreational fisheries. We recommend that the Council adopt the option identified as Option 2 on Supplemental GMT Report 2 under this agenda item, with the proviso that boats taking advantage of this opportunity carry observers or provide other effective means of verification. While the GAP understands the enforcement concerns identified, we believe that some means can be found to resolve them if all parties are willing to work cooperatively and think creatively.*

##### California recreational management, central area

*The majority of the GAP supports a recreational option calling for a March through June closure on the shelf and a March and April closure near shore (with a parallel closure of commercial fixed gear), resulting in a sport impact on near shore minor rockfish of 550 metric tons, a limited entry fixed gear impact of 30 metric tons (landed catch), and an open access impact of 74 metric tons.*

*A minority of the GAP supports a recreational option calling for a March through June closure of both shelf and near shore (with a parallel closure of commercial fixed gear) resulting in a recreational impact of 500 metric tons, a limited entry fixed gear impact of 30 metric tons (landed catch) and an open access impact of 120 metric tons.*

##### Sablefish minimum size

*The GAP supports removing the 22" sablefish minimum size requirement for all limited entry gear in order to reduce discards of small sablefish.*

##### Platooning

*The GAP supports continuation of the platooning option for limited entry trawl vessels. For vessels in the "B" platoon, the final period will be November 16, 2001 to December 31, 2001, with the same trip limits as the "A" platoon has for the November 1 to December 31 period.*

##### **EC**

Sgt. Dave Cleary presented the comments of the Enforcement Consultants.

*The Enforcement Consultants (EC) have reviewed the proposed management measures for 2001.*

*In reviewing the proposals for cowcod, I will refer to Exhibit C.9.c, Supplemental GMT Report 2 and Exhibit C.1.c, Supplemental CDFG Overheads.*

The EC is recommending the following:

1. *Prohibit the take, possession, and landing of cowcod statewide.*
2. *Prohibit the take and possession of federal groundfish species and state managed groundfish species that would adversely impact cowcod in the closed area.*

*We felt the wording in 2 would address alternatives 1 and 2 outlined in the GMT statement. The EC felt alternative 3 would make any cowcod closure unenforceable.*

*In discussing the three alternatives for the size and shape of a cowcod closure we would recommend Alternative 2 (slide and attachment) from Exhibit C.1.c, Supplemental CDFG Overheads. This closure appears to be easily understood by the public, industry, and enforcement. This option would reduce the area in the original proposal by over 2,000 square miles. This size and shape would maintain the savings that was met by the original proposed cowcod closure in September. We recognize this is new ground in management measures, and we anticipate that after a year of evaluation, we will be in a better position to tell you how effective our enforcement effort has been.*

*The management measures proposed for the recreational catch of canary rockfish for Oregon and Washington involves simply adjusting the bag limits and should not create any problems with proper notification to anglers.*

*The proposals for California represents a change in bag, hook numbers, and area closures that is similar to measures used in 2000. Again, with proper notification to anglers there should not be an enforcement concern.*

*Management measures proposed in the commercial fishery that were discussed are as follows.*

*Using a line to have differential trip limits for deep water complex will not be an enforcement issue if:*

1. *Limits are tied to port of landing and not the fishing area.*
2. *Language should be published in the Federal Register identifying deep water complex species effected.*
3. *The same language published in the Federal Register describing operating in areas with different trip limits would apply.*

#### **C.9.d. Public Comment**

Mr. Mark Cedergreen, Westport Charter Boat Association, Westport, Oregon  
Mr. Steve Westrick, Westport Charter Boat Association, Westport, Oregon  
Mr. Jeff Boardman, Shrimp Producers Marketing Association, Newport, Oregon  
Mr. Brian Peterson, Shrimp Producers Marketing Association, Toledo, Oregon  
Mr. Bob Fletcher, Sportfishing Association of California, San Diego, California  
Mr. Will Smith, Riptide Sportfishing, San Francisco, California  
Mr. Chris Olson, Newport Marina Charters, South Beach, Oregon  
Mr. Gary Richter, PCGA, Santa Barbara, California  
Mr. Bob Eaton, Pacific Marine Conservation Council, Astoria, Oregon

Mr. Glock noted that under this agenda item we have a summary of written public comments. He alerted the Council there is written public comment under C.9.

**C.9.e. Council Action: Adopt Final Groundfish Management Measures for 2001**

Mr. Anderson expressed concerns about the summer flatfish and midwater yellowtail rockfish fisheries. He was also concerned about the assumptions for canary rockfish catch by the pink shrimp fishery. In recognition of those concerns, he offered a motion that he hopes will at least partially address those concerns. He moved (Motion 32) the Council adopt the proposed trip limits that are identified on Exhibit C.9.c, Supplemental GMT Report, for limited entry trawl, limited entry fixed gear, and open access with the following modifications: for arrowtooth flounder, petrale sole, and all other flatfish (except Dover sole) combined, the two month cumulative limit during the May - October timeframe would be 15,000 pounds; for yellowtail rockfish taken with midwater gear only, 15,000 pounds per two-month cumulative in the May-Oct timeframe. Mr. Robinson seconded the motion.

Mr. Brown opposed the motion, protesting what he called the double standard applied to recreational and commercial fisheries. He noted the recreational fishery went over its quota, and recreational catch data is the worst of all the fisheries.

Mr. Anderson explained the changes he proposed. With respect to flatfish, we heard yesterday that canary bycatch rates in some of those strategies in 1999 ranged from 1.9% up to 3%; if we assume only a 1% canary bycatch rate, a vessel catching 15,000 pounds of flatfish would take 150 pounds of canary, half the 300 pounds allowed. For yellowtail rockfish, we heard the 1999 canary bycatch rate was 3.4%; if we assume 1%, and a 15,000 pound yellowtail rockfish trip limit, we get another 150 pounds of canary. He was concerned that vessels could take the entire canary allowance in one strategy and then move to a different strategy and catch more canary.

Mr. Bohn asked for clarification on the flatfish trip limit: the motion is 15,000 pounds in the summer for two months for the categories under arrowtooth, petrale, rex and other flats that currently say "no limits with small footrope"? Mr. Anderson said that is correct - all flatfish excluding Dover sole. The footrope issue would not change.

Mr. Brown offered a friendly amendment to change the Dover sole/thornyhead/trawl-caught sablefish complex (DTS) line back to Cape Mendocino. The amendment was accepted. Mr. Caito asked if the A and B platoons would continue. Mr. Anderson said yes.

Mr. Boydston referred to the limited entry fixed gear table and noted that south of Cape Mendocino references a target of 30-34 mt. is this part of the motion? Also is the reference to a 74 mt target for open access included in the motion? Mr. Anderson agreed.

Mr. Caito asked if the "other flatfish" restriction is coastwide or does it stop at Cape Mendocino? Mr. Anderson said the information presented to the allocation committee showed the incidental take of canary south of Cape Mendocino was extremely small, and therefore the restrictive trip limit would apply only north of Cape Mendocino.

Dr. Radtke stressed the need for the observer program for groundfish fisheries. He was concerned about the dramatic changes being proposed in a period of a few minutes and no means of verifying the success. He wanted a provision for better accounting, whether funded by industry or federal dollars.

Mr. Brown expressed unhappiness that only the trawl industry was being told to prove their bycatch but no other sector was. The Council is assuming other fisheries will have lower canary rockfish catch than in the past. We do not know why the bycatch in the salmon troll fishery went down, for example. We're not doing anything to make other sectors and fisheries prove they have cleaned up their act (speaking about canary reduction). The Council would be more consistent if those same restrictions were applied to all sectors that fish where canaries live.

Mr. Boydston was also concerned about making these kinds of changes right now. He suggested, as an alternative, the Council identify the summer flatfish proposal and the midwater yellowtail proposal as footnotes, indicating the Council will consider these at its March meeting. For measures that don't take effect until May, he wanted more time. He offered this as an amendment to the motion. Mr. Hansen seconded the

amendment. Mr. Boydston explained all the January-April trip limits would be approved now, and at the March meeting the Council would decide the summer season trip limits for the other flatfish and yellowtail rockfish.

Mr. Robinson said this approach concerned him about the acceptability of the canary rebuilding plan. The regulations need to clearly show the Council is being conservative. He preferred setting more conservative trip limits now and adding a footnote stating the Council will reconsider in April and may adopt more liberal measures at that time.

Mr. Robinson asked Mr. Anderson to repeat his explanation of the main motion, specifically the calculations regarding the assumed 1% rate. Mr. Anderson said the proposed trip limits are the same as the year 2000, so it stands to reason in his mind a portion of the reduction in the canary bycatch rate from the level in 1999 came as a result of the reduced trip limit. He also believes fishermen have changed their fishing behavior to avoid canary. The 15,000 pound per two months at 1% gives you 150 pounds of canary, leaving 150 pounds for bycatch in other strategies. He wanted to avoid setting up opportunities for vessels to take all the canary in a single strategy. We have to assume vessels are going to pursue more than one strategy, and there will be different strategies by different vessels.

Mr. Bohn asked for confirmation that for petrale there is no restriction through April, instead of starting April 1 and the same for rex sole, etc. All the lines on the table start on May 1. Mr. Boydston wanted to trust the GMT and GAP proposals and assumed incidental catch rates. He expressed concern about some of the numbers being discussed here over canary bycatch percentages. Now I hear a 1% figure, when he just heard a 3% figure. He is not sure what the basis is for these changes. He is not going to vote for the motion to change the recommendations of the GMT and GAP in this regard.

Mr. Anderson said the 3.4% bycatch rate in the midwater yellowtail fishery in the north came as a result of the 1999 logbook analysis. The 0.4% comes from year 2000 logbook information. The analysis the GMT used he is looking at for midwater yellowtail has the 0.4%. He has used 1% as an acknowledgment that a portion of the drop from 3.4 to 0.4 is a result of a trip limit reduction and a portion due to fisherman changing their fishing strategies. In order to give credit for changing strategies, he used 1%.

Mr. Brown offered an amendment (for petrale sole, rex sole and other flatfish with a small footrope) May - October trip limit be 10,000 pounds per trip (amendment 2 to motion 31) Mr. Bohn seconded the amendment. Mr. Brown said in his area this is the beach boat fishery, which is a pretty small fishery in the summer, with vessels using small footrope trawl nets. Typically, these are not the people who caught the 3% rockfish. These people don't have a yellowtail or deepwater strategy. They only fish for that kind of fish - 10,000 pounds per trip will be constraining on some of them, but he feels it does what were trying to do. Mr. Anderson asked if the boats that caused the canary bycatch rate in the petrale sole fishery in excess of 3%, is your point that those boats have moved to different strategy? Mr. Brown said yes. Mr. Anderson asked how many trips would boats typically make under the amendment. Mr. Brown responded about one per week on average. It will be predominately English, rex, petrale sole. There are some places where you can get pretty good trips on petrale in July. Generally those boats don't deliver large trips. Mr. Anderson said he would take that as a friendly amendment if Mr. Brown would limit it to 30,000 pounds per month total all species, including arrowtooth flounder. Mr. Brown agreed. Mr. Anderson clarified this is for north of Mendocino. Chairman Lone asked for the roll call vote: All Council members voted yes. Motion 32 passed.

Mr. Anderson wanted the GMT to have the flexibility to modify the provision for yellowtail rockfish limit up to 33% of all flatfish, if there is a need to change that 7,500 pounds. Mr. Robinson asked if the Pacific City proposal was included. Council members concurred the Pacific City proposal was included.

Mr. Brown then moved that the 22 inch size limit be removed from all sablefish fisheries. Mr. Anderson seconded the motion. (Motion 33) Motion 33 passed.

Mr. Boydston moved (Motion 34) the Council adopt the items shown in Exhibit C.9.c, Supplemental CDFG Report, including the cowcod closures and transportation corridor. Mr. Roger Thomas seconded the motion. Mr. Boydston said this set of regulations is consistent with the other tables adopted. They worked with GMT in terms of working out a balance between commercial and recreational. He said CDFG will get MRFSS people out on the commercial passenger fishing vessel (CPFV) boats (required cooperation), which will make



a major improvement in the CPFV catch estimates. There is going to be a lot more confidence and precision in those estimates. There will be new logbooks for the CPFV for information on specific rockfish species. The California Commission will adopt regulations complementary to the ones the Council adopted today. Mr. Robinson asked for the coordinates again for the transportation corridor. Motion 34 passed.

Mr. Bohn moved adoption of the following recreational proposals for Oregon (Motion 35) in Exhibit C.9., Attachment 1: lingcod, option 3 (one fish per day, no maximum size limit, season open year round); rockfish, status quo except not more than 1 may be canary rockfish (the change is from 3 canary to 1 canary). Mr. Brown seconded the motion. Motion 35 passed.

Mr. Anderson referred to the same document and moved (Motion 36) the Council adopt the following measures for the Washington recreational fishery: for lingcod, Option 2 with the modifications, the dates would be closed 10/15 thru 3/15, with bag limit increased to two fish. For rockfish, maintain Option 2 daily bag limit of 10 fish, but not more than two of which may be canary or yelloweye rockfish. Mr. Alverson seconded the motion. Motion 36 passed.

Mr. Alverson asked if the Council is going to take action with regard to excluders in the shrimp fishery. Mr. Bohn asked if the incidental trip limits for the pink shrimp fishery were included in the previous motions. Mr. Anderson said the intent of all the motions was to stay within the overall 93 mt of canary. In order to do that, the pink shrimp fishery has to keep itself within the 5.5 mt of canary. The issue is how can we assure that it will be no more than 5.5 mt of canary?

Mr. Bohn said that in the bottom of the GMT Statement C.9.c, are the numbers different than any of the numbers we already approved. What is the groundfish limit going to be in the pink shrimp fishery? Mr. Bohn moved the Council adopt the intent of the GMT Report 3 (including the numbers) (Motion 37) Seconded by Dr. Radtke. Motion 37 passed.

Dr. McIsaac asked Mr. Robinson about Council and NMFS authority regarding requiring excluders in the pink shrimp fishery. Mr. Robinson said it would take an FMP amendment to require excluders to be used by vessels with groundfish limited entry permits. Ms. Cooney said this might be extended to any trawl fisher - this would be more expansive and would have to be coordinated with the states and give folks plenty of notice. The better way would be for the states to do it since they regulate the shrimp fishery. Mr. Anderson said it is difficult to define what an excluder is, and what and how does a fisherman use it. He suggested providing an opportunity for the states and pink shrimp fishery representatives to get together before March and talk about how we might construct such a regulation and a definition of an excluder. He suggested the Council not take action on excluders until that dialogue has taken place. Mr. Bohn reminded the Council the Oregon shrimp industry are already committing to meet together. It would not be difficult to hold a meeting such as Mr. Anderson was talking about. It isn't absolutely clear the shrimp fishery would have to start the season using excluders. Mr. Brown said most shrimp fisherman belong to organizations that were represented here, and he is certain those folks have been put on notice and will work with the states. Dr. Hanson suggested Council staff and/or NMFS contact the Gulf Council about how they dealt with the use of excluders. Mr. Anderson asked if the Pacific States Marine Fisheries Commission (PSMFC) would be willing to facilitate that tri-state meeting with the agencies and industry? Dr. Hanson said they could do that sometime in January and February. Mr. Robinson concurred with Mr. Anderson's suggestion that PSMFC hosting the meeting. He would like a formal process to deal with this issue when the pink shrimp fishery starts.

Mr. Boydston said California needs some lead time, but he has already discussed this issue with the California Fish and Game Commission, and he believes they will consider requiring excluders during this regulation process, with the target to get something in place in April.

## **C.10. Permit Transfer Regulatory Amendment**

### **C.10.a. Agendum Overview**

Mr. Glock briefly summarized the agenda and introduced Ms. Yvonne deReynier, NMFS.

### **C.10.b. Impact Analysis**

Ms. deReynier presented Supplemental NMFS Report C.10.

### **C.10.c. Report and Comments of Advisory Bodies**

#### **GAP**

Mr. Glock read the report of the GAP.

*The GAP received a presentation from NMFS staff on options for transferring limited entry permits and streamlining existing regulatory language. The GAP supports the options identified by NMFS as preferred options and wishes to congratulate NMFS staff for their efforts to clean up existing regulations.*

### **C.10.d. Public Comment**

None.

### **C.10.e. Council Action: Adopt Permit Transfer Regulatory Amendment**

Mr. Robinson directed attention to Supplemental NMFS Report C.10, pages 3 and 4, and moved that under Issue 1, the Council adopt Option 3; adopt Issue 2 Option 2; and Issue 3 Option 2. Mr. Anderson seconded the motion. (Motion 14)

Mr. Alverson asked how this would work if we change to only two cumulative limits during the year? How would this function in terms of a transfer? Mr. Robinson said under the current regulations, even as modified that would greatly restrict the times a transfer could be done; it would have to be done prior to either of the two periods. Motion 14 passed.

## **C.11. Status of Fisheries and Inseason Adjustments**

### **C.11.a. Agendum Overview**

There were no inseason changes or adjustments from the GMT or GAP.

### **C.11.b. Report and Comments of Advisory Bodies**

None.

### **C.11.c. Public Comment**

There was one written public comment from the Pacific whiting conservation cooperative.

### **C.11.d. Council Action: Consider Adjustments in Groundfish Management Measures**

None.

## **D. Pacific Halibut Management**

### **D.1. Estimate of Bycatch in 1999**

#### **D.1.a. NMFS Report**

Ms. Cyreis Schmit briefed the Council on the final estimation of halibut bycatch mortality in the groundfish and pink shrimp trawl fisheries (Exhibit D.1, Supplemental NMFS/ODFW Bycatch Report). She indicated that the report had been completely reviewed and corrected to provide the best available estimates. She noted that

Pikitch reported an estimated legal-sized halibut mortality of 340,030 pounds for 1995 in the bottom trawl fishery for groundfish (Pikitch, E.K., Wallace, J.R., Babcock, E.A., Erickson, D.L., Saelens, M., and Oddsson, Geir. 1998. *Pacific halibut bycatch in the Washington, Oregon, and California groundfish and shrimp trawl fisheries. North American Journal of Fisheries Management. Volume 18, pp. 569-586*). Under the enhanced data collection program, the estimate for the 1999 bottom trawl fishery is 315,163 pounds.

#### **D.1.b. Report and Comments of Advisory bodies**

None.

#### **D.1.c. Public Comment**

Mr. Mark Cedergreen, Westport Charter Boat Association, Westport, Washington

#### **D.1.d. Council Guidance on Estimate of Bycatch in 1999**

Mr. Anderson recommended that this work effort and analysis be forwarded to the International Pacific Halibut Commission (IPHC) for consideration for the 2001 management cycle. The Council agreed.

### **D.2. Changes to Catch Sharing Plan and Regulations for 2001**

#### **D.2.a. Agendum Overview**

Dr. Coon stated that the Council should make its final recommendations for changes to the 2001 halibut fishery at this time. The proposed changes are relatively minor in scope. For the commercial fishery, the changes involve clarifying the intent to harvest the entire incidental halibut allocation during the May-June salmon troll fishery. The proposed changes for the recreational fishery are limited to the Washington South Coast Subarea and entail opening the "hot spot" area and prioritizing the May fishery. One written public comment was received which asked to split the sport allocation in Area 4 (Neah Bay) to provide half in the month of May and half in July.

#### **D.2.b. State Proposals**

Mr. Anderson reviewed the proposed changes to the Pacific halibut catch sharing plan as provided below from Exhibit D.2, Supplemental Revised Attachment 1.

##### *(e) NON-INDIAN COMMERCIAL FISHERIES*

*The non-Indian commercial fishery is allocated 31.7 percent of the non-Indian share of the Area 2A TAC for a directed halibut fishery and an incidental catch fishery during the salmon troll fishery. The non-Indian commercial allocation is approximately 20.6 percent of the Area 2A TAC. Incidental catch of halibut in the primary directed sablefish fishery north of Point Chehalis, WA will be authorized if the Washington sport allocation exceeds 224,110 lb (101.7 mt) as described in section (e)(3) of this Plan. The structuring and management of these three fisheries is as follows.*

##### *(1) Incidental halibut catch in the salmon troll fishery.*

*Fifteen percent of the non-Indian commercial fishery allocation is allocated to the salmon troll fishery in Area 2A as an incidental catch during salmon fisheries. The quota for this incidental catch fishery is approximately 3.1 percent of the Area 2A TAC. The primary management objective for this fishery is to harvest the troll quota as an incidental catch during the May/June salmon troll fishery. The secondary management objective is to harvest any remaining troll quota as incidental catch during the July, August, and September salmon troll fishery.*

- (i) The Council will recommend landing restrictions at its spring public meeting each year to control the amount of halibut caught incidentally in the troll fishery. The landing restrictions will be based on the number of incidental harvest license applications submitted to the*

IPHC, halibut catch rates, the amount of allocation, and other pertinent factors, and may include catch or landing ratios, landing limits, or other means to control the rate of halibut harvest. NMFS will publish the landing restrictions annually in the Federal Register, along with the salmon management measures.

(ii) *Inseason adjustments to the incidental halibut catch fishery.*

(A) NMFS may make inseason adjustments to the landing restrictions, if requested by the Council Chairman, as necessary to assure that the incidental harvest rate is appropriate for salmon and halibut availability, does not encourage target fishing on halibut, and does not increase the likelihood of exceeding the quota for this fishery. In determining whether to make such inseason adjustments, NMFS will consult with the applicable state representative(s), ~~on the Halibut Managers Group, a representative of the applicable commercial troll representative(s) on the Council's Salmon Advisory Sub-Panel, and Council staff.~~

(B) Notice and effectiveness of inseason adjustments will be made by NMFS in accordance with paragraph (f)(5) of this Plan.

(iii) ~~If the quota for this fishery is not harvested during the May/June salmon troll fishery, the IPHC will move any remaining quota from this fishery to the directed halibut fishery on July 1.~~

~~(iv) If the overall quota for the non-Indian, incidental commercial troll fishery has not been harvested by July 31 and the quota for the salmon troll fishery was not harvested salmon trollers during the May/June fishery, additional landings of halibut caught incidentally during salmon troll fisheries will be allowed effective August July 1 and will continue (while additional directed fishery openings are set to harvest all of the remaining commercial allocation) until the amount of halibut that was initially available as quota for the troll fishery is taken or the overall non-Indian commercial quota is estimated to have been achieved by the IPHC. Landing restrictions implemented for the May/June salmon troll fishery will apply to this reopening of the fishery. Notice of the August July opening of this fishery will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825. No halibut retention in the salmon troll fishery will be allowed after June in August unless the August opening has been announced on the NMFS hotline.~~

(v) A salmon troller may participate in this fishery or in the directed commercial fishery targeting halibut, but not in both.

(2) Directed fishery targeting halibut.

Eighty-five percent of the non-Indian commercial fishery allocation is allocated to the directed fishery targeting halibut (e.g., longline fishery) in southern Washington, Oregon, and California. The allocation for this directed catch fishery is approximately 17.5 percent of the Area 2A TAC. This fishery is confined to the area south of Subarea 2A-1 (south of Point Chehalis, WA; 46°53'18" N. lat.). ~~After June 30, the overall quota for the non-Indian commercial fishery will be available to the directed commercial fishery in accordance with the specifications provided in §(e)(1)(iii) and (iv) above.~~ The commercial fishery opening date(s), duration, and vessel trip limits, as necessary to ensure that the quota for the non-Indian commercial fisheries is not exceeded, will be determined by the IPHC and implemented in IPHC regulations. If the IPHC determines that poundage remaining in the quota for the non-Indian commercial fisheries is insufficient to allow an additional day of directed halibut fishing, the remaining halibut will be made available for incidental catch of halibut in the fall salmon troll fisheries (independent of the incidental harvest allocation).

(3) Incidental catch in the sablefish fishery north of Point Chehalis.

If the Area 2A TAC is greater than 900,000 lb (408.2 mt), the primary directed sablefish fishery north of Point Chehalis will be allocated the Washington sport allocation that is in excess of 214,110 lb (97.1 mt), provided a minimum of 10,000 lb (4.5 mt) is available (i.e., the Washington sport allocation is 224,110 lb (101.7 mt) or greater). If the amount above 214,110 lb (97.1 mt) is less than 10,000 lb (4.5 mt), then the excess will be allocated to the Washington sport subareas according to section (f) of this Plan.

The Council will recommend landing restrictions at its spring public meeting each year to control the amount of halibut caught incidentally in this fishery. The landing restrictions will be based on the amount of the allocation and other pertinent factors, and may include catch or landing ratios, landing limits, or other means to control the rate of halibut landings. NMFS will publish the landing restrictions annually in the Federal Register.

\* \* \*

(f) **SPORT FISHERIES**

\* \* \*

(1) Subarea Management

\* \* \*

(ii) Washington north coast subarea

**No changes recommended.** [i.e., "The fishery opens on May 1 and continues 5 days per week (Tuesday through Saturday). "If May 1 falls on a Sunday or Monday, the fishery will open on the following Tuesday."]

\* \* \*

(iii) Washington south coast subarea

**No change in the opening dates.** [i.e., "The fishery will open on May 1. If May 1 falls on a Friday or Saturday, the fishery will open on the following Sunday."]

**Change 7<sup>th</sup> sentence:** "~~The fishery will continue until September 30, or until 1,000 lb (454 kg) are projected to remain in the subarea quota the quota is achieved, whichever occurs first.~~"

**Change the 8<sup>th</sup> sentence and delete the last two sentences:** "~~Immediately following this closure, Subsequent to this closure, if any remaining quota is insufficient for an offshore fishery, but is sufficient for a nearshore fishery (e.g., > 500 pounds.), the area from the Queets River south to 47°00'00"N. lat. and east of 124°40'00"W. long. will reopen for 7 days per week until either the remaining subarea quota is estimated to have been taken and the season is closed by the IPHC, or until September 30, whichever occurs first. The daily bag limit is one halibut per person, with no size limit. Sport fishing for halibut is prohibited in the area within a rectangle defined by these four corners: 47°16'00"N. lat., 124°53'00"W. long.; 47°19'00"N. lat., 124°48'00"W. long.; 47°16'00"N. lat., 124°53'00"W. long.; 47°16'00"N. lat., 124°48'00"W. long. If a decision is made inseason to open this closed area to sport fishing for halibut, that decision will become effective upon announcement on the NMFS halibut hotline, at (206) 526-6667 or (800) 662-9825.~~"

\* \* \*

(5) Flexible inseason management provisions.

\* \* \*

(iv) Effective dates.

**Modify (A) as follows:**

(A) Inseason actions will be effective on the day specified in the Federal Register notice or at the time that the action is filed for public inspection with the Office of the Federal Register, whichever is later., ~~except that any partial or complete inseason opening of the Washington South Coast sport fishery closed area (designated above at (f)(1)(iii) may be made effective upon announcement on the NMFS halibut hotline:~~

**D.2.c. Tribal Comments**

Mr. Harp reported that the tribes proposed no changes in the halibut regulations. The allocation would remain at 35% of the total allowable catch (TAC) plus the 25,000 pound adjustments in the order of the U.S. district court.

**D.2.d. Report and Comments of Advisory Bodies**

None.

**D.2.e. Public Comment**

Mr. Doug Fricke, Washington Trollers Association, Hoquiam, Washington  
Mr. Jim Olson, troller, Auburn, Washington  
Mr. Mark Cedergreen, Washington Charter Boat Association, Westport, Washington

**D.2.f. Council Action: Consider Adopting Regulatory Changes for 2001 Halibut Management**

The Council adopted the changes to the Pacific halibut catch sharing plan as shown in Exhibit D.2, Supplemental Revised Attachment 1. (Motion 12)

**E. Coastal Pelagic Species Management**

**E.1. Limited Entry Fishery - Capacity Goal and Other Issues**

**E.1.a. Agendum Overview**

Mr. Waldeck provided background information for this item. Under the coastal pelagic species (CPS) FMP, limited entry permits become non-transferable as of 12/31/2000. Earlier this year concern was expressed that this non-transferability would cause a hardship, at the time, the Team and Subpanel recommended extension of the transferability provisions in the FMP beyond 12/31/2000. The Council opted to not extend the transferability period beyond 12/31/2000. However, to address concerns expressed by the Subpanel and public, the Council requested the Team to analyze several issues related to capacity in the CPS limited entry fishery. Among these items was establishment of a capacity goal for the fishery.

At this time, the Team will provide a response to the Council's request. Dr. Sam Herrick will provide a brief summary of an analysis of capacity in the CPS finfish fishery, and Ms. Marci Yaremko will present the Team's report.

Council action on this item is to discuss the findings of the Team and provide guidance and direction.

**E.1.b. Report and Comments of Advisory Bodies**

Dr. Sam Herrick (CPSMT) reviewed his report Assessing Fleet Harvesting Capacity in the Pacific Coast Coastal Pelagic Species Finfish Fishery (Appendix to CPSMT Report, Exhibit E.1.a) for the Council.

Mr. Boydston asked if Dr. Herrick's analysis concluded that 40 vessels could harvest the annually available CPS resource. Dr. Herrick responded that 40 vessels have an annual estimated physical harvesting capacity (approximately 205,000 mt) that could harvest more than was available in 2000 (approximately 188,000 mt). Mr. Boydston noted that the analysis could produce different results if it accounted for the true nature of the fishery, i.e., vessels switching between finfish species, and participating in finfish and squid fisheries. This could affect "optimal" fleet size. Dr. Herrick noted that there are many variables that factor into estimating annual fleet capacity, especially the number of trips made per year. His analysis is based on average measures of vessel length and number of trips.

Mr. Alverson asked why the current year fishery had only generated about 60,000 mt, while Dr. Herrick's research indicated the fleet could harvest much more. Mr. Alverson asked if the small amount of landings was due to the fleet participating in several fisheries. Dr. Herrick noted that his research focuses on static capacity and is a measure of potential capacity, that if, under the right environmental and market conditions, the fleet if operating at maximum potential capacity, could harvest upwards of 205,000 mt. Recent landings are probably indicative of market conditions.

Mr. Fougner asked how the landing limit of 125 mt would affect the analysis. Dr. Herrick answered that this was not factored into the analysis, but that it would have an effect on total fleet capacity. Mr. Fougner asked for clarification of how average capacity was determined. Dr. Herrick answered that it is the average number of trips times the vessel's capacity output per trip; moving the vessel up to the production frontier, where a vessel is producing at its maximum potential.

Ms. Marci Yaremko (CPSMT vice-chair) read the CPSMT statement.

**COASTAL PELAGIC SPECIES MANAGEMENT TEAM STATEMENT ON LIMITED ENTRY FISHERY ISSUES: CAPACITY GOAL AND PERMIT TRANSFERABILITY**

*The Coastal Pelagic Species Management Team (CPSMT) addressed concerns expressed by the Council on a target fleet for the CPS finfish fishery in terms of number of vessels and corresponding harvesting capacity. The CPSMT reviewed a technological-economic, data envelopment analysis (DEA) of fleet harvesting capacity in the Pacific coast coastal pelagic species finfish fishery (Appendix to CPSMT Report), which was undertaken in conjunction with the National Marine Fisheries Service's evaluation of harvesting capacity in fisheries under national Fishery Management Plans. The technological-economic DEA highlighted the dynamic nature of annual harvesting capacity in the CPS finfish fishery, primarily due to the inherent variability in CPS resource abundance, heterogeneous vessels, alternative fishing opportunities and instability in CPS markets. DEA was also used to approximate an engineering (physical) measure of finfish harvesting capacity which suggested that the current fleet of 64 vessels has sufficient physical capacity to take the maximum expected CPS finfish harvest guideline in any given year.*

*Based on the findings from the DEA, and the difficulties of predicting finfish maximum sustainable yields and future market conditions, the CPSMT was unable to come up with a specific recommendation for what the CPS finfish fishery should "look like" in terms of an optimal number of vessels with a harvesting capacity that represents a realistically sustainable maximum level of output. Nonetheless, the Team did agree to a range of options that could serve as Council or Industry goals for the fishery:*

- 1. Maintain a larger, diverse CPS finfish fleet (current size?) which also relies on other fishing opportunities such as squid and tuna;*
- (B) Work the fleet down to a smaller number of vessels with certain characteristics (e.g., smaller number of larger, "efficient" vessels; or smaller number composed of CPS finfish "specialists");*
- (C) Base the fleet size on our expectations of long-term expected yields from the combined CPS finfish species and the number of vessels physically capable of harvesting that yield.*

*The Team recognized that achievement of an optimal CPS fleet is contingent on harmonizing the CPS finfish limited entry program with California's pending market squid limited entry program. The CPSMT proposed several options to alleviate this conflict at the Council's June, 2000 meeting (Supplemental CPSMT Report F.5., June 2000). The Team's preferred option then, and now, would extend the current permit transfer window two years from the current closing date, December 31, 2000. Loosening finfish and squid permit transferability constraints would allow an optimal CPS fleet to evolve based on Industry's expectations of future conditions in the fishery.*

*The CPSMT has no recommendations at this time pertaining to procedures for issuing new finfish permits, and transferability of permits after the finfish capacity "goal" is attained.*

Mr. Alverson asked for clarification on two issues: initially issued 70 permits, goal of non-transferability was to get down to 40 permits though attrition, how was government to know when a vessel had permanently left the fishery? Second, why is the CPSMT recommending a two-year transferability window, and why no size limitation? Ms. Yaremko stated that the recommendation was to allow the fleet to decide what was optimal.

Mr. Bohn asked about the recommendation for transferability for two years? Ms. Yaremko noted that this would allow for California to settle transferability of their squid fishery permits

Mr. Boydston clarified for the Council how we got to where we are, noting that, previously, the Council asked the team and the panel to give us a vision for the fishery. In adopting the CPS FMP, the Council made the first decision, i.e., limited entry in the CPS finfish fishery. Now the Council would like the CPSMT and Coastal Pelagic Species Advisory Subpanel (CPSAS) to recommend what would be optimal in terms of capacity. He pointed to the excess capacity in the groundfish fishery as an example of why not to allow unconstrained capacity. He stressed that without transferability, attrition was one means to reduce capacity, i.e., capacity in the fishery will decrease over time as vessels exit the fishery. He noted transferability is not the issue, determining a goal and vision for the fishery is the issue.

Mr. Fougner asked about the 14 permit transfers so far, and wondered why there was desire for greater transferability when most permits had not been transferred. Ms. Yaremko did not know.

Mr. Hansen asked for clarification about permits that are currently not attached to vessels, i.e., he knows of two permits not on a boat right now, do they have to be on a boat by December 31, 2000. Mr. Morgan (National Marine Fisheries Service) stated that under the current regulations, no, they do not have to be on a boat. That is, the permits Mr. Hansen referred to are for replacement vessels and could be used on a replacement vessel, even after the transferability deadline.

Mr. Brown noted that there are several different ways to look at capacity in a fishery. The reason capacity is a problem in the groundfish fishery is not because there is a surplus of harvesting ability, it is because, with low fish availability, there is no money to be made in the fishery. The economics of the fishery is important in judging optimal capacity. Dr. Herrick's research discussed physical capacity, but did not provide a review of the economics of the fishery, which would allow the Council to make a judgment about the appropriate level of capacity. Mr. Brown asked, keeping in mind natural fluctuation in the size of CPS stocks, is it likely the sustainability of the stocks would be in jeopardy if the current level of capacity (64 vessels) stayed constant, i.e., would this cause an economic collapse? Ms. Yaremko stated that the current fleet is diverse and participates in several different fisheries. Whereas, reducing the fleet down to 40 vessels could result in a fleet of more efficient, highly specialized participants. At the current level, with participation in several fisheries, there may be a cushion to account for natural stock variability.

Mr. Brown then asked if limited entry permits allowed participants to upgrade to 125 mt maximum capacity? And did the CPSMT discuss the advisability of that? That is, preventing an increase in capacity could be accomplished by capping vessels at their current size. Ms. Yaremko stated that the CPSMT did not discuss this issue.



## **CPSAS**

Mr. John Royal read the comments of the CPSAS.

*The Coastal Pelagic Species Advisory Subpanel heard a presentation from Dr. Sam Herrick, National Marine Fisheries Service, and reviewed a corresponding report by Dr. Herrick, entitled "Assessing Fleet Harvesting Capacity in the Pacific Coast Coastal Pelagics Species Finfish Fishery."*

*The CPSAS wishes to remind the Council that the sardine fishery does not operate independently. Several other factors must be considered when attempting to identify an optimum fleet size or goal for the CPS fishery. These other factors include, but are not limited to domestic and international markets, and the availability of other coastal pelagic species, such as squid.*

*The CPSAS continues to support extending the transfer period for limited entry finfish permits past December 31st, 2000.*

Mr. Brown asked Mr. Royal about reducing the fleet, and if it was not reduced down from 64 if an economic collapse was likely. Mr. Royal responded that the current 64 vessels are not going to overfish the resource, because the vessels are not likely to ever achieve their maximum potential harvest. He believes that reducing the fleet to 40 vessels would cause undue economic hardship. Mr. Brown asked about the potential for the capacity of the fleet to increase because of the way the limited entry program is structured. Mr. Royal noted that many of the vessels in the fleet are quite old, and he did not believe it was likely that many of these vessels would be modernized. Mr. Brown then asked, assuming those boats have to be replaced, are they going to be replaced with larger, more efficient vessels (increasing capacity)? Mr. Royal did not know how many people would reinvest in a newer larger vessel, it would depend on how they have done in the fisheries. If they have not done well, they would probably not modernize their vessels.

Mr. Fougner asked Mr. Royal also about why there have been so few permit transfers (14 transfers). Mr. Royal said he did not know the reason for this. Mr. Fougner then asked about why Mr. Royal believed that reducing the fleet would create hardship. Mr. Royal said that reducing the fleet would impact the participants with older vessels. Mr. Royal believes that fleet reduction through attrition will cause less disruption than the Council reducing the fleet.

### **E.1.c. Public Comment**

Ms. Heather Munro, West Coast Seafood Processors Association, Portland, Oregon  
Mr. Rob Zuanich, Purse Seine Vessel Owners Association, Seattle, Washington

### **E.1.d. Council Discussion on CPS Capacity Goals and Other Issues**

During public testimony, Mr. Anderson asked Mr. Zuanich to describe the emergency that would warrant immediate action to change the transferability provisions in the FMP. Mr. Zuanich stated that after December 31, 2000 there will be no transferability. This will create a whole new set of expectations and problems. That is, a new class of vessels will have been created, many of whom will favor consolidation, which could result in larger vessels and a very different configuration of the fleet than we have currently. If we delay extending transferability, he perceives it will be more difficult to get agreement from participants in the fishery about allowing transferability in the future.

Mr. Alverson asked Mr. Zuanich about the difference in Ms. Munro's proposal for extending transferability and his (i.e., including a limit on vessel capacity) and how would capacity be determined. Mr. Zuanich said California used an equation based on length and hold capacity. He suggests using a similar formula as a restriction on the free transferability of the current permits. Mr. Alverson asked Mr. Zuanich why would transferability be limited to someone who currently holds a California market squid permit? Mr. Zuanich could not provide a rationale, but believes this condition would reflect reality in the fishery.

Mr. Boydston clarified that the formula referred to for California squid permits is simply a proposal at this time (i.e., not a regulation or policy) and should not be used as a legal definition. To the suggestion of squid

permits being transferable, Mr. Boydston noted these permits are not transferable except if a vessel has mechanical problems or is lost or destroyed.

Mr. Fougner asked Ms. Munro about her proposal, and questioned whether she would support an extension of transferability, but with limits on size and/or capacity. Ms. Munro would support this.

After a short recess, Mr. Waldeck reviewed for the Council what was required under this agenda item. He summarized the previous presentations and public comment, and noted that Council action was simply discussion of the topic and guidance to the CPSMT and CPSAS.

Mr. Alverson asked for guidance from NMFS if the Council were to recommend extension of the transferability window, would that require a regulatory amendment or plan amendment. Ms. Cooney stated it would require a plan amendment because the transferability provisions are part of the FMP.

Mr. Brown prefaced his comment by stating it was only in the form of a discussion point – it appears to him that in the current system there is no cap on capacity, other than attrition in the number of vessels, there is no constraint on increasing the size or capacity of a permitted vessel. He noted that you cannot leave the number of vessels the same if you allow growth of the vessel, i.e., if attrition does not occur, vessel capacity will increase even under current limited number of permits. He opined that, if you're going to do a transfer provision, you have to cap vessel size. If you do a transfer, it is not likely those permits will go away, those two (transferability and vessel size) have to be linked.

Mr. Boydston then reminded the Council about how we got to this point: The plan went into effect in January 2000. When we adopted the plan we had 20 or 30 provisions in there, one had to do with the initial permit issuance. The CPSAS and CPSMT disagreed about the number of permits to be initially issued. CPSAS wanted 99% of the vessels with landings. The CPSMT recommended 95%. This was a difference of 40 permits (CPSMT preference) vs. 70 (CPSAS preference). When the Council adopted the plan, it was stated that 70 permits would be initially issued and transfer of permits would be allowed for one year. This would allow participants to acquire new vessels or make other adjustments if desired. We did not allow for transfer for permits after the first year. Part of the reason for this restriction was because the Council allowed more vessels to initially enter the fishery than was recommended by the CPSMT. Since then, the Council asked the team to reexamine the issue of capacity for the finfish fishery and asked them to report to us on a couple of issues – (1) capacity goal and (2) provisions for achieving the goal. What has happened is that the CPSMT is asking for more guidance on the capacity issue; but also recommending extension of the transferability window. He believes the situation is the same as last time (September 2000). That is the Council needs information about a capacity goal in order to make decisions about provisions such as permit transferability. He stressed that the CPSMT must address the Council directives regarding a capacity analysis.

Dr. Radtke reminded the Council that this is not an action item.

Mr. Bohn noted, that from start to finish, FMP amendments take a long time to construct. Moreover, the Council heard some very compelling testimony, and there appears to be merit for allowing transferability to continue. He noted that the CPSMT also suggested extending transferability for two additional years. He stated that maybe sticking to the one year window and not heeding the concern expressed may not necessarily be the way to go. He concluded, as time goes on some of the views change and this does look different than it did before.

Mr. Fougner spoke to the issue of capacity limitation. Effectively there is a capacity limitation based on tonnage landed at a time. He is not inclined to think there is a currently an emergency, but there may be cause to revisit the matter of transferability. The team came up with goals for the fishery, but did not recommend one of them. Neither the team or the panel have come up with their goals for the limited entry finfish fishery. He wants to hear from the industry about their vision for the fishery.

Mr. Brown said, in terms of the goals in the team report, we do need some comment from the advisors for which goal we want to shoot for because we cannot go for both. Are we going to try to keep a larger boat fleet or a smaller boat fleet?

Mr. Radtke asked staff if the Council had provided sufficient guidance to the CPSMT and CPSAS.

Mr. Waldeck stated from what he noted, the Council asked the Team to explore the 3 options supplied in their report and to continue work on the Council directives from March 2000, i.e., capacity goal and other issues.

Mr. Alverson noted the team and advisory subpanel support extending the deadline. However, he now understands that it would require amending the plan.

Mr. Boydston asked Ms. Cooney for guidance on whether emergency action was warranted. He could understand taking action if we were looking at an emergency for transfer; but that he did not believe this is an emergency situation. And, the other suggestion of requesting a plan amendment, that action is not on the Council's agenda.

Ms. Cooney said this discussion could be the starting point for CPSMT and CPSAS work, i.e. give guidance to the CPSMT and CPSAS, which would be developed for action after a future meeting.

Mr. Anderson said the first thing we need to do is get some decision on what type of harvest capacity and fleet structure we want in the future. Depending on that answer, the Council could discuss and decide about transferability (either extending or ending transferability 12/31/00). He noted, the team asked for more direction from the Council.

Mr. Bohn said he thinks those remarks are true. Whenever new information unfolds, and when and if transferability is revisited, it is still a plan amendment process. He did not believe there is an emergency.

Mr. Hansen reiterated his concern about the two permits that are not currently on vessels. What happens to those two permits? Mr. Fougner said that those permits are available to be used on another vessel.

Mr. Alverson said he is interested in providing flexibility in transferability, he asked the team to identify and make recommendations to the Council.

Mr. Waldeck noted that, in discussing the issue of capacity, the CPSMT was uncertain about what definition (or aspects) of capacity were important to the Council. And asked if the three goals outlined in the CPSMT report represented a range of the aspects of capacity relevant to the Council, which could be developed into capacity goals.

Mr. Boydston concurred that the information in the CPSMT report was a good starting point for constructing capacity goals, but suggested some modest rewording. He noted that diversity should be the key in #1, not a higher number of vessels. And, determine the size of the fleet to achieve certain characteristics as outlined. He concurred with the third item in the CPSMT report paper. He noted that it is difficult to set a capacity goal for a fishery, that it is a policy decision. The Council needs to be able analyze the various ways of characterizing the fishery.

Mr. Fougner hoped that the CPSAS would present their views as to what is the preferred goal and why it is preferred.

Mr. Anderson said the only small item he would like to add is that first, the current fleet is diverse, and does not solely rely on finfish, but other fishing opportunities as well. He asked the CPSMT to review the current characteristics of the fleet, and to not simply look at the CPS finfish fishery in isolation from other fishing opportunities. He asked for analysis of #1 as it relates not only to finfish but includes consideration and recognition that those boats are fishing in other fisheries to be economically viable.

## **E.2. Pacific Sardine Harvest Guideline**

### **E.2.a. Agendum Overview**

Mr. Waldeck reviewed this agenda item for the Council. According to the CPS management cycle, the Council is scheduled to review the current year's stock assessment for Pacific sardine. Based on this assessment

the Council will recommend a harvest guideline for the 2001 fishery. Per the CPS FMP, the harvest guideline will be divided between northern subarea A and southern subarea B; one-third, two-third, respectively. The 2001 sardine fishery is scheduled to open January 1, 2001. Dr. Paul Crone (NMFS, SWFSC) will review the current Pacific sardine assessment and recommended harvest guideline.

Additionally, based on the advice of the SSC, the Council requested the Team develop recommendations for a CPS stock assessment review process. Ms. Marci Yaremko will present the CPSMT's report.

Council action on item E.2 includes adopting a recommended harvest guideline for the 2001 fishery and providing guidance to the Team on their recommended assessment review process.

Dr. Crone presented an overview of the sardine stock assessment and the recommended harvest guideline for the 2001 fishery.

Mr. Fougner asked Dr. Crone about migration patterns and how they affect assessment results, i.e., do we know the extent to which this is a factor and is it possible that the fish in the central area can move north and the fish in the north move to the central area. Dr. Crone concurred that this might have an effect on the assessment and noted that efforts were underway for a coastwide survey of sardine, which would ensure an accurate accounting of biomass.

Mr. Alverson asked what significance is there in terms the different regional stocks, asking if there is a sampling program to determine the size and age of the Northern portion versus Southern portions of the stock. Dr. Crone said that, generally speaking, larger fish occur in the North and the smaller ones in the South. He noted that we need to get more definitive information about coastwide distribution.

Mr. Fougner made reference to the upcoming International Sardine Forum in Ensenada, BC, Mexico in January.

Mr. Anderson asked how old are the larger fish you characterized as larger and less reproductively active? Dr. Crone said ages 4,5, and 6 years.

Mr. Boydston, regarding the recommendation of the harvest guideline (HG) for 2001, 134,777 mt. Compared to the 2000 HG, this is lower. Dr. Crone said the indices lead them to that conclusion.

#### **E.2.b. Report and Comments of Advisory Bodies**

##### **CPSMT**

Ms. Yaremko provided the CPSMT report, which focused on the Council's request for the CPSMT to recommend a process for reviewing CPS stock assessments.

*The Coastal Pelagic Species Management Team (CPSMT) discussed various options for independent review of stock assessments for actively managed species. Stock assessments for Pacific sardine and Pacific mackerel are currently conducted on an annual basis. The CPSMT recommends continuing assessments with this frequency due to the highly dynamic nature of coastal pelagic species (CPS) stocks. The Team recommends implementing periodic review of the assessments in a Groundfish stock assessment review (STAR) panel setting, but intensive reviews of this nature are probably not warranted on an annual basis. STAR panel reviews of sardine and Pacific mackerel stock assessments could be conducted triennially, with a less formal review by the CPSMT and Scientific and Statistical Committee (SSC) during interim years. Full stock assessment reports should be developed and distributed following each STAR panel review. Details from interim-year assessments could be documented in comprehensive Executive Summaries which include relevant changes to data and the modeling approach. Executive Summaries for interim years will be available for review prior to setting harvest guidelines and will be included as an appendix to the annual stock assessment and fishery evaluation (SAFE) document. In the event that entirely new assessment models are developed, the CPSMT would request a STAR panel to review the models prior to implementation of results for setting harvest guidelines.*

*Should the Council concur with this recommendation, the Team suggests organizing the first joint STAR panel for sardine and Pacific mackerel during latter half of 2001 after the groundfish STAR process is completed. The STAR panel can be composed of one representative each from the CPSMT, CPS Advisory Subpanel and SSC, and an independent group of stock assessment experts. The CPSMT would like to work with the SSC in developing a Terms of Reference document for the CPS STAR panel process as well as guidelines for preparation of stock assessment documents.*

## **SSC**

Ms. Cindy Thomson presented the comments of the SSC.

*A summary of the Pacific sardine stock assessment for 2001 was presented to the Scientific and Statistical Committee (SSC) by Dr. Ray Conser. The SSC finds the assessment and recommendations to be adequate for setting harvest levels at this stage of the fishery. Future assessments may be inadequate for the northern range of the stock if appropriate time series data for the northern areas are not incorporated into the assessment.*

*The discussion that followed was a good update on the status of Pacific sardines and the assessment methodology, but was not an in-depth peer review. The data sources for sardine are limited to geographic areas off Baja California, Mexico, and the State of California (particularly the area from San Diego to Monterey Bay). A migration model parameterized with historical estimates of sardine migration rates is used to extrapolate the stock assessment to the northern areas of the sardine distribution. With the recent expansion of the sardine population off Oregon, Washington, and British Columbia, there is an urgent need to incorporate fishery-dependent data for northern areas into the stock assessment and to initiate resource surveys to establish a fishery-independent time series for those areas. It will be very important that monitoring be coordinated, consistent, and compatible between northern and southern areas.*

*In response to an earlier SSC request, the Coastal Pelagic Species Management Team (CPSMT) has recommended a peer review process for the coastal pelagic species similar to the groundfish STAR process. The CPSMT suggests that full sardine and Pacific mackerel stock assessments and reviews be conducted on a triennial cycle, with a less formal review by the CPSMT and SSC during interim years. Full stock assessment reports would be developed and distributed following each STAR panel review. Details from interim-year assessments could be documented in executive summaries similar to the one produced for this year's sardine assessment. As entirely new assessments are developed, a STAR panel would be convened to review the assessment prior to implementation of results for setting harvest guidelines. The SSC supports the CPSMT's proposal. The SSC Coastal Pelagic Subcommittee is willing to work with the CPSMT to develop the terms of reference for a STAR process and guidelines for stock assessment documents. The SSC suggests that the first such review be scheduled for 2002, given that a major review of squid assessment methodology is scheduled for 2001. A 2002 CPS review should be scheduled to avoid overlap with the groundfish STAR review process.*

## **CPSAS**

Mr. John Royal gave the report of the CPSAS.

*The CPSAS heard a presentation from Dr. Ray Conser on the 2000 stock assessment and the accompanying 2001 harvest guideline for Pacific sardine. The CPSAS agreed with the findings of the stock assessment and support the proposed harvest guideline of 134,747 metric tons for the 2001 fishery.*

Mr. Royal was asked his opinion about the accuracy of the stock assessments. He said, in recent times, the stock assessments are getting to be more on target. As far as a Stock Assessment Review committee, he supports it.

### **E.2.c. Public Comment**

None.

### **E.2.d. Council Action: Adopt 2001 Sardine Harvest Guideline**

The Council adopted the sardine harvest guideline as shown in Exhibit E.2.a. – Pacific sardine Executive summary (page 4), 134,777 mt for the fishery beginning January 1, 2001. (Motion 29)

On a related note, Mr. Anderson stated that WDFW has bycatch information from the Pacific sardine purse seine fishery off of Washington, which will be provided soon.

Mr. Boydston with regards to guidance, he would like to blend the recommendations of the SSC and the CPSMT with regard to squid, and pacific mackerel and sardine. The priority would be for the market squid assessment, and concurs with the STAR panel approach. He asked that assessment review for squid receive priority. Sardine and mackerel would be done in another year, as recommended by the SSC. He would like the CPSMT to report back in April about progress in developing the assessment review.

### **E.3. Pacific Sardine Suballocation**

#### **E.3.a. Agendum Overview**

Mr. Waldeck reviewed the agenda item for the Council. Currently, the sardine harvest guideline is divided between two areas, with one-third provided to the area North of Point Piedras Blancas. Concern has been expressed that, during years of low abundance, sardine fisheries in Oregon and Washington could be preempted by fisheries in Northern California. Earlier this year, ODFW put forward a proposal for a sub-allocation of the northern portion of the sardine harvest guideline. The Council asked the Team to review this proposal. In addition, the Council requested analysis of the seasonal distribution of sardine and the effects of delaying the start of the fishery. The Team will provide a report summarizing their findings.

Council action on item E.3 is to provide guidance to the Team and Subpanel regarding allocation of the sardine harvest guideline.

#### **E.3.b. Report and Comments of Advisory Bodies**

##### **CPSMT**

Ms. Yaremko summarized Exhibit E.3.b, Supplemental CPSMT Report.

*At the June Council meeting, the Coastal Pelagic Species Management Team (CPSMT) was directed to examine several items related to suballocation of the annual Pacific sardine harvest guideline (HG). Specifically, we were asked to: 1) analyze seasonal distribution of sardine biomass along the West Coast, 2) revisit the suballocation options proposed by Oregon Department of Fish and Wildlife (ODFW), 3) study effects of delaying start of the season, 4) review catch data to determine how much of the northern allocation is taken Jan-May.*

*Data on the seasonal coast-wide distribution of sardine biomass are not available in a form suitable for resolving fishery allocation questions. Historical tagging studies have demonstrated regular seasonal movement northward in the late-spring/early-summer and southward again in autumn. North-south movements were thought to be a feeding-spawning migration typical of older/larger individuals, as was evidenced by abbreviated summer fishing season to the north. Unfortunately, seasonal biomass distribution cannot be derived from these early studies. While sardine have re-occupied waters north of California, there is no clear evidence to date that a regular north-south migration pattern has resumed. Even if reliable coast-wide biomass distribution were available,*

distribution is likely to vary widely within and among years. Since we have no current information on relative biomass distribution off of California, Oregon, and Washington, it is not possible for the CPSMT to provide an objective opinion regarding the relative merit of ODFW's proposed allocation options.

The ODFW report raises a concern over the possibility of northern California's fishery preempting the northern suballocation before Oregon and Washington have an opportunity to prosecute their summer fisheries. To examine this likelihood, we reviewed historical (1935-1948) and recent landings data for the Oregon and California fisheries. Monthly catch data from Washington's sardine fishery were not available at the time of this analysis. Historically, the State of California imposed seasonal closures on their northern fishery from March through July and the southern fishery from March through August, therefore, evaluating availability information for California during the historical period is not appropriate. For this reason, only California catch data for 1992-1999 were applicable.

Oregon's monthly landings for 1999 and 2000 were identical in pattern to their seasonal catch for the period 1935-1948. Ninety-eight percent of Oregon's landings are made from July through September, peaking in August, with only minor quantities taken in other months (Figure 1). California sardine landings for the 1992-1999 period reflect a different seasonality than the Oregon fishery (Figure 2). The northern California fishery has a pronounced season beginning in mid-summer and peaking in the early fall, with landings tapering off in November and December. The southern California season is spread more evenly throughout the calendar year, with peaks in late winter and fall and a low during mid-summer months (Figure 2).

Catch data were also examined with respect to average cumulative percentage taken by each region throughout the calendar year in recent years (Figure 3). For the January-May period in question, Oregon had landed no sardine, northern California landed only 19% of their total annual take, and southern California landed 55% of the annual yield. By the end of August, Oregon's fishery took 99% of their landings, and northern California had landed 46% of their annual yield. With the exception of Jan-Feb 1999, the majority of northern California catch during the first semester amounts to only a few hundred tons per month (Table 1) where quality is relatively poor (e.g. small fish, low oil content). Hence, the incentive for northern California catch to increase in this time period is unlikely given current information.

Based on past experience, the northern fishery (OR/WA/Canada) will probably not persist once biomass drops below 700,000 tons (Table 2). It is unlikely that the northern California fishery will take all of the northern allocation before Oregon/Washington fisheries have a chance to complete their season. Moreover, if a significant fishery builds up in the open access region (north of 39 N), there is a chance that the Oregon/Washington fisheries could take the bulk of the northern allocation before the Monterey fishery has an opportunity to fish during its fall peak season. As an example, the combined Oregon and Washington fisheries landed at least 14,309 mt by the conclusion of their 2000 fishing season, but the northern California fishery had only taken 4,976 mt though September 2000.

The catch data analyses presented in this report address ODFW's concern regarding preemption from the northern suballocation. The data also highlight other potential problems with respect to north-south allocation which may arise when HGs are lowered. The Council may wish to consider avoiding these eventualities by considering alternatives to the current subarea allocation schemes. For example, in years when the HG is more than sufficient to accommodate the coast-wide fishery, the Council may consider removing all suballocations to avoid preemption of localized fisheries. When HGs are lowered, subarea HG preemption may be addressed by timing the release of the coast-wide HG to accommodate regional seasons.

## **CPSAS**

Ms. Heather Munro and Mr. John Royal presented the CPSAS comments.

*At the June Council meeting, the Coastal Pelagic Species Management Team (CPSMT) was directed to examine several items related to suballocation of the annual Pacific sardine harvest guideline (HG).*

Specifically, we were asked to: 1) analyze seasonal distribution of sardine biomass along the West Coast, 2) revisit the suballocation options proposed by Oregon Department of Fish and Wildlife (ODFW), 3) study effects of delaying start of the season, 4) review catch data to determine how much of the northern allocation is taken Jan-May.

Data on the seasonal coast-wide distribution of sardine biomass are not available in a form suitable for resolving fishery allocation questions. Historical tagging studies have demonstrated regular seasonal movement northward in the late-spring/early-summer and southward again in autumn. North-south movements were thought to be a feeding-spawning migration typical of older/larger individuals, as was evidenced by abbreviated summer fishing season to the north. Unfortunately, seasonal biomass distribution cannot be derived from these early studies. While sardine have re-occupied waters north of California, there is no clear evidence to date that a regular north-south migration pattern has resumed. Even if reliable coast-wide biomass distribution were available, distribution is likely to vary widely within and among years. Since we have no current information on relative biomass distribution off of California, Oregon, and Washington, it is not possible for the CPSMT to provide an objective opinion regarding the relative merit of ODFW's proposed allocation options.

The ODFW report raises a concern over the possibility of northern California's fishery preempting the northern suballocation before Oregon and Washington have an opportunity to prosecute their summer fisheries. To examine this likelihood, we reviewed historical (1935-1948) and recent landings data for the Oregon and California fisheries. Monthly catch data from Washington's sardine fishery were not available at the time of this analysis. Historically, the State of California imposed seasonal closures on their northern fishery from March through July and the southern fishery from March through August, therefore, evaluating availability information for California during the historical period is not appropriate. For this reason, only California catch data for 1992-1999 were applicable.

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*north-south allocation which may arise when HGs are lowered. The Council may wish to consider avoiding these eventualities by considering alternatives to the current subarea allocation schemes. For example, in years when the HG is more than sufficient to accommodate the coast-wide fishery, the Council may consider removing all suballocations to avoid preemption of localized fisheries. When HGs are lowered, subarea HG preemption may be addressed by timing the release of the coast-wide HG to accommodate regional seasons.*

### **E.3.c. Public Comment**

Ms. Heather Munro, on behalf of Monterey Fish Company, Salinas, California

### **E.3.d. Council Discussion on Allocation Measures for Northern Areas**

In response to rapid expansion of Northern fisheries, Mr. Anderson noted the Washington fishery operated under trial fishery permits. Under the trial fishery regulations (State of Washington), the state could not limit the number of vessels that could participate, then take that data and operate that fishery under an EFP. He stressed that Washington was being very careful to not allow the fishery to expand without limitations.

Dr. Radtke asked staff for guidance about what the Council need to do on this item.

Mr. Waldeck said there are two things, initially this item dealt with suballocation of the harvest guideline to address concerns raised by Northern fishery participants about being pre-empted by the southern fishery. The CPSMT provided information that showed this concern was not warranted. The other issue is to address the recommendation of the CPSAS to suspend the North/South allocation for the 2001 fishery.

Mr. Bohn thanked the CPSMT for their analysis, noting that Oregon brought the issue to the Council and he was satisfied with the findings of the Team. He continued, as we look at the harvest guideline for allocation this year, we are comfortable in Oregon with the allocation. He was not supportive of Council action to suspend the North/South allocation.

Mr. Boydston said we have no emergency at this point with regard to the harvest of sardine, the availability of the product is not a problem. If we have a problem, we can deal with it in a one meeting process according to the framework process in the FMP. He recommend the Council not act on the CPSAS recommendation.

Mr. Anderson recommended keeping the allocation in place. Noting that, if problems arise, the Council could deal with them quickly. Mr. Fougner echoed the comments of Mr. Anderson and Mr. Boydston.

### **E.4. Report from NMFS on Inseason Action for the Sardine Fishery**

Mr. Waldeck introduced this item, which was added to the Council's agenda. Under the FMP, the directed fishery for Pacific mackerel is to close when the harvest guideline is attained. Because of favorable conditions, the Pacific mackerel fishery has gone very rapidly this season and the directed fishery was closed by NMFS on October 27, 2000. NMFS will provide a report on this action.

Reporting for NMFS, Southwest Regional Office, Mr. Fougner said this year the pace of Pacific mackerel landings were much faster than expected. NMFS filed notice in the FR effective 10/27/00 establishing a 20% by weight incidental catch allowance of Pacific mackerel. NMFS did not have time to come to the Council with this item for action, but due to time constraints (in accordance with section 5.1.6 of the FMP) NMFS is took action.

## F. Habitat Issues

### F.1. Ongoing and New Habitat Issues

#### F.1.a. Agendum Overview

None.

#### F.1.b. Report of the Habitat Steering Group (HSG)

Ms. Michele Robinson presented the report of the HSG (Exhibit F.1.b, Supplemental HSG Report) which includes a proposed letter to NMFS requesting an extension in the comment period for the Artificial Reef National Plan Revision.

*The Habitat Steering Group (HSG) met on Wednesday, November 1, 2000. The HSG has one action item for Council consideration related to the draft Artificial Reef National Plan Revision. The HSG would like the Council to send a letter requesting that the deadline for comments be extended from December 11, 2000 to April 1, 2001 to allow adequate time for review. The Gulf of Mexico Fishery Management Council has already submitted a letter to that effect (copy attached); the HSG is proposing that the Pacific Council send a similar letter. The HSG also received presentations on and discussed the following issues:*

#### **Rebuilding Plans for Canary and Cowcod Rockfish**

*The HSG appreciates the addition of the habitat protection goal to the rebuilding plans for cowcod and canary rockfish; however, last year, the HSG requested that the appropriate habitat descriptions from the EFH appendix to the groundfish FMP be appended to the rebuilding plans. We note that this was done for the rebuilding plans for lingcod, Pacific ocean perch, and bocaccio but was inadvertently left out of the canary rockfish and cowcod plans. We request that this oversight be corrected before the final plans are sent out.*

#### **Columbia River Superfund**

*Chip Humphrey, Environmental Protection Agency (EPA) Portland office, provided an orientation to the problems facing the Portland Harbor area of the lower Willamette River (from Swan Island downstream to Sauvie Island). The EPA has declared this water area a Superfund site designated under the provisions of the Comprehensive Environmental Response Compensation and Liability Act. The Oregon Department of Environmental Quality will continue to work in conjunction with EPA's efforts to reduce input of pollutants into the river. This area of the river is home to three runs of chinook, two runs of steelhead, and two state endangered runs of coho. The river is contaminated by dioxins, pesticides, herbicides, and other hazardous chemicals. Some areas adjacent to highly contaminated upland sites in the harbor area have already been posted as "no fishing" with information on contamination. The next step will be for EPA to initiate a remedial investigation/feasibility study which includes ecological and public health risk assessments. The HSG will develop a letter for Council approval at the March meeting to provide input for these assessments.*

#### **COMPASS- NCEAS**

*George Leonard of the Communication Partnership for Science and the Sea (COMPASS) discussed the group's purpose and organizational structure as it relates to their objective to further marine reserve establishment. COMPASS is a partnership among the Monterey Bay Aquarium, SeaWeb (a group that focuses on communication to the public about marine issues) and Island Press (a publisher of scientific books related to conservation topics). It is advised by a scientific committee chaired by Jane Lubchenco of Oregon State University (OSU). The Council will receive a presentation by George Leonard following this report.*

As part of this informational presentation, Heather Leslie, OSU, briefed the HSG on the work of the National Center for Ecological Analysis and Synthesis (NCEAS). The group of scientists of various disciplines at NCEAS have been focusing on the analysis and synthesis of information on marine reserves. Information resulting from the NCEAS process indicates: 1. Within marine reserves there is an increase in size, abundance, productivity, and diversity of marine fishes; 2. Adjacent to reserve areas there is an increase in size and abundance of marine fishes; and 3. Regional benefits are recognized as a result of larval transport which supports the concept of reserve networks. The conclusions of the NCEAS process indicate there is enough information to support siting marine reserves on the West Coast.

The HSG watched a video produced in the United Kingdom that explores the attitudes and perceptions of fishermen about the benefits and costs of marine reserve implementation for the purpose of fisheries management. The HSG will provide the Council with a copy of this video for circulation to members of the Council family.

### **Queets Wild Coho EFH Review**

As a result of Council action on Tuesday, the HSG will review the Salmon Technical Team (STT) outline for the Queets River wild coho status report and information provided by WDFW and the Quinault Indian Nation at the March meeting. The HSG will work with the STT to summarize this information, and provide recommendations to the Council for restoration and enhancement measures that will help the stock recover.

### **NMFS Northwest Fisheries Science Center Update on EFH**

Cyreis Schmit, NMFS, provided an update on status review work for the Puget Sound ESA listings. She also provided an update on EFH work including Habitat Areas of Particular Concern (HAPCs) and fishing gear impacts. While research is ongoing, it is unclear at this time how consideration of these items may be affected by the national lawsuit regarding EFH. We also heard that the science center has created a new position for habitat work emphasizing MPAs.

### **Salmon EFH/ESA**

Mark Helvey, NMFS Southwest regional office, provided an update on the status of NMFS consultations on salmon EFH. He also discussed how EFH consultation is integrated into ESA and other consultations (e.g., under NEPA).

The NMFS Northwest region has developed a report entitled, "The Habitat Approach (Implementing Section 7 for Salmon ESA)" to describe NMFS integration of EFH consultations with ESA Section 7 consultations. Section 7 requires federal agencies to ensure that any actions they take are not likely to jeopardize the continued existence of listed species or destroy critical habitat and requires that these agencies consult with NMFS. NMFS has attempted to integrate these two processes whenever possible.

The HSG requested that NMFS provide a status update on the EFH issues that the Council has commented on at the March meeting. This effort would be tracked and updated on an ongoing basis.

### **Klamath River Flow Issues**

Michael Rode, CDFG, updated the HSG on three Klamath River Flow issues that affect salmon EFH: Klamath Hardly flow studies, FERC dam relicensing, and the Bureau of Reclamation 2001 operations plans and long-term project operations plan EIS. There was much concern expressed by CDFG and the Hoopa Valley Tribe regarding an estimated fish kill of tens of thousands of fish in June 2000. These fish were primarily juvenile chinook salmon and some steelhead. High water temperatures resulting from low flows and disease are thought to have been contributing factors. The Council has previously sent a letter to the Bureau of Reclamation recommending higher flows are needed to protect and recover anadromous fishery resources.

### **Trinity River**

Mike Orcutt, Hoopa Valley Tribe, discussed the Trinity River EIS. The Council sent a letter earlier this year supporting the preferred alternative described in the DEIS. The FEIS is expected to be released on November 9, and the Record of Decision will be released after a 30-day review period. Given the short time frame, the HSG is encouraging individuals and agencies to send letters of support for the FEIS which provides for 250,000 acre feet of water for instream uses and additional restoration measures.

### **Other Issues**

The HSG also received updates on the San Francisco Airport expansion, kelp management, and the NMFS Biological Opinion on Columbia River operations.

Council Action:

1. Approve a letter (similar to the Gulf of Mexico Fishery Management Council letter) to be sent to NMFS regarding extension of the comment period on the Artificial Reef National Plan Revision.

#### **F.1.c. Communication Partnership for Science and the Sea Presentation**

Mr. George Leonard, Marine Science Coordinator for Communication Partnership for Science and the Sea (COMPASS), briefed the Council on the role and progress of COMPASS in developing scientific information to guide the establishment of marine reserves. He stated that the science has been sufficiently developed to begin making specific recommendations in the very near future.

#### **F.1.d. Report and Comments of Advisory Bodies**

None.

#### **F.1.e. Public Comment**

None.

#### **F.1.f. Council Action: Consider HSG Recommendations**

Mr. Anderson recommended and the Council agreed to (1) append the appropriate habitat descriptions from the groundfish EFH appendix to the rebuilding plans for Cowcod and Canary rockfish; and (2) send a letter to NMFS requesting the comment period be extended for the Artificial Reef National Plan Revision. (Motion 15)

### **G. Highly Migratory Species Management**

#### **G.1. Update on Fishery Management Plan Development**

Mr. Waldeck summarized for the Council the issue at hand, noting that the Highly Migratory Species Plan Development Team (HMSPDT) continues to make progress in developing the highly migratory species (HMS) fishery management plan (FMP). He emphasized that this is an informational item and that neither Council action nor guidance is called for.

##### **G.1.a. Informational Report**

Ms. Michele Robinson reviewed Exhibit G.1.a, HMSPDT Report.

After briefly reviewing progress to date, Ms. Robinson noted the HMSPDT was looking for guidance on the issue of including pelagic longline fishing in the FMP. She noted two corrections to the HMSPDT report

(page 8): 2nd paragraph, 2nd sentence – should read "outside 25 miles," rather than "outside 25-75 miles;" in the Summary Table, number 1 – should be "allow for limited use," rather than "allow for use." Ms. Robinson discussed the HMSPT's analysis of the use of pelagic longline gear, noting that there is insufficient information to evaluate use of this gear. She suggested that an experimental fishery may serve as a means to collect the information necessary for an analysis. She requested guidance on how to proceed with the longline analysis.

#### **G.1.b. Council Discussion on Update to the HMS Fishery Management Plan Development**

Mr. Fougner noted that he is perplexed as to why the HMSPT is not able, at the very least, to do a qualitative analysis of the use of pelagic longline fishing gear, even without hard numbers. He felt there should be some basis for a qualitative assessment, and asked whether the team discussed how far it could go in terms of an evaluation of the longline fishery proposals. He stated that, at least, the HMSPT should evaluate the pros/cons and the pluses/minuses. Did the team discuss that? Ms. Robinson said yes we did discuss how far we could go, and tried to broaden the options so that they were not locked into the proposals presented by the industry. She stated the HMSPT struggled with the industry proposal, noting that it proposes a limited entry fishery and discussion of limited entry was to be tabled until after completion of the FMP. The HMSPT was unsure if the Council wanted them to look at this proposal now or wait until completion of the FMP. The available information is limited and they would have to look at the Hawaiian longline fishery and outside the exclusive economic zone (EEZ) for the data to use in an analysis.

Mr. Boydston said there is strong opposition to the use of longlines in the EEZ and that there are mechanisms in place that could have been used to consider initiation of a pelagic longline fishery. But, proponents of the use of longline gear did not pursue this path. He urged the HMSPT to direct the proponents to the use the existing mechanisms for pursuing this type of fishery. He stated there is no reason to not go forward with a qualitative assessment of the fishery; we do not always have to have site specific data to assess the merits of a proposal. Longline fishery information from other fisheries could be used and the analysis would provide information necessary for Council consideration of this issue. We could do a study of limited entry after the FMP is completed, but the HMSPT should provide whatever information is available and match it up with information from existing fisheries and see if it is viable for future consideration.

Mr. Anderson said he is concerned the HMSPT is spending an inordinate amount of time on the longline gear issue, which may be taking away from development of the draft FMP. He asked, do we want them to spend time on this type of thing? He also said he is concerned about the appropriateness of the HMSPT telling industry where to take a proposal for a new fishery, as suggested by Mr. Boydston, that seems to be direction given to the industry by the Council. Mr. Anderson is concerned about their meetings turning into a "mini-Council meeting" and getting into policy issues. He was hoping they could focus on drafting the FMP and deal with the issue of the drift longline fishery in the EEZ as any other issue – do we want to deal with it up-front or look at the type of options the team put together in their summary report? The policy direction needs to come from the Council.

Dr. McIsaac said on process, this agenda item is an informational update only, and getting into policy items without public comment does not follow process.

Mr. Fougner asked Ms. Robinson if the HMSPT considered reviewing the number of fishing days, species composition, and amount of catch in the drift gillnet fishery compared to a pelagic longline fishery, and developing a qualitative comparison on those catches (approximations).

Ms. Robinson stated that the HMSPT did discuss, but was influenced by the concerns of the industry about using data from other fisheries, they claimed it was not comparable in terms of gear, environment, species composition. The HMSPT did not believe it would be fair to compare bycatch levels or catch data to something outside the EEZ.

Mr. Fougner said data from fisheries east of 150 is available and this information would provide a basis for assessing the use of longline gear 100 to 200 miles off the coast. He felt it was reasonable to use that data for this exercise and recognizes the industry might not necessarily agree on the comparability.

Ms. Robinson said it would be helpful if the Team could get more clarification from Mr. Fougner. Mr. Fougner said he will make an effort to be at the next Team meeting.

Mr. Anderson said he did not feel it was appropriate for the Council to tell the Team what they should or should not use in their analysis, that this is up to the Team. If they do not feel it is appropriate to use a proxy from another fishery, then they should come back and tell us that. The Council should not tell the Team what proxies to use in an analysis.

Mr. Fougner stated that he is simply asking for further consideration of the issue.

Mr. Bohn asked Mr. Boydston, in the material here there is an extensive report presented to the California Fish and Game Commission in 1992, and inquired if there are other more current reports. That is, has there been any more recent discussion of this issue, as the report is eight years old. Mr. Boydston said this issue has not come back to the California Fish and Game Commission, and there has been no new information.

Mr. Boydston asked how could the Council help the team, would greater involvement from Council members help? He noted that Team meetings should be conducted as work sessions and if there are problems please let us know.

Mr. Hansen said he attended most of the Team meetings and the Team does not have time to work as much time is spent taking public comment. He noted there is a lot more to this FMP than the longline issue.

Mr. Anderson said we are not taking action on anything dealing with the draft FMP. What we are talking about is a request to the Team and they are giving us the summary. Therefore, it is not inappropriate to discuss the issues with the HMSPDT. In his understanding what we have said here is that there is an interest in having the team looking into having a qualitative assessment.

Mr. Alverson asked is there a sense that the Team needs help from the Council to restrict public comment?

Ms. Robinson said that the meetings have to comply with various administrative procedure requirements, and the meetings are open to the public. She suggested the Team designate public comment periods on the agenda. She stated the Team is working with limited Council direction and is expected to have a plan at the March meeting. She stated the Council should expect more questions in March.

## H. Administrative and Other Matters

### H.1. Report of the Budget Committee

Mr. Harp submitted the report of the Budget Committee (Exhibit H.1, Supplemental Budget Committee Report).

*Dr. David Hanson provided a legislative update to the Budget Committee. The federal fiscal year 2001 funding has not been fully resolved yet. The situation now appears that there will be no increase in Council funding. If the appropriations are final by the end of the week, an update will be provided when the status of legislation is presented.*

*Dr. Donald McIsaac presented the Budget Committee with an Executive Director report that included three items: (1) the status of calendar year 2000 expenditures and year end projection; (2) the status of calendar year 2001 grant submission; and (3) the schedule of Budget Committee meetings for 2001.*

*The Budget Committee discussed the calendar year 2000 expenditure projections and options for fully utilizing the available funds. As a result of the discussion, the committee passed two motions requesting the **Council to authorize** the following actions: (1) increase the Pacific Sates Marine Fisheries Commission (PSMFC) liaison contract by \$20,000 from CY2000 funds to cover additional work provided by Dr. Dave Hanson in meeting Council liaison needs; and (2) provide the Executive*

*Director discretion in spending up to \$20,000 in excess of year-end budget category projections for such things as replacement of broken or obsolete computer equipment or other necessities.*

*The staff will be preparing a calendar year 2001 grant application for level funding (pending confirmation of the final legislation) for submission to National Marine Fisheries Service (NMFS) in the next couple of weeks. State contracts will be funded at the calendar year 2000 level.*

*The Budget Committee passed a motion to schedule its 2001 committee meetings only at the June, September, and November Council meetings. These three meetings should generally be sufficient to complete needed budget oversight. This base schedule would not preclude calling additional Budget Committee meetings if the need arises.*

*The status of the Groundfish Strategic Plan facilitation contract was discussed and determinations made concerning expenditure of the remaining funds (approximately \$12,000). The Budget Committee recommends the **PSMFC authorize** \$5,000 be provided to Oregon Department of Fish and Wildlife as a partial refund of its \$10,000 contribution to the Strategic Planning. The Oregon contribution was made prior to finding additional non-state funding for the Strategic Plan. The committee recommends remaining funds be used to support the initial meetings of the Strategic Plan Implementation Committee which are expected to begin in the near future.*

The Council approved the report of the Budget Committee. (Motion 16)

## **H.2. Status of Legislation**

Dr. Hanson reported that Congress had passed another continuing resolution which would expire after November 14, 2000. Action on the IFQ moratorium will be delayed until after that time.

## **H.3. Research and Data Needs and Economic Data Plan**

### **H.3.a. Agendum Overview**

Mr. Seger presented the materials.

### **H.3.b. Summary of Written Public Comment**

No written public comments were received.

### **H.3.c. Report and Comments of Advisory Bodies**

## **SSC**

Ms. Cindy Thomson presented the report of the SSC.

*Mr. Jim Seger briefed the Scientific and Statistical Committee (SSC) on the status of two draft documents: Research and Data Needs and West Coast Fisheries Economic Data Plan, both dated October 2000. The current drafts reflect the changes proposed by the SSC at the September meeting. The SSC would like to see one additional minor modification to Research and Data Needs. The first sentence in the third bullet under "Slope Surveys" (page 9) should be reworded as follows: "Establish regular pot or longline surveys for sablefish, conducted at appropriate depths and coordinated and standardized coastwide." Once that change is made, the SSC recommends that both documents be adopted by the Council.*

## SAS

Mr. Seger presented the comments of the SAS.

*The Salmon Advisory Subpanel endorses the high priority of those research and data needs listed on page 14 of the draft document. In addition, we believe the following items should have high priority status:*

1. *Run size predictions (under "Planning Tools" - page 15).*
2. *Selective fisheries (under "Alternative Management Strategies" - page 16).*
3. *Limiting factors (under "Life History Studies" - page 17).*
4. *Genetics (under "Hatchery/Wild Interactions" - page 17).*

### H.3.d. Public Comment

None.

### H.3.e. **Council Action: Consider Final Adoption of Research and Data Needs and Economic Data Plan Documents**

Dr. Radtke moved for the Council to accept of the reports with the input from the SSC and SAS. Mr. Jack Barraclough seconded the motion. Motion 17 passed.

Mr. Seger said that as a formality there will be meetings with the regional centers, NMFS, Chair, Vice-Chair, and Executive Director to provide this to the headquarters.

Mr. Anderson came back and noted that there are currently only three high priority items on the Research and Data Needs (R&D) document, the SAS noted that there were 4 high priority items. It caused him concern that we more than doubled the high priority items for the life of the R&D plan. He just wanted to raise that concern to the Council, not necessarily retake action on that. Dr. McIsaac said if the Council decided to pursue this, we could consider tier 1 original and tier 2 those recommended by SAS when we get together with the appropriate folks in December. Mr. Bohn said that is appropriate regarding the items given by the SAS. Mr. Anderson proposed that in terms of placing in those in the document indicate that there is a first tier and a second tier.

### H.4. **Appointments to Advisory Bodies for 2001 Through 2003**

Dr. McIsaac gave an overview of the appointments. The four primary actions for the Council to consider are provided in the situation summary (Exhibit H.4).

The Council considered the request of the United Anglers of Southern California for increasing sport representation on the HMSAS and determined to make no changes at the present time. Mr. Boydston noted that the Council had already added a recreational position and removed a commercial position in response to requests by the recreational community at the September Council meeting.

With regard to replacing the designated ODFW representative on the STT, the Council appointed Mr. Mike Burner. (Motion 18)

The Council appointed the following nominees to the six at-large positions on the SSC for the 2001-2003 term. (Motion 19)

Dr. Ramon Conser  
Dr. Stephen Ralston  
Dr. Robert Francis

Dr. Brian Allee  
Dr. Michael Dalton (Economist)



In view of the requirement for at least three social scientists on the SSC, the Council left the sixth at-large slot open and will try to find a social scientist to fill it for appointment at the March Council meeting. If no social scientist can be found, it will likely be filled with one of the nominated biologists.

The Council confirmed that the requirement in the COP for three social scientists (at least two of which are economists) applies to the whole SSC, not just to the at-large members.

The Council appointed the following 11 CPSAS members to the 2001-2003 term (Motion 20):

California Commercial Fishers (3): Ms. Terry Hoinsky; Mr. John Royal; Mr. Orlando Amoroso.  
Oregon Commercial Fisher (1): Mr. Eugene Law.  
Washington Commercial Fisher (1): Mr. Robert Zuanich.  
Northern California Charter/Sport Fisher (1): Mr. William Beckett.  
Southern California Charter/Sport Fisher (1): Captain Paul Strasser.  
Processors (3): Mr. Pierre Marchand, Jr.; Ms. Heather Monroe; Mr. Joe Cappuccio.  
Conservation Representative (1): Ms. Karen Reyna.

The Council appointed the following 18 GAP members to the 2001-2003 term (Motion 21):

Trawlers (3): Mr. Marion Larkin; Mr. Kelly Smotherman; Mr. Tommy Ancona.  
Fixed Gear (3 at-large): Mr. John Crowley; Mr. Tom Ghio; Mr. Jim Ponto.  
Northern Open Access (1): Mr. Kenyon Hensel.  
Southern Open Access (1): Mr. Bill Haas.  
Charter Boat Operator (3): Mr. Ken Culver; Mr. Wayne Butler; Mr. Darby Neil.  
Sport Fisher (2): Mr. Frank Warrens; Ms. Janice Green.  
Processor (2): Mr. Rod Moore; Mr. Barry Cohen.  
At-Sea Processor (1): Mr. Dale Meyer.  
Conservation Representative (1): Mr. Phil Kline.  
Tribal Fisher (1): Mr. Gordon Smith.

The Council also agreed for budgetary purposes that the appointment of the conservation position (Mr. Phil Kline) was contingent on Mr. Kline using his home port of Eureka, California rather than his current work location of Washington, D.C. for calculating travel reimbursement. (Motion 22)

The Council appointed the following 13 HMSAS members to the 2001-2003 term (Motion 23):

Commercial Troller (1): Mr. Wayne Heikkila.  
Commercial Purse Seiner (1): no nomination—staff to seek applicant.  
Commercial Gillnetter (1): Mr. Chuck Janisse.  
Commercial At-Large (3): Mr. Doug Fricke; Mr. Pete Dupuy; Mr. Steve Lassley.  
Recreational At-Large (1): Mr. Jock Albright.  
Private Recreational Fisher (1): Dr. Michael L. Domeier.  
Charter Boat Operator (1): Mr. Robert Fletcher  
Northern Processor (1): Mr. Jerry Bates.  
Southern Processor (1): Mr. Anthony Vuoso.  
Conservation Representative (1): Ms. Kate Wing.  
Public At-Large (1): Ms. Marciel Klenk.

The Council appointed the following 14 members to the SAS for the 2001-2003 term (Motion 24):

Commercial Troller (3): Mr. Jim Olson; Mr. Don Stevens; Mr. Duncan MacLean.  
Gillnetter (1): Mr. Les Clark.  
Processor (1): Mr. Jerry Reinholdt.  
Charter Boat Operators (3): Mr. Mark Cedergreen; Mr. Ron Lethin; Mr. Kurt Hochburg.  
Sport Fisher (4): Mr. Steve Watrous; Mr. Jim Welter; Mr. Craig Stone; no nomination for Idaho.  
Conservation Representative (1): Mr. Paul Engelmeyer.  
Public At-Large (1): Mr. Chris Mohr.

The Council appointed the following four members to the HSG for the 2001-2003 term (Motion 25):

Fishing Industry (2): Ms. Peggy Beckett; Mr. Paul Heikkila.  
Conservation Group (1): Dr. Mark Powell.  
At-Large (1): Ms. Jennifer Bloeser

The Council appointed Mr. George Gross to the EC for CDFG to replace Captain Phil Gaskins (Motion 26).

#### **H.4.a. Election of Council Chairman and Vice-Chairman**

The Council elected Mr. Jim Lone to serve as Chairman and Dr. Hans Radtke to serve as Vice-Chairman for the year 2001. (Motions 27 and 28)

#### **H.4.b. Council Staff Workload**

Dr. McIsaac asked Council members to look at the proposed agenda and then proceed to discuss the workload priorities.

Mr. Alverson raised the issue of providing credit for people who qualified for fixed gear tier limits and used gillnets under an experimental program in the early 80's. Mr. Brown asked if that could be rolled into permit stacking? Mr. Glock explained that it is likely more of an amendment issue which would require a separate regulatory package. Mr. Robinson said the Council had already taken action on this issue and that it would require a relatively simple regulatory amendment, but all regulatory amendments require an RIR/EA which is a significant work load.

#### **H.5. Draft Agenda Ideas for March 2001 - DISCUSSION**

The Council members engaged in a discussion with the Executive Director to develop a workable schedule for March 2001.

#### **ADJOURN**

The Council meeting was adjourned on November 3, 2001 at 10:48 a.m.

DRAFT

DRAFT

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**Jim Lone, Council Chairman**

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**Date**

**DRAFT VOTING LOG**  
**Pacific Fishery Management Council**  
October 30-November 3, 2000

MOTION 1: Approve the proposed agenda with the following additional items: under administrative items add "elections of the Council Chairman and Vice-Chairman" and "workload priorities". Under coastal pelagic species, add an informational item from the NMFS SWR for Pacific mackerel management. Under sequence of events and status of salmon fisheries in 2000, add a report from Sgt. Mike Cenci, Washington Department of Fish and Wildlife (WDFW).

Moved by: Bob Alverson                      Seconded by: Jim Harp  
Motion 1 passed.

MOTION 2: Accept the report of the OCN work group as biological guidance to incorporate and use along with the existing Amendment 13 for the next two or three years; and incorporate another review of Amendment 13 in 2003 as suggested by the SSC and encourage the work group to put together their information the STT requested in their first statement documentation of data. That is also consistent with the SAS recommended too.

Moved by: Burnie Bohn                      Seconded by: Ralph Brown  
Motion 2 passed. Mr. Robinson voted no.

MOTION 3: Adopt the hearing schedule in as shown in Exhibit B.5 Situation Summary, with the inclusion of the state hearings as discussed.

Moved by: LB Boydston                      Seconded by: Jim Lone  
Motion 3 passed.

MOTION 4: Approve a cowcod rebuilding plan that limits fishery impacts to 1% per year (about 2.4 mt for 2001) with a 95-year rebuilding period, and annual consideration of allocation to each fishery sector south of Pt. Conception.

Moved by: LB Boydston                      Seconded by: Bob Alverson  
Motion 4 passed.

MOTION 5: Adopt a canary rockfish rebuilding plan based on Exhibit C.1, Attachment 1, with a limit on coastwide fishery impacts of 93 mt coastwide annually for the next two years and a 57 year rebuilding period. The 93 mt OY is based on 73 mt for the north and 20 mt for the south. The OY will remain in place for 2 years, at which time the Council will re-evaluate. Five mt of the OY will be set aside for research, 44 mt for sport fisheries, and 44 mt for commercial fisheries. These allocation shares are not locked into the rebuilding plan, but will be reviewed in 2 years when the OY is reviewed.

Moved by: Phil Anderson                      Seconded by: Bob Alverson  
Motion 5 passed.

MOTION 6: For the canary rockfish rebuilding plan, designate that 5 mt of the 93 mt total be for research, with the remaining 88 mt split 50:50, which is a preseason target but not a specified allocation.

Moved by: Ralph Brown                      Seconded by: Burnie Bohn  
Motion 6 passed.

MOTION 7: Approve 2001c option as identified on the GAP report. [Option 2001c was chosen as a method of calculating sablefish landed catch allocations to the various commercial fishery sectors based on accounting for discard mortality within each individual sector, as opposed to the current non-incentive based general value taken "off the top" for all sectors.]

Moved by: Burnie Bohn  
Motion 7 passed.

Seconded by: Phil Anderson

MOTION 8: Referring to Exhibit C.3.c, GMT Report 1, adopt the final ABC/OY recommendations for 2001 as listed with the following modifications: the whiting OY would be 190,400 mt instead of 232,000 mt; POP would be the same as set by the rebuilding plan (303 mt, by GMT); widow 2,300 mt and darkblotched would be 130 mt and the rest of the values would remain the same. Also, the sablefish ABC in the Conception area would be 425 mt and the OY would be 212 mt. The 60 mt for canary will be replaced with 93 mt in light of a previous motion. Longspine in the Conception area will be 390 mt for the ABC and landed catch OY of 195 mt. Include for POP a small increase for the year 2001. The correct total catch OY would be 303 mt.

Moved by: Phil Anderson  
Motion 8 passed.

Seconded by: Bob Alverson

MOTION 9: For Tribal groundfish fisheries other than Pacific whiting and halibut, I move that the Council adopt as final the proposed harvest limits that were adopted as preliminary limits at the September meeting. These are as follows:

**Black Rockfish** - The 2001 tribal harvest guidelines will be set at 20,000 pounds for the management area between the US/Canada border and Cape Alava, and 10,000 pounds for the management area located between Destruction Island and Leadbetter Point. As with the non-treaty regulations, no tribal harvest restrictions are proposed for the management area between Cape Alava and Destruction Island.

**Sablefish** - The 2001 tribal set aside for sablefish will be set at 10 percent of the Monterey through Vancouver area OY.

**Thornyhead rockfish** - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries. This trip limit will be for short and longspine thornyheads combined.

**Lingcod** - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.

**Canary rockfish** - Tribal fisheries will be restricted to a 300 pound per trip limit for all fisheries.

**Other rockfish species** - The 2001 tribal longline and trawl harvest restrictions regarding the landing of other rockfish species will operate under trip and cumulative limits. For other rockfish, tribal fisheries will operate under the same trip limits as the limited entry fishery, provided that any time restrictions imposed on the non-treaty limited entry fisheries will not be imposed on Treaty fisheries. Because of the relatively small expected catches of the Treaty fisheries, the trip limits established at the beginning of the year will not be adjusted downward, nor will time restrictions be imposed, unless the harvest guidelines are achieved or unless in-season catch statistics demonstrate that the tribes have taken ½ of the harvest in the tribal area.

Moved by: Jim Harp  
Motion 9 passed.

Seconded by: Phil Anderson

MOTION 10: For tribal Pacific whiting fisheries, endorse the Makah Tribes' proposed allocation framework originally presented to the council in 1998 and utilized to set tribal harvest limits in 1999 and 2000. Under the originally proposed OY of 232,000 mt. the framework would provide for a tribal set aside of 32,500 mt. However, that tribal set aside could change if a different OY is



MOTION 14: For the Permit Transfer Regulatory Amendment, using Mr. Robinson directed attention to Supplemental NMFS Report C.10, pages 3 and 4, adopt the following: Issue 1 Option 3; Issue 2 Option 2; and Issue 3 Option 2.

Moved by: Bill Robinson  
Motion 14 passed.

Seconded by: Phil Anderson

MOTION 15: With regard to recommendations of the HSG, append the appropriate habitat descriptions from the groundfish EFH appendix to the rebuilding plans for Cowcod and Canary rockfish; and (2) send a letter to NMFS requesting the comment period be extended for the Artificial Reef National Plan Revision.

Moved by: Phil Anderson  
Motion 15 passed.

Seconded by: Ralph Brown

MOTION 16: Approve the report of the Budget Committee.

Moved by: Burnie Bohn  
Motion 16 passed.

Seconded by: Ralph Brown

MOTION 17: Approve the Research and Data Needs and the West Coast Economic Data Analysis documents with the exception of making the changes as noted in the reports by the SSC and the SAS.

Moved by: Hans Radtke  
Motion 17 passed.

Seconded by: Jack Barraclough

MOTION 18: Approve the appointment of Mr. Mike Burner to replace Mr. Curt Melcher on the STT.

Moved by: Burnie Bohn  
Motion 18 passed.

Seconded by: Hans Radtke

MOTION 19: Appoint the following folks for the SSC:the following nominees to the six at-large positions on the SSC for the 2001-2003 term.

Dr. Ramon Conser  
Dr. Stephen Ralston  
Dr. Robert Francis  
Dr. Brian Allee  
Dr. Michael Dalton (Economist)

Moved by: Phil Anderson  
Motion 19 passed.

Seconded by: Jim Harp

MOTION 20: Appoint the following 11 CPSAS members for the 2001-2003 term:

California Commercial Fishers (3): Ms. Terry Hoinsky; Mr. John Royal; Mr. Orlando Amoroso.  
Oregon Commercial Fisher (1): Mr. Eugene Law.  
Washington Commercial Fisher (1): Mr. Robert Zuanich.  
Northern California Charter/Sport Fisher (1): Mr. William Beckett.

Southern California Charter/Sport Fisher (1): Captain Paul Strasser.  
Processors (3): Mr. Pierre Marchand, Jr.; Ms. Heather Monroe; Mr. Joe Cappuccio.  
Conservation Representative (1): Ms. Karen Reyna.

Moved by: LB Boydston      Seconded by: Donald Hansen  
Motion 20 passed.

MOTION 21: Appoint the following 18 GAP members for the 2001-2003 term:

Trawlers (3): Mr Marion Larkin; Mr. Kelly Smotherman; Mr. Tommy Ancona.  
Fixed Gear (3 at-large): Mr. John Crowley; Mr. Tom Ghio; Mr. Jim Ponts.  
Northern Open Access (1): Mr. Kenyon Hensel.  
Southern Open Access (1): Mr. Bill Haas.  
Charter Boat Operator (3): Mr. Ken Culver; Mr. Wayne Butler; Mr. Darby Neil.  
Sport Fisher (2): Mr. Frank Warrens; Ms. Janice Green.  
Processor (2): Mr. Rod Moore; Mr. Barry Cohen.  
At-Sea Processor (1): Mr. Dale Meyer.  
Conservation Representative (1): Mr. Phil Kline.  
Tribal Fisher (1): Mr. Gordon Smith.

Moved by: Jim Caito      Seconded by: Donald Hansen  
Motion 21 passed.

MOTION 22: For budgetary purposes the appointment of the conservation position (Mr. Phil Kline) is contingent on Mr. Kline using his home port of Eureka, California rather than his current work location of Washington, D.C. for calculating travel reimbursement.

Moved by: Jim Harp      Seconded by: Phil Anderson  
Motion 22 passed.

MOTION 23: Appoint the following 13 HMSAS members for the 2001-2003 term:

Commercial Troller (1): Mr. Wayne Heikkila.  
Commercial Purse Seiner (1): no nomination—staff to seek applicant.  
Commercial Gillnetter (1): Mr. Chuck Janisse.  
Commercial At-Large (3): Mr. Doug Fricke; Mr. Pete Dupuy; Mr. Steve Lassley.  
Recreational At-Large (1): Mr. Jock Albright.  
Private Recreational Fisher (1): Dr. Michael L. Domeier.  
Charter Boat Operator (1): Mr. Robert Fletcher  
Northern Processor (1): Mr. Jerry Bates.  
Southern Processor (1): Mr. Anthony Vuoso.  
Conservation Representative (1): Ms. Kate Wing.  
Public At-Large (1): Ms. Marciel Klenk.

Moved by: Hans Radtke      Seconded by: Ralph Brown  
Motion 23 passed.

MOTION 24: Appoint the following 14 members to the SAS for the 2001-2003 term:

Commercial Troller (3): Mr. Jim Olson; Mr. Don Stevens; Mr. Duncan MacLean.  
Gillnetter (1): Mr. Les Clark.  
Processor (1): Mr. Jerry Reinholdt.  
Charter Boat Operators (3): Mr. Mark Cedergreen; Mr. Ron Lethin; Mr. Kurt Hochburg.

Sport Fisher (4): Mr. Steve Watrous; Mr. Jim Welter; Mr. Craig Stone; no nomination for Idaho.  
Conservation Representative (1): Mr. Paul Engelmeyer.  
Public At-Large (1): Mr. Chris Mohr.

Moved by: Bob Alverson                      Seconded by: Phil Anderson  
Motion 24 passed.

MOTION 25:    Appoint the following four members to the HSG for the 2001-2003 term:

Fishing Industry (2): Ms. Peggy Beckett; Mr. Paul Heikkila.  
Conservation Group (1): Dr. Mark Powell.  
At-Large (1): Ms. Jennifer Bloeser

Moved by: Ralph Brown                      Seconded by: Burnie Bohn  
Motion 25 passed.

MOTION 26:    Appoint Lt. George Gross to the Enforcement Consultants as the California Department of Fish and Game representative (replacing Captain Phil Gaskins).

Moved by: LB Boydston                      Seconded by: Jim Caito  
Motion 26 passed

MOTION 27:    Appoint Dr. Hans Radtke as Council Vice-Chairman for the year 2001.

Moved by: Jerry Mallet                      Seconded by: Burnie Bohn  
Motion 27 passed.

MOTION 28:    Appoint Mr. Jim Lone as Council Chairman for the year 2001.

Moved by: Phil Anderson                      Seconded by: Jim Harp  
Motion 28 passed.

MOTION 29:    Set the sardine harvest guideline beginning January 1, 2001 at 134,777 mt as shown in Exhibit E.2.a. Pacific Sardine Executive Summary,

Moved by: LB Boydston                      Seconded by: Donald Hansen  
Motion 29 passed.

MOTION 30:    Convene a committee to review the groundfish management process and schedule. (Chairman Lone to appoint the committee).

Moved by: Ralph Brown                      Seconded by: Jim Caito  
Motion 30 passed.

MOTION 31:    Tentatively adopt the stock assessment review calendar for 2001.

Moved by: Phil Anderson                      Seconded by: Ralph Brown  
Motion 31 passed.



MOTION 32: Adopt the proposed trip limits that are identified on Exhibit C.9.c, Supplemental GMT Report, for limited entry trawl, limited entry fixed gear, and open access with the following modifications: for arrowtooth flounder, petrale sole, and all other flatfish (except Dover sole) combined, the two month cumulative limit during the May - October timeframe would be 15,000 pounds; for yellowtail rockfish taken with midwater gear only, 15,000 pounds per two-month cumulative in the May-Oct timeframe. Also include the following: change the Dover sole/thornyhead/trawl-caught sablefish complex (DTS) line back to Cape Mendocino.

Moved by: Phil Anderson

Seconded by: Bill Robinson

Amendment 1: He suggested, as an alternative, the Council identify the summer flatfish proposal and the midwater yellowtail proposal as footnotes, indicating the Council will consider these at its March meeting.

Moved by: LB Boydston

Seconded by: Don Hansen

Amendment 2: For (petrale sole, rex sole and other flatfish with a small footrope) set the May - October trip limit be 10,000 pounds per trip.

Moved by: Ralph Brown

Seconded by: Burnie Bohn

Roll call vote. (All voted yes).

Motion 32 passed.

MOTION 33: Adopt the following: the 22 inch size limit be removed from all sablefish fisheries.

Moved by: Ralph Brown

Seconded by: Phil Anderson

Motion 33 passed.

MOTION 34: Adopt the items shown in Exhibit C.9.c, Supplemental CDFG Report, including the cowcod closures and transportation corridor.

Moved by: LB Boydston

Seconded by: Mr. Roger Thomas

Motion 34 passed.

MOTION 35: Adopt the following recreational proposals for Oregon as shown in Exhibit C.9., Attachment 1: lingcod, option 3 (one fish per day, no maximum size limit, season open year round); rockfish, status quo except not more than 1 may be canary rockfish (the change is from 3 canary to 1 canary).

Moved by: Burnie Bohn

Seconded by: Ralph Brown

Motion 35 passed.

MOTION 36: Adopt the following recreational proposals for Washington as shown in Exhibit C.9., Attachment 1 as follows: for lingcod, Option 2 with the modifications, the dates would be closed 10/15 thru 3/15, with bag limit increased to two fish. For rockfish, maintain Option 2 daily bag limit of 10 fish, but not more than two of which may be canary or yelloweye rockfish.

Moved by: Phil Anderson

Seconded by: Bob Alverson

Motion 36 passed.

MOTION 37: Adopt the intent and numbers as shown on Exhibit C.9.c, GMT Report 3.

Moved by: Burnie Bohn  
Motion 37 passed.

Seconded by: Hans Radtke

MOTION 38: Approve of forwarding the groundfish EFPs to NMFS.

Moved by: Burnie Bohn  
Motion 38 passed.

Seconded by: Ralph Brown