

PROPOSED AGENDA
Groundfish Management Team

Hilton Hotel – San Diego Del Mar
Salon EF Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 3 - 7, 2003

Please note there will be a joint meeting starting at 8:30 A.M. on Monday with the Groundfish Advisory Subpanel (GAP), Scientific and Statistical Committee (SSC), and others for presentations about: 1) the cabezon and lingcod stock assessments and lingcod rebuilding analysis, 2) real time electronic logbooks, and 3) a Makah rockfish enhancement proposal. These joint sessions will be held in the Derby Room.

MONDAY, NOVEMBER 3, 2003 - 8 A.M.

A. *Call to Order and GMT Administrative Matters*
(8 A.M.)

Michele Robinson, Chair

1. Roll Call, Introductions, Announcements, Approve Agenda, etc.
2. Agenda Overview
3. Review GAP Agenda - Cover Topics As Needed
4. Distribute Draft Team Statements for Review

Mike Burner

D. *Groundfish Management*

6. Cabezon and Lingcod Stock Assessments and Lingcod Rebuilding Analysis for 2005-2006
(8:30 A.M.) *Report due to Council Wednesday*

3. Feasibility of Using Real-time Electronic Logbook Data in Groundfish Fishery Management
(10 A.M.) *Report due to Council Tuesday*

Robert Mikol/Patrick Simpson

2. Makah Rockfish Enhancement Proposal
(10:45 A.M.) *Report due to Council Tuesday*

Steve Joner

B. Marine Protected Areas

2. Update on West Coast Marine Protected Areas Issues Sean Hastings
(1 P.M., in the Derby Room with the GAP) *Report due to Council Tuesday*

D. Groundfish Management, continued

4. Observer Data Flow for Fishery Years 2004-2006 Elizabeth Clarke
(1:30 P.M.) *Report due to Council Wednesday*
5. Status of Fisheries and Inseason Adjustments Jim Hastie
(2 P.M.) *Report due to Council Wednesday*
8. Preseason Management Schedule and Process, Acceptable Biological Catch (ABC), Preliminary Optimum Yield (OY), and Management Measures for 2005-2006 Fisheries
(2:30 P.M.) *Report due to Council Thursday*
5. Status of Fisheries and Inseason Adjustments GAP
(4 P.M., Discussion with the GAP in the Derby Room)

TUESDAY, NOVEMBER 4, 2003 - 8 A.M.

D. Groundfish Management, continued

7. Update on Recreational Fishery Information Network (RecFin) Data Improvements Russell Porter
(8 A.M., Discussion with the GAP in the Derby Room) *Report due to Council Thursday*
8. Preliminary Optimum Yield (OY), Acceptable Biological Catch (ABC), Management Measures, and Preseason Management Schedule (November-June) for 2005-2006 Fisheries GAP
(9 A.M., Discussion with the GAP in the Derby Room)
5. Status of Fisheries and Inseason Adjustments GAP
(10:30 A.M.)
9. Planning of "Off-year" Non-regulatory Science Activities Elizabeth Clarke
(11 A.M., Discussion with the GAP in the Derby Room) *Report due to Council Thursday*
12. Development of Groundfish Trawl Individual Quotas (IQ) and Control Date Jim Seger
(1 P.M.) *Report due to Council Thursday*
13. Final Approval of Exempted Fishing Permits (EFPs) State GMT Representatives
for 2004
(2 P.M.) *Report due to Council Friday*

15. Open Access Limitation Discussion and Planning
(3 P.M.) *Report due to Council Friday*

Jim Seger

14. Groundfish Fishery Management Plan Amendment 16-3: Rebuilding
Plans for Bocaccio, Cowcod, and Widow and Yelloweye Rockfish
(4 P.M.) *Report due to Council Friday*

John DeVore

WEDNESDAY, NOVEMBER 5, 2003 - 8 A.M.

I. Administrative Matters

3. Appointments to Advisory Bodies
(8 A.M.) *Report due to Council Friday*

Chuck Tracy

A. GMT Administrative Matters

4. Review Draft GMT Statements

ADJOURN

PFMC
10/22/03

PROPOSED AGENDA
Groundfish Advisory Subpanel

Hilton Hotel – San Diego Del Mar
Derby Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 3 - 7, 2003

Please note there will be a joint meeting starting at 8:30 A.M. on Monday with the Groundfish Management Team (GMT), Scientific and Statistical Committee (SSC), and others for presentations about: 1) the cabezon and lingcod stock assessments and lingcod rebuilding analysis, 2) real time electronic logbooks, and 3) a Makah rockfish enhancement proposal. These joint sessions will be held in the Derby Room.

MONDAY, NOVEMBER 3, 2003 - 8 A.M.

A. Call to Order and GAP Administrative Matters
(8 A.M.)

Rod Moore, Chair

1. Roll Call, Introductions, Announcements, Approve Agenda, etc.
2. Agenda Overview

John DeVore

D. Groundfish Management

6. Cabezon and Lingcod Stock Assessments and Lingcod Rebuilding Analysis for 2005-2006

(8:30 A.M.) *Report due to Council Wednesday*

3. Feasibility of Using Real-time Electronic Logbook Data in Groundfish Fishery Management
(10 A.M.) *Report due to Council Tuesday*

Robert Mikol/Patrick Simpson

2. Makah Rockfish Enhancement Proposal
(10:45 A.M.) *Report due to Council Tuesday*

Steve Joner

B. Marine Protected Areas

2. Update on West Coast Marine Protected Areas Issues
(1 P.M.) *Report due to Council Tuesday*

Sean Hastings

F. Pacific Halibut Management

1. Status of 2003 Pacific Halibut Fisheries
(2 P.M.) *Report due to Council Tuesday* Yvonne de Reynier
2. Proposed Changes to the Catch Sharing Plan
and Annual Regulations Michele Robinson/Don Bodenmiller
(2:30 P.M.) *Report due to Council Tuesday*

D. Groundfish Management, continued

4. Observer Data Flow for Fishery Years 2004-2006
(3 P.M.) *Report due to Council Wednesday* Elizabeth Clarke
5. Status of Fisheries and Inseason Adjustments
(4 P.M.) *Report due to Council Wednesday* GMT

TUESDAY, NOVEMBER 4, 2003 - 8 A.M.

D. Groundfish Management, continued

7. Update on Recreational Fishery Information Network (RecFIN)
Data Improvements Russell Porter
(8 A.M.) *Report due to Council Thursday*
8. Preseason Management Schedule and Process, Acceptable Biological
Catch (ABC), Preliminary Optimum Yield (OY), and Management
Measures for 2005-2006 Fisheries GMT
(9 A.M.) *Report due to Council Thursday*
5. Status of Fisheries and Inseason Adjustments GMT
(10:30 A.M.) *Report due to Council Wednesday*
9. Planning of "Off-year" Non-regulatory Science Activities
(11 A.M.) *Report due to Council Thursday* Elizabeth Clarke
10. Vessel Monitoring System (VMS): Transiting Requirements
and Expansion of the Program Dayna Mathews
(1 P.M.) *Report due to Council Thursday*
11. Groundfish Bycatch Program Environmental Impact Statement
(2 P.M.) *Report due to Council Thursday* Jim Glock
12. Development of Groundfish Trawl Individual Quotas (IQ) and Control Date
(3 P.M.) *Report due to Council Thursday* Jim Seger

13. Final Approval of Exempted Fishing Permits (EFPs) for 2004
(4 P.M.) *Report due to Council Friday* State GMT Representatives

WEDNESDAY, NOVEMBER 5, 2003 - 8 A.M.

14. Groundfish Fishery Management Plan Amendment 16-3: Rebuilding Plans for Bocaccio, Cowcod, and Widow and Yelloweye Rockfish
(8 A.M.) *Report due to Council Friday* John DeVore

15. Open Access Limitation Discussion and Planning
(9 A.M.) *Report due to Council Friday* Jim Seger

I. Administrative Matters

3. Appointments to Advisory Bodies
(10 A.M.) *Report due to Council Friday* Chuck Tracy

ADJOURN

PFMC
10/22/03

PROPOSED AGENDA
Scientific and Statistical Committee

Hilton Hotel – San Diego Del Mar
Steeple Chase I Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 3 - 4, 2003

Please note there will be a joint meeting at 8:30 a.m. on Monday with the Groundfish Management Team (GMT), Groundfish Advisory Subpanel (GAP), and others for presentations about the cabezon and lingcod stock assessments and lingcod rebuilding analysis. The joint session will be held in the Derby Room.

MONDAY, NOVEMBER 3, 2003 - 8 A.M.

A. *Call to Order and Scientific and Statistical Committee (SSC) Administrative Matters*

1. Report of the Executive Director Don McIsaac
2. Approve Agenda

A suggestion for the amount of time each agenda item should take is provided. At the time the agenda is approved, priorities can be set and these times revised. Discussion leaders should determine whether more or less time is required and request the agenda be amended.

Committee member work assignments are noted in parentheses at the end of each agenda item. The first name listed is the discussion leader and the second, the rapporteur.

3. Open Discussion

CLOSED SESSION
10:30 A.M.

4. Nominations for SSC At-large Positions

OPEN SESSION

B. *Marine Protected Areas*

2. Update on West Coast Marine Protected Areas Issues
(11 A.M., 1 hour; Dalton, Francis) *Report to Council – Tuesday morning*

LUNCH

E. Salmon Management

4. Salmon Methodology Review Pete Lawson
(1 P.M., 1 hour; Lawson, Conrad) *Report due Tuesday afternoon*

H. Coastal Pelagic Species Management

2. Pacific Sardine Stock Assessment and Harvest Guideline for 2004 Ray Conser
(2 P.M., 1 hour; Byrne, Punt) *Report due Wednesday*

D. Groundfish Management, continued

4. Observer Data Flow for Fishery Years 2004-2006 Elizabeth Clarke
(3 P.M., 1 hour; Francis, Dorn) *Report due Wednesday*

A. SSC Administrative Matters, continued

5. Review Statements
(4 P.M.)

PUBLIC COMMENT PERIOD 4 P.M.
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TUESDAY, NOVEMBER 4, 2003 - 8 A.M.

A. SSC Administrative Matters, continued

6. Review Statements
(8 A.M., 1 hour)

D. Groundfish Management, continued

6. Cabezon and Lingcod Stock Assessments SSC STAR Representative
and Lingcod Rebuilding Analysis for 2005-2006
(9 A.M., 1 hour; Lai, Ralston) *Report due Wednesday*

7. Update on Recreational Fishery Information Network Russell Porter
Data Improvements
(10 A.M., 1 hour; Hill, Conser) *Report due Thursday*

D. Groundfish Management, continued

8. Preseason Management Schedule (November-June) and Process, Acceptable Biological Catch, Preliminary Optimum Yield, and Management Measures for 2005-2006 Fisheries (11 A.M., 1 hour; Punt, Lai) *Report due Thursday* GMT

LUNCH

D. Groundfish Management, continued

9. Planning of "Off-year" Non-regulatory Science Activities (e.g., Stock Assessment Models, B_0 , and B_{MSY} Workshops) (1 P.M., 1 hour; Ralston, Dalton) *Report due Thursday* Elizabeth Clarke
14. Groundfish Fishery Management Plan Amendment 16-3: Rebuilding Plans for Bocaccio, Cowcod, and Widow and Yelloweye Rockfish (2 P.M., 1 hour; Dorn, Hill) *Report due Friday* John DeVore

A. SSC Administrative Matters, continued

7. Review Statements (3 P.M.)

ADJOURN

PFMC
10/22/03

DRAFT SUMMARY MINUTES
Scientific and Statistical Committee

Pacific Fishery Management Council
DoubleTree Guest Suites
Monterey II Room
16500 Southcenter Parkway
Seattle, WA 98188
(206) 575-8220
September 8 - 9, 2003

Call to Order

The meeting was called to order at 8 a.m. Dr. Donald McIsaac briefed the Scientific and Statistical Committee (SSC) on priority agenda items.

Members in Attendance

Mr. Alan Byrne, Idaho Department of Fish and Game, Nampa, ID
Mr. Robert Conrad, Northwest Indian Fisheries Commission, Olympia, WA
Dr. Ramon Conser, National Marine Fisheries Service, La Jolla, CA
Dr. Michael Dalton, California State University, Monterey Bay, CA
Dr. Martin Dorn, National Marine Fisheries Service, Seattle, WA
Dr. Robert Francis, University of Washington, Seattle, WA
Mr. Tom Jagielo, Washington Department of Fish and Wildlife, Olympia, WA
Dr. Peter Lawson, National Marine Fisheries Service, Newport, OR
Dr. Stephen Ralston, National Marine Fisheries Service, Santa Cruz, CA
Dr. André Punt, University of Washington, Seattle, WA
Ms. Cynthia Thomson, National Marine Fisheries Service, Santa Cruz, CA

Members Absent

Dr. Kevin Hill, California Department of Fish and Game, La Jolla, CA
Dr. Shijie Zhou, Oregon Department of Fish and Wildlife, Portland, OR

Scientific and Statistical Committee Comments to the Council

The following is a compilation of SSC reports to the Council. Text in *italics* is from SSC discussions that were not included in reports to the Council.

B. Council Administrative Matters

B.3. Council Input into NOAA Fisheries Constituent Survey

The SSC identified three broad areas that we consider important to the quality and effectiveness of West Coast fishery management in the near future.

Capacity Reduction

Capacity reduction is the highest priority for the West Coast groundfish fishery. If an aggressive groundfish capacity reduction program is implemented, many of the problems facing the West Coast groundfish fishery could be reduced or eliminated. The fishing industry has taken the initiative on this issue, but considerable support from the Council and NOAA Fisheries is needed to make this successful. Additional measures, such as permit stacking and fishing quota programs, may be necessary for long-term effective management of capacity.

Data Collection

Given the intensity of current management and the high economic and social stakes of fishery closures, it is important to have high quality and consistent long-term data sets. Stock assessments, species rebuilding plans, bycatch estimates, and economic assessments all have specific data requirements. To address these needs, the SSC encourages NOAA Fisheries to conduct and expand fisheries sampling and fishery-independent data collection. This applies to all species that are managed by the Council including groundfish, coastal pelagic species, salmon, and highly migratory species. The need for independent sampling is especially important for monitoring rebuilding of stocks that have severely restricted fisheries.

Marine Reserves

Marine reserves are an important and contentious issue. There are differences and potential conflicts in the objectives of the Magnuson-Stevens Act and National Marine Sanctuary Act. Lines of authority and responsibility among NOAA Fisheries, the Council, and the National Marine Sanctuary Program are not clear. Clarification of each agency's role is needed to facilitate communication and coordination.

C. Groundfish Management

C.2. Observer Data Implementation Status

The SSC received a presentation on this agenda item by Drs. Elizabeth Clarke and James Hastie. A number of changes have been made to the bycatch modeling effort since the June 2003 Council meeting. However, those changes have yet to be documented and so cannot be reviewed. Documentation will be completed prior to the November 2003 Council meeting.

The SSC had a long discussion with Dr. Hastie about issues involving incorporation of the model fueled by observer data into both multi-year and inseason management decisions. The SSC has the following recommendations:

- The Council should manage to total catch rather than landed catch targets. Trip limits for achieving the two objectives could be quite different.
- The trawl bycatch model in its current form is the preferred basis for inseason management.
- When all the data for a given year have become available, the cumulative affects of inseason adjustment should be evaluated to determine how close actual harvests were to the targets.

The SSC would like to point out that, due to the current short observer time series, the calculation of 2003 total catch using the bycatch model uses observer discard rates from September 2001 to August 2002 applied to fishtickets from calendar year 2003.

C.3. Final Harvest Levels for 2004

The SSC provided detailed comments on 2004 harvest levels at the June Council meeting. SSC recommendations concerning the range of 2004 harvest levels are unchanged (see B.4. of SSC minutes for the June Council meeting). Council staff correctly note that for darkblotched rockfish the medium and high optimum yield (OY) alternatives are higher than the acceptable biological catch (ABC), which is based on the F_{MSY} proxy for rockfish of $F_{50\%}$. Since the Magnuson-Stevens Act does not allow harvest rates greater than F_{MSY} , the ABC constrains the harvest level for these alternatives. The medium and high OY alternatives use assessment estimates of relatively strong (but uncertain) recruitment in 2000 (medium OY alternative), or both 2000 and 2001 (high OY alternative). Strong recruitment in those years imply harvest rates could be higher than F_{MSY} , and the stock would still rebuild by T_{MAX} with 80% probability. If subsequent assessments confirm the estimates of strong recruitment in 2000 and 2001, F_{MSY} may continue to constrain harvest levels as the stock rebuilds.

C.5. Final Criteria for Exempted Fishing Permits (EFPs) and Consideration

The SSC considers the protocol for Council consideration of EFPs (see Attachment 2 of Exhibit C.5.b) proposed by the Groundfish Management Team (GMT) to be appropriate. However, there is a need to clarify the time line under the multi-year management cycle.

The SSC discussed the EFP application: “Application for Issuance of an Exempted Fishing Permit for the Sport Harvest of Rockfish from Partyboats in Waters Deeper than 20 Fathoms off the Central Coast to Duplicate the Sampling Program Conducted by the CDFG from 1988-1998.” This EFP proposal is based on the old bag limit regulation, which is different from the currently implemented limit. It is important for the applicant to address the implications of changing regulations on the estimation of an abundance index.

This EFP may provide useful time series of abundance indices for many species because data will be collected by observers. As seen in black rockfish and bocaccio stock assessments, inclusion of spatio-temporal interactions in the statistical modeling of commercial passenger fishing vessel (CPFV) series led to important improvements in the stock assessments of these species. There is no other data source that generates information at this level of spatial resolution. This EFP can also serve as a means to obtain catch per unit effort (CPUE) and biological data from the closed area.

The methodology to be used to analyze the future data and the analyses of the 1988-1998 data are not presented. The proposed sample size, 44 trips per year, is around 20% to 25% of annual sample size during 1988-1998. The implications of the proposed annual sample size could be evaluated by estimating all coefficients of variation (CVs) by species from the earlier data. The SSC suggests the applicant consider whether to use this EFP as a pilot study to establish a reasonable CV level that is attainable under current regulations. The extension of the study to other ports would allow evaluation of port-year-region interactions.

C.8. Stock Assessment of Canary Rockfish

The most recent stock assessment of canary rockfish was conducted during 2002. Given the change to multi-year management and the current schedule for stock assessments, this assessment will be the most recent until the next assessment of canary rockfish is presented to the Council in November 2005. The 2002 assessment will form the scientific basis on which management arrangements for the 2005-2006 fishing season will be based. Moreover, conducting an assessment of canary rockfish in 2003-2004 would lead to the situation in which the results of an assessment are not available by the first of three meetings (November 2003) envisaged under the multi-year management process.

There are several potential new sources of data, so any new assessment of canary rockfish would necessarily be a "full" assessment, and hence, require a review by a Stock Assessment Review (STAR) Panel. However, both the data from the Delta submersible and from the changed NOAA Fisheries West Coast trawl survey could not be incorporated easily into a new assessment. This is because the information from the Delta submersible is only for a single year, and the methodology for including the data from the shelf component of NOAA Fisheries survey in the assessment has yet to be developed. In addition, the survey index for this survey will only become available in January 2004, constraining the time any potential assessment author has to conduct an assessment for canary rockfish.

The SSC concluded that accelerating the timing of the canary stock assessment will, therefore, be both resource and time consuming, possibly detrimental to the multi-year management process, and unlikely to provide a better assessment.

C.9. Groundfish Programmatic Bycatch Environmental Impact Statement

Mr. Jim Glock presented a progress report on the Bycatch Program Environmental Impact Statement (EIS) (Exhibit C.9, Attachment 1). This initial draft is fairly complete with respect to the first three chapters (Purpose and Need; Alternatives; and Affected Environment). However, the fourth chapter (Impacts of the Alternatives), which will embody all of the analysis, will not be completed until the November 2003 Council meeting. The planned timeline for the EIS then includes: Council release for public review (November 2003); NEPA review (January through April 2004); and Council selection of the preferred alternative (April 2004).

The SSC discussion focused primarily on the (1) definition of bycatch and (2) aspects of the analyses that should be included in Chapter 4 of the next draft.

1. Definition of Bycatch

The current draft first defines groundfish as those species covered by the Council's groundfish fishery management plan (FMP) and discards as those animals that do not survive after being returned to the sea. Bycatch is then defined as the combination of groundfish discards and nongroundfish species caught during the course of a fishing operation. The SSC notes that this definition differs from that used in the Magnuson Act (discards only) and is more closely aligned with the definition of bycatch used in *Managing the Nation's Bycatch* (NOAA Fisheries 1998) – the latter being the basis for the guidelines on implementation of National Standard 9.

While the bycatch definition in the current draft is workable, the SSC recommends that when completing the analysis of alternatives (Chapter 4), the components of bycatch under this definition be further delineated. Namely:

- A. Regulation-induced discards, (e.g., catch that exceeds a trip limit, undersized fish, etc.).
- B. Non-regulation-induced discards, (e.g., no or little economic value, recreational releases that do not survive, etc.).
- C. The retained part of bycatch that is managed by a something other than the groundfish FMP, (e.g., Pacific halibut, California halibut, etc.).
- D. The retained part of bycatch that is not managed.
- E. Take of protected species.

2. Analysis of Alternatives

For the most part, the alternatives identified in the draft EIS attempt to minimize only component A of the bycatch, as defined above. In order to meet the National Standard 9 guidelines, however, it will be necessary to minimize component B as well. In addition, the Council may also find it necessary to gauge the impact of each alternative on components C, D, and E, separately.

The various alternatives require greatly differing levels of observer coverage for proper implementation. The level of observer coverage and associated costs should be clearly identified for each alternative.

Logbook and other reporting requirements, as well as levels of enforcement also differ among the alternatives. The respective costs and practicalities under each of the alternatives should be included in the next draft.

For the various alternatives, it is likely that substantial differing levels of bycatch will result, as well as substantially differing implementation costs. Consequently, the selection of a preferred alternative may not be straightforward.

The SSC recognizes the analyses that will appear in Chapter 4 are likely to be qualitative, and this is customary for a programmatic EIS. However, it should be recognized that at some future time, it will become necessary to develop a fully-fledged quantitative model for such analyses. The trawl bycatch model may provide a convenient starting point for such model development.

E. Marine Reserves

E.1. Update on Marine Reserves Issues

The SSC discussed the proposed West Coast Marine Protected Area (MPA) Demonstration Project and the proposal titled “Integration of marine protected areas and fishery science management.” These proposals both address important aspects of marine reserve management and, to a large degree, complement each other.

The integration proposal would bring together many of the major parties (National Ocean Service MPA Science Center, NMFS–Southwest Fisheries Science Center (SWFSC), Pacific Fishery Management Council, National Center for Ecological Analysis and Synthesis) involved in design, evaluation, and implementation of marine reserves for the West Coast to integrate traditional fishery stock dynamics and management with the science of marine reserves. In the past, a lack of communication and common terminology have hindered progress in coordinating marine reserve plans. Getting the appropriate parties together to develop a scientific basis for reserves in marine management would be a major step forward.

The SSC encourages the Council to participate in the integration proposal. The stock assessment and fisheries expertise possessed by the Council family would contribute significantly to the integration project. Council participation would also help direct the products of the integration project toward management applications useful to the Council.

The demonstration project would have the goal of integrating MPA considerations in groundfish fishery management specifications. Like the integration proposal, it would involve a coordinated interagency effort, but would be directed to implementation. Furthermore, the integration proposal fits in well with the types of products specified in the demonstration project.

One of the objectives of the demonstration project is “full coordination of MPA considerations in the 2005-2006 Annual Groundfish Fishery Specifications.” Given the complexity of marine reserve issues and the developmental nature of the science it may be difficult to meet this time frame. However, significant progress in that direction could be achieved.

Marine reserve issues will demand an increasing share of the Council’s time in the next several years. Communication among the various parties involved and participation in the two proposed projects will be central to successful development of fishery regulations in marine reserves. This would require substantial commitment of staff time to this process, especially if rapid progress is expected. This could require reallocation of staff priorities. In addition, Council and advisory body meeting time will be needed.

The SSC discussed their draft white paper. It will be ready for the November 2003 Council meeting.

F. Salmon Management

F.2. Salmon Methodology Review: Final Prioritization of Modeling Issues for SSC

At the April 2003 meeting, the SSC identified six methodology issues for possible review during the November 2003 meeting. These were the:

- Chinook and coho Fishery Regulation Assessment Model (FRAM) documentation.
- Chinook FRAM for mark-selective fisheries.
- Coho FRAM fisheries for Canadian stocks.
- Columbia River Fall chinook ocean abundance predictors.
- Oregon Department of Fish and Wildlife management plan for Lower Columbia River coho salmon.
- Oregon Coastal Natural (OCN) coho salmon prediction methodology.

The Coho FRAM fisheries for Canadian stocks is the only model with new material to review. The Model Evaluation Workgroup will have a draft of the Chinook and Coho FRAM overview documentation for review. The SSC Salmon Subcommittee will review these two products in October and present its results to the full SSC at the November 2003 meeting.

G. Pacific Halibut Management

G.2. Status of Pacific Halibut Bycatch Estimates for Use by the International Pacific Halibut Commission

The SSC heard a presentation from Mr. John Wallace concerning the 2002 estimate of Pacific halibut bycatch in groundfish trawl fisheries in the International Pacific Halibut Catch Area 2A (Exhibit G.2, Situation Summary, September 2003). For the first time, the estimate of halibut bycatch is based on bycatch rates obtained from the groundfish observer program (data from September 2001 – August 2002). Previously Area 2A Pacific halibut bycatch in the groundfish fishery was calculated using information from the Enhanced Data Collection Program (EDCP).

The new analysis indicates a substantial drop in Pacific halibut bycatch mortality in Council-managed fisheries. Results show a 36% reduction in the total estimated bycatch mortality from 2001 to 2002 (796,000 pounds to 512,000 pounds). This drop is due to the combined effects of (1) generally lower observed halibut bycatch rates in the observer data in comparison with the EDCP data, and (2) a drop in trawling effort and/or a change in its spatial distribution.

The SSC reviewed these new results and endorses their use in estimating the impacts of Council-managed fisheries on the Pacific halibut stock.

Other Matters

Assessments

Dr. Elizabeth Clarke presented a draft list of the species for which stock assessments are to be completed by November 2005. The list divided the species into three tiers based on priority and also into those for which “full” assessments are to be conducted and those for which “expedited” assessments are to be conducted. The SSC considered the implications of conducting up to 26 assessments annually for the STAR process. The SSC strongly supports the continuation of the STAR process. However, there is clearly a need to identify means for increasing the efficiency of the STAR process. Issues that need to be considered include the need for:

- continuity of membership of STAR panels (e.g., by including the SSC members from past STAR panels on new STAR panels);*
- workshops to review the methods for analyzing raw data (e.g., CPUE information) and model structures to avoid repeatedly reviewing the same material; and*
- a broader definition of what constitutes an “update” assessment.*

There is a need for the SSC to work with the Northwest Fisheries Science Center to plan any workshops to be held in 2004. These workshops should address methodological issues common to several stock assessments. Examples for possible workshops include: methods to derive indices of abundance from recreational catch-effort data (in particular the approach developed by Dr. Alec MacCall for bocaccio rockfish), developing spatially-explicit models for stock assessment, dealing with conflicting indices of abundance, and how to use the data from NWFS West Coast surveys to augment the data collected during the Alaska Fisheries Science Center shelf surveys.

SSC Composition

At the September 2003 meeting, the Council added a second SWFSC seat to the SSC. The current composition of the SSC is as follows:

Committee members shall be appointed for each category listed below (16 members). The committee shall consist of three social scientists, of which at least two shall have economic expertise.

1. State fishery management agencies (4)

- Washington Department of Fish and Wildlife*
- Oregon Department of Fish and Wildlife*
- California Department of Fish and Game*
- Idaho Department of Fish and Game*

2. *National Marine Fisheries Service (5)*

- *Alaska Fisheries Science Center (1)*
- *Northwest Fisheries Science Center (2—one with expertise in groundfish stock assessment)*
- *Southwest Fisheries Science Center (2)*

3. *Indian agency with fishery management responsibility (1)*

4. *At-large positions (6)*

Public Comment

No public comments on topics not on the SSC agenda were provided.

Adjournment

The SSC adjourned at approximately 5 p.m., Tuesday, September 9, 2003.

PFMC
10/22/03

SSC Subcommittee Assignments for 2003

Salmon	Groundfish	CPS	HMS	Economic	Marine Reserves
Alan Byrne	Ray Conser	Michael Dalton	Alan Byrne	Michael Dalton	Ray Conser
Robert Conrad	Michael Dalton	Alan Byrne	Robert Conrad	Martin Dorn	Michael Dalton
Kevin Hill	Martin Dorn	Ray Conser	Ray Conser	Han-Lin Lai	Martin Dorn
Pete Lawson	Robert Francis	Robert Francis	Kevin Hill	Cynthia Thomson	Tom Jagielo
Shijie Zhou	Tom Jagielo	Tom Jagielo	André Punt		Pete Lawson
	Han-Lin Lai	André Punt	Cynthia Thomson		André Punt
	André Punt	Shijie Zhou			Steve Ralston
	Steve Ralston				Cynthia Thomson

Bold denotes Subcommittee Chairperson

PROPOSED AGENDA
Habitat Committee

Pacific Fishery Management Council
Hilton San Diego/Del Mar
Steeple Chase II Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014-1901
(858) 792-5200
November 3, 2003

Note: Agenda numbering reflects the Council agenda. Council agenda items for Habitat Committee (HC) comment are bolded. Times are approximate.

MONDAY, NOVEMBER 3, 2003 - 10 A.M.

A. Call to Order and HC Administrative Matters

1. Introductions and Approval of Agenda HC
2. Review of Council Actions/Directions Jennifer Gilden

B. Marine Protected Areas (MPAs)

- 2. Update on Marine Protected Areas West Coast Issues
(Including SSC White Paper and CINMS Process)**

I. Administrative Matters

- 3. Appointments to Advisory Bodies** HC

Lunch Break (12 P.M. - 1 P.M.)

D. Groundfish Management

- 11. Groundfish Bycatch Program Environmental Impact Statement:
Adopt Alternatives for Public Review** Jim Glock

C. Habitat Issues (3 P.M.)

1. Klamath/Trinity River Flows Update Michael Rode/Mike Orcutt
2. HC Member Briefings HC
3. Salmon Net Pen Aquaculture "Fact Sheet" HC
4. Evaluation of Habitat Committee Function and Purpose HC

Other potential Council agenda items to discuss:

- B.1 Joint Presentation on Jurisdiction and Authority for MPAs (NMFS and National Ocean Service)
- D.2 Makah Rockfish Enhancement Proposal
- D.3 Feasibility of Using Real-time Electronic Logbook Data in Groundfish Fishery Management
- D.8 Preseason Management Schedule and Process, Acceptable Biological Catch (ABC), Preliminary Optimum Yield (OY), and Management Measures for 2005-2006 Fisheries
- D.14 Groundfish Fishery Management Plan Amendment 16-3: Rebuilding Plans for Bocaccio, Cowcod, and Widow and Yelloweye Rockfish

A. *HC Administrative Matters (continued)*

- 3. March 2004 Meeting Agenda HC
- 4. Finalize Statements and Letters HC
 - a. Update on MPA Issues (Including SSC White Paper and CINMS Process) (B.2, Tuesday morning)
 - b. Habitat Report (C.1, Tuesday morning)
 - c. Bycatch EIS (D.11, Thursday afternoon)
 - d. Appointments (I.3, Friday afternoon)

Optional Statements:

- e. Jurisdiction and Authority Issues for Marine Protected Areas (B.1, Tuesday morning)
- f. Makah Rockfish Enhancement (D.2, Tuesday afternoon)
- g. Feasibility of Using Real-time Electronic Logbook Data in Groundfish Fishery Management (D.3, Tuesday afternoon)
- h. Preliminary Optimum Yield (OY), Acceptable Biological Catch (ABC), Management Measures, and Preseason Management Schedule (November-June) for 2005-2006 Fisheries (D.8, Thursday morning)
- i. Groundfish Fishery Management Plan Amendment 16-3: Rebuilding Plans for Bocaccio, Cowcod, and Widow and Yelloweye Rockfish (D.14, Friday morning)

PUBLIC COMMENT PERIOD

ADJOURN

PFMC
10/22/03

PROPOSED AGENDA
Legislative Committee

Pacific Fishery Management Council
Hilton Hotel – San Diego Del Mar
Polo Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 3, 2003

MONDAY, NOVEMBER 3, 2003 - 11 A.M.

A. Call to Order

Dave Hanson

1. Introductions
2. Approval of Agenda

B. Discussion of Legislative Matters

C. Other Business

D. Public Comment

E. Develop Report to Council

ADJOURN

PFMC
10/21/03

PROPOSED AGENDA
Budget Committee

Pacific Fishery Management Council
Hilton Hotel – San Diego Del Mar
Polo Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 3, 2003

MONDAY, NOVEMBER 3, 2003 - 1 P.M.

A. *Call to Order and Approval of Agenda*

Jim Harp, Chair

B. *Executive Director's Report*

Donald McIsaac

1. Update on Budget Issues
 - a. Status of 2003 Expenditures
 - b. Funding for 2004

C. *Other*

ADJOURN

PFMC
10/21/03

PROPOSED AGENDA
Highly Migratory Species Advisory Subpanel

Hilton Hotel – San Diego Del Mar
Steeple Chase II Room
15575 Jimmy Durante Blvd.
Del Mar, CA 92014
(858) 792-5200
November 4, 2003

TUESDAY, NOVEMBER 4, 2003 - 8 A.M.

- A. Call to Order** Bob Fletcher
- B. Introductions**
- C. Approve Agenda, Approve April 2003 Meeting Summary**
- D. Update on Status of Fishery Management Plan and Schedule for NMFS Action** Svein Fougner
- E. Initial Considerations for Limited Entry in the High Seas Longline Fishery**
1. Review Economic Information Sam Herrick/Dale Squires
- F. Other Matters**
- G. Develop Recommendations to the Council**

ADJOURN

PFMC
10/22/03

DRAFT MEETING SUMMARY
Highly Migratory Species Advisory Subpanel,
Plan Development Team, and
Scientific and Statistical Committee's HMS Subcommittee

Pacific Fishery Management Council
Hubbs Sea World Research Institute
San Diego, CA
April 29, 2003

Highly Migratory Species Advisory Subpanel (HMSAS) Members Present:

Mr. Jock Albright, recreational at large, Costa Mesa, CA
Mr. Pete Dupuy, commercial at large, Tarzana, CA
Mr. Robert Fletcher, chair, charter boat, San Diego, CA
Dr. Doyle Hanan, public-at-large, Rancho Santa Fe, CA
Mr. John La Grange for Mr. Wayne Heikkila, vice chair, commercial troll, Eureka, CA
Mr. Chuck Janisse, gillnet, Bridgewater Corners, VT
Mr. Anthony V. Nizetich, southern processor, San Pedro, CA
Mr. Robert Osborn, private recreational, Lakewood, CA
Mr. Bill Sutton, commercial at large
Ms. Kate Wing, conservation, San Francisco, CA

Highly Migratory Species Plan Development Team (HMSPDT) Members Present:

Dr. David Au, NMFS, La Jolla, CA
Dr. Norm Bartoo, NMFS, La Jolla, CA
Mr. Steve Croke, co-chair, CDFG, Los Alamitos, CA
Dr. Sam Herrick, NMFS, La Jolla, CA
Ms. Susan Smith, NMFS, La Jolla, CA
Dr. Dale Squires, co-chair, NMFS, La Jolla, CA

Others Attending:

Mr. Jim Carretta, NMFS, La Jolla, CA
Mr. Jim Morgan, NMFS, Long Beach, CA
Mr. Russell Nelson, The Billfish Foundation
Mr. Larry Six, consultant, Portland, OR
Mr. Dan Waldeck, PFMC staff, Portland, OR
Mr. Martin Hall, IATTC, La Jolla, CA
Mr. Lillo Augello, Western Fish Company
Mr. Anthony Augello, Western Fish Company
Mr. John Gibbs, commercial fisherman

Mr. Svein Fougner, NMFS, Long Beach, CA
Mr. Tim Price, NMFS, Long Beach, CA
Ms. Penny Ruvelas, NMFS, Long Beach, CA

Call to Order, Agenda, Minutes

Team co-chair Dale Squires called the meeting to order at 9:15 a.m. on April 29, 2003. The agenda was modified to add two items: approval of the October 2002 meeting summary and history of regulation of the Hawaiian longline fishery.

The October 22-23, 2002 draft meeting summary was approved with the addition of language clarifying that the votes on motions included only the HMSAS members, not the Plan Development Team.

Summary of November 2002 Council Action and Purpose of Meeting

Svein Fougner summarized the discussion at the November 2002 Council meeting relating to the issue of turtle interactions in the high seas longline fishery. NMFS reported to the Council that it was generally comfortable with the HMS FMP with one exception, the preferred alternative to allow targeting on swordfish east of 150° W longitude. NMFS expressed the view that this could be an approvability issue when the FMP is submitted to NMFS. At the time of the action, there were little data on turtle interactions in the area east of 150° W longitude, and the Council was not in favor of a complete ban on swordfish targeting. In February 2003, additional observer data on trips out of California ports were examined, and NMFS was concerned that turtle take rates in the area east of 150 were as high as those west of the line. This could result in a jeopardy determination for listed turtle stocks. At the March 2003 Council meeting, the new data were presented to the Council, and NMFS asked the Council to delay submission of the FMP. The Council agreed to delay submission and requested that the advisory groups review the new information and make recommendations to the Council at the June meeting. NMFS asked the Southwest Fisheries Science Center to compare the take rates east and west of 150 to determine if there were significant differences. Jim Carretta of the Center was given this task, and is here today to present the results. Dan Waldeck added that he expects that the Council in June will rely on advice from the Team, Subpanel and SSC before taking action on this matter.

Pete Dupuy asked if the 150 line was set in stone, and Mr. Fougner replied that it is not. The 150 line is in the current preferred management alternative, but the Council could change the alternative in June.

Presentation of Analysis of Turtle Takes and Discussion

Jim Carretta presented “An Analysis of Sea Turtle Take Rates in the High Seas Longline Fishery in the Eastern Pacific Ocean.” The document was mailed out to Team and Subpanel members in advance of the meeting. Data from both the Hawaii-based and West Coast-based fisheries, which overlap in areas fished, were combined for the analysis. The analysis uses the Fisher exact test to test the null hypothesis that take rates in different areas or seasons are equal. Results are that observed loggerhead and leatherback turtle take rates are not significantly different east and west of

150. Olive ridley take rates are significantly higher west of the line. Loggerhead interactions are significantly higher in the first quarter of the year than the fourth quarter. Leatherback interactions are significantly higher in the fourth quarter than the first. Using the data east of 150, Mr. Carretta also presented information on take rates east and west of 130, 135, 140 and 145. Loggerhead interactions decreased as the line was moved eastward, but leatherback interactions stayed relatively constant.

Martin Hall asked if the gears used by the two fleets are similar (depth fished, hook type, bait, etc.). Mr. Carretta didn't have this information, but responded that only swordfish-style sets were used from both data sets. John La Grange noted that there are differences in regulations applied to the two fisheries, for instance the use of dyed bait is required of the Hawaii-based fleet, and the use of this bait has been shown to reduce turtle interactions. Dale Squires asked if there were oceanographic differences between years. Mr. Hall said that El Nino events might affect areas east and west of the line differently. Mr. Fougner said that it would be useful to look at the effects of these variables but there wasn't sufficient time for this purpose.

Mr. La Grange argued that the analysis should have compared Hawaii-based trips with California-based trips, rather than combining the data sets and looking at the area fished. This would allow assessment of the impacts of the West Coast fleet, which is the fishery that the FMP will be managing. Mr. Carretta presented some results for the California-based vessels only, which were not in the report.

Chuck Janisse stated that the analysis looks only at take rates, but we need to know what this means in terms of impacts to turtle populations. The language in the FMP in Chapter 9 suggests that an analysis of species risk should be conducted for the West Coast-based fishery. Mr. Fougner responded that NMFS will conduct a Section 7 consultation when the FMP is submitted and will estimate the impacts of the proposed longline fishery on the listed turtle stocks.

Jim Carretta suggested that the group might want to consider a combination time/area closure to minimize turtle impacts. David Au looked at the data east of 135 in the fourth quarter and found a statistically significant reduction in loggerhead takes, but not leatherback takes.

Martin Hall asked if a turtle migration model could be developed which might predict take rates by area. Mr. Carretta responded that it is doubtful that this could be done in the short term, but the seasonal data presented try to get at this problem.

History of Longline Regulation and the ESA Process

Penny Ruvelas briefly summarized the Endangered Species Act and the Section 7 consultation process. Bob Fletcher asked if there was a threshold established for allowable turtle impacts in the Hawaii-based longline fishery. Ms. Ruvelas replied that the most recent biological opinion (November 2002) contained a finding of "no jeopardy" for the current fishery, which by regulation is directed at tuna, not swordfish. Turtle takes were likely to be greater than zero but no appreciable effect on turtle populations could be detected.

Chuck Janisse distributed a handout summarizing information in a legal brief prepared by the attorney for the Hawaii Longliners Association (HLA). The document included a history of biological opinions and litigation relating to turtle interactions in the Hawaii longline fishery, from 1998 to the present. The HLA is challenging the “jeopardy” determination in the 2001 biological opinion, which HLA claims did not use the best available science. HLA also claimed that its procedural rights as an “applicant” had been violated. The result of the 2001 opinion was the prohibition of swordfish-style fishing north of the equator. Mr. Janisse expects that HLA will prevail in the lawsuit and that another biological opinion will be prepared. He claimed that the regulations in place are invalid because the 2001 opinion has been invalidated. Russell Nelson said that the handout is a one-sided view of the issue in favor of the HLA. Kate Wing added this has no bearing on our task at hand, and that the 2001 opinion was vacated for procedural reasons, not substantive reasons. John La Grange responded that, if NMFS had not declined to defend the biological opinion, it likely would have been invalidated on substantive grounds.

There was discussion on the task at hand for the advisors and team given the analysis of turtle takes just presented. Chuck Janisse said there appears to be a rush to adopt the FMP, so further analysis is not an alternative. We have some take rate estimates and can expand these to obtain estimates of total takes, but we can’t determine the impacts to turtle populations. We could recommend a new preferred alternative to the Council, but doubt that this would be adopted. He recommended that the Council stick with the current preferred alternative, which allows swordfish targeting east of 150, and let NMFS prepare the biological opinion on this fishery and determine if there is jeopardy. If the preferred alternative were to ban swordfish-style sets, then we will never get an analysis of a swordfish fishery. Russell Nelson said that he would expect NMFS to conclude jeopardy for the current preferred alternative based on the analysis of take rates presented. Bob Osborne suggested that we should determine if there is a third alternative which might be viable. Pete Dupuy lamented that he has been shut of other fisheries in the past, and just as the high seas longline fishery is getting developed, it could be shut down by the Council. He does not want to “short circuit” the process. If the fishery is closed after NMFS has reviewed the FMP and conducted the ESA consultation, then so be it. He added that the U.S. longline fishery is a small fraction of the total international longline effort in the Pacific.

Separate Team and Subpanel Sessions to Develop Recommendations

The Advisory Subpanel and Team held separate, concurrent sessions to discuss the analysis and prepare recommendations to the Council.

HMSAS Session

Chuck Janisse stated that accountability is the issue: we should not short cut the process; let NMFS make the determination of the impacts of the current preferred alternative. Bob Fletcher said that the analysis doesn’t tell us whether there will be a detectable impact on the listed species, but most likely there will be a jeopardy determination if we submit the current preferred alternative. Pete Dupuy added that the court might rule in favor of the HLA, and there could be a different opinion. Bob Osborne is inclined not to change anything; we need to get through this in the most expeditious manner.

Doyle Hanan asked if NMFS might change the line to 140 if the FMP were submitted as written. Svein Fougner replied that the FMP would come back to the Council for action if it were partially disapproved.

Kate Wing was concerned about constraining the issue too tightly and suggested that we consider taking no action on this fishery. If the “no-action” alternative were submitted, then a wide open fishery would be analyzed in the biological opinion and NMFS would be free to look at the suite of viable conservation measures. John La Grange agreed; maybe some other regulations would be acceptable. Chuck Janisse also agreed with this approach, but wanted to make sure the “no action” means that the fishery would still be included in the FMP and vessel owners would receive permits. He added that, in a perfect world, we would have the time and data to make good management recommendations, so the best we can do is to recommend a measure broad enough to ensure that NMFS will look at all alternatives.

Kate Wing expressed continued support for alternative 2 (the preferred alternative), because of the benefits of the seabird conservation measures and the turtle release measures, but would modify this alternative to get rid of the 150 line. This line appears to be arbitrary.

There was Subpanel consensus that the preferred alternative be modified as suggested by Kate Wing. The Subpanel also agreed that the Council should proceed immediately to develop a limited entry program for the high seas longline fishery to prevent effort increases and to minimize interactions with listed species. The Subpanel developed the following statement to be presented to the Council at the June meeting:

After considering the analysis of longline interactions with turtles presented at the April 29, 2003 meeting in San Diego, the HMSAS reached a consensus to support the current preferred alternative (Alt. 2) with one modification. The HMSAS recommends deleting all references to restrictions on swordfish targeting and the 150° W longitude line. The data presented by NMFS indicate that the 150° W division was not meaningful in terms of avoiding turtle interactions. The HMSAS did not want the Biological Opinion that will be prepared by NMFS under the Endangered Species Act to be constrained by this artificial line.

The HMSAS proposes the following language for Longlining Outside the EEZ, alternative 2, in chapters 8 and 9:

Alternative 2 (Proposed): Adopts selected seabird and sea turtle measures currently required for the Hawaii-based longline fishery. These are measures Nos. 1, 4, and 8 in Chapter 8, section 8.5.2, and would also include measures for proper handling and release of seabirds and turtles, VMS, and the requirement for vessel operators to attend a protected species workshop each year, as offered on the West Coast or in Hawaii (as described at the end of that subsection).

The HMSAS recommends that the Council adopt the FMP at their June meeting with these modifications and submit it to NMFS as soon as possible for approval.

In a related matter, the HMSAS recommends that the Council rapidly proceed with an FMP amendment to institute a limited entry program for the high seas longline fishery. This would prevent significant increases in effort and the accompanying impacts on listed species. The HMSAS recommends the Council consider ways to implement an immediate cap on effort, to be in place during the amendment development process. NMFS may be able to advise the Council on how this was accomplished for the pelagic fisheries in the western Pacific.

PDT Session

PDT held a break-out meeting after the joint session. Sue Smith read statement of Michelle Robinson and presented statement prepared by Smith and Au for this meeting. The Smith and Au statement contained talking points for the PDT statement to the Council (talking points attached). The PDT tentatively decided to recommend the Council stay with present alternative, but shift line from 150° W longitude inshore to 135-140° W longitude. The PDT recommendation also called for increased observer coverage (to 20%) and immediately begin limited entry process. Rationale for the recommendations:

1. Highest turtle take rates were observed in the most western portion of the “east” area.
2. East of 140° W longitude, no Olive Ridleys taken and Loggerhead takes significantly lower than to the west (out to 150° W longitude).
3. Leatherback take rates are lower east of 135-140° W longitude, but because of few encounters, the difference was not statistically significant.
4. 140 ° W longitude was thought to be the boundary of economic feasibility for California-based longliners.
5. Present observer coverage inadequate for rare encounter events with protected resources.

[On April 30, following the SSC HMS Subcommittee meeting (see below), the members of the PDT in attendance discussed revising their tentative recommendations, in light of the new data and proposal Carretta presented to the SSC subcommittee. The PDT decided to stay with the current recommendation of shifting line east to 140° W longitude to protect loggerheads, based on the Carretta findings. The recent analysis can be used as supporting data and Dale Squires said economic data could also be easily pulled from existing data, as this action might affect a significant portion of the fleet. The PDT agreed that they could not propose “implementable” measures for protecting leatherbacks at this time, because data are too few for analysis in the “eastern” area and analysis of impacts of a closure of a cone-shaped migratory corridor could not be prepared prior to the June Council meeting. However, if swordfishing allowed east of 140° W longitude is found to cause “jeopardy” leatherback turtles, the PDT recommends that NMFS consider including in the RPAs a seasonal closure defined by the cone-shaped migratory route of leatherbacks (as per recent tagging data). Chuck Janisse (HMSAS) suggested that if jeopardy is found, that the Council request “applicant” status so it can participate in development of RPAs.]

The PDT recommendations are pending review and approval of PDT members unable to attend this meeting (Robinson and McCrae). Final recommendations are detailed in the PDT report to the Council – Exhibit F.2.c, Supplemental Second Revision of the HMSPDT Report, June 2003.

Continuation of Joint PDT/Subpanel Meeting

Kate Wing read the Subpanel statement for the benefit of Team members. Dale Squires summarized the Team's preliminary recommendation. He emphasized that the recommendations are provisional. The Team wants to consult with the absent Team members and listen to the SSC Subcommittee comments at their session tomorrow. The major elements of the Team's preliminary recommendation are to move the line to 135° W longitude, implement 20% observer coverage, and initiate a limited entry program. This is a precautionary move to lower interactions with loggerheads and still provide a viable fishery.

Bob Fletcher noted that under the Team proposal, there could be a "no jeopardy" opinion, whereas under the Subpanel proposal, we would assume a "jeopardy" opinion and then hope that NMFS and industry will come up with reasonable and prudent alternatives. Josh Albright said that if the Council adopts a 135 line, there should be an analysis of the bycatch impacts. Svein Fougner said he would ask the observer program to send bycatch data to the Team before the May 28 deadline.

After discussing the Team proposal, the Subpanel was not inclined to change its recommendation.

The joint meeting was adjourned at 5:30 p.m. on April 29, 2003.

SSC Meeting

On April 30, 2003, Jim Carretta presents his analysis to the HMS subcommittee of the SSC. The subcommittee found the technical aspects of the statistical analysis sound, but requested further details concerning the database used and on inter-fishery differences before making a final determination about the validity of pooling data. Carretta also presents another possible alternative for the fishery to protect turtles based on his recent analysis and current leatherback turtle satellite tagging results. This alternative would close fishing in 1st quarter in the area west of 140° W longitude and south of 34° N latitude to protect loggerheads (based on current longitudinal statistical analysis), and close fishing in the 4th quarter south of 34-36° N latitude out to 145° W longitude to protect leatherback turtles in their migratory corridor (based on turtle tagging).

The findings of the subcommittee will be presented to the SSC at the June 2003 Council meeting. At that time, the SSC will develop their consensus statement and recommendations to the Council.

Appendix

High Seas Longline Issue-Talking Points for Team Position to Discuss at April 29-30 2003 PDT Meetings, Smith and Au -- April 29, 2003

Background/History

The preferred Alternative 2, now being re-examined, would adopt for the California-based fleet most bird and turtle mitigation measures currently in effect for Hawaiian vessels, except that it would allow targeting of swordfish east of 150° W longitude. A measure similar to this one, (without a specific 150° W longitude boundary) was developed by the Plan Development Team under the reasoning that if the oceanography of the core fishing areas of the Hawaii and California longline fleets differed, so might the bycatch risks.

In 2001, the PDT reviewed all existing longline observer data, but concluded they were still insufficient to conclude whether risks differed in the area east of 140° W longitude where most of the California fleet fished, than in the area west of 150° W longitude, where most of the Hawaii fleet operated.

So the PDT stressed that if swordfish targeting would continue to be allowed east of 150° W longitude (at least for the time being), the Council should immediately call for an updated, “area-specific” examination of bycatch and protected species risks, especially in the core fishing area east of 140° W longitude. Then, if additional measures (like closures) were necessary, these would at least be tailored to this fleet and its fishing area.

The “Middle Ground” Option: The PDT wanted to provide the Council with an option between continuing the status quo and implementing a total swordfish ban. We realized California longliners have less flexibility than the Hawaii longliners who can fish for tuna both on the high seas and closer to port within their own EEZ, and have a more protracted fishing season. Thus with a total swordfish ban, our fleet will likely go out of business or move elsewhere in the Pacific.

Comments on Recent Analysis

General

- The recent analysis of turtle take rates completed by NMFS SWFSC-SWR in April 2003 provides important updated information, especially on the two areas east and west of 150° W longitude, the boundary that marks the eastern edge of the core Hawaii longline fleet fishing area.
- By combining observer data from both the Hawaii-based and California-based fleets, and using this single dividing line, we now have enough data to at least draw conclusions for the large-category areas east and west of this line, BUT, on the other hand, the data are weighted toward observations of takes on the western fringes of our fleet, and much nearer the core of the Hawaii fleet. Thus, the results may be more representative of the dynamics of the Hawaii

fleet than the California fleet, in which we are most interested. [**At the April 29-30 meetings it was revealed that the distribution of the fleet has changed since 2000, with two concentrated fishing areas, one east of 140° W longitude and one between 145° W longitude and 150° W longitude, some of the fleet moves west as season progresses–SES]

- Data for California fleet alone are still not sufficient to conduct a separate analysis with statistically reliable results. (Mandatory observers since 2002 only)
- Nonetheless, comparing these two East-West areas, we see that the turtle take rates east of 150° W longitude were, overall, not significantly less than those west (except for the olive ridley).
- But, we also see the following –
 1. highest rates were observed in the most western portion of the ‘East’ area
 2. east of 135° W or 140° W, not only were no Olive Ridley takes observed, but also the Loggerhead take rates were significantly lower than to the west (out to 150° W longitude).
 3. Leatherback turtle take rates were also lower, but because of the small sample size and few encounters of this rare endangered species, no conclusion on an East-West difference is possible.
 4. The distribution of the observer sampling effort used in the analysis for the West Coast-based fleet differs from that of logbooks 1994-2000 and current fishermen’s accounts.
- Comment re Hawaii recent Bio Opinion: If takes of 8 leatherbacks per year (estimated for the current Hawaii fishery) are not expected to jeopardize the Leatherback population (considering its relation to takes by other fisheries in the Pacific (Biological Opinion, November 2002), perhaps take by the West Coast fleet may likewise not jeopardize this species, especially with certain area or season closures. This needs to be determined.
- Imbalance on mitigation technique use in data: Hawaii vessel data reflect at least in part, vessels already implementing certain turtle mitigation measures, while California-based vessels were not so mandated, so California rates may be comparatively even lower than indicated.
- Loggerhead and Olive Ridley are the main issues in the Hawaii Fleet, but Leatherbacks are the main issue here, since takes of the first two are significantly less. Fishing shallow allows Leatherbacks to better survive hookings, since this species tends to become foul-hooked rather than take the bait in their mouths. Being forced to fish deeper will kill more turtles, although this may be compensated for, in whole or in part, by lower encounters in deeper water.

Advice to Council

- If the Pacific Council chooses to go with a total swordfish ban, much may hinge on whether fleet will disappear or not. If some choose to stay and re-target on tuna, the fleet will need an incidental take allowance for listed species such as the Leatherback Turtle.
- The Consultation Process: As with any FMP, there will have to be a formal consultation under Section 7 of the ESA. The consultation would occur while the proposed FMP is under official NMFS review for approval or disapproval. NMFS would then determine whether there is a jeopardy situation and, if not, assuming the fishery were still operating, would issue an incidental take statement with possible other terms and conditions.
- With the swordfish ban, the fishery will likely cease to exist, with some vessels relocating to other areas like Hawaii, or re-flagging to other Pacific Rim nations.

Possible Team Recommendations

- The team wants the FMP process to proceed with no further delays.
- The team recommends the Council continue with the present preferred option (Alt 2), but
 1. move the boundary line further east to 140° or 135° W longitude,
 2. mandate immediately at least 20% observer coverage,
 3. Start the process immediately for imposing some form of limited entry to prevent an influx of new effort into the fishery, and subsequently,
 4. Closely monitor the fishery, updating take analyses every year in the SAFE document.

Also:

- The present and recent observer monitoring of the West Coast high seas longline fleet is inadequate with respect to representing the fleet and to obtaining annual take rates, especially of the Pacific Leatherback, which is so rarely encountered.
- Adequate monitoring is also needed to assess encounter rates with seabirds and fish bycatch, as well as turtles. And vessels must have sufficient coverage rate and be monitored over several years, since there will be years when no turtles are taken at all.
- The team will support whatever the Council's final decision will be on this issue, and thanks the NMFS Southwest Region and Southwest Fisheries Science Center for providing these most recent analyses.

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PROPOSED AGENDA
Enforcement Consultants

Pacific Fishery Management Council

Hilton Hotel – San Diego Del Mar

Polo Room

15575 Jimmy Durante Blvd.

Del Mar, CA 92014

(858) 792-5200

November 2 - 7, 2003

TUESDAY, NOVEMBER 4, 2003 - 5:30 P.M. (or Immediately Following the Tuesday Council Session)

A. Call to Order

Mike Cenci

1. Introductions
2. Review and Adopt Agenda

B. Council Agenda Items for Possible Comment

(There may not be enforcement issues associated with all of the following items)

D. Groundfish Management (continued)

5. Status of Groundfish Fisheries and Inseason Adjustments
8. Preseason Management Schedule and Process, Acceptable Biological Catch (ABC), Preliminary Optimum Yield (OY), and Management Measures for 2005-2006 Fisheries
10. Vessel Monitoring System (VMS): Transiting Requirements and Expansion of the Program
12. Development of Groundfish Trawl Individual Quotas (IQ) and Control Date
13. Final Approval of Exempted Fishing Permits (EFPs) for 2004
15. Open Access Limitation Discussion and Planning

F. Pacific Halibut Management

2. Proposed Changes to the Catch Sharing Plan and Annual Regulations

G. Highly Migratory Species Management

2. Fishery Management Plan (FMP) Amendment Update: High Seas Longline Limited Entry and Other Issues

Other issues on the Council agenda may be addressed if concerns with enforcement implications arise during the week.

C. Other Topics

1. Items for Enforcement Corner of the Council Newsletter
2. Other (Not for Final Action)

D. Public Comment

WEDNESDAY, NOVEMBER 5, 2003 THROUGH FRIDAY NOVEMBER 7, 2003 (As
Necessary)

ADJOURN

PFMC
10/22/03