

FUTURE COUNCIL MEETING AGENDA PLANNING

The primary purpose of this agenda item is to provide initial information to Council Members early in the meeting to facilitate planning for future Council meeting agendas.

The Executive Director will review initial drafts of the three-meeting outlook and the September Council meeting agenda, and respond to any questions the Council may have regarding these initial planning documents. This agenda item is essentially informational in nature; however, after hearing any reports and comments from advisory bodies or the public, the Council may wish to provide guidance to the staff to help prepare for Agenda Item B.10 at which time final consideration of the three-meeting outlook and draft September agenda are scheduled.

Written public comment in the advance Briefing Book concerns future Council agendas with regard to scheduling of the exempted fishing permit (EFP) reviews for highly migratory species (HMS) (Council Operating Procedure [COP] 20 calls for review at the June and September meetings). To allow consideration of a follow-up in 2008 of the 2007 longline EFP would require a deviation from the standard EFP approval schedule—delaying it to the November through April time frame. The EFP review schedule for HMS has been problematic and the Council may also wish to consider amending COP 20 at some point to provide a more practical review schedule.

Council Tasks:

- 1. Receive information on potential agenda topics for the next three Council meetings.**
- 2. Receive information on an initial draft agenda for the September 2007 Council meeting.**
- 3. Provide guidance on the development of materials for Agenda Item B.10 (September agenda and three-meeting outlook).**

Reference Materials:

1. Agenda Item B.1.a, Attachment 1: Preliminary Draft Three-Meeting Outlook for the Pacific Council.
2. Agenda Item B.1.a, Attachment 2: Preliminary Draft September Council Meeting Agenda, September 9-14, 2007 in Portland, Oregon.
3. Agenda Item B.1.c, Public Comment.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Discussion of Future Council Meeting Agenda Topics

Don McIsaac

PPMC
05/25/07

Preliminary Three Meeting Outlook for the Pacific Council
(Contingent Items are Shaded and Counted in Time Estimate)

September Portland, OR (9/9-9/14/07) Estimated Percent of Standard Floor Time = 109%	November San Diego, CA (11/4-11/9/07) Estimated Percent of Standard Floor Time = 126%	March Sacramento, CA (3/10-14/2008) Estimated Percent of Standard Floor Time = 82%
<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Fiscal Matters Interim Appointments to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Drft Nov Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Fiscal Matters Interim Appointments to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Drft Mar Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Interim Appt. to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Apr Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items
<u>Coastal Pelagic Species</u>	<u>Coastal Pelagic Species</u> NMFS Rpt Pac. Sardine Stk Assessment & HG for 2008: Adopt Final	<u>Coastal Pelagic Species</u>
<u>Enforcement Issues</u> State Activity Rpt	<u>Enforcement Issues</u>	<u>Enforcement Issues</u>
<u>Groundfish</u> NMFS Report 2007 Inseason Management (2 Sessions) Stock Assessments 2009-10: Adopt All Remaining Open Access Limitation: Refine Proposed Alts Observer Data Delivery Schedule Revisions FMP A-15 (AFA): Final Council Action	<u>Groundfish</u> NMFS Report 2007 Inseason Management (2 Sessions) Trawl IQ: Adopt Alts. to Analyze for DEIS Intersector Allocation: Adopt Preferred Alt (Prelim DEIS) New Stock Assessments: Mop up, if Necessary Open Access Limitation: Adopt Prelim Alts for Pub Rev Mgmt Spx for 2009-10: Adopt New RB Analyses, Prelim Range of ABCs & OYs, & Range of Mgmt Measures EFPs for 2008: Final Recommendations Off-Year Sci. Improvements: Prioritize & Plan for 2008	<u>Groundfish</u> NMFS Report 2007 Inseason Mgmt (2 Sessions) Stock Assessment Planning for 2011-2012 Seasons Pac. Whiting: Adopt Final 2008 Spx & Mgmt Measures
<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report

Agenda Item B.1.a
Attachment 1
June 2007

Preliminary Three Meeting Outlook for the Pacific Council
(Contingent Items are Shaded and Counted in Time Estimate)

September Portland, OR (9/9-9/14/07) Estimated Percent of Standard Floor Time = 109%	November San Diego, CA (11/4-11/9/07) Estimated Percent of Standard Floor Time = 126%	March Sacramento, CA (3/10-14/2008) Estimated Percent of Standard Floor Time = 82%
<u>Highly Migratory Species</u> NMFS Rpt New EFPs for 2008: Adopt for Pub Rev Yellowfin Overfishing Response: Adopt Alts. for Pub Rev High Seas Limited Entry Longline Fishery: Consider Need & Options	<u>Highly Migratory Species</u> NMFS Rpt New EFPs for 2008: Adopt Final Recommendations Yellowfin Overfishing Response: Final Action WCPFC Recommendations	<u>Highly Migratory Species</u>
<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>
<u>Pacific Halibut</u> Changes to 2008 CSP & Regs: Adopt for Pub Rev Halibut Bycatch Est for IPHC: review Halibut Abundance Estimation for 2008	<u>Pacific Halibut</u> Changes to 2008 CSP & Regs: Adopt Final	<u>Pacific Halibut</u> Rpt on IPHC Annual Mtg Incidental Catch Regs for 2008: Adopt Options for Public Rev
<u>Salmon</u> 2007 Methodology Review: Select Final Rev Priorities KRFC Escapement Shortfall Report: Progress Update	<u>Salmon</u> Preseason Salmon Mgmt Sched for 2008: Appove 2007 Methodology Review: Adopt Final Changes Mitchell Act EIS: Provide Council Comments	<u>Salmon</u> 2008 Mgmt Options: Adopt Range for Public Rev & Appt. Hearings Officers Identify Stocks not Meeting Conserv. Objectives Mass Marking & CWT Information Briefing
<u>Information Reports</u> Salmon Fishery Update Final SAFE Rpt	<u>Information Reports</u> Salmon Fishery Update	<u>Information Reports</u>
<u>Special Sessions</u> Joint Session Monday night for New Stock Ass. Q & A OCNMS Marine Habitat Research Rpt--Weds 7 pm	<u>Special Sessions</u> 1 hr =3%	<u>Special Sessions</u>

PROPOSED COUNCIL MEETING AGENDA, SEPTEMBER 9-14, 2007, PORTLAND, OREGON

	Sun, Sept 9	Mon, Sept 10	Tues, Sept 11	Wed, Sept 12	Thurs, Sept 13	Fri, Sept 14
Day-Time Council Floor Matters		<p><u>CLOSED SESSION</u> 2:30 pm</p> <p><u>CALL TO ORDER</u> 3:30 pm</p> <p>A.1 Opening (15 min)</p> <p><u>ADMINISTRATIVE</u> B.1 Future Agenda Planning (15 min)</p> <p><u>OPEN PUBLIC COMMENT</u> C.1 Comments on Non-Agenda Items (30 min)</p>	<p><u>ENFORCEMENT</u> D.1 State Activity Rpt (45 min)</p> <p><u>HABITAT</u> E.1 Current Issues (45 min)</p> <p><u>GROUNDFISH</u> F.1 NMFS Report (45 min) F.2 Observer Data Delivery Schedule: Consider Revisions (1.5 hr) F.3 Open Access Limitation: Refine Alts (3 hr)</p> <p><u>ADMINISTRATIVE</u> B.2 MSA Reauthorization Implementation (1.5 hr)</p>	<p><u>HIGHLY MIGRATORY SPECIES</u> G.1 NMFS Rpt (IATTC, etc.) (45 min) G.2 EFPs for 2008: Adopt for Pub Rev (1 hr 30 min) G.3 Yellowfin Overfishing: Adopt Alts for Pub Rev (1 hr 30 min) G.4 High Seas Limited Entry Longline Fishery: Consider Need & Options (2 hr)</p> <p><u>GROUNDFISH</u> F.4 Inseason Adjustments (2 hr)</p>	<p><u>GROUNDFISH</u> F.5 Stock Assessments: Remaining Full Assessments (3 hr) F.6 Amendment 15 (AFA): Adopt Final Recommendations (4 hr) F.7 Final Inseason Adjustments (1 hr)</p>	<p><u>PACIFIC HALIBUT</u> H.1 Changes to CSP: Adopt for Pub Rev (45 min) H.2 Bycatch Est. for IPHC (45 min) H.3 Abundance Est. for 2008 (1 hr)</p> <p><u>SALMON</u> I.1 Final Topics for 2007 Methods Rev (45 min) I.2 KRFC OF Rev: Progress Rpt (45 min)</p> <p><u>ADMINISTRATIVE</u> B.3 Legislative Matters (30 min) B.4 Fiscal Matters (30 min) B.5 Interim Appts (15 min) B.6 Minutes (15 min) B.7 3-Mtg Outlook, Sept Agenda, Workload (30 min)</p>
		2 hr	8 hr 15 min	7 hr 45 min	8 hr	6 hr
Committees	1:00 pm GAP 1:00 pm GMT	8:00 am GAP 8:00 am GMT 8:00 am SSC 8:30 am BC 9:00 am HC 10:00 am LC 11:00 am Chr B 4:30 pm EC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT	8:00 am EC

Council-sponsored evening sessions: Monday Evening 7:00 pm Groundfish Stock Assessment Question and Answer Session
 Tuesday Evening 6:00 pm Chairman's Reception
 Wednesday Evening 7:00 pm OCNMS Marine Habitat Research Report

5/29/2007 3:23 PM

Federation of Independent Seafood Harvesters

PO Box 352
Bridgewater Corners, VT 05035

RECEIVED

May 21, 2007

MAY 21 2007

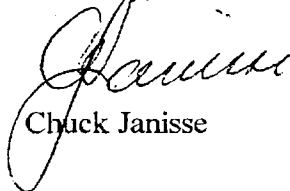
Donald Hansen, Chairman,
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

PFMC

Dear Don,

As you know, the Council recommended NMFS issue an EFP to allow a single vessel to use longline gear to fish within the West Coast EEZ from September to December 2007. The purpose of this EFP is to test the business feasibility of longline gear as an alternative to drift gillnet gear. Longline gear may result in lower incidental take of protected species, as well as higher fish bycatch survivability than with drift gillnet gear. During the Council's evaluation and discussion of the 2007 EFP it was made clear that a similar EFP may be requested for 2008, pending the results of this year's EFP longline fishery. Council Operating Procedure #20 establishes a schedule for review of EFPs by the HMSMT and HMSAS at the June Council meeting and Council final action at the September meeting in the year before the EFP fishery would be prosecuted. With this letter I wish to indicate to you that we may want to submit a proposal for 2008. However, a detailed proposal cannot be submitted at this time without a review of preliminary results from the 2007 fishery before we decide whether or not to go forward with a subsequent EFP, and if we do, what such an EFP would test. We request that you consider varying your review schedule so that it would occur in the November 2007–April 2008 time frame, so that NMFS could issue the EFP by September 2008. This is the same time frame as was used for the current EFP.

Sincerely,



Chuck Janisse

COUNCIL OPERATING PROCEDURE (COP) FOR PROVIDING HIGHLY MIGRATORY
SPECIES (HMS) MANAGEMENT RECOMMENDATIONS TO REGIONAL FISHERY
MANAGEMENT ORGANIZATIONS

At their April 2007, meeting the Council reviewed a draft COP to facilitate effective communication of management advice through the appropriate U.S. delegation to the Regional Fishery Management Organizations (RFMOs) involved in HMS management in the Pacific Ocean. According to the COP, such advice would be coordinated with input from the Western Pacific Fishery Management Council. This COP follows from a provision in the Amendment 1 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species. In addition, new language in the Magnuson-Stevens Reauthorization Act of 2007 directs Councils to develop and submit recommendations to the Secretary of State and Congress for international actions that will end overfishing of a stock the Secretary determines is overfished or approaching a condition of being overfished due to excessive international fishing pressure and for which there are no management measures to end overfishing under an international agreement to which the United States is a party (§304(i)). The COP could also serve as a mechanism for the development of such recommendations. To this end, a sentence has been added to the preamble of the COP recognizing this role.

After reviewing the draft COP at the April 2007 meeting, the Council directed staff to incorporate any non-substantive edits proposed by the Highly Migratory Species Advisory Subpanel (HMSAS) in their report to the Council (Agenda Item J.5.c, HMSAS Report, April 2007) and make it available for public review. It should be noted that in the Nominations for RFMO Advisory Committee section of the draft COP, the HMSAS proposed changing consideration of a nominee representing the commercial troll fishery for North Pacific albacore to one representing West Coast HMS fisheries generally. Because this is a substantive change, it was not made in the revised draft COP. Attachment 1 is the revised draft COP, incorporating these edits. Insertions are underlined and deletions are struck-out.

The memorandum of understanding (MOU) called for in §503(f) of the Western and Central Pacific Fisheries Convention Implementation Act has been an ancillary matter associated with this agenda item. On Friday of the April 2007 Council meeting there may not have been sufficient time for full Council consideration of all implications related to the draft MOU presented at that time (Agenda Item J.5.a, Attachment 1, April 2007). At this meeting the Executive Director will provide further information and an update on the MOU.

Council Action:

- 1. Take final action to adopt the COP for HMS Management Recommendations to RFMOs with any additional changes, as appropriate.**
- 2. Consider further direction on the MOU.**

Reference Materials:

1. Agenda Item B.2.a, Attachment 1: Council Operating Procedure for Highly Migratory Species Management Recommendations to Regional Fishery Management Organizations

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Final COP

Kit Dahl

PFMC
05/23/07

COUNCIL OPERATING PROCEDURE

**Highly Migratory Species Management Recommendations
to Regional Fishery Management Organizations**

Approved by Council:

Reviewed:

PURPOSE

The purpose of this Memo of Understanding (MOU) is to facilitate effective communication of management advice through the appropriate U.S. commissions, U.S. advisory committees and, to the extent practicable, the members of the U.S. delegation, to the regional fishery management organizations (RFMOs) involved in highly migratory species (HMS) management in the Pacific Ocean. The provision of such advice should be coordinated with any input provided by the Western Pacific Fishery Management Council (WPFMC). This operating procedure will be consistent with the MOU described at §503(f) in the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006. This COP may be amended from time to time to ensure consistency with the contents of any such MOU. The procedures herein also may be used to develop and submit recommendations to the Secretary of State and Congress as provided for at §304(i)(B) of the Magnuson-Stevens Act, provisions for international overfishing.

BACKGROUND

HMS are wide-ranging, likely to be fished by multi-national fleets beyond U.S. waters, have productivity potentials ranging from very low to very high, and can seldom be directly surveyed for abundance. Their management usually requires international cooperation, for which there must be active U.S. participation at international forums. The principal forum is the Inter-American Tropical Tuna Commission (IATTC), a multi-lateral organization, which, through its member nations and parties, manages HMS in the eastern Pacific Ocean, generally east of 150° W longitude. The IATTC normally holds an annual meeting in June, during which parties may adopt resolutions outlining measures to be implemented through member states and parties, for example by domestic regulation. ~~For pan-Pacific stocks the Council may interact with the~~ The Western and Central Pacific Fisheries Commission (WCPFC), ~~which~~, through agreement by member states and parties, has jurisdiction over HMS in the Pacific Ocean generally west of 150° W longitude. The WCPFC normally holds its annual meeting in December. In addition, one of the five U.S. Commissioner seats for this organization is reserved for the chairman or member of the Pacific Council. ~~Because m~~ Many of the species in the management unit are also within the management unit for the WPFMC's Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region there ~~is also may be a~~ need to coordinate management advice with ~~that Council~~ the WPFMC. This operating procedure outlines measures to facilitate the communication of recommendations from the Council to RFMOs and for the Council to consider RFMO actions requiring a response within the domestic management framework.

Revised Draft

PARTICIPATION IN RFMO MEETINGS

Subject to the MOU referenced above, representatives of the Council participates in the U.S. delegations to Pacific Ocean RFMOs and are is included in all delegation meetings. Participation may include Council members, members of the Highly Migratory Species Management Team (HMSMT) and Highly Migratory Species Advisory Subpanel (HMSAS), and Council staff.

REVIEW OF STOCK ASSESSMENT AND OTHER SCIENTIFIC INFORMATION

NMFS SWFSC will provide a report to the Council annually on stock assessments completed in the previous year and any other scientific reports relevant to issues taken up by RFMOs (e.g., bycatch, fleet capacity). The SWFSC will also report on upcoming stock assessments and/or reports to facilitate Council planning. (Stock assessments for HMS are typically prepared by organizations outside the purview of the Council, such as the IATTC, International Scientific Committee for Tuna and Tuna-like Species, and the Scientific Committee of the WCPFC.) The Council may ask its SSC to review and provide advice on stock assessments. If a stock assessment will form the basis for a Secretarial status determination (i.e., overfishing or overfished) the SSC will ~~be given an opportunity to~~ review and report, and the Council ~~to~~ may comment, before the status determination is formally communicated.

The RFMO science issues report will normally be delivered at the **September** or **November** Council meeting.

RECOMMENDATIONS TO THE IATTC – U.S. SECTION

The HMSMT will prepare a report containing draft recommendations for a Council position on issues that will be addressed at the next annual IATTC meeting. The HMSAS will review this report and provide their comments. They may provide a separate set of recommendations or combine them with those made by the HMSMT. To promote greater coordination and communication between the WPFMC and the PFMCI, the HMSMT may will solicit input from the WPFMC's Pelagics Plan Team.

The Council will ~~consider~~ review the HMSMT and HMSAS reports and any other relevant information and finalize Council recommendations to the U.S. Section to the IATTC. These recommendations will be forwarded to the U.S. Section through the National Marine Fisheries Service (NMFS) Southwest Regional Administrator with copies made to the Chair of the General Advisory Committee for the IATTC and the Executive Director of the WPFMC.

The ~~development of~~ recommendations to the IATTC will normally ~~occur~~ be forwarded at after the **April** Council meeting. In some circumstances the Council may need to revisit their recommendations at the **June** Council meeting because of extraordinary developments. Because the IATTC annual meeting normally occurs shortly after the June Council meeting, special arrangements may be needed to communicate revised recommendations to the U.S. Section. This could be accomplished by inviting U.S. Commissioners to the June meeting and/or having

Revised Draft

Council members, advisory body members, or staff attend the IATTC meeting as part of the U.S. delegation.

IATTC MEASURES – DOMESTIC IMPLEMENTATION

The NMFS SW Regional Administrator will report to the Council on any action by the IATTC that requires the implementation of domestic management measures under the Fishery Management Plan (FMP) for U.S. West Coast Fisheries for HMS. The report should ~~may~~ include the time period within which Council action is required. The Regional Administrator's report on IATTC activities will normally be delivered at the **September** Council meeting.

Depending on the type of action required, the Council follows established procedures (in either the Operating Procedures or the FMP) for an FMP amendment, regulatory adjustment within the FMP framework, or other type of action.

RECOMMENDATIONS TO THE WCPFC – COUNCIL COMMISSIONER

Section 503(a) of the Magnuson-Stevens Reauthorization Act of 2006 states that one of the five Commissioners for the WCPFC will be the chairman or member of the Pacific Council. The Council will forward its advice through this Commissioner for the development and negotiation of the U.S. position on issues before the WCPFC. Subject to the Memorandum of Understanding referenced above, other members of the Council, members of the HMSMT and HMSAS, and Council staff may join the U.S. delegation.

The HMSMT will prepare a report containing advice for the Council with respect to issues that will be addressed at the next annual WCPFC meeting. The HMSAS will review this report and provide their comments. They may provide a separate set of recommendations or combine them with those made by the HMSMT. To promote greater coordination and communication between the WPFMC and the PFMC, the HMSMT ~~may~~ will solicit input from the WPFMC's Pelagics Plan Team.

The Council will review the HMSMT and HMSAS reports and any other relevant information and formulate any recommendations for the Council member serving on the U.S. Commission. Recommendations formulated by the Council also may be communicated to the Executive Director of the WPFMC in advance of the WCPFC annual meeting.

The Northern Committee provides scientific advice to the WCPFC related to stocks occurring north of 20° N latitude. Such stocks (including North Pacific albacore and bluefin tuna) are important HMS FMP management unit species and the Council will likely want to communicate with this body as well. The Northern Committee normally holds an annual meeting in September.

Revised Draft

The development of recommendations for the Northern Committee will normally occur at the **September** Council meeting and for the WCPFC annual meeting (through the Commissioner) at the **November** Council meeting.

WCPFC MEASURES – DOMESTIC IMPLEMENTATION

The NMFS SW Regional Administrator will report to the Council on any action by the WCPFC that requires the implementation of domestic management measures under the HMS FMP. The report may include the time period within which Council action is required.

Depending on the type of action required, the Council follows established procedures (in either the Operating Procedures or the FMP) for an FMP amendment, regulatory adjustment within the FMP framework, or other type of action.

The Regional Administrator's report on WCPFC activities normally will be delivered at the **April** Council meeting.

ADJUSTMENTS TO THE TIMING OF COUNCIL ACTIVITIES

Although Council meetings at which RFMO-related activities will normally occur have been identified in this COP, the Council may reschedule these activities as appropriate.

NOMINATIONS FOR RFMO ADVISORY COMMITTEES

Advisory committees to the U.S. Commissioners for both the IATTC and WCPFC have been established under U.S. law (§953 of the Tuna Conventions Act and §503(d) of the Western and Central Pacific Fisheries Convention Implementation Act, respectively). IATTC Advisory Committee members serve for a three-year term; the WCPFC Advisory Committee members serve for a two-year term. Members are selected by the Secretary of Commerce (WCPFC) or State (IATTC) from nominees who represent various groups concerned with fisheries in the respective RFMO regions. When nominations are solicited, the Council may propose nominees. Council nominees should be active in the Council process and willing to present viewpoints consistent with any Council policies related to HMS management, in addition to representing the viewpoints of their own group. In identifying nominees, the Council should consider representatives from the following groups: commercial troll fishery for North Pacific albacore tuna, West Coast recreational fisheries for HMS species, West Coast HMS processors, and nongovernmental conservation organizations. West Coast HMS processors may include companies that have facilities and operations in areas other than the West Coast, but have some West Coast presence (for example, their company headquarters).

Memorandum of Understanding
Regarding
Regional Fishery Management Council Participation
in
International Regional Fishery Management Organizations Governing
Pacific Ocean Highly Migratory Species
3-22-2007 Draft

I. Parties

- A. The parties to this Memorandum of Understanding (MOU) are the United States (US) Department of Commerce (DOC), the US Department of State (DOS), the Western Pacific Fishery Management Council (Western Pacific Council), the Pacific Fishery Management Council (Pacific Council) and the North Pacific Fishery Management Council (North Pacific Council).

II. Purpose

- A. In accordance with Title V, Section 503(f) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA), the purpose of this MOU is to clarify the roles of the Western Pacific, Pacific, and North Pacific Councils (collectively, the Councils) with regard to international efforts by the United States to manage highly migratory species (HMS) in the Pacific Ocean, including
1. participation in US delegations to international fishery organizations in the Pacific Ocean, including government-to-government consultations;
 2. providing formal recommendations to the DOC and DOS regarding necessary measures for both domestic and foreign vessels fishing for HMS species;
 3. coordinating positions within the US delegation for presentation to the appropriate international fishery organization; and
 4. recommending those domestic fishing regulations that are consistent with the actions of the international fishery organization, for approval and implementation under the Magnuson-Stevens Fishery Conservation and Management Act.

III. Participation in US Delegations to International Fishery Organizations in the Pacific Ocean, including Government-to-Government Consultations

- A. Participation in US delegations.
1. The Western Pacific and Pacific Councils shall participate, and the North Pacific Council shall be afforded the opportunity to participate, directly in US delegations to meetings of the Inter American Tropical Tuna Commission (IATTC) and its subsidiary bodies. Such participation shall include at least one individual designated by a Council. Participation may include two or more individuals designated by a Council if such participation is consistent with the total size of the US delegation and of capable of significant contributions to the needs of the US delegation, in the judgment of the designated Head of the US Delegation.

1 2. The Western Pacific and Pacific Councils shall participate directly in the US
2 delegation to meetings of the Western and Central Pacific Fisheries
3 Commission (WCPFC) and its subsidiary bodies in accordance with the
4 provisions with section IV of this MOU. The North Pacific Council shall be
5 afforded the opportunity to participate directly in US delegations to WCPFC
6 meetings.

7 B. The Western Pacific and Pacific Councils shall participate, and the North Pacific
8 Council shall be afforded the opportunity to participate, directly in US delegations to
9 Government-to-Government consultations regarding WCPFC and IATTC issues. In
10 cases where a Council is represented by a Commissioner to the organization in
11 question, that Commissioner, or that Commissioner's designated representative, shall
12 represent the Council in the Government-to-Government consultation. In cases where
13 there is no Commissioner from the Council in question, the Council shall designate a
14 representative. For the purposes of this section, Council representatives are considered
15 to be Government personnel in bi-lateral or other Government-to-Government
16 meetings.

17 C. The Western Pacific and Pacific Councils shall participate, and the North Pacific
18 Council shall be afforded the opportunity to participate, directly in US delegations any
19 noticed meeting of an international forum, in addition to the IATTC and WCPFC,
20 dealing with fishery management issues on HMS stocks associated with a respective
21 Council.

22 **IV. Providing Formal Recommendations to the US DOC and DOS regarding Necessary**
23 **Measures for both Domestic and Foreign Vessel Fishing for Pacific HMS Species**

24 A. The IATTC forum.

25 1. The Councils may, at any time, provide formal recommendations to DOC and
26 DOS Secretaries regarding necessary measures for the conservation and
27 management of the HMS stocks under the purview of the IATTC.

28 i. Such formal recommendations prior to two weeks before any noticed
29 meeting shall be submitted in writing.

30 ii. Such formal recommendations subsequent to two weeks prior to any
31 noticed meeting and the conclusion of the meeting activities, including
32 any direct follow-up activities, may be presented orally or in writing.

33 iii. Such formal recommendations of any Council, if completed in a manner
34 timely to any meetings of the GAC (GAC) of the IATTC, shall be
35 forwarded to the GAC of the IATTC for their analysis and
36 recommendations to the US delegation.

37 B. The WCPFC forum.

38 1. The Councils shall provide formal recommendations towards the development
39 of a US position on WCPFC issues through the Western Pacific Council and
40 Pacific Council Commissioners seats.

41 C. When MSAR section 304(i) applies, the Councils will submit recommendations to the
42 US DOC and DOS in accordance with the process established in that section.

43
44 **V. Coordinating Positions within the US Delegation for Presentation to the Appropriate**
45 **International Fishery Organization**

- 1 A. The US DOC and DOS shall notify and advise the Councils of upcoming meetings of
2 the WCPFC and IATTC and subsidiary bodies, or other international HMS fishery
3 organizations, or preliminary precursory planning meetings for such meetings, in a
4 timely fashion so as to provide the opportunity for Councils to develop and submit
5 relevant recommendations in advance of the meetings.
- 6 B. To optimize coordination at the US stakeholder level in the IATTC forum, the Pacific
7 Council and the Western Pacific Council shall be provided one seat each on the IATTC
8 GAC.
- 9 C. To optimize coordination at the US stakeholder level in the WCPFC forum, the Pacific
10 Council and the Western Pacific Council shall be provided and the following seats on
11 the WCPFC Advisory Committee (AC), with each seat allowed one designee in cases
12 of their absence:
- 13 1. The Chair Western Pacific Council Advisory Committee;
 - 14 2. An official of the fisheries management authority of American Samoa;
 - 15 3. An official of the fisheries management authority of Guam;
 - 16 4. An official of the fisheries management authority of Northern Mariana Islands;
 - 17 5. Pacific Council area albacore troll fishery representative;
 - 18 6. Pacific Council area commercial fish processor;
 - 19 7. Pacific Council conservation group representative;
 - 20 8. Pacific Council recreational fishery representative;
 - 21 9. Western Pacific Council long line fishery representative;
 - 22 10. Western Pacific Council troll fishery representative;
 - 23 11. Western Pacific Council hook and line fishery representative;
 - 24 12. Western Pacific Council conservation group representative;
 - 25 13. Western Pacific Council commercial fish processor representative;
 - 26 14. A staff officer of the Pacific Council; and
 - 27 15. A staff officer of the Western Pacific Council.
- 28 D. The US position at WCPFC proceedings, including a formal proposal or motion, shall
29 be determined by majority vote of the five US WCPFC Commissioners.

30 **VI. Recommending Domestic Fishing Regulations that are Consistent with the Actions of the**
31 **International Fishery Organization, for Approval and Implementation under the**
32 **Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)**

- 33 A. Representatives of the Councils, DOS and DOC will communicate as soon as
34 practicable after each meeting of the respective plenaries of the WCPFC or the IATTC
35 to discuss whether and what regulatory actions might be needed to ensure domestic
36 fishing regulations are consistent with the decisions of the two organizations and under
37 what legal authority(ies) such regulatory actions should be taken. To the extent
38 practicable, and consistent with Section 505 of the WCPFC Implementation Act,
39 domestic regulations to implement international fisheries agreements will be approved
40 and implemented under the MSAR.

41 **VII. Miscellaneous Matters**

- 42 A. If any new international fishery organizations are formed that have a substantial interest
43 in HMS in the Pacific, the Councils, DOS and DOC will review this MOU and reach
44 agreement on any alterations or additional provisions within six months.
- 45 B. If the Antigua Convention is fully ratified by US Congressional and Executive branch
46 action, the elements of this MOU that refer to the IATTC shall apply to the Antigua

- 1 C. Convention provisions, unless implementing legislation significantly alters existing US
2 responsibilities, protocols, or procedures, in which case the provisions of Section
3 VII.A. shall be implemented.
- 4 D. This MOU shall be reviewed for efficacy of the mechanisms and established protocols
5 on a regular basis.
- 6 E. While attending meetings of the IATTC, WCPFC, or other Regional Fishery
7 Management Organization dealing with HMS in the Pacific Ocean,
8 1. the appointed Council representative Commissioners and the Council Executive
9 Directors shall have like privileges and immunities as accorded a diplomatic
10 agent under the appropriate Act and in conformity with international law, and
11 2. appointed members to advisory bodies shall have like privileges and immunities
12 as are accorded to members of the administrative and technical staff of a
13 mission under the appropriate Act and in conformity with international law.
14

15 VIII. Agreement

16 The terms of this MOU are agreed to and remain in effect until notice of termination by any
17 party with six months notice. By authorized signature and date,
18

19 Department of Commerce:

20
21 _____
22 Signature

_____ Title

_____ Date

23
24 Department of State:

25
26 _____
27 Signature

_____ Title

_____ Date

28
29 Western Pacific Fishery Management Council:

30
31 _____
32 Signature

_____ Title

_____ Date

33
34 Pacific Fishery Management Council:

35
36 _____
37 Signature

_____ Title

_____ Date

38
39 North Pacific Fishery Management Council:

40
41 _____
42 Signature

_____ Title

_____ Date
43

RECREATIONAL FISHERY INFORMATION NETWORK DATA AND SAMPLING REFINEMENTS

The Recreational Fisheries Information Network (RecFIN) is a recreational fisheries database managed by the Pacific States Marine Fisheries Commission (PSMFC) that is designed to integrate state and federal marine recreational fishery sampling efforts into a single database to provide important biological, social, and economic data for Pacific coast recreational fishery managers, anglers, and the general public. RecFIN has been primarily used to support groundfish management, but has the potential to more fully support the management of other Council fishery management plan species that are caught in recreational fisheries.

In November 2005, the Council acted on a recommendation from PSMFC staff, the RecFIN Technical Committee, and Council advisors by requesting a RecFIN workshop be convened to review substantive changes implemented for RecFIN and to explore RecFIN refinements regarding recreational fishery data needs. The RecFIN Workshop was convened on August 28-September 1, 2006 in Portland, Oregon and all interested Council advisors and the general public were invited to attend. Mr. Russell Porter, a senior program manager for PSMFC, will present a report of last year's RecFIN Workshop (Agenda Item B.3.b, PSMFC Report). Various improvements in data collection, data reporting, sampling protocols, and catch estimation methodology were recommended by workshop attendees.

Specific recommendations from the Scientific and Statistical Committee (SSC) offered at the RecFIN Workshop are provided in Agenda Item B.3.c, SSC Report. The Highly Migratory Species Management Team (HMSMT) recently met to discuss their RecFIN recommendations, which are provided in Agenda Item B.3.c, HMSMT Report. The Council is tasked to provide recommendations to PSMFC regarding refinements to RecFIN to better support Council management. The Council should consider the advice of its advisors and the general public before making these recommendations.

Council Action:

Provide recommendations for making appropriate refinements to RecFIN.

Reference Materials:

1. Agenda Item B.3.b, PSMFC Report: RecFIN Status Report.
2. Agenda Item B.3.c, SSC Report: Recreational Fishery Information Requirements for Stock Assessment and Regulatory Analysis.
3. Agenda Item B.3.c, HMSMT Report: Highly Migratory Species Management Team Report on Recreational Fishery Information Network Data and Sampling Refinements.

Agenda Order:

- a. Agenda Item Overview
- b. Pacific States Marine Fisheries Commission Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Provide Recommendations for Making Appropriate Refinements

RecFIN STATUS REPORT

Presented to:
Pacific Fishery Management Council
June 13, 2007
Foster City, CA

Introduction:

This RecFIN Technical Committee is submitting three proposals on how RecFIN intends to collect and process data in the RecFIN database system. We request the endorsement of these three proposals by the Council, SSC and management teams. These proposals include:

- Proposal on Discarded Fish Procedures
- Proposal on Average Weight Computation
- Proposal to Manage Recreational Fisheries by Numbers of Fish

An update is provided on the following items relating to recreational fisheries in this report:

- Overview of Trip types Used in catch estimates
- Overview of Location of Catch data collected
- The newly adopted RecFIN Change Policy.
- A brief summary of the comparison report of the Marine Recreational Fisheries Statistics Survey (MRFSS) effort estimates and the current RecFIN effort estimates in the state sampling programs.
- Summary of the RecFIN Workshop
- National Research Council Report/NMFS Development Plan - update on plans to provide improvements to recreational sampling surveys.
- Recreational Data Elements Table

I. Discarded Fish Procedures

In the Marine Recreational Fishery Statistics Survey (MRFSS) conducted in the three states from 1980-2003, fish caught by the angler were put in two categories during the interview process by the field sampler:

Sampler observed fish (Type A) were those fish present in the angler's bag, which the sampler counted, identified to species, and optionally obtained measurements .

Angler Reported fish (Type B) were those fish that were not available for the sampler to look at. These fish were further categorized into two general types:

Reported Dead (B1): Angler reported dead fish that were unable to be observed.

A disposition was also recorded for all dead fish as follows:

1. Thrown back dead (as determined by the sampler or angler)
2. Used for Bait
3. Given away
4. Filleted
5. Not present [in car or elsewhere]

Reported returned alive (B2): Angler reported fish that were thrown back alive as reported by the angler, or observed by the sampler (on CPFV's) to have been thrown back alive.

The surveys in Oregon and Washington estimate and report the total number of discarded/released fish; they do not distinguish between fish reported as discarded dead or released alive. The CRFS program in California from 2004 onward has collected data on discarded/released fish, but currently reports the data using the same catch-type categories as were used in the MRFSS (catch types A, B1 and B2). Thus, the fish that were reported as dead when they were discarded are combined with other unobserved dead catch. California has proposed modifying its reporting system to create three categories of unobserved fish: discarded dead, released alive, and fish that were caught but not available for the sampler to examine (see Attachment A). The fish that were discarded dead and those that were released alive will be added to estimate total discards, and the estimate of total discards will be comparable to the estimates from the Oregon and Washington surveys.

RecFIN plans to apply mortality rates established by species and depth to the estimates of total discards to estimate total mortalities for fish discarded. The discard mortalities will be added to harvested catch to apply against the allowable catch quotas set by the Council. This new method of tallying discards will assure that discard mortalities are determined in a consistent manner in all three states. A summary of the past methods used in each state to tally discards, determine the species and compute a portion that was estimated as killed is explained in Attachment A to this report.

The RecFIN Technical Committee is working with the GMT to determine the mortality rates to apply by species, depth and area. In adopting this procedure, the RecFIN database is left with the need to apply some type of mortality to all species observed or reported as discarded. While some of these species are not currently under the management microscope, the use of this method in the database creates a need to

determine some degree of mortality for each species in the catch database regardless of their current status in management. Current discard mortality rates for rockfish are based on essentially one research effort in California. There is need for additional studies on discard mortalities for both rockfish and other species of importance. It is the hope of RecFIN that as refinements to sampling design go forward in state and regional federal forums in the next few years, that these studies can be undertaken.

A continuing challenge is the correct species identification of discards. While this challenge can in some cases be easily met when samplers ride CPFV trips, it is not easily solved for private boat trips where the interview takes place at the completion of the trip. For private boats all discard data must be reported by the angler at the end of the trip. This of necessity leaves a number of fish that are listed as “unidentified” discards. Samplers can attempt to use angler skills in identifying species in the retained catch as a guide to the species of discards. However, in many cases discards cannot be identified to species. Currently many discards are classified to higher taxonomic levels. The fish listed as unidentified discards are not currently tallied towards the catch quota of any individual species. This challenge needs to be explored as we develop sampling procedures and estimation methods to better account for discards.

ACTION ITEM I: RecFIN requests endorsement of the procedure to tally all California fish thrown back into one category of “Discards” as is done currently in Oregon and Washington. RecFIN would then apply species and depth based mortality rates that are identical in all three states. Groundfish mortalities will be set in consultation with the GMT. Mortality rates for other species will be determined by consultation with other Council Management Teams (HMS, STT etc.) and the SSC. Mortality rates for some species will be set by RecFIN and its state and NMFS members in the absence of any management entity for consultation. RecFIN will continue to explore methods to determine more specific speciation of unidentified discards. If methods to determine the identity of some portion of these fish and place them in more specific categories are found, proposals on this topic will be submitted to the PFMC.

II. Average Weight Procedures

The need to express recreational landings in metric tons has necessitated determination of an average weight for each species of fish in each estimation cell (month, mode, area, trip type, etc). This can be the most difficult for species when management does not allow for any retention in the angler’s bag. Samplers riding aboard CPFV’s can determine length for some species prior to their being discarded. That data along with historic length and weight data allow for determination of an estimated mean weight in cases where there is a lack of data to determine a mean weight in an estimation cell. The states have developed “pooling rules” in cooperation with RecFIN to determine an average weight of landed fish for each estimation cell. The average weight is used to convert landings to metric tons (including retained and discarded mortalities) to compare to the allowable catch quotas. Attachment B to this report is a summary of the pooling rules currently used in each state sampling program when lack of data requires pooling to get

enough weight data for average weights of landed fish for each estimation cell. It is the intent of the RecFIN program and its state partners to continue refining pooling rules for average weight of discarded fish largely based on at-sea observations with possible adjustments for depth based regulations. Sampling programs will still make every attempt within available funds to collect as much weight data as possible.

ACTION ITEM II: Endorsement of RecFIN pooling rules and refinements for use as the best estimate of average weights to utilize in the conversion to metric tons landed for management purposes.

III. Management by Number of Fish

The RecFIN Technical Committee discussed the idea of monitoring the recreational fishery catch in numbers as opposed to metric tons at the RecFIN Workshop in August, 2006 with all the Workshop participants. This proposal was further discussed by the Technical Committee at our February, 2007 meeting. The following rationale is presented for this proposal as provided primarily by Dr. Richard Methot:

“The assessment model used to do the projections of available harvest levels works in numbers of fish:

1. The model forecasts the population numbers-at-large forward to the year for which the quota needs to be calculated.
2. For each fishery sector in the model, it uses the fishery-specific selectivity at age/length and the relative fishing mortality level for that fleet to calculate the expected catch in numbers.
3. It then multiplies the catch numbers-at-age by the expected body-at-age for that fleet to calculate the total catch in weight for that fleet.
4. The catch is then added up across fleets to get the total allowable catch (in weight).

Therefore, the annual metric ton quota is already dependent on the expected selectivity and body weight for that year. In-season, there is no expectation that the size/age composition of the commercial catch will be monitored closely and checked against the selectivity pattern that was expected when the quota was set; this is just part of the variability in the management implementation. Further, the selectivity used in the assessment and projection models is not necessarily estimated on a year-specific basis, the estimate age-specific fishery selectivity is most often applied over a block of years that could be as long as the entire assessment time series. So, even if in-season monitoring appeared to detect a different selectivity for a particular fleet in a particular year, there is no explicit feedback loop that would force implementation of a different selectivity for that year in the next assessment update; it could be within the range of expected variability in size/age composition data and not result in a different selectivity estimate.”

The RecFIN Technical Committee is requesting that the Council and Groundfish Management Team not use observed weight in the recreational fishery in a way that would hold this fishery to a higher degree of in-season accountability that is warranted by the overall degree of assessment and monitoring precision. The RecFIN sampling programs will continue to collect average weight data from the recreational fishery, but it is equally important to collect the size composition data itself. In many cases, especially for non-retention species, average weight is calculated from observed size composition and the average weight-at-length relationship anyway. Dr. Methot has pointed out that the reporting section of the SS2 assessment model has already been modified so that it will show catch in weight and catch in numbers for each fleet in each year of the projection. The numbers were always there in the internal calculations; they just were not being reported.

ACTION ITEM III: RecFIN requests that the allowable catch quotas for recreational groundfish be presented in numbers of fish and RecFIN and the states will report monthly catches in numbers of fish as the official method for monitoring the quota. Field surveys will continue to collect data on length and weight by species and numbers of fish in the sample data for further stock assessment analysis and estimation of total weight. However, no adjustments of the number quota will be made in-season in relation to actual observed average lengths or weights of various species in the catch. This is because of the block of years used in the assessment model for age-specific selectivity in the fishery.

IV. Trip Types

Each of the various state sampling programs in RecFIN make catch estimates stratified by the type of fishing trip; halibut, salmon, bottomfish, etc. This allows catch and effort estimates to be made by directed fishery. There is some variation in the trip types used in the various surveys in the three states. Washington uses ten trip types in their Ocean Sampling Program (OSP) and eight in their Puget Sound Boat Survey. Oregon uses seven trip types in their Oregon Recreational Boat Survey (ORBS). California is moving to eight trip types in their California Recreational Fisheries Survey (CRFS), a reduction of the original 17 trip types used when CRFS was first implemented. Attachment C summarizes the trip types for the various state sampling programs.

V. Location of Catch

Collecting data on location of catch is important to meet management needs and to profile the catch by depth and area for future management to best allow for fishing opportunities for the allowable catch. The current sampling programs collect location of catch in differing degrees. California codes recreational catch to specific catch locations during the sampling process. Samplers carry area maps to assist private boat anglers in providing information as to catch location and depth. The catch locations are mapped to one mile squares for the entire coast of California from the shoreline seaward to encompass all areas where recreational angling occurs. Specific location data for California can then be summarized into whatever large geographic areas and depths are

desired. Washington and Oregon gather tallies on catch falling into predefined large geographic areas as specified in Attachment D.

VI. RecFIN Survey Change Procedures

Survey Change Notification. Each state and RecFIN will provide a description of proposed changes to their recreational survey or estimation programs to the RecFIN Technical Committee and cc the RecFIN Statistical Subcommittee. The RecFIN Technical Committee will decide if the change warrants review and recommendations from the RecFIN Statistical Subcommittee. The proposed change will then be directed for review by the RecFIN Statistical Subcommittee or approval confirmed by the RecFIN Technical Committee to the submitting state. Changes that would trigger a Survey Change Notification would include: changes that affect estimates back in time, changes which affect a time series, changes in sampling procedures, changes in estimation procedures, changes in variance computations, and changes to sampling frames or coverage . Notification of these changes when approved and implemented will be transmitted to appropriate PFMC entities by RecFIN.

Emergency Change. Emergency changes will be sent to the Chair of the RecFIN Technical Committee for distribution to RecFIN and Pacific Fishery Management Council (PFMC) entities along with a caveat about the resulting estimate numbers pending review by the appropriate Sampling Change Notification procedure that RecFIN determines will be necessary as follow up.

Semi-Annual Report. Each state and RecFIN will submit a Semi-annual report documenting all changes made to their recreational sampling programs during the previous 6 months. This will include minor changes as well as mid-level or major changes. These reports will be submitted to the RecFIN Chair on March 1st and September 1st each year. The Chair will distribute the reports to the RecFIN Technical Committee and its subcommittees as well as appropriate PFMC entities. It will also be posted on the RecFIN website.

Adopted by RecFIN Technical Committee
October 19, 2006

Attachment E is a copy of the first report submitted on March 1, 2007. This first report covers any and all changes in CY 2006. Subsequent reports will be issued every six months.

VII. MRFSS Effort/State Surveys Effort Comparison Report

The Marine Recreational Fisheries Statistics Survey (MRFSS) was replaced by state sampling programs in the three states in mid 2003 and the beginning of 2004. These state programs included: the Washington Ocean Sampling Program (OSP) and the Puget Sound Boat Survey, the Oregon Recreational Boat Survey (ORBS) and Shore and

Estuary Boat Survey (SEB), and the California Recreational Fisheries Survey (CRFS). These new surveys raised concerns about interpreting past historic catch and effort data used for management gathered under the MRFSS protocol in relation to the catch and effort estimates from the state sampling programs. The species composition in the angler's catch and the CPUE comes from surveys of anglers in both the MRFSS and in state sampling surveys. While the catch surveys remain similar, there is a difference in sample sizes in the catch surveys. The state surveys interview more anglers than MRFSS did. On the other hand, the effort component of the estimates differ between the MRFSS and the state sampling programs. In the MRFSS the effort estimates came from a random sampling of coastal households to locate fishermen and profile the type and number of trips taken in a specific time period. The state surveys primarily use field survey methods to collect data on effort. They augment it with a telephone survey from the state's angler license frame for modes that are more difficult to access directly in the field. Since 2003 the NMFS has continued the MRFSS telephone survey of coastal households in order to compare effort estimates with the state surveys. It was agreed that this comparison was important so that historic data in the Recreational Fisheries Information Network (RecFIN) back to 1980 could be compared with the current state sampling programs. It is hoped that this overlap will provide information on how best to compare current catch and effort estimates with the longer term historic catch and effort estimates in RecFIN for both stock assessment purposes and Pacific Fishery Management Council (PFMC) and state management purposes.

The RecFIN Technical Committee assigned the RecFIN Statistical Subcommittee to conduct this comparison and report back to RecFIN and the management entities. The draft report is the result of this comparison for the period 2003-2005. The report has been provided to the PFMC headquarters for distribution to the PFMC's Scientific and Statistical Committee, Groundfish Management Team and other appropriate entities along with the Stock Assessment Biologists. The primary purpose of the report was a comparison of the recreational effort estimates from MRFSS and the various state recreational surveys. The findings of the report are summarized as follows:

- 1. Estimates of total angler trips and average trips per angler showed common patterns across states and across the various surveys. For some of the comparisons based on shorter sequences of waves (two-month period), this pattern is less clear. This pattern is annual, but not strictly cyclic. As is reasonable to expect, variance estimates often increased with increasing levels of the point estimates.*
- 2. In general, the differences seen in total angler trips were very different across modes of fishing, and those differences tend to outweigh the differences seen across waves and between surveys. For most comparisons, the differences seen in annual fishing patterns also were larger than the differences seen between surveys at a given wave and fishing mode. The differences seen in average trips per angler across modes of fishing were often larger than the differences in estimates between surveys within fishing mode and survey wave.*

3. *It is important to point out the limitations of surveys and their analyses, which contribute to major uncertainties. The project provides us a rare opportunity to try and study the merits and deficiencies of alternate survey designs. Our conclusion is that all surveys are subject to improvement.*

a. We don't know which survey is closer to the truth due to an intractable distribution of the population based on one sample which is dependent on a particular sampling design.

b. The time period over which the data series overlap is relatively short and the results of comparison should not be extrapolated to where data series do not overlap.

c. The data collection programs have not been static.

d. Differences are not systematic. Environmental and regulatory changes may play a major role.

e. No single method is free from all of the following criticisms: non-sampling errors, methods of estimation and imputation, implementation of survey protocol and data processing, multi-purpose surveys which may not optimize for all estimates, and data issues on zero/null estimates and variance due to small sample size.

4. *During the course of this study, we have identified the following strategies - each calling for suitable research and data-collection measures - for improvement of surveys:*

- *Improve sampling frames (e.g., use multiple frames, angler/vessel registry)*
- *Reduce nonresponse errors (e.g., redesign questionnaires, do outreach, collect relevant variables to aid imputation)*
- *Reduce measurement and implementation errors (e.g., provide or upgrade training for contract workers, debriefing/audit, data automation, database management)*
- *Improve estimation (e.g., amend estimation procedures in accord with sampling design, evaluate imputation methods, use domain and small area estimation methodologies)*
- *Combine multiple survey estimates (e.g., use expert collaboration to obtain and apply optimum weights)*
- *Review issues of survey costs versus sample size*
- *Improve survey documentation.*

VIII. RecFIN Workshop

The RecFIN Workshop hosted by Pacific States Marine Fisheries Commission (PSMFC) and the Pacific Fishery Management Council was held in Portland, OR on August 28-31, 2006. The agenda and a brief summary of the Workshop is included as Attachment F. All presentations given at the Workshop are available on the PSMFC website at: <http://www.psmfc.org/2006-documents-from-workshops-conferences.html>.

The workshop provided a forum to address items from the National Research Council's (NRC) report on recreational fishery sampling programs on the three coasts (Atlantic, Gulf and Pacific) as well as review in detail the three Pacific state's field sampling programs. Information in response to the NRC report was prepared as part of the workshop and transmitted to NMFS at an organizational meeting on responding to the NRC report held in Denver, Colorado on September 6-8, 2006. The Workshop product of a summary of responses to the NRC report recommendation is provided as Attachment H. As a result of the Denver meeting, NMFS prepared a Development Plan to address the recommendations of the NRC report and improvements to sampling programs to better support state and federal management needs.

IX. NRC Report/NMFS Development Plan

The National Marine Fisheries Service contracted with the National Academies, National Research Council (NRC) to conduct a review of recreational fisheries survey methods. Their report entitled "*Review of Recreational Fisheries Survey Methods*" was published in June, 2006. It provided a review of recreational survey methods employed on the Atlantic, Gulf and Pacific coasts in support of Regional Council and state management programs. The complete report is available on the National Academies website at www.nap.edu. A number of recommendations were made in the NRC review relating to recreational surveys. The RecFIN workshop provided a listing of these recommendations and the status of pacific coast RecFIN/State sampling programs in relation to the recommendations. This overview is provided in Attachment G.

In response to management needs and the NRC report recommendations, NMFS has prepared a Development Plan with input from recreational managers and constituents to review and/or address current management needs and the recommendations from the NRC report. The Development Plan is available on the NMFS website at: <http://www.st.nmfs.gov>. The Development Plan sets up four Committees to spearhead improvement in sampling programs for recreational fisheries. These include:

1. Executive Steering Committee (ESC)
2. Operations Team (OT)
3. Design and Analysis Group (DAG)
4. Communications and Education Group (CEG)

The main purposes of each group is as follows:

1) ESC: To provide high-level guidance and advice on cross-regional issues, as well as to ensure that the collaborative design of the new system of surveys proceeds in a manner

that is consistent with the fundamental policies and general principles of the partner agencies. To ensure that these goals are realized, the ESC will provide advice on program management issues; ensure that the mission, goals, and objectives of the plan match available resources; assist in resolving critical, high-level management issues in a timely manner; approve spending plans; and coordinate and inform all partners about the functions and progress of the redesign efforts. The ESC will be comprised of the three Interstate Fishery Commission Directors as representatives of the states, three NOAA Fisheries Service executives, including the Director of the Office of Science and Technology (ESC Chair), one Regional Administrator and one Science Center Director, one representative from the Department of Commerce's constituent advisory body, the Marine Affairs Advisory Committee (MAFAC), as well as executive level representation from Alaska, Pacific Islands and Caribbean regions. The ESC connection to the recreational fishing community will be through the MAFAC Recreational Fisheries Subcommittee.

2) OT: To ensure that formulation of the new system of surveys adheres to the overall approach described within the Development Plan. The OT will be responsible for providing a leadership role in updating and improving the Development Plan, establishing priorities, project selection, resource allocation, performance monitoring, and progress reporting of all working groups established by the ESC.

3) DAG: To be responsible for analyzing current and historical data collection programs, as well as developing new surveys of marine recreational fishing catch and effort. To continue the work initiated by NOAA Fisheries S&T to identify potential causes of bias and evaluate the magnitude and direction of any apparent biases. To advise the ESC on possible additional work needed to evaluate the relative impact of known biases on stock assessments and fisheries management decisions. To design improved sampling and estimation methods that will provide less biased and more precise catch and effort statistics.

4) CEG: To promote communication between and among NOAA Fisheries, partner organizations, and constituents during the survey redesign effort. To coordinate with the ESC, OT, MAFAC, DAG, and other working groups to inform constituents about the development and progress of survey improvement efforts.

An update on the latest status of the status of the Development plan groups will be given verbally by Russell Porter, RecFIN Technical Committee Chairman during his presentation on this Council Agenda Item.

X. Data Elements Collected/Requested in Sampling Surveys

The RecFIN Technical Committee compiled a list of data elements collected in the three state recreational fisheries surveys. The Pacific Fishery Management Council's Scientific and Statistical Committee (SSC) and the Groundfish Management Team (GMT) provided RecFIN a list of desired recreational data elements. In addition, the National Research Council (NRC) in their June, 2006 report provided a list of data elements they viewed as necessary in recreational sampling programs. A table of these data elements from the current surveys and those requested by the SSC, GMT and NRC are provided in Attachment H.

ATTACHMENT A

Summary of State Procedures for Discarded Fish

Washington Department Of Fish & Wildlife

Estimation of Discarded Catch in the Washington Ocean Sampling Program (OSP)

As part of the field intercept survey, OSP samplers ask anglers whether they discarded any fish during their fishing trip, and if so, to identify discarded catch by species and number. Due to the conservation concern, samplers specifically ask if canary or yelloweye rockfish were among the discarded catch.

Discarded catch is expanded in the same manner as retained catch to produce estimates of total discarded catch. Mortality factors applied to discarded catch appear in WDFW Table 1. With the exception of lingcod, average weight of discarded catch is assumed to be equal to average weight, by species, of retained catch.

Oregon Department of Fish & Wildlife

Recording Discards In The Oregon Recreational Fishery - 2006

Ocean Recreational Boat Survey (ORBS)

Introduction

The weight of discards is estimated for several species of management concern due to harvest limits set in weight. To estimate the weight of discard, the number of fish discarded, average weight of the fish, and mortality rate is required. For most other species only estimated number of fish discarded is presently calculated. The Oregon Department of Fish and Wildlife plans to expand this process to include these other species.

Discarded number of fish

The number of fish discarded by species is estimated through the ORBS state sampling program, which is described under Agenda Item E for the August 2006 RecFIN Workshop (Attachment F). Estimates of discards are essentially based on angler reports of fish discarded that is expanded for sampling rates.

Average weight of discarded fish

The estimated physical size of discards of groundfish species is based on at-sea observations where samplers take lengths of fish prior to discard, which are later converted to weight. At-sea observations were conducted on recreational charter vessels

off Oregon during 2001, 2003-2005, but lengths were not taken in 2001. A total of 360 vessels trips were conducted (Table 1). Each year the observations were distributed across the state in an effort to represent the relative magnitude of catch by area. The annual goal was to conduct 100 observations, but that goal was not always achieved due to inseason closures. The number of groundfish observed by species that were discarded in the Oregon recreational groundfish fishery is reported in Table 2.

The expected average weight of discarded fish in the ocean boat fishery is primarily based on at-sea observations with attention paid to matching samples with depth closure regulations (i.e., open all-depth versus open only inside the 40-fathom line). Observations indicate that yelloweye rockfish and canary rockfish caught inside of the 40-fathom line were considerably smaller compared to the average size of those caught offshore as it appears more juveniles of these species reside nearshore (Table 3).

For yelloweye rockfish released in fisheries other than the directed halibut fishery, observation data was not used due to small sample sizes observed at-sea. Instead the average weight of fish landed in 2003, the most recent year where retention was allowed, was used to represent the average weight of yelloweye rockfish caught during periods of no depth restrictions.

Because few observations of discards have been observed in the directed halibut fishery, the average size of yelloweye rockfish and canary rockfish caught outside of 30-fathoms and landed in 2003 are used as a proxy. This approach is used because the directed recreational halibut fishery occurs in waters deeper than 30-fathoms.

Another exception to using observation data was for widow rockfish and nearshore rockfish other than black rockfish and blue rockfish, again due to small sample sizes (most are retained), where a 25 percent reduction in average weight from average landed weight was assumed for discards of these species. This was thought to be conservative as the observed average size of discarded black rockfish and blue rockfish were on the order of a 50 percent reduction from average landed weight. Most legal species released are due to their small size (angler preference).

Mortality rates for discarded fish

For 2006, mortality rates were adopted for several species of management concern discarded in the Oregon recreational groundfish fishery. Historically, in the Marine Recreational Fisheries Statistical Survey (MRFSS) sampling program, anglers reported their discarded fish as either dead or alive. Often a fish discarded alive would eventually die due to the effect of barotrauma. Thus, it is speculated that total discard mortality was underestimated by this approach.

A similar approach to that used for the commercial open-access nearshore fishery was developed for estimating the mortality rate of discarded groundfish in the 2006 Oregon sport fishery. The approach incorporates at-sea observations of catch by species,

stratified by depth, and the stratum based mortality rates by species recommended by the Groundfish Management Team.

The count of released fish by depth bin from at-sea observations used to develop mortality rates is reported in Table 4.

The species of rockfish caught inside of 20-fathoms, and for which mortality rates less than 100 percent are derived, include black, blue, other nearshore rockfish, canary, and yelloweye. The distribution of discarded fish by species and depth bin (fm) based on at-sea observations are identified in Table 5. Observed distributions are presented for all-depth fisheries, and predicted distributions are presented for fisheries closed seaward of 40-fathoms, 30-fathoms, 25-fathoms, 20-fathoms, and 10-fathoms.

Mortality rates for fish discarded by depth strata are detailed in Table 6 and represent rates determined by the Groundfish Management Team. A mortality rate of 100% would be applied to all rockfish caught and discarded in waters deeper than 20-fathoms. These mortality rates were applied to the species distributions (Table 5) to determine the comprehensive mortality rates detailed in Table 7. These mortality rates are applied to estimated discard, calculating estimated mortality.

A seven percent mortality rate is applied in the Oregon recreational groundfish fishery for discarded lingcod, cabezon, and greenling species, as is used in the commercial open-access nearshore fishery. In addition, a 7 percent mortality rate is used for shore and estuary boat fisheries for all species discarded because, as barotrauma is not an issue, mortality is mostly related to hook location.

Shore and Estuary Boat Survey (SEBS)

Discards by species is estimated through the SEBS state program, which is described under Agenda Item G. Estimates of discards are based on angler sampled discard per unit of effort expanded by total estimated angler trips. This survey was conducted during 2003-05 and discard estimates have not been calculated. SEBS is not being conducted in 2006 due to funding shortfall. To date the methodology to determine the weight of discards in the shore and estuary boat fishery has not been determined, but since this survey is very similar to the Marine Recreational Fishery Survey (MRFSS) the process will likely be similar to that used in MRFSS.

Table 1. Number of observed bottomfish trips by year and regulation type

Regulations	Year				Total
	2001	2003	2004	2005	
Closed > 40 fm	N/A	N/A	51	63	114
Open All Depth	105	89	20	32	246
Total	105	89	71	95	360

Table 2. Count of discard lengths taken by year and species

Species	Year				Total
	2001	2003	2004	2005	
Black rockfish		131	115	252	498
Blue rockfish		209	226	242	677
Brown rockfish		1			1
China rockfish		1	2	1	4
Copper rockfish				1	1
Quillback rockfish		2		12	14
Canary rockfish		38	116	179	333
Yelloweye rockfish		2	21	22	45
Widow rockfish			3	2	5
Kelp Greenling		5	3	6	14
Lingcod		505	249	235	989
Cabazon		2	10	21	33

Note: Canary rf and yelloweye rf retention allowed in 2003, but not in 2004-05.

Table 3. Example of different size of released fish due to regulations

2005 observations	Open all depth		Fish captured <40fm	
Spp.	N	Mean (kg)	N	Mean (kg)
Canary rockfish	68	1.11	152	0.60
Yelloweye rockfish	13	2.47	11	1.69
Widow rockfish	1	0.51	12	0.29
Lingcod	95	1.44	220	1.47

Table. 4. 2001, 2003-2005 Count of released fish by depth bin (fm). Canary and yelloweye data from open all depth periods only; black, blue, and other nearshore rockfish data from all periods. Other nearshore rockfish includes brown, copper, quillback and china rockfishes (no discards of other nearshore rockfish species were observed).

Species	<=10	11-20	21-25	26-30	31-40	>40	Total
Black rockfish	296	372	18	2	0	0	688
Blue rockfish	183	622	48	5	0	0	858
Other nearshore rockfish	1	8	2	5	0	0	16
Canary rockfish	13	107	29	2	5	52	208
Yelloweye rockfish	0	5	1	1	0	13	20

Table 5. Distribution of released fish by depth bin (fm) when open all depths.

Species	<=10	11-20	21-25	26-30	31-40	>40	Total
Black rockfish	43%	54%	3%	0%	0%	0%	688
Blue rockfish	21%	72%	6%	1%	0%	0%	858
Other nearshore rockfish	6%	50%	13%	31%	0%	0%	16
Canary rockfish	6%	51%	14%	1%	2%	25%	208
Yelloweye rockfish	0%	25%	5%	5%	0%	65%	20

Predicted distribution of released fish when closed outside 40 fm

Species	<=10	11-20	21-25	26-30	31-40	Total
Black rockfish	43%	54%	3%	0%	0%	688
Blue rockfish	21%	72%	6%	1%	0%	858
Other nearshore rockfish	6%	50%	13%	31%	0%	16
Canary rockfish	8%	69%	19%	1%	3%	156
Yelloweye rockfish	0%	71%	14%	14%	0%	7

Predicted distribution of released fish when closed outside 30 fm

Species	<=10	11-20	21-25	26-30	Total
Black rockfish	43%	54%	3%	0%	688
Blue rockfish	21%	72%	6%	1%	858
Other nearshore rockfish	6%	50%	13%	31%	16
Canary rockfish	9%	71%	19%	1%	151
Yelloweye rockfish	0%	71%	14%	14%	7

Predicted distribution of released fish when closed outside 25 fm

Species	<=10	11-20	21-25	Total
Black rockfish	43%	54%	3%	686
Blue rockfish	21%	73%	6%	853
Other nearshore rockfish	9%	73%	18%	11
Canary rockfish	9%	72%	19%	149
Yelloweye rockfish	0%	83%	17%	6

Predicted distribution of released fish when closed outside 20 fm

Species	<=10	11-20	Total
Black rockfish	44%	56%	668
Blue rockfish	23%	77%	805
Other nearshore rockfish	11%	89%	9
Canary rockfish	11%	89%	120
Yelloweye rockfish	0%	100%	5

Table 6. Mortality rates developed by the Groundfish Management Team

Mortality rate	?10 fm	11-20 fm	21-25	26-30	31-40	> 40 fm
Black RF	10%	40%	100%	100%	100%	100%
Blue RF	10%	40%	100%	100%	100%	100%
Other Nrshe RF	10%	50%	100%	100%	100%	100%
Canary RF	10%	50%	100%	100%	100%	100%
Yelloweye RF	10%	50%	100%	100%	100%	100%

Table 7. Adopted mortality rates for all-depth fisheries and fisheries closed outside of 40-fathoms, 30-fathoms, 25-fathoms, 20-fathoms and 10-fathoms.

Species	<=10 fm	<= 20 fm	<= 25 fm	<= 30 fm	<= 40 fm	All depth
Black rockfish	10%	27%	29%	29%	29%	29%
Blue rockfish	10%	33%	37%	37%	37%	37%
Other nearshore rockfish	10%	46%	55%	69%	69%	69%
Canary rockfish	10%	46%	56%	57%	58%	69%
Yelloweye rockfish	10%	50%	58%	64%	64%	88%

California Department of Fish & Game

Discard Procedures - California Recreational Fisheries Survey (CRFS)

Data collected on discards

Samplers collect the following data during the creel census (*i.e.*, angler intercept interviews) for each fishing mode:

1. Number of fish landed and examined by species.
2. Fork length (mm), weight (kg), and sex of each examined fish if time allows. The priority order for collecting the data is length, weight, and sex.
3. Number of fish caught but unavailable, and the reason why the fish were unavailable (*i.e.*, disposition).
4. Depth fished where most of the fish were caught (for the boat modes)
5. Location where most of the fish were caught.

Samplers collect the following data at each fishing location while sampling on-board commercial passenger fishing vessels (CPFV) at sea:

1. Specific location (latitude and longitude).
2. Minimum and maximum depths of the location.
3. Number of anglers whose fishing activities the sampler observed (monitored) while at the location.
4. Fishing method (*i.e.*, free drift, stationed, anchored, or troll).
5. Species caught by the all the anglers who were observed and the number kept, the number discarded alive, and the number discarded dead (including fish that are obviously not going to survive).
6. Fork length (mm) and weight (kg) of discarded fish.

Reporting of discard data

Currently, the reporting of California Recreational Fisheries Survey (CRFS) data on the Recreational Fisheries Information Network (RecFIN) doesn't clearly distinguish discards from catch that was unexamined. The California Department of Fish and Game proposes modifying the reporting categories for the CRFS data. The purpose of these changes is to separate discarded fish from the fish that are part of the angler's bag (*e.g.*, fish that are caught and landed, or caught and given away, or caught and eaten, or caught and filleted). This will make the California discard data comparable to the Oregon and Washington discard data, and it will make it easier to perform bag analyses.

The CRFS estimates are currently generated and reported as follows:

A = Examined catch: whole landed fish that were examined by the sampler
(Note: fillets that can be identified can be included in A, but this is a rare event)

B = Reported/Unavailable catch: fish that were caught but not kept (released, given away, or used for bait) or fish that were landed but not available for the sampler to examine.

B1 = Fish that were caught and filleted (Note: these are fillets where the sampler cannot identify the species); or fish that were caught and reported by the angler as given away, used for bait, released dead, or disposed of some way other than A or B2; or fish that were caught and landed but not available for the sampler to examine.

B2 = Released alive: fish that were caught and reported by the angler as released alive.

The proposed reporting system continues to distinguishing between examined and unexamined catch, and it clearly separates landed catch from discards. Under the proposed system, CRFS estimates would be generated and reported as follows:

A = Examined catch: whole landed fish that were examined by the sampler.

R = Reported/Unavailable catch: fish that were caught but not kept (released, given away, or used for bait) or fish that were landed but not available for the sampler to examine.

R1 = Released dead: fish that were caught and reported by the angler as released dead.

R2 = Released alive: fish that were caught and reported by the angler as released alive.

R3 = Fish that were caught and filleted; or fish that were caught and reported by the angler as given away, used for bait, or disposed of in some way other than A, R1 or R2; or fish that were caught and landed but not available for the sampler to examine.

The categories A and R3 are catch, and the categories R1 and R2 are discards. Estimates using the proposed categories can be generated for CRFS data from prior years, because the disposition of the unavailable fish (B category in the current system) are in the database.

Estimation of discards

The estimates that are currently produced by CRFS are not exclusively “discard”; they are for B1 and for B2 catch (B1 fish include those that were reported as released/discarded dead as well as fish that were caught and filleted, fish that were caught and reported by the angler as given away, used for bait, or disposed of some way other than A or B2, and fish that were caught and landed but not available for the sampler to examine; B2 fish include those that were caught and reported by the angler as released

alive). The number of fish in category B1 and category B2 are estimated by month, district, fishing mode, and species. The average weight of the category B1 and category B2 fish is based on at-sea observations of discarded fish by CRFS samplers on CPFVs. No mortality estimate is applied to the B2 fish.

Reporting fishing mortality to the PFMC Groundfish Management Team

Management requires an estimate of total fishing mortality. California used the following method for calculating fishing mortality for recreationally caught rockfish until November 2006.

$$\text{Total mortality} = A + B1 + (B2 \times \% \text{ of catch at depth strata} \times \text{mortality rate for depth strata})$$

A depth profile (proportion of catch by 10 fm increments) was used to apportion the catch of each species by depth and groundfish management area. The depth profiles were generated from MRFSS data from 1999 and 2000, the most recent unregulated years by depth in California. The following mortality rates were applied 10.5% for 0-10 fm, 42% for >10-20 fm, and 100% for >20 fm to the B2 catch.

For November 2006 through June 2007, this methodology was slightly modified due to the recognition that most of the B2 rockfish were taken in shallow waters (less than 20 fm). As a result of this modification, the above equation was changed to:

$$\text{Total mortality} = A + B1 + (B2 \times \text{mortality rate for 0-20fm}),$$

where the mortality rate was set at 42%.

ATTACHMENT B

Summary of State Procedures for Determining Average Weight by Species

Washington Department of Fish & Wildlife

Average Weight and Discard Mortality Applied to WA Recreational Catch

Average Weight

Beginning in 2004, WDFW has applied an average weight consisting of the most recent 50 fish sampled in the agency Biological Data System (BDS) to convert estimated numbers of fish to total weight. This protocol was adopted to reduce uncertainty in management resulting from large fluctuations in average weight caused by very small sample sizes. Average weights have been applied seasonally on a coastwide basis. WDFW is currently working with RecFIN staff to refine algorithms, timing and borrowing rules for extracting average weights from the BDS. Weight for released fish is assumed to be equal to that for retained fish. Insufficient data have been collected to determine the size of released fish. However, due to the length restriction on lingcod, a different average weight was applied to released catch based upon at-sea information collected by ODFW. Average weights used in 2006 are in Table 1.

Discard Mortality

WDFW current applies a discard mortality based upon best professional judgment. Fish with unvented swim bladders (physoclistous) are assumed to have either total, or very high discard mortality due to barotrauma, while only hooking mortality is applied to fish with no swim bladder. A 90% (rather than 100%) mortality rate is applied to more nearshore rockfish species. Canary and yelloweye rockfish have been uniquely treated due to management implications and imposed depth-management measures implemented specifically to control catches of these two species. Since the halibut fishery is prosecuted at a considerable depth, canary rockfish associated with that trip type continue to have a 100% discard mortality applied. When no depth restrictions are in place, canary rockfish in non-halibut trips have a 66% discard mortality applied based upon average depth of catch information collected in the intercept survey. When the recreational groundfish fishery is constrained by regulation to within 20 fathoms, a 50% discard mortality is applied to both canary and yelloweye rockfish based upon barotrauma work conducted in California. Discard mortalities applied in 2006 are in Table 1.

The Pacific Council's Groundfish management Team and the RecFIN Technical Committee are continuing work to develop a consistent, coastwide approach to apply discard mortality across all species based upon depth of capture.

Table 1. Average weight and discard mortality applied to Washington coastal recreational fishery catches. Both are applied coastwide on an annual basis.

<u>Average weight applied to Washington recreational catches</u>		<u>Mortality applied to released catch in the Washington recreational fishery ^{2/}</u>	
<u>SPECIES</u>	<u>kg/fish</u>	<u>SPECIES</u>	<u>MORTALITY RATE</u>
Black Rockfish	1.18	Black Rockfish	0.90
Blue Rockfish	1.05	Blue Rockfish	0.90
Bocaccio	1.17	Bocaccio	1.00
Cabazon	2.2	Cabazon	0.05
Canary Rockfish	1.19	Canary Rockfish	1.00
China Rockfish	0.78	China Rockfish	0.90
Copper Rockfish	1.00	Copper Rockfish	0.90
Flatfish	0.50	Flatfish	0.03
General Cod	0.5	General Cod	1.00
General Rockfish	0.50	General Rockfish	0.90
Kelp Greenling	0.68	Kelp Greenling	0.05
Lingcod ^{1/}	3.13	Lingcod	0.05
Miscellaneous	0.50	Miscellaneous	0.90
Pacific Cod	3.29	Pacific Cod	1.00
Surfperch	0.44	Surfperch	0.22
Quillback Rockfish	1.13	Quillback Rockfish	1.00
Sharks and Skates	3.00	Sharks and Skates	0.08
Tiger Rockfish	0.87	Tiger Rockfish	1.00
Albacore	4.08	Albacore	1.00
Vermilion Rockfish	1.87	Vermilion Rockfish	1.00
Yelloweye Rockfish	2.61	Yelloweye Rockfish	1.00
Yellowtail Rockfish	1.21	Yellowtail Rockfish	1.00
Lingcod Released ^{1/}	1.50		

1/ A different average weight is applied to lingcod due to the size limit. All other weights for released fish are assumed equal to retained catch.

2/ The exception to the above rates is that a mortality rate of 0.66 is applied to canary rockfish caught in non-halibut trips, and 0.50 mortality rate is applied to canary and yelloweye rockfish when the fishery is constrained to within 20 fathoms.

Oregon Department of Fish & Wildlife

Converting Number Of Fish Landed To Weight for Recreational Fisheries Overview of 2006 Methodology

Ocean Recreational Boat Survey (ORBS)

Landed catch by species is estimated through the ORBS state program, which is described under Agenda Item E. Estimates of landed catch are essentially based on sampled angler catch that is expanded for sampling rates. In addition to sampling the ocean boat fishery for catch, ORBS samplers also sample the catch for average length and weight. For most species both length and weight is measured, but for some species, such as Pacific halibut, only lengths are taken and then converted to weight. A summary of length and weight sampling goals is detailed in Table 1 for the 2006 fishery season. These goals are slightly changed from 2005 so as to improve sampling rates for frequently seen species such as black rockfish, blue rockfish and lingcod. Total sample size and sampling rate by species from the 2005 fishery are summarized in Table 2. Starting in 2006, a new method for estimating average weight was initiated. This “pooling” method was the result of advice from the RecFIN Statistical Committee after their review of the issue. Average weight per species is determined for each stratum (port, month, boat type and trip type) and the pooling rules are summarized in Table 3.

Table 1. Length and weight sampling goals for ORBS in 2006

Species	Daily	Weekly
Black rf, blue rf, and lingcod length/weights		10 per species per boat trip type per sampler (20 total)
All other groundfish length/weights		10 per sampler
Chinook salmon lengths		10 per sampler
Coho salmon length/weight	Two boats per sampler	
Halibut lengths	All fish from every other boat	
Tuna lengths		10 per week

Table 2. 2005 ORBS Length & Weight Samples (N) by Species
(ocean boats only)

Year	SpCode	Common	Length (N)	Weight (N)	Est landed (N)	% length taken
2005	31	blue shark	9	2	38	24
2005	35	spiny dogfish	1	1	4	25
2005	42	big skate	2	0	8	25
2005	46	longnose skate	1	0	2	50
2005	55	P. herring	10	10	158	6
2005	63	coho	987	987	13,725	7
2005	65	chinook	3,681	4	27,941	13
2005	78	rainbow trout	4	4	15	27
2005	201	P. cod	5	5	10	50
2005	203	P. whiting	17	17	42	40
2005	290	jack mackerel	12	12	73	16
2005	291	yellowtail jack	4	4	4	100
2005	300	surfperch unid	5	5	118	4
2005	303	redtail surfperch	2	2	4	50
2005	306	striped seaperch	19	19	63	30
2005	374	P. mackerel	23	23	83	28
2005	375	albacore	392	354	5,044	8
2005	410	rockfish unid	5	5	8	63
2005	416	brown rockfish	29	29	62	47
2005	418	redbanded rockfish	4	4	6	67
2005	419	silvergray rockfish	14	14	34	41
2005	421	copper rockfish	695	695	1,671	42
2005	423	greenspotted rockfish	6	6	17	35
2005	424	black & yellow rockfish	1	1	3	33
2005	429	greenstriped rockfish	21	21	27	78
2005	431	widow rockfish	363	363	1,913	19
2005	433	yellowtail rockfish	1,743	1,743	15,636	11
2005	436	rosethorn rockfish	23	23	41	56
2005	441	quillback rockfish	929	929	2,470	38
2005	442	black rockfish	3,667	3,667	275,728	1
2005	444	vermillion rockfish	960	960	2,844	34
2005	445	blue rockfish	2,741	2,740	40,178	7
2005	446	China rockfish	619	619	1,826	34
2005	447	tiger rockfish	64	64	136	47
2005	449	bocaccio	12	12	13	92
2005	451	canary rockfish	18	18	148	12
2005	453	redstripe rockfish	32	32	112	29
2005	454	grass rockfish	6	6	15	40
2005	456	rosy rockfish	5	5	8	63
2005	457	yelloweye rockfish	2	2	15	13
2005	458	flag rockfish	1	1	10	10
2005	477	sablefish	102	101	325	31
2005	481	kelp greenling	1,535	1,535	5,612	27
2005	482	rock greenling	8	8	41	20
2005	484	lingcod	3,256	3,220	32,850	10
2005	523	buffalo sculpin	11	11	24	46
2005	527	red Irish lord	22	22	53	42
2005	529	brown Irish lord	1	1	2	50
2005	556	cabezon	1,458	1,458	6,178	24
2005	600	flatfish unid	1	1	14	7
2005	604	P. sanddab	81	81	1,015	8
2005	606	arrowtooth flounder	3	3	3	100
2005	608	petrale sole	10	10	27	37
2005	614	P. halibut	4,852	0	13,288	37
2005	618	butter sole	6	6	19	32
2005	620	rock sole	15	15	36	42
2005	624	Dover sole	4	4	31	13
2005	626	English sole	2	2	5	40
2005	628	starry flounder	20	20	67	30
2005	634	sand sole	38	38	130	29
2005	670	ocean sunfish	1	0	2	50
2005	682	unknown	4	4	9	44
Total			28,564	19,948	449,984	6

Table 3. Average weight pooling rules for ORBS in 2006

For each species in each stratum (port, month, boat type, trip type):

<i>If there are not enough observations, then Rule 1 is applied</i>	Pool boat types in each trip type, port and month
<i>If there are still not enough observations, then Rule 2 is applied</i>	Pool boat types and trip types in each port and month
<i>If there are still not enough observations, then Rule 3 is applied</i>	Pool boat types, trip types and months (up to 2 years) in each port
<i>If there are still not enough observations, then Rule 4 is applied</i>	Pool boat types, trip types, months (up to 2 years) and ports in two port clusters
<i>If there are still not enough observations, then Rule 5 is applied</i>	Pool boat types, trip types, months (up to 5 years) and ports statewide

- Observation goal = 10 percent of landed or 50 fish, whichever occurs first

Shore and Estuary Boat Survey (SEBS)

Landed catch by species is estimated through the SEBS state program, which is described under Agenda Item G. Estimated landed catch is based on angler sampled catch per unit of effort expanded by total estimated angler trips. This survey was conducted during 2003-05 and catch estimates have not been calculated. SEBS is not being conducted in 2006 due to funding shortfall. To date the methodology to determine average weight in the shore and estuary boat fishery has not been determined, but since this survey is very similar to the Marine Recreational Fishery Survey (MRFSS) the process will likely be similar to that used in MRFSS.

California Recreational Fisheries Survey

Estimated Weight of Harvest

Converting number of fish to weight

Catch estimates are first produced for the number of fish, and then total weight is calculated using the mean weight. The mean weight that is used depends on the mode of fishing (man-made structures, beaches and banks, private and rental boats, and commercial passenger fishing vessels), and type of catch (or disposition of the catch). The three types of catch are:

- Type A: Fish that were landed and examined by a sampler.
- Type B1: Fish that were reported by the anglers as released/discarded dead as well as fish that were caught and filleted, fish that were caught and reported by the angler as given away, used for bait, or disposed of some way other than A or B2, and fish that were caught and landed but not available for a sampler to examine.
- Type B2: Fish that were caught and reported by the angler as released alive.

Plans are underway to modify the categories for type of catch used by the California Recreational Fisheries Survey (CRFS). The proposed categories would separate discarded/released fish from the fish that are part of the angler's bag (*e.g.*, fish that are caught and landed, or caught and given away, or caught and eaten, or caught and filleted).

Determining average weight

The CRFS currently estimates mean weight for Type A fish using observations from the month and mode of fishing, and Type B1 and B2 using observations from the last 12 months. The data for Type B1 and B2 fish come from observations at sea on commercial passenger fishing vessels (CPFVs). The data used for calculating mean weight, and pooling rules for missing data are currently under review; a proposal for modifying the rules will be submitted to RecFIN. Currently, the basic rules for pooling data when a mean weight is missing for a catch type are as follows:

- Type A: Use weight data from the other fishing modes
- Type B1: Use Type A data
- Type B2: For the beach and bank mode and the party and charter (*i.e.*, CPFV) mode, use Type A; for the man-made structures mode and the private and rental boat mode, use Type B1 or use Type A if no Type B1 data is available.

ATTACHMENT C

Summary of Trip Types used in State Recreational Sampling Surveys

Washington Department of Fish & Wildlife

Trip Type Categories and fishing modes

Washington Coast – Ocean Sampling Program (OSP)

Fishing Methods (Modes):

Charter Boat

Private Boat

Columbia River Jetty (shore site sampled due to contribution to coastal salmon catch)

Target Trip Types:

1 - Halibut

2- Commercial jig

3- Tuna

4- Non-fishing

5- Halibut/salmon combo

6- Marine fish only

7- Salmon

8- Dive (spearfishing)

9- Sturgeon

10-Salmon/sturgeon combo

Puget Sound – Puget Sound Boat Survey

Fishing Methods (Modes):

Kicker/private vessel

Charter vessel

Pier

Shore

Shore Diver

Diver/kicker

Diver/charter

Target Trip Types:

1- Salmon

2- Marine fish

3- Both salmon and marine fish

4- Halibut specifically

5- Combination of halibut and other bottom fish

6- Combination of halibut and salmon in the same trip

- 7- Steelhead only
- 8- Cutthroat trout only

Oregon Department of Fish and Wildlife

Trip Types Used by the Ocean Recreational Boat Survey (ORBS)

The Ocean Recreational Boat Survey (ORBS) of the Oregon Department of Fish and Wildlife is tasked to collect interview information from both private boat and charter boat anglers fishing in the Pacific Ocean off of Oregon, and make estimates of effort and catch. The ORBS employs approximately 22 seasonal field samplers each year in 10 port locations along the Oregon Coast to make counts of boat traffic, and interview anglers on returning boats to collect the data elements needed to generate estimates of both catch and effort.

Data elements are stratified in several different ways to more accurately represent the fishery. One of those stratifications is trip type. This loosely indicates a target species or species group, or other division in the recreational effort and landings that has been determined to be advantageous and needed to be able to isolate in the estimation process. The ORBS uses a total of seven different trip types: Salmon, Bottomfish, Halibut, Tuna, Dive (spear fishing), Combination, and Non-fishing (Note that the underlined first letter is the coding that has been assigned to the trip type within the project).

Although the definitions for each of these trip types is basically the same for both charter vessels and private vessels, there are some minor differences in the estimation process that should be clarified. First, charter effort is most often collected directly from the charter office (storefront). Samplers contact each charter office usually 5-7 times during the week to get the number of vessel trips by trip type for every day of the week. For charter vessels operating out of offices, we do not record the number of non-fishing trips or interview those trips (whale watching, burial at sea, etc.). During the interview process with returning vessels, on occasion the boat reports a different trip type than the office reported. In those cases, the office trip type is corrected in the total effort to reflect the correct trip type.

Private vessels, and charters that do not have an accessible office, use a different methodology. First total bar crossings are estimated by counting exiting vessels, and then trip types from returning interviewed vessels are proportionately applied to all trips counted out. This includes non-fishing trips.

In the categorization of trip types, there are two exceptions in the assigning of trips. First, vessels may “fish” for crab or other non-fish species and this will not affect the designation of a trip with another target species or species group. Second, vessels fishing for “baitfish” i.e. sardines, anchovies, herring, or smelt, and fishing for another target species or species group are not categorized with regard to the fishing for “baitfish,” unless the “baitfish” was the only fishing activity to occur. In other words, a boat that went salmon fishing, but also stopped and jigged some herring for bait on the trip would still be categorized as a salmon trip and not a combination trip. A description of each of the trip types utilized by ORBS is as follows:

Salmon: The salmon trip type includes any vessel where the only target species on the trip was salmon. These trips may include some minor incidental catch of other species, but that catch is truly incidental and was not targeted on the trip.

Combination: This is a trip in which the vessel fished at least part of the time for salmon, but also spent some portion of the trip fishing for another species or species group as well. The proportion of time spent salmon fishing is irrelevant in the categorization. These trips can include fishing for salmon and rockfish, salmon and halibut, salmon and albacore, etc.

Bottomfish: The bottomfish trip includes fishing for non-salmon, non-Pacific halibut, and non-HMS species. These are most typically trips targeting rockfish and lingcod; but also include flatfish trips (other than Pacific halibut), “baitfish”, surfperch, non-HMS shark species, etc. A vessel that fishes for bottomfish and HMS species on the same trip will be categorized to the predominant catch on the trip.

Halibut: The halibut trip type is specific to Pacific halibut. If a vessel is fishing for Pacific halibut during a portion of the trip and other bottomfish during another portion of the trip, it is categorized as a “halibut” trip. Similarly for HMS species, if the vessel fishes both halibut and any HMS species on the trip, the trip will be called a halibut trip.

Tuna: The tuna trip type has generally exclusively meant albacore trips off Oregon. In recent years there has been some interest develop in trying to target other HMS species such as shortfin mako shark and broadbill swordfish. It is the intent of ORBS to include these trips along with albacore trips so that the “tuna” trip type will actually represent all HMS trips. See noted in bottomfish and halibut for trips with combined activity.

Dive: The trip type actually represents only those trips where spear fishing is occurring. The spear fishing activity is the primary driver in this category, and not the species targeted. If both spear fishing and angling occurs on the same trip, then the appropriate angling trip type prevails and the entire trip falls under that category.

Non-fishing: Non-fishing trips mean just that, no fishing (or spear fishing) occurred on the trip. In most cases where ORBS encounters a non-fishing trip, there was either an initial intent to go fishing or the intended activity does not fall into the fishing category. The cause of aborted fishing activity usually falls under the either boat/engine problems, sea sick angler, or ocean/weather conditions worse than anticipated. If the anglers do not drop a line in the water, then the trip is categorized as a non-fishing trip regardless of the pre-trip intent. Non-fishing activities generally fall under either just out for a boat ride, or they were only crabbing.

California Department of Fish & Game

Trip-type Categories - California Recreational Fisheries Survey (CRFS)

Background

The California Recreational Fisheries Survey (CRFS) is a multi-part survey to estimate the total catch and fishing effort of marine recreational anglers in California. Field sampling is conducted at approximately 580 publicly-accessible sites during daylight hours to gather catch and effort data. A telephone survey of licensed anglers is conducted to gather data on effort when field observations of effort are not feasible, such as fishing at night and fishing from boats that return to private marinas. A telephone survey of commercial passenger fishing vessel (CPFV) operators is conducted to gather data for effort estimates for this mode of fishing. Data from the field sampling, the telephone survey of licensed anglers, sport fishing license sales, and the telephone survey of CPFV operators are combined to estimate catch and effort. The data are generally stratified during the estimation procedures by month, district, mode of fishing (*i.e.*, type of place or type of boat where fishing occurred), water area (ocean waters more than 3 miles from shore, ocean waters less than 3 miles from shore, inland marine waters, or Mexican waters), and trip-type category.

Methods

Each fishing trip is assigned to a trip-type category based on the type of fish that was targeted during the trip. Each angler that is interviewed in the field or on the telephone is asked what kind of fish he or she was targeting or attempting to catch, and each CPFV operator interviewed in the CPFV telephone survey is asked to identify the primary activity of each trip that his or her CPFV took during the survey period. Data are collected from anglers on primary and secondary target species. Data are also collected from private and rental boats and from CPFV on non-fishing trips. Non-fishing trips are trips where no directed fishing for finfish occurred.

The responses from anglers and CPFV operators are placed into trip-type categories during the estimation process. All angler responses on primary and secondary target species have been maintained in the database with one exception: the original responses during the telephone survey of licensed anglers in 2004 were not recorded; only the resulting trip-type was recorded.

Composition of Trip-type Categories

The CRFS initially used 17 trip-type categories (Table 1). The trip-type categories were recently reviewed and revised (Table 2). One of the goals in revising the trip-type categories was to reduce the number of categories, and thus, increase the sample size in each stratum. Another goal was to incorporate as many species from a Pacific Fishery Management Council (Council) management unit (*i.e.*, species that are managed under the same fishery management plan) as possible within one trip-type category. This will facilitate the calculation of total effort for each management unit. The criteria used for the new trip-type categories were: habitat, fishing method, Council management units, species associations, and catch-per-unit-effort for a species within a given trip-type category.

Table 1. The trip-type categories initially used by the California Recreational Fisheries Survey and the composition of each category.

Trip-type category	Examples of target species and/or groups in the trip-type category
Anything	Angler targeting ‘anything’; unidentified fish; trips targeting invertebrates where finfish are incidentally caught
Salmon	Chinook, coho, pink, chum, and sockeye salmon; sea run trout; steelhead
Rockfish	All rockfish species
Lingcod	Lingcod
Tuna/Sharks/Billfish	Tunas, sharks, billfish, skates, rays, mackerels, skipjacks, manta, louvar
Yellowtail	Yellowtail
White Seabass	White seabass
Bass/Barracuda/Bonito	Kelp bass, sand basses, California barracuda, giant sea bass, Pacific bonito
Halibut	California halibut, Pacific halibut
Croakers	Croakers/drums (except black croaker, spotfin croaker, California corbina, white seabass)
Perches	Surfperches, seaperches
Corbina	California corbina
Smelt	Surf smelt, jacksmelt, topsmelt, silversides family, eulachon
Sturgeon	White and green sturgeon
Striped Bass	Striped bass
Other	Any species or kind of fish that is not specifically listed under the other trip-types is placed in the “Other” trip-type category. These include: bottomfish (species group for non-specific groundfish trips), cabezon, greenlings, scorpionfish, black and spotfin croakers, flounders, Pacific whiting, herring, anchovies, jack mackerel, cods, sablefish, wrasses, soles, turbot, sculpins, gobies, gunnels, pricklebacks, unidentified surface fish, unidentified tunas (non-mackerel), and basic family groups of other trip types - salmon, sea bass, and surfperch families
Non-fishing	Fishing trips where invertebrates are the primary target and no finfish are caught; recreational finfish trips where no fishing occurred (<i>e.g.</i> , returned because of boat or engine problems and no gear was put in the water); commercial fishing trips; and non-fishing trips for activities such as diving, wildlife viewing, cruising, sailing, and maintenance.

Table 2. The new trip-type categories for the California Recreational Fisheries Survey and the composition of each category.

Trip-type category	Examples of target species and/or groups in the trip-type category
Anything	Angler targeting ‘anything’; unidentified fish; and trips targeting invertebrates where finfish are incidentally caught
Coastal pelagic and coastal migratory species	All species listed in the federal Pacific Fishery Management Council Pelagic Species Fishery Management Plan (northern anchovy, Pacific mackerel, jack mackerel, Pacific sardine); and other anchovies, Pacific barracuda, butterfly, flyingfish, jacks (family, yellowtail), mackerels (family, bullet, sierras, Pacific bonito), Pacific saury, and unidentified surface fish
Highly migratory species	All species listed in the federal Pacific Fishery Management Council Highly Migratory Species Fishery Management Plan, and other billfishes, Pacific cutlassfish, sunfish, other pelagic sharks, pelagic stingray, other tunas
Nearshore hard bottom, kelp beds, and shelf/slope hard and soft bottom	All species listed in the federal Pacific Fishery Management Council Groundfish Fishery Management Plan except leopard shark, California skate, sand sole, and starry flounder; all species listed in the California Nearshore Fishery Management Plan; and unidentified bottomfish or groundfish, blacksmith, black croaker, white seabass, other flounders, sea chubs, groupers, grunts, Pacific halibut, sea basses (except spotted sand bass), giant sea bass, kelpfishes, sculpins, wrasses, ocean whitefish, some surfperches (black, kelp, pink, rainbow, reef, sharpnose, striped), and other flatfish and sharks found nearshore over hard bottoms and off shore
Surf and nearshore soft bottom	Leopard shark, California skate, sand sole, starry flounder, croakers/drums (except black croaker and white seabass), herring, spotted sand bass, smelts;, and silversides; surfperches not listed under Nearshore hard bottom, kelp beds and shelf/slope hard and soft bottom; and sharks, skates, rays, and flatfish found over nearshore soft bottoms
Salmonids	Salmon (chinook, coho, pink, chum, and sockeye), sea run trout, and steelhead
Other anadromous species (non-salmonid)	Striped bass, lampreys, shad, and sturgeons
Non-fishing	Fishing trips where invertebrates are the primary target and no finfish are caught; recreational finfish trips where no fishing occurred (<i>e.g.</i> , returned because of boat or engine problems and no gear was put in the water); commercial fishing trips; and non-fishing trips for activities such as diving, wildlife viewing, cruising, sailing, and maintenance

Revision of the Estimates Using the New Trip-type Categories

New estimates will be produced for 2004, 2005, and 2006 using the new trip-type categories. The 2005 and 2006 data can be input directly into the estimation programs using the new trip-type categories, because angler responses for target species have been maintained in the database. However, the original responses for the telephone survey of licensed anglers in 2004 were not maintained. We will use the 2005 and 2006 data to test ways in which to combine the initial trip-type categories used in 2004 so that they mirror the new trip-type categories.

ATTACHMENT D

Summary of Area of Catch Methods used in State Sampling Surveys

Washington Department of Fish & Wildlife

WDFW marine area codes for which catch estimates are produced:

Note: The Ocean Sampling Program (OSP) also produces estimates for the Columbia River estuary and catch landed from Canadian waters.

(1) **Area 1** (Ilwaco): West of the Megler-Astoria Bridge - north to Leadbetter Point. Waters west of the Buoy 10 Line and north to Leadbetter Point.

(2)(a) **Area 2** (Westport-Ocean Shores): From Leadbetter Point north to the Queets River. **Area 2** excludes waters of Willapa Bay and Grays Harbor.

(b) **Area 2-1**: Willapa Bay east of a line from Leadbetter Point to Willapa Channel Marker 8 (Buoy 8) then to the westerly most landfall on Cape Shoalwater.

(c) **Area 2-2**: Grays Harbor east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty.

(3) **Area 3** (La Push): From the Queets River north to Cape Alava.

(4) **Area 4** (Neah Bay): From Cape Alava north to a line from the Tatoosh lighthouse to Bonilla Point, British Columbia. **Area 4B**: Inside Juan de Fuca Strait from a line from the Tatoosh lighthouse to Bonilla Point, British Columbia east to the Sekiu River.

(5) **Area 5** (Sekiu and Pillar Point): From mouth of Sekiu River east to Low Point, mouth of the Lyre River.

(6) **Area 6** (East Juan de Fuca Strait): From Low Point east to the Partridge Point-Point Wilson line north to the line from Trial Island (near Victoria, B.C.) - Rosario Strait Traffic Lane Entrance Lighted Buoy R (USCG Light List No. 16340, referenced as Y "R" on National Ocean Service Chart No. 18400-1 dated 1997-08-30 - Smith Island - the most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell) - Northwest Island - the Initiative 77 marker on Fidalgo Island.

(7) **Area 7** (San Juan Islands): All marine waters north of the line described under **Area 6** to the United States-Canadian boundary.

(8)(a) **Area 8** (Deception Pass, Hope and Camano Islands): Line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(b) **Area 8-1** (Deception Pass and Hope Island): East of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough, north of the Highway 532 Bridge between Camano Island and the mainland, and westerly of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #4 on Camano Island (Fl red 4 sec.).

(c) **Area 8-2** (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #2 on Camano Island (Fl red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

(9) **Area 9** (Admiralty Inlet): All waters inside and south of the Partridge Point-Point Wilson Line and a line projected from the southerly tip of Possession Point 110 degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point-Edwards Point Line.

(10) **Area 10** (Seattle-Bremerton): From the Apple Cove Point-Edwards Point Line to a line projected true east-west through the northern tip of Vashon Island.

(11) **Area 11** (Tacoma-Vashon Island): From the northern tip of Vashon Island to the Tacoma Narrows Bridge.

(12) **Area 12** (Hood Canal): All contiguous waters south of the Hood Canal Bridge and adjacent waters north of the Hood Canal Bridge when fishing from the pontoon beneath the bridge.

(13) **Area 13** (South Puget Sound): All contiguous waters south of the Tacoma Narrows Bridge.

Oregon Department of Fish & Wildlife

OCEAN AREA AND REEF LOCATION 2006

In addition to catch landed by port, the ODFW Ocean Recreational Sampling Program (ORBS) collects area of catch information during dockside interviews. Historically the area of catch of salmon species has been based on geographic coordinates (e.g., latitude) without depth information (Table 1). Starting in the early 2000's the bottomfish and halibut fisheries have been sampled for mega reef of catch. Since most nearshore reefs off Oregon do not extend past the 30-fathom contour, the catch areas were assigned by latitude and split inside and outside of 30-fathoms (Table 2).

Table 1. Ocean Catch Areas for Salmon Fisheries

OCEAN AREA	AREA DESCRIPTION
1	North of Leadbetter Creek, WA
2	Leadbetter Creek to Cape Falcon
3	Cape Falcon to Cascade Head
4	Cascade Head to Heceta Head
5	Heceta Head to Humbug Mountain
6	Humbug Mountain to Point St. George
7	South of Point St. George, CA

Table 2. Reef Catch Area for Bottomfish and Halibut Fisheries

OUTSIDE REEF	INSIDE REEF	AREA DESCRIPTION
1	2	Washington
3	4	Columbia River to Necanicum River
5	6	Necanicum River to Cape Falcon
7	8	Cape Falcon to Tillamook Bay
9	10	Tillamook Bay to Netarts Bay
11	12	Netarts Bay to Sand Lake
13	14	Sand Lake to Nestucca Bay
15	16	Nestucca Bay to Siletz Bay
17	18	Siletz Bay to Beverly Beach
19	20	Beverly Beach to Yaquina Bay
21	22	Yaquina Bay to N. of Yachats
23	24	N. of Yachats to Sutton Creek
25	26	Sutton Creek to Siltcoos River
27	28	Siltcoos River to Tenmile Creek
29	30	Tenmile Creek to Cut Creek
31	32	Cut Creek to Floras River
33	34	Floras River to mouth of Garrison Lake
35	36	Garrison Lake to S. of Humbug Mountain
37	38	S. of Humbug Mountain to Euchre Creek
39	40	Euchre Creek to Hunter Creek
41	42	Hunter Creek to Pistol River
43	44	Pistol River to Whalehead Creek
45	46	Whalehead Creek to OR/CA border
47	48	California

California Department of Fish & Game

Fishing Location Data - California Recreational Fisheries Survey (CRFS)

Data collected on fishing location

Samplers collect the following data during the creel census (*i.e.*, angler intercept interviews) for each fishing mode:

6. Site where the interview took place.
7. County where the site is located.

Samplers also collect the following data during the creel census of anglers who fished from private/rental boats or from commercial passenger fishing vessels (CPFV):

1. The location where most of the fish were caught, or the location where most of the effort occurred if no fish were caught. These data are recorded using one of the following formats:
 - Latitude and longitude coordinates.
 - California Department of Fish and Game Block-Box (micro blocks) Designations. Each box is approximately one square nautical mile. [Note: latitude and longitude coordinates are generated for each micro block location, and both the coordinates and block-box appear in the database.]
 - Name of the fishing location (*e.g.*, name of a reef or landmark). [Note: latitude and longitude coordinates are generated for site, and both the coordinates and location name appear in the database.]
2. Bottom depth (fathoms) where most of the fish were caught, and whether a depth finder was used to determine the depth.
3. Location data for specific fish can also be recorded. The data sheet for anglers interviewed at the primary sites for private/rental boats provides space for recording the catch location and depth for each fish. The data sheet for anglers interviewed at secondary private/rental boat sites and on CPFVs provides space to identify those fish caught at the primary catch locations (*i.e.*, the location where most of the fish were caught).

Samplers collect the following data at each fishing location while sampling on-board commercial passenger fishing vessels (CPFV) at sea:

7. Specific location (latitude and longitude).
8. Minimum and maximum depths of the location.
9. Number of anglers whose fishing activities the sampler observed (monitored) while at the location.
10. Species caught by the all the anglers who were observed; and the number kept, the number discarded alive, and the number discarded dead (including fish that are obviously not going to survive).

Reporting

California has been divided into six geographic areas or districts for CRFS. The district boundaries coincide with county boundaries. The districts are:

- District 1 (South District) – Los Angeles, Orange, and San Diego counties.

- District 2 (Channel District) – Santa Barbara and Ventura counties.
- District 3 (Central District) - Santa Cruz, Monterey, and San Luis Obispo counties.
- District 4 (San Francisco District) - Marin, San Francisco, and San Mateo counties on the coast, and the six counties surrounding San Francisco and San Pablo bays (Alameda, Contra Costa, Solano, Marin, San Francisco, and San Mateo counties).
- District 5 (Wine District) - Mendocino and Sonoma counties.
- District 6 (Redwood District) - Del Norte and Humboldt counties.

Estimates are produced by district and by water area (ocean waters more than 3 miles from shore, ocean waters less than 3 miles from shore, or inland marine waters). Sample data is available at the site, angler, and trip level.

ATTACHMENT E

Report on RecFIN Sampling Survey Changes in 2006



Summary Report on 2006 Recreational Surveys Sampling Changes

I. CALIFORNIA - By California Department of Fish and Game

Field Survey Methods

No changes were made to the field survey methods in 2006.

Estimation Procedures

Errors were found and corrected in the computer programs to estimate catch and effort at man-made structures, secondary sites for private and rental boats, and beaches and banks. The changes that were made are described below.

(1) Man-made structures:

- A. A step in the estimation program calculates mean angler-trips per angler-hour by month/district/kind-of-day/cluster stratum. Trip-type and water area (ocean within 3 miles or inland marine waters) domains were mistakenly included in the stratum definition for the calculation. The mistake in stratification effected a subsequent calculation of mean angler-trips per day (*Angler-trips per day = angler-hours per day \times mean angler-trips per angler-hour*). The impacts of the error on the estimates of mean angler-trips per day were inconsistent and unpredictable.
- B. One of the steps in estimating CPUE is to sum the number of sampled anglers by district, month, trip-type, and water area. The program also mistakenly summed the number of sampled anglers by species which caused an error in the CPUE estimates and subsequent catch estimates. The results of the mistake on the estimates for CPUE and catch were inconsistent and unpredictable.

- (2) Secondary sites for private and rental boats: The same two errors that occurred in the estimation program for man-made structures occurred in the estimation programs for secondary sites for private and rental boats with the same results.
- (3) Beaches and banks: If no weight observation exists for a taxon in a mode/month stratum, the estimation program pools the weights for that taxon from other modes that month. Typically, only unobserved catch (*i.e.*, B fish) at taxonomic levels higher than species (*e.g.*, genus and family) and rare fish do not have weights after pooling occurs. A programming error resulted in the elimination of catch estimates (in number of fish) for taxon with no mean weight after pooling. This error primarily impacted the estimates of unobserved catch that were reported at the genus or family levels and rare fish.

II. OREGON - By Oregon Department of Fish & Wildlife Marine Resource Program

Changes in Oregon Recreational Boat Survey (ORBS) Methodology

Introduction

In October, 2006 the RecFIN Technical Committee established a process for communicating changes in sampling programs designed to determine effort and catch in west coast marine sport fisheries. Notification is required for all changes that affect: estimates back in time, a time series, sampling procedures, estimation procedures, variance computations, and sampling frames or coverage. This process was to start with a report on each sampling program due March 1, 2007 which summarized qualifying changes that occurred in the 2006 calendar year. As the Oregon Shore and Estuary Boat Survey (SEBS) was not conducted in 2006, this report focuses on the Oregon Ocean Recreational Boat Survey (ORBS).

Discussion

Only one change in ORBS methodology was designed in 2006 and incorporated in January, 2007. The change was a modification in the method to estimate effort and catch (both landed and discarded) during unsampled periods. This was not considered to be a major modification as the portion of annual effort and catch occurring in the unsampled frame is less than 10 percent of the annual estimates of impacts on groundfish stocks, and a much smaller portion of estimated harvest of other important species such as salmon and Pacific halibut due to the timing of their limited seasons.

Previous Methodology

The impetus for this change reflected concern that there was a lack of consistency between the inseason and postseason estimation methodology, as the two methods were different. This often resulted in an undesirable shift of estimated impacts when total

harvest is calculated postseason. For example, a fishery may be restricted due to the inseason estimate showing the quota had been attained. The postseason catch estimates may indicate the quota had not been attained and the fishery was restricted prematurely. Of course, the opposite could also happen where the fishery was not restricted inseason when it should have been.

The inseason approach used in past years to estimate effort and catch during unsampled periods was based on the previous year's monthly estimate by port, boat type, and species. Postseason, the approach was to adjust those estimates based on the effort and catch observed during the sampled period by port and incorporating temporal patterns observed during a three-year study conducted during the late 1990s and early 2000s. The temporal patterns were based on sampling in four major ports (Depoe Bay, Newport, Charleston and Brookings) with the results applied to all ports.

Current Methodology

The methodology implemented for 2007 is based on relating the effort and catch by boat type in an unsampled port to the effort and catch by boat type in sampled port(s) during that month. It compares the relative level of angler trips and catch between ports during periods when all ports are sampled, generally June through September. In order to provide estimates during the winter period (November through February), sampling will occur in one to three ports year round. By sampling year round on an annual basis, we are addressing the variable weather influence on fishing opportunity.

To estimate angler trips in an unsampled port, an effort relationship was developed between observed effort in each of the ports and the Oregon coastwide effort as a whole during the summer sampling period (generally June through September). This relationship was based on a three year running average that included the most recent sampled period. During periods in which no sampling is conducted in a port, the proportion of coastwide effort attributed to that port is divided by the proportion of effort attributed to the ports that were sampled in that period. This unsampled to sampled relationship is applied to the estimated effort for the sampled ports, resulting in the number of angler trips that is estimated to have occurred in the unsampled port (see example below).

The bottomfish catch per angler (CPUE) and species composition in unsampled ports by boat type are based on the average observed during the most recent sampled period in each port. Thus, sampling conducted during the summer sampling period (generally June through September) would be used to determine both CPUE and species composition for the period when sampling terminates for that year until sampling is resumed the following year. CPUE was determined using only data collected on bottomfish trips and the catch of salmon, halibut, tuna, and bait species were not included. Salmon and halibut would be closed during unsampled periods and tuna are not seen in the winter months.

To estimate species level impacts in unsampled ports by boat type, the CPUE observed during the most recent sampling period (as described in previous paragraph) is applied to the estimated effort (process described above), resulting in estimated bottomfish impacts. The estimated bottomfish impacts are then parceled out by species using a port and boat type specific species composition, developed from the most recent sampling period.

No change was made in the methodology used to determine average weight and discard mortality rates.

Example of revised method to determine catch in an unsampled port :

Newport and Brookings are sampled year round and angler effort during the period from November through February in all other ports is estimated based on the fisheries in these two sampled ports. Calculate the catch in Depoe Bay in December in the charter fishery. (Note: the example does not use real data)

The June-Sept charter effort in Depoe Bay is 25% of the combined Newport-Brookings charter based angler trips. The prior March through October average CPUE out of Depoe Bay is 5 fish per angler in the charter fleet. The prior March through October species composition in the charter fleet for Depoe Bay shows that black rockfish comprise 85% of the catch, lingcod is 10%, and blue rockfish is 5%. In December, an estimated 100 angler trips on charter vessels were taken out of combined Newport-Brookings.

Step 1 (calculate the December effort in Depoe Bay):

100 combined Newport-Brookings December angler days * 0.25 Depoe Bay = 25 Depoe Bay December charter angler trips

Step 2 (calculate the total catch in Depoe Bay):

5 fish per angler * 25 angler days = 125 total fish landed on Depoe Bay charter vessels in December

Step 3 (calculate landings by species in Depoe Bay on charter vessels in December):

125 total fish * 0.85 black rockfish = 106.25 black rockfish

125 total fish * 0.10 lingcod = 12.5 lingcod

125 total fish * 0.05 blue rockfish = 6.25 blue rockfish

III. WASHINGTON

By Washington Department of Fish and Wildlife

No changes were made to field survey methods or estimation procedures in the Puget Sound Boat Survey or the Ocean Sampling Program during 2006.

Submitted by:

Russell Porter

RecFIN Technical Committee Chairman

March 1, 2007

ATTACHMENT F

RecFIN Workshop Summary/Agenda



RecFIN Workshop Agenda
August 28-September 1, 2006
Marriott Residence Inn, Portland, OR @ Riverplace

Presented by
Pacific States Marine Fisheries Commission
Pacific Fishery Management Council

Monday, August 28, 2006

12:00 Noon - Served Buffet Lunch in Meeting Room

1:15 P.M.

Welcome - *Randy Fisher, PSMFC Executive Director*

A. Discussion and Listing of Recreational Data Needs for the Council Family
[SSC, Management Teams, Advisory Panels, Stock Assessment Biologists]
Russell Porter, PSMFC RecFIN Technical Comm., Facilitator

3:00 P.M. Break

3:15 A.M.

B. Discussion of Stock Assessment Biologist's needs and uses of data
Alec McCall, NMFS/SWFSC, Santa Cruz, CA .

C. Review of National Research Council report commissioned by NMFS on recreational fishery sampling methodologies. – *Dave VanVoorhees, NMFS/HQ & Russell Porter, PSMFC*

5:00 P.M. Adjourn

Tuesday, August 29, 2006

8:30 A.M. **Review of RecFIN & AK Field Sampling Programs & Methodologies**

- D. California Recreational Fisheries Survey (CRFS) – *Connie Ryan, CDFG*
1. Review of Sampling Design
 2. Catch & Effort Expansion Program/Statistics
 3. Discussion/Questions & Answers

10:00 A.M. Break

- E. Oregon Recreational Boat Survey (ORBS) – *Eric Schindler, ODFW*
1. Review of Sampling Design
 2. Catch & Effort Expansion Program/Statistics
 3. Discussion/Questions & Answers

11:00 A.M.

- F. Alaska SWHS/Logbook program – *Allen Bingham, ADFG*

11:45 A.M. Lunch (On Your Own)

1:15 P.M.

- G. Washington Ocean Sampling Program (OSP) – *Theresa Tsou, WDFW*
1. Review of Sampling Design
 2. Catch & Effort Expansion Program/Statistics
 3. Discussion/Questions & Answers

3:00 P.M. Break

3:15 P.M.

- H. Oregon Shore & Estuary Boat Survey (SEB) – *Linda Zumbrunnen, ODFW*
1. Review of Sampling Design *Brian Wright, ODFW*
 2. Catch & Effort Expansion Program/Statistics
 3. Discussion/Questions & Answers

- I. Washington Puget Sound Boat Survey – *Pete Hahn, WDFW*
1. Review of Sampling Design
 2. Catch & Effort Expansion Program/Statistics
 3. Discussion/Questions & Answers

4:45 P.M. Adjourn

Wednesday, August 30, 2006

8:30 A.M.

- J. Discussion of RecFIN Sampling Components/ Database Access of Them

Wade VanBuskirk, PSMFC RecFIN Programmer/Analyst

K. Review Process For Recreational Data and Estimates Used in Management

Russell Porter, Wade VanBuskirk, PSMFC

10:00 A.M. Break

10:15 A.M.

L. *Comparison Report* by RecFIN Statistical Subcommittee of the current RecFIN sampling programs for fishing effort (Agenda Items D - H) and the MRFSS Household Survey for fishing effort [What can we say about past estimates in MRFSS and current RecFIN Sampling surveys in relation to the effort component – reviews 2004-05 effort estimates from the three state programs and the MRFSS household survey for effort]

Todd Lee, NMFS, RecFIN Statistical Subcommittee Chairman

11:45 A.M. Lunch (On Your Own)

1:15 P. M.

M. Converting Numbers of fish in the catch estimates to Weight (MT) – Review of current RecFIN sampling components, weight conversion processes, and pooling rules by state for average weight computation by species.

Discussion Leader – *Wade VanBuskirk, RecFIN Programmer/Analyst*

Panel Members - *Connie Ryan, CDFG*

Eric Schindler, Don Bodenmiller, ODFW

Theresa Tsou, WDFW

Alaska Port Sampling Program for Mean weights – *Scott Meyer, ADFG*

3:00 P..M. Break

3:15 P.M.

N. Discussion of the concept of developing a functional depth-weight relationship for groundfish species [Utilize for determining average weight for fish not seen, but for which depth of catch is know, such as discards etc.]

Russell Porter, RecFIN Technical Comm. Chairman

PSMFC, Facilitator

4:45 P.M. Adjourn

Thursday, August 31, 2006

8:30 A.M.

- O. Recording Discards in State Sampling Programs/RecFIN
 - Review of Current Methods in CA, OR & WA
 - Computing Average Weights of Discards
 - Computing Mortality percentages/Hooking Mortality
 - Generating MT removed/killed for Discarded Fish
 - Wade VanBuskirk, PSMFC RecFIN Programmer/Analyst & Three State Representatives*

10:00 A.M. Break

- P. Report by the RecFIN Database Subcommittee on review and suggestions for the RecFIN website.
 - Wade VanBuskirk, PSMFC, RecFIN Programmer/Analyst; RecFIN Data Subcommittee Member*

11:45 A.M. Lunch (On Your Own)

1:15 P.M.

- Q. Workshop Summary and Consensus where possible on agenda items.
 - Russell Porter, RecFIN Technical Committee Chairman, PSMFC*

3:30 P.M. Adjourn

RecFIN Workshop Summary
Prepared for RecFIN Technical Committee
October 18-19, 2006

Introduction. The RecFIN Workshop was held August 28-31, 2006 in Portland, Oregon. The first main agenda item included presentations on the five field sampling programs for marine recreational fisheries in Washington, Oregon and California that are loaded into the RecFIN database as well as a presentation on the Alaska recreational sampling programs. The summaries of the five RecFIN/State sampling programs included: California Recreational Fisheries Survey (CRFS), Oregon Recreational Boat Survey (ORBS), Oregon Shore and Estuary Boat Survey (SEB), Washington Ocean Sampling Program (OSP), and Washington Puget Sound Boat Survey. These sampling method reviews are available on the RecFIN website [www.recfin.org]. The additional main agenda items included reviews of data elements needed for management, data needs for stock assessments, computation of average weight by species for conversion of numbers of fish landed to metric tons landed, and recording of discards by species and size for incorporation of a portion of the discards and removed catch. In addition, a review of the National Research Council report led to a summary of responses to their recommendations from a Pacific coast perspective (attached).

Data Needs. Three lists for data needs for management were provided. These included one for data elements now or previously collected in RecFIN sampling programs, data needs from the Pacific Fishery Management Council's Groundfish Management Team (GMT), and data needs from the Pacific Fishery Management Council's Scientific and Statistical Committee (SSC). These three listings are provided as attachments to this summary. RecFIN needs to review these lists in relation to current sampling programs for possible discrepancies in data collection.

Average Weight. There need to be methods agreed to for computation of average weight by species for both retained and discarded catch in each state sampling program. The ideal would be for these methods being more consistent as to process, imputation when needed, and number of observations required.

Discards. The current methods used in the various states differ to some degree, but can be brought to a common denominator. RecFIN needs to address this issue and try to come to a solution for the data so that they are more comparable. This discussion needs to also include agreement on hooking or discard mortalities being used.

NRC Report & NMFS Response. NMFS held the first of a number of planned meetings in Denver with the three coast survey representatives and managers to commence discussion on the NRC report. The meeting was held the week after the RecFIN Workshop. Two representatives attended from PSMFC and Oregon Fish and Wildlife and three from Alaska Fish and Game. A draft implementation plan to address the NRC recommendations and the process for moving forward is being drafted by NMFS headquarters and will be distributed sometime in mid-October.

ATTACHMENT G

NRC Report Recommendations and RecFIN State Sampling Programs Status

NRC REPORT COMMENTS Pacific Coast RecFIN Workshop Portland, OR August 28-31, 2006

I. Sampling Issues:

a. Comprehensive Saltwater Angler Sampling Frame

All four Pacific States (CA, OR, WA, & AK) have angler licenses.
OR & WA have electronic point of sale (POS) angler license frames
CA will have an electronic POS frame in 2008.
AK has a paper license.

- CA: License is for fresh or saltwater fishing, some exclusions by fishing mode and age (juveniles)
- OR: License is for fresh or saltwater fishing, some exclusions by age (juveniles) and short term licenses (1-day etc.)
- WA: Saltwater license with just a few exclusions (juveniles)
- AK: License is for fresh or saltwater fishing, some exclusions by age (juveniles). Not electronic, but AK is moving forward to instituting an electronic licensing program.

- Under 16 not present
- Daily licenses not included, impacts CPFV

b. Telephone Surveys based on the Angler sampling frame

The angler license frames are currently used as a component of effort sampling in CA, OR and WA along with direct counts of effort in the field. AK uses their angler frame for a random drawing of anglers for a mail survey.

c. CPFV Logbooks with caught and released data required

- CA: Has had a mandatory CPFV log and license for many decades. Individual species limited, others grouped.
- OR: Currently no log required
- WA: Currently no log required, instituted a voluntary program in 2006, would support it mandatory if mandated

AK: Has a mandatory CPFV log. AK licenses all charter businesses and vessels and require logbooks for all trips with clients on board.

Currently a Federal Logbook is required for CPFV Highly Migratory Species (HMS) trips in PFMC regulated states. Electronic logs better for managers, but there may be issues with onboard data entry, also accuracy issues if complying Funding?

d. Added studies to understand discards and magnitude in catch etc

CA: Rides all CPFV's sampled to observe discards, species and size

OR: Ride some CPFV's sampled to observe discards on certain trip types, for species and size

WA: Ride some CPFV's (Halibut and salmon trips) to observe discards for species and size

AK: Not currently riding CPFV's, discards reported in logbooks. AK collects information on released fish by species. Can estimate release mortality.

All states providing base-line data for CPFV's. There are issues with other modes, as angler reported data is the only current way to assess discards. Some additional observers/samplers added to CPFV HMS trips.

e. Panel Surveys to contact anglers over time for trend data & improve efficiency

CA: Some field tests of angler panels at public and private access boat sites were undertaken in 2005. Data is being studied.

OR: Has not been used to date.

WA: Has not been used to date.

AK: Not used, see potential for bias.

There may be prestige bias issues, or lack of less avid angler participation. This is considered a low priority by Pacific States. However, the Pacific states feel it would be very helpful, if we could get at private access trips to profile catch and CPUE.

f. Sampling frame of sites should be redesigned to include low effort and private sites

In CA, OR & WA all sites are in the sampling frame, including low effort sites. Private access sites are enumerated, but cannot be sampled directly.

CA: Only private access sites not in frame
OR: Major, minor and occasional ports all in the frame
WA: Most all sites covered as coastal sites are not extensive
AK: Randomly sample all major access sites representing over 90% of effort. Are the catch rate and species composition different at these sites?

-

g. Employ dual sampling frames to reduce sampling bias

Dual frames are used in some modes as a cross check.

CA: Has not employed another frame for license frame exclusions, other than ratios of non-licensed effort from field questions on license type or none.
OR: Not employed for license frame exclusions (SEB only)
WA: Not employed for license frame exclusions (Puget Sound only)
AK: Dual sampling during creel surveys and logbooks

- Main issue: How do we get CPUE for private trips?

h. Internet surveys should be employed, especially for panels for anglers to submit information.

CA: Not used
OR: Not used
WA: Not used
AK: Not used

-Internet surveys more useful for panel surveys.
-Should we employ a mechanism to capture email addresses?
Many anglers don't have internet service.

II. Statistical Estimations

a. Determine statistical properties of sampling, data collection and data analysis methods

Processes have been instituted to review data problems by the RecFIN Statistical Subcommittee and PFMC Science and Statistical Committee (SSC) for CA, OR & WA.

Concur that there should be a continuing process to evaluate methods. It is important to verify assumptions made in designing the sampling and estimation methods. Possible biases that may arise because of survey designs should be documented. The possible significance of assumptions made in the sampling and estimation process should be described to data users.

AK: All AK marine sampling programs have operational plans that undergo biometric and in some cases peer review.

b. All sampling assumptions examined and verified

We need to better explain what we do. Comparison studies and validation of sampling data needs to be noted.

AK: Yes, as part of periodic program reviews. Our household mail survey is currently undergoing review.

c. Is a research group of statisticians used to design and keep up on new survey methods?

The Pacific States may have different needs because of quota management schemes and in-field catch and effort surveys, along with license frame effort surveys.

If funding is available we could possibly get an independent group to review methods that are currently reviewed in-state by statisticians and the RecFIN Statistical Subcommittee (States & NMFS) if so, we should identify specific needs for outside input. A Full time RecFIN Statistician would assist to address regional needs and do specific detailed analyses.

AK: All sampling programs are reviewed and approved annually by a biometrician. In addition, all final estimates are reviewed by a biometrician.

III. Human Dimensions

a. Develop national trip and expenditure survey for Valuation studies and impact analysis

AK: Periodically conducts trip and expenditure surveys.

- b. Continue add-on surveys in a more focused way to target specific management needs.

AK: Conducts various add-on surveys to address management issues/needs as they arise.

- c. Sampling frame should be enhanced to support social, economic and human dimensions analyses

CA, OR and WA: Currently defer to the NMFS periodic surveys for these items. The Pacific supports the planned NMFS Review of the Economic Surveys. The Pacific would like a study that looks at the impacts of MPA's on angler behavior.

IV. Program Management & Support

- a. Permanent independent Research Group should be established for survey statistical design adequacy and to guide modifications
- b. Fund Survey office devoted to management and implementation of surveys and coordination between various state and federal surveys

Pacific/RecFIN Comments: These items are best done regionally and through the regional fishery management councils. The Pacific is open to bringing in independent reviews and receiving input from a National group.

V. Communication and Outreach

- a. Advise anglers on constraints that apply to data uses for various purposes and data limitations.
- b. Outreach and communication should be institutionalized in the sampling programs.
- c. Anglers associations should be engaged as partners with managers through workshops and participation in advisory groups for data collection and survey design, knowledge gathering, and dissemination activities.

The Pacific agrees with this recommendation

The NOAA Regional Salt water Fishing Action teams composed of angling rep and agency representatives are currently being used to communicate program information to the angling community in Southern California.

It is Important that there be more coordination by NMFS on their economic surveys with the States and the angling community
The Web site could be a useful tool to enhance communication.

ATTACHMENT H

**Data Elements Collected in Field Sampling programs and those requested by the
GMT, SSC and the NRC Report.**

SUMMARY OF RECREATIONAL FISHERY DATA NEEDS

<u>Data Element</u>	<u>RecFIN/States Collect</u>	<u>GMT Requests</u>	<u>SSC Requests</u>	<u>Stock Assessment Requests</u>	<u>NRC Report</u>
Effort Estimates:	CA, OR, WA	Yes	Yes	Yes	Yes
Trips per Angler by trip type	CA, OR, WA		Yes		
Number of Anglers	CA *		Yes		
Landed Fish by species:	CA, OR, WA	Yes	Yes	Yes	
By Numbers	CA, OR, WA	Yes	Yes	Yes	
By Weight	CA, OR, WA	Yes	Yes	Yes	
CPFV Logs Required	CA				Yes
Discards (Returns)	CA, OR, WA	Yes	Yes	Yes	Yes
Mortality rate applied	OR, WA, CA *	Yes	Yes	Yes	
Estimated Dead	CA, OR, WA	Yes	Yes	Yes	Yes
Estimated Alive	CA, OR, WA	Yes	Yes	Yes	
Weights for landed catch	CA, OR, WA	Yes * added	Yes	Yes	
Weights for discards	CA, OR	Yes * added	Yes	Yes	
CPUE	CA, OR, WA		Yes (& raw data)	Yes (& raw data)	
Catch by:					
Water area	CA, OR(some)		Yes (very fine)	Yes	
depth	CA, OR(charter)		Yes		
Biological Data:					
Otoliths	CA, OR, WA		Yes	Yes	
fin rays	By Request				
Scales	By Request				

<u>Data Element</u>	<u>RecFIN/States Collect</u>	<u>GMT Requests</u>	<u>SSC Requests</u>	<u>Stock Assessment Requests</u>	<u>NRC Report</u>
Zip code of residence	CA		Yes		
Regulations Summaries by Year	? RecFIN Job?		Yes		
Number of Active & Inactive CPFV's	CA,OR,WA(on request)		Yes		
Number of CPFV Trips by Trip Type	CA,OR,WA OR,WA (not for the non-fishing)		Yes		
Economic Data for CPFV's by Trip Type	Not annually NMFS Study?		Yes		
RecFIN Reports:					
Effort Data Summary		Yes			Yes
Removals including same hooking mortality applied	CA,OR,WA *Not standard rate	Yes			
Catch By PMFC Mgt Areas	Limited by Rec Sample frames	Yes			
Canned Reports for Major catch & effort needs		Yes			
Complete Angler Frame	Partial – CA,OR,WA				Yes

RecFIN Update



- JUNE 13, 2007
- Pacific Fishery Management Council



RecFIN Proposals:

- Discarded Fish Procedures
- Average Weight Computations
- Managing by numbers of fish



RecFIN Updates:

- Trip Types
- Location of catch
- RecFIN Change Policy
- RecFIN Workshop
- Comparison report of MRFSS and state surveys
- Data Elements Table
- NMFS Development Plan



Discard Procedures:

○ Past Procedures:

- Type A – Fish Observed
- Type B1 – Fish Thrown Back Dead
- Type B2 – Fish Thrown Back Alive

○ Current Proposal:

- Total Discards
- Apply Mortality Rate to Discards
- Use GMT Mortality Rates
- RecFIN Establish other Mortality Rates



Average Weight:

- Metric Ton quotas require weight.
- Average weight by species for each estimation cell (month, mode, area, trip type, port etc.)
- Non-retention species --??.
 - [i.e. Canary and Yelloweye]



Weight Pooling Rules

- Lack of data requires pooling
- Pool from adjacent times, areas, modes etc. to get 50 fish minimum.
- Attachment B



Managing by Numbers:

- RecFIN Workshop
- RecFIN Technical Committee
- PROPOSE Managing Catch Quota in Numbers of Fish instead of MT.



Rationale For Numbers:

- Assessment model forecasts population numbers at large forward to the year for a quota
- Model uses fishery-specific selectivity at age/length and fishing mortality to calculate expected catch.



Rationale for Numbers:

- Model multiplies catch numbers-at-age by expected body-at-age to calculate total weight.
- Models not necessarily estimated on a year-specific basis, but over a block of years.




Proposals for PFMC:

- Discarded Fish Procedures
- Average Weight Computation
- Managing Groundfish by Numbers




RecFIN Updates:

- Trip Types
- Location of Catch
- RecFIN Change Policy
- Comparison Report
- RecFIN Workshop
- NRC Report/Magnuson Act
- NMFS Development Plan
- RecFIN Data Elements Table



Trip Types

- Trip Types Used in Catch Estimates:
 - Washington – 10 Trip Types
 - Oregon - 7 Trip Types
 - California - 7 Trip Types



Trip Types

- OR: Salmon, bottomfish, halibut, tuna, dive, non-fishing
- WA also: Sturgeon, Marine fish, Commercial jig
- CA: Coastal pelagics, HMS, Nearshore, Shore & nearshore soft bottom, Salmonids, Other anadromous, Anything



Location of Catch

- California – Catch area by 1 mile square
- Oregon – 7 ocean areas inside and outside of 30 fms.
- Washington – By four catch record areas for the coast



RecFIN Change Policy:

- Adopted by RecFIN 10/19/06
- Proposed Changes in Recreational Sampling Programs by States submitted to RecFIN for approval
- RecFIN will: Decide, &/or assign to RecFIN Statistical Subcommittee



RecFIN Change Policy:

- **Changes include:** estimation, time series, sampling procedures, sampling frames, variance.
- **Emergency Changes:** Sent to RecFIN Chair & PFMC entities pending review by RecFIN.



RecFIN Change Policy:

- Semi-Annual report - March 1st and September 1st.
- Report documents all changes in the last 6 months.
- Submitted to PFMC entities & posted on RecFIN website.



Comparison Report

- RecFIN Statistical Subcommittee has submitted their MRFSS/State Survey comparison report to RecFIN
- Report provided to the SSC and Stock Assessment Authors.
- CDFG will add CA portion when they complete updating CRFS trip types.



Report Findings:

- Angler trips showed common patterns across states & Surveys
- Angler trips very different across modes of fishing which outweigh differences across Surveys & time
- All surveys are subject to improvement



Report Findings:

- MRFSS or state surveys are more correct?
- Overlap of MRFSS and State Surveys is short - results should not be extrapolated to other times (historic catch estimates).



Report Findings:

- Data collection programs have not been static.
- Differences in MRFSS & State surveys not systematic.
Environmental & Regulatory changes play major role.
- No single method is free from criticisms



RecFIN Workshop

- August 28-31, 2006
- Data Needs
- Average Weight
- Discards
- NRC Report



NRC Report/Magnuson Act

- Review of Recreational Fisheries Survey Methods – National Research Council, June, 2006
- NRC Recommendations referenced in Magnuson Act Reauthorization
- Angler Registry required by 2009



NMFS Development Plan

- Executive Steering Committee (ESC)
- Operations Team (OT)
 - Analysis Workgroup
 - Design Workgroup
 - Data Management Workgroup
 - HMS Workgroup
 - CPFV Workgroup



NMFS Development Plan

- MRIP to replace MRFSS
 - Marine Recreational Information Program (MRIP) in January, 2009
 - July Workshop for ESC, OT & Workgroups to plan work and set deadlines
 - Outreach to angling community by Communications & Education Group



Recreational Data Table

- Provided in RecFIN Update handout as Attachment H
- RecFIN received input on needed elements from SSC, GMT and HMSMT
- MRIP Development will address regional data needs & survey redesign to meet them.

GROUND FISH ADVISORY SUBPANEL REPORT ON
RECREATIONAL FISHERY INFORMATION NETWORK
DATA AND SAMPLING REQUIREMENTS

The Groundfish Advisory Subpanel (GAP) reviewed the Pacific States Marine Fisheries Commission's "RecFin Status Report." The GAP supports a consistent reporting of recreational fish by numbers of fish caught, rather than by weight. With the observer data then being used to convert the numbers to metric tons, this will be the most accurate computation.

The GAP notes that discard mortality rates are low for many species in shallow water, which are the most often targeted species in the recreational fishery. For example, in southern California, scorpionfish have less than a 10% discard mortality rate, and cabezon has a 0% mortality rate. Discard mortality rates play a key role in stock assessments.

The GAP supports better accounting for socio-economic data for the recreational fishery, which will be increasingly important for future management decisions.

The GAP endorses all three proposals of the RecFin Technical Committee for data and sampling requirements.

PFMC
06/13/07

GROUND FISH MANAGEMENT TEAM COMMENTS ON THE RECFIN STATUS REPORT ON RECREATIONAL FISHERY INFORMATION NETWORK DATA AND SAMPLING REFINEMENTS

The Groundfish Management Team (GMT) reviewed the status report prepared by the RecFIN Technical Committee for consideration by the Council and its advisory bodies. The GMT commends the RecFIN staff, RecFIN Technical Committee, and state sampling programs for continuing to improve the precision and reliability of recreational data, especially given the importance of these data in crafting management measures to stay within a number of constraining optimum yields for overfished species. The GMT continues to strongly support the goal of a single, common database of recreational catch data, available in a timely manner. Having state and federal managers, assessment scientists, and industry representatives operating from this common reference point would help resolve the controversy or confusion that often surrounds recreational catch estimates. The information and proposals described in Agenda Item B.3.b, RecFIN Status Report, represent significant steps in moving toward this important goal. The GMT provides the following comment on the action items in the report.

I. Discarded Fish Procedures

The GMT concurs with the proposed procedure that would tally all California fish thrown back into a single “discard” category, as is the case in Oregon and Washington. This would enable RecFIN to apply a consistent coastwide depth-based mortality. These mortality factors are still a GMT work in progress. The goal is to produce a matrix by species and depth with differential mortality rates, based upon available research or, where such data are lacking, the best professional judgment of fishery scientists. Table 1 displays the format envisioned by the GMT to capture coastwide discard mortality by species and depth. While assumed discard mortality for some species is currently partitioned only shallower and deeper than 20 fathoms, the GMT thinks a matrix more finely stratified by depth interval would be appropriate to capture information as future research warrants and/or as further depth-based management is adopted.

Table 1: Example of the estimated mortality proportion of released catch by species and depth where letters represent different mortality rates.

CATEGORY	SPECIES	DEPTH (fm)			
		0-10	11-20	21-30	>30
Rockfish*	Black Rockfish	B	D	I	I
	Blue Rockfish	B	D	I	I
	Bocaccio	B	E	I	I
	Canary Rockfish	B	E	I	I
	China Rockfish	B	E	I	I
	Copper Rockfish	B	E	I	I
	Gopher Rockfish	B	E	I	I
	Quillback Rockfish	B	E	I	I
	Tiger Rockfish	B	E	I	I
	Vermilion Rockfish	B	E	I	I
	Yelloweye Rockfish	B	E	I	I
	Yellowtail Rockfish	B	E	I	I

Other Fish	Cabazon	B	B	B	C
	California scorpionfish	A	A	A	C
	Kelp Greenling	B	B	B	C
	Lingcod	B	B	B	C
	Pacific Cod*	B	E	H	I
	Surfperch	B	B	B	C
General Cat.	Flatfish	B	B	B	C
	Other fish	B	B	B	C
	Sharks and Skates	B	B	B	C

*Species with swim bladders.

II. Average Weight Procedures

The GMT supports endorsement of the pooling rules used within RecFIN to obtain the best estimate of average weights to enable conversion of catch in numbers to metric tons. The GMT understands that pooling rules vary by state and that state personnel are working with RecFIN staff to adopt rules that make best use of available data.

III. Management by Number of Fish

The RecFIN Status Report contains a clear description provided by Dr. Richard Methot regarding the use of numbers of fish in model projections of available harvest levels. Inseason monitoring of commercial catch biological data is not implemented in a way that affects quota attainment if selectivity patterns change, whereas inseason changes in the average weight of recreational catches have the potential to substantially alter anticipated harvest levels. Modeling of recreational management measures, catch projections, and impact analyses typically involve predicting the catch response of a given level of angler effort to a given bag limit...in numbers of fish. Regulations are implemented in numbers of fish and traditional bag limit analyses project the expected catch (in numbers) as bag limits are changed or other measures (depth restriction) are imposed. For the most part, a constant average weight is assumed to convert catch in numbers to kilograms. Establishing recreational catch quotas in numbers of fish removes a source of uncertainty in model projections (changing average weight), addresses the “higher degree of in-season accountability than is warranted” by current assessment and monitoring precision, as well as adds more predictability and stability to recreational catch projections.

However, the GMT identified a number of implementation concerns in moving from management in metric tons to numbers. At what point in the assessment/management process would numbers be reconciled with metric tons to determine progress toward optimum yield (OY) or rebuilding targets? Would current allocations be affected by using numbers rather than weight? Depth-based management has resulted in some states assuming different average weights of recreational catch by depth. Inseason changes in depth-based regulations therefore alter total catch projections; how would this management approach be affected by managing to numbers?

The GMT has not yet fully explored the advantages and disadvantages of this proposal, or all the details required for its implementation, but the GMT does agree that the approach has sufficient merit to include it for analysis in the 2009-2010 Management Specifications process. The GMT is also interested in any views the Scientific and Statistical Committee (SSC) might have on potential scientific or statistical implications of managing the recreational fishery in numbers of fish.

GMT Recommendations:

1. Endorsement of the proposed procedure that would tally all California fish thrown back into a single “discard” category, as is the case in Oregon and Washington.
2. Endorsement of the pooling rules used within RecFIN to obtain the best estimate of average weights to enable conversion of catch in numbers to metric tons.
3. The GMT will continue to discuss the tradeoffs of expressing allowable catch quotas and harvest against those quotas for recreational groundfish in numbers of fish (rather than mt). The GMT would appreciate hearing the SSC’s views on the potential scientific or statistical implications of managing the recreational fishery in numbers of fish.

PFMC
06/11/07

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON RECREATIONAL FISHERY INFORMATION NETWORK DATA AND SAMPLING REFINEMENTS

The Highly Migratory Species Management Team (HMSMT) was asked to provide input on Recreational Fishery Information Network (RecFIN) data and sampling refinements.

Comments on RecFIN Technical Committee Proposals

The HMSMT reviewed three proposals for Council consideration set forth by the RecFIN Technical Committee regarding procedures for collecting and processing data in the RecFIN database system and offers the following comments. The first proposal is to standardize the method of determining discard mortalities across the three states. The HMSMT believes this would provide a desirable simplification to current practice.

The second proposal asks the Council to endorse RecFIN pooling rules and refinements as the best estimate of average weights to utilize in the conversion to metric tons landed for management purposes. The pooling rules address the need to express recreational landings in metric tons, despite management rules which prohibit bag retention for some species. In such cases, sampling has been used to produce an estimated mean weight to convert landings to metric tons for each estimation cell in the RecFIN classification scheme, for comparison to allowable catch quotas. The HMSMT recognizes RecFIN's qualifications to conduct the evaluation of conversion factors and is comfortable with this recommendation.

The third proposal requests that allowable catch quotas for recreational groundfish be presented in numbers of fish, and that RecFIN and the states will henceforth report monthly catches in numbers of fish as the official method for monitoring the groundfish quota. Although this proposal only applies to groundfish, the HMSMT is interested in the potential resolution of this issue for highly migratory species (HMS) species in case Magnuson-Stevens Fishery Conservation and Management Act (MSA) requirements for annual catch limits apply to HMS species in the future.

Other HMSMT Recreational Data Concerns

In addition to commenting on the proposed RecFIN procedural changes, the HMSMT would like to alert the Council to various recreational data concerns which the HMSMT has recently discussed. One such concern is the existence of several known gaps in HMS catch sampling. The HMSMT notes a need for better sampling of HMS catch by the private recreational vessel (non-commercial passenger fishing vessel) fleet. California Recreational Fisheries Survey (CRFS) is aware of the problem of inadequate sampling of private vessel HMS catch, and is currently addressing what level of additional ongoing sampling effort is necessary to adequately address the data gap. Increased data collection effort would require additional funding to cover the cost.

The HMSMT notes that several HMS tournaments take place annually, including thresher and mako shark tournaments, tuna tournaments and billfish tournaments, which represent high effort events with no current data sampling program. This year is the first time that thresher shark

tournaments have taken place in Southern California, with no available data on catch, landings, releases or mortality rates for released fish. HMS managers on the Atlantic coast have addressed a similar situation through federal regulations that require tournament directors to report catch and effort from the tournaments, including released fish. The HMSMT suggests consideration of using add-on sampling or other available means to sample tournament effort.

The HMSMT notes the existence of multiple sources of billfish catch data, including the billfish catch records compiled via the Southwest Fisheries Science Center Billfish Program and Billfish Club records which some practitioners regard as a more accurate reflection of the actual catch. The HMSMT would like to raise the issue of whether adjustments of historical billfish catch records could be improved by considering how best to reflect the information from multiple data sources in recreational billfish catch data.

The HMSMT recently learned of a possible availability of funding from the Ocean Protection Council for additional data collection initiatives, and a proposal was recently submitted for a project to document harvest in California's recreational fishery for pelagic sharks. The HMSMT has additionally been informed about likely future availability of funding from NMFS headquarters for recreational survey improvements, such as HMS shark catch sampling at private access marinas. The HMSMT will plan to keep the Council informed about additional potential funding sources for data collection initiatives as we become aware of them.

Finally, the HMSMT has recently discussed potential enhancements to RecFIN which would facilitate ongoing management and reporting needs. Given the existing harvest guideline for thresher and mako sharks, the HMSMT believes it would be beneficial to have an annual table produced by RecFIN that provides tonnage estimates for these species. A similar need is likely to arise for tuna catch in the foreseeable future, given the exercises currently underway to characterize albacore effort and to define daily tuna bag limits.

The HMSMT has also discussed whether it might be possible to modify the RecFIN reporting system to produce custom reports to satisfy recurring data reporting assignments, such as producing the annual HMS Stock Assessment and Fishery Evaluation report, and also whether timely recreational data summary reports of interest to the recreational angling community could be included on the RecFIN website in a user-friendly format.

PFMC
05/25/07

**RECREATIONAL FISHERY INFORMATION REQUIREMENTS
FOR STOCK ASSESSMENT AND REGULATORY ANALYSIS**
Provided as Advance Material for the August 28-31, 2006 RecFIN Workshop
August 3, 2006

Pacific Fishery Management Council
Scientific and Statistical Committee

I. Introduction.

This document is provided in response to a request from the Council for input from its advisory bodies regarding recreational fishery data needs, which will be a major topic of discussion at the August 28-31 RecFIN Workshop. Sections II and III describe data needs for Council activities that involve the SSC, namely stock assessment and regulatory analysis. Data needs associated with activities that do not involve the SSC (e.g., in-season monitoring and management) are not addressed here.

Recreational fishery data are collected in surveys that differ among states, fishing modes and years. Estimates of catch, effort and other variables of interest are subject to sampling error. Lack of standardization in data collection and estimation methods further complicates use and interpretation of the data. Identifying the types of recreational fishery data needed for management is an important step toward enhancing the utility of RecFIN to the Council. Ensuring that RecFIN data provide “best available science” additionally requires (1) statistically valid data collection and estimation methods, (2) adequate and transparent documentation, (3) a transparent review process, and (4) accurate, consistent and timely transmission of data and estimates to the Council. The RecFIN Workshop will provide a useful venue for addressing these issues.

II. Recreational Fishery Data Needs for Stock Assessment

Table II-1 describes population estimates and sample data needed for stock assessment.

<i>Table II-1. Species-Level Recreational Fishery Data Needed for Stock Assessment</i>	
<i>Data Needs</i>	<i>Discussion</i>
(1) Removals (landings + discard mortality, numbers and weight)	<p>Population totals by species and year are needed for (1) thru (3); variances also highly desirable.</p> <p>Access to sample data associated with (1) thru (7) is needed to explore alternative methods and hypotheses as part of the stock assessment and review process. Data should be distinguished by species, year, month/survey wave, fishing mode, landing site, and (for boat modes) area/depth of catch. Breakdown of catch by sex highly desirable and most feasible for species whose sex can be determined by visual inspection.</p> <p>Methods used to estimate discard mortality (3) should be explicit and well documented.</p> <p>Separate length distributions for landed and discarded catch are highly desirable.</p>
(2) Discards (numbers and weight)	
(3) Discard mortality	
(4) Length distribution of landed catch	
(5) Length distribution of discards	
(6) CPUE	<p>Length information in historical databases includes mixture of observed lengths and lengths deduced from observed weights, with no apparent way to distinguish between the two. Given the anomalous length frequency results often associated with weight-to-length converted data, data provided for purposes of (4) and (5) should be limited to observed lengths and observed weights.</p> <p>For purposes of (6), raw catch and effort data are needed rather than summary CPUE estimates generated by RecFIN. Observer programs that identify catch and effort by location/depth of catch are ideal. Trip-level intercept data on effort and species composition of removals are also useful. Species composition needed to analyze species associations used to filter trips relevant to estimating CPUE for a given species.</p> <p>For GLM analysis, CPUE is distinguished by year as well as month/survey wave, fishing mode, landing site, and/or area/depth of catch. Spatial scales used to characterize area of catch have been largely dictated by available data (e.g., inside/outside 3 miles, CDFG block areas). Consistent and finely delineated data on area of catch are needed.</p> <p>Utility of (7) contingent on data analysis (e.g., aging of otoliths) as well as data collection.</p>
(7) Biological data (otoliths, maturity stage, etc.)	
(8) Sportfishing regulations - by year (e.g., bag limits, areas, seasons)	

III. Recreational Fishery Data Needs for Regulatory Analysis

Tables III-1, III-2 and III-3 respectively describe angler-, trip- and CPFV-level data needed for regulatory analysis. Data needs are distinguished by these levels to reflect the fact that the unit of observation can affect what can be done with the data.

<i>Table III-1. Angler-Level Recreational Fishery Data Needed for Regulatory Analysis</i>	
<i>Data Needs</i>	<i>Discussion</i>
(1) Number of anglers	<p>Population estimate of (1) needed to expand results of (2) thru (5) to the angling population.</p> <p>(2) is useful for (a) estimating distribution of fishing effort by trip type, and (b) identifying which trip types co-occur in angler's choice set and thus where effort is likely to shift when particular trip type(s) are restricted. Surveys where anglers rather than trips are the unit of observation (e.g., comprehensive license frame survey) allow collection of data on all trips made during survey recall period; this may be the most feasible way to estimate (2) for all trip types, given the incomplete coverage of trip types in existing intercept surveys.</p> <p>Locational data (angler zipcode of residence, trip landing sites) are important for evaluating effects on fishing communities and regional economic impacts.</p>
(2) Number of trips per angler - by trip type (e.g., fishing mode, species targeted/caught, landing site, whether private or public access site)	
(3) Expenditures per angler - e.g., for boat, fishing gear, trip-related expenses	
(4) Angler characteristics - e.g., boat ownership, fishing experience, age, gender, ethnicity, employment status, income, zipcode of residence	
(5) Angler responses to hypothetical management scenarios (e.g., choice elicitation surveys)	<p>Access to sample data for (2) thru (5) is needed to (a) tailor analyses to specific regulatory issues, (b) identify angling subpopulations that may be differentially affected by a management issue, and (c) estimate economic models of angler behavior.</p> <p>(3) thru (5) may be collected in periodic economic surveys rather than as part of routine catch and effort surveys.</p>

Table III-2. Trip-Level Recreational Fishery Data Needed for Regulatory Analysis

<i>Data Needs</i>	<i>Discussion</i>
(1) Number of trips	Population estimate of (1) needed to expand results of (2) thru (5) to the trip population. Access to sample data associated with (2) thru (5) is needed to (a) tailor analyses to specific regulatory issues, and (b) estimate economic models of angler behavior.
(2) Number of trips by trip type - e.g., species targeted/caught, fishing mode, month/survey wave, trip length, landing site, area/depth fished (boat modes).	
(3) Number of fish retained and released per trip - by species, fishing mode, month/survey wave, trip length, landing site, area/depth fished	(2) and (3) are useful for (a) determining differences in species-specific harvest among fishing modes, seasons, locations where fish are landed/caught, and (b) evaluating effect of seasonal, spatial and bag limit restrictions. Data on area/depth of catch are increasingly important for spatial management. Land-based locational data (angler zipcode of residence, landing site) are important for evaluating effects of regulations on fishing communities and estimating regional economic impacts.
(4) Zipcode of residence of angler making the trip	Routine collection of data on angler zipcode of residence (combined with data on zipcode of landing site for the same trip) allows travel distance, time and cost to be estimated using zipcode-to-zipcode software. Travel costs provide “shorthand” method of estimating marginal change in angler expenditures associated with changes in regulations, fuel prices and other factors that affect the spatial pattern of fishing activity.
(5) Trip expenditures - e.g., travel, private boat fuel, CPFV passenger fees, tackle, bait, food, lodging	For boat-based fishing modes: Sampling at boat-trip level may be efficient way to estimate catch and determine effective change in bag limit when bag limits are enforced at the boat level. Sampling at angler-trip level needed to evaluate behavioral response to bag limits and other regulations, and associated economic effects. (5) may be collected in periodic economic surveys rather than as part of routine catch and effort surveys. (5) is useful for analysis of regulatory changes that affect numbers and types of trips taken. (Note that (3) in Table III-2 involves collection of non-trip as well as trip related expenditures and thus allows more comprehensive treatment of economic impacts.) Data on all trips - not just trips associated with currently managed species - are needed to put regulatory changes in context of broader fishing opportunities available to anglers and fishing communities. Comprehensive fishery coverage also provides flexibility to address currently unanticipated management issues.

<i>Table III-3. CPFV-Level Recreational Fishery Data Needed for Regulatory Analysis</i>	
<i>Data Needs</i>	<i>Discussion</i>
(1) Number of active and inactive CPFVs - by homeport and passenger carrying capacity	<p>Population estimate of (1) needed to expand results of (2) and (3) to the CPFV fleet.</p> <p>Access to sample data for (2) and (3) needed to (a) tailor analyses to specific regulatory issues, (b) identify CPFV subpopulations that may be differentially affected by a management issue, and (c) estimate models of CPFV behavior.</p> <p>(3) may be collected in periodic economic surveys rather than as part of routine catch and effort data collection. Complete accounting of fishing and non-fishing activity is needed to evaluate extent of CPFV dependence on regulated fishing activities.</p>
(2) Number of fishing trips per CPFV by trip type - e.g., species targeted/caught, month/survey wave, trip length, landing site, area fished, # passengers	
(3) Extent of fishing and non-fishing (e.g., whale watching) activity and associated revenues and costs per CPFV	

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON RECREATIONAL FISHERY INFORMATION NETWORK (RecFIN) DATA AND SAMPLING REFINEMENTS

The Scientific and Statistical Committee (SSC) discussed several issues related to the quality and accessibility of RecFIN data, as well as RecFIN proposals to change discarded fish procedures, average weight computation, and management by numbers. Mr. Russell Porter (RecFIN/PSMFC) attended the session in order to answer questions and provide clarifications.

The SSC recognizes the important role RecFIN is designed to play in terms of providing a centralized repository of recreational data, coordination among the states, and the development of recreational fishery statistics. This role is very important since RecFIN data is intended for use in stock assessments, by the Groundfish Management Team (GMT), and for regulatory analysis and decisions. The SSC identified several areas where RecFIN has not been able to fully achieve these objectives.

RecFIN is not currently serving its role as a central repository of recreational catch and effort data. The data on the RecFIN site is often not complete or up to date, and may be different than data available from the states. As a result, stock assessors and managers commonly use state data, or a mixture of state and RecFIN data. The choice of which data to use rests upon the individual user which can lead to inconsistent data use and may affect the outcomes of analyzes. The SSC, therefore, recommends that stock assessors, analysts, and managers consult with the individual states when they obtain data from the RecFIN website until data coordination between the states and RecFIN is resolved.

More documentation of RecFIN data is necessary, especially documentation of historical changes in the data collection programs. This is necessary for data users to understand the sources of the data, and when data sources or methods have changed. RecFIN has recently implemented a procedure where each state and RecFIN must notify the RecFIN Technical Committee when any changes are made to the programs that would affect fishery statistics. The RecFIN Technical Committee would then need to agree to these changes. The changes will then be published on the RecFIN website. This is a very good idea as it will provide a way for data users to track changes over time. It is recommended that all historical changes be clearly documented and easily available to data users. In addition, there are some instances where information from the states and RecFIN do not agree and changes have not been made to bring them into alignment. There does not appear to be an accepted procedure to determine which data is considered the best-available in these circumstances. This issue should be addressed.

The RecFIN website for data queries needs to be thoroughly updated and revised. The current interface is difficult to use, does not provide adequate error or warning messages, and may lead to inappropriate uses of extracted data. The website should also be enhanced to include more detailed effort data and raw data that stock assessors can use for the estimation of catch per unit of effort statistics. RecFIN established a Database Subcommittee to look at some of these issues; however additional resources and expertise are needed for this to be effective.

With regards to the proposed change in discarded fish recording, and the pooling rules to assign average weight; any changes that promote more consistency across states is encouraged. Also, the use of management by number of fish in the recreational groundfish fisheries will not affect how stock assessments are conducted.

Role of the SSC versus RecFIN Technical Committee

It is not clear how the SSC can best interact with the RecFIN Technical Committee. Additional consideration of how these two bodies can interact effectively is needed.

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COUNCIL OPERATING PROCEDURE FOR REVIEWING AND INCORPORATING PROPOSED CHANGES TO GROUNDFISH ESSENTIAL FISH HABITAT

The determination of groundfish essential fish habitat (EFH) and habitat areas of particular concern (HAPC) in Amendment 19 to the Groundfish Fishery Management Plan was a complex and comprehensive process. It required extensive planning, coordination, and review; as well as considerable mapping and data manipulation capabilities. To respond to changes over time, the amendment provided for establishing an oversight committee to review proposed modifications to groundfish EFH and HAPC, as well as a requirement for an overall review of EFH and HAPC designations, and information on fishing and nonfishing EFH impacts at least every five years, or, in the present case, by no later than May 2011.

Minor changes in groundfish EFH and HAPC designations, or in the areas closed to certain types of fishing gear, may be amenable to consideration within a schedule that is linked to the Council's biennial groundfish management process. However, any major changes and the five year review are likely to demand a level of expertise and complexity that must be carefully planned and executed.

The overall five year review will entail a significant Council workload and any individual proposals for withdrawals or additions to groundfish EFH will likewise need careful consideration within the context of complete coordination of up-to-date fishery information and groundfish EFH. This would be difficult or unlikely to be achieved in a piecemeal approach that looks at individual proposed changes whenever they arise.

The overall five-year review task is also likely to require a level of expertise in the groundfish EFH Oversight Committee that extends well beyond that contained within the present Council advisory bodies. In developing the original EFH proposal, the Council utilized a Groundfish Habitat Technical Review Committee (GHTRC). This committee included Northwest and Southwest Science Center personnel, university professors involved in Geographic Information System habitat mapping, fishermen, and other experts. A similarly constituted committee would likely be most effective in performing the required overall five year review and incorporating any other extensive proposals for change as well.

The Council has considered establishing a groundfish oversight committee at previous meetings. At the April 2007 meeting, the Council tasked staff with developing a draft Council Operating Procedure (COP) for adoption at the June 2007 Council meeting. Final action is scheduled at this meeting to provide for member appointments over the summer and time for the committee to meet to review new information and make written recommendations by mid-October for the November Council meeting briefing book.

Attachment 1 contains a proposed COP to guide the Council's review of groundfish EFH and implement the specific requirements contained in Amendment 19. The attachment provides a two-tiered approach that recognizes the diversity of the review issues. Attachment 2 contains pertinent excerpts from the groundfish FMP which guide the EFH review process.

Council Action:

1. Adopt a final COP to guide review and modification of groundfish EFH.

Reference Materials:

1. Agenda Item B.4.a, Attachment 1: COP—Groundfish EFH Review and Modification.
2. Agenda Item B.4.a, Attachment 2: Excerpts from Current Groundfish FMP Regarding Changes to EFH.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt a Final COP

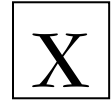
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COUNCIL OPERATING PROCEDURE

Groundfish Essential Fish Habitat Review and Modification



Approved by Council: /07
Revised:

PURPOSE

To guide the Council's review and modification of groundfish essential fish habitat (EFH), especially the implementation of those portions of Amendment 19 to the Groundfish Fishery Management Plan (FMP) which identify requirements to:

1. Modify existing or designate new groundfish essential fish habitat (EFH) and habitat areas of particular concern (HAPC) in regard to areas closed to bottom trawling (FMP Sections 6.2.4 and 6.8.5).
2. Modify existing or designate new Groundfish HAPC (FMP Section 7.3.2).
3. Conduct an overall review of the EFH description, HAPC designations, and information on fishing and nonfishing impacts included in the FMP which is to be accomplished at least once every five years (Section 7.6).

OBJECTIVES

To assist in keeping the Council's identified EFH and HAPC responsive to and updated by changing knowledge of marine habitat and fishery and nonfishery activities that affect it by:

1. Establishing the membership and operating guidelines for an EFH Oversight Committee (OC) charged with reviewing and making recommendations to the Council for proposed changes to EFH and HAPC.
2. Establishing a process for efficiently reviewing proposed changes to Groundfish EFH and HAPC, including an overall review at least once every five years.

GROUND FISH ESSENTIAL FISH HABITAT OVERSIGHT COMMITTEE

Duties

When requested by the Council Chair or Executive Director, the Groundfish EFH OC shall review proposals or information with regard to modifying groundfish EFH and specifically:

1. Review groundfish EFH designations and areas currently closed to bottom contact fishing gear to protect groundfish habitat and recommend to the Council the elimination of existing

areas, addition of new areas, or modification of existing areas. In making its recommendations, the OC should, as a minimum, consider the best scientific information regarding the items listed in Section 6.2.4 of the Groundfish FMP. The OC may also include recommendations for modifying HAPC consistent with the proposed modification of the location and extent of areas closed to bottom trawling or other benthic contact fishing gear.

2. Review proposals for modifying or designating new HAPC.
3. Conduct an overall review of the EFH description, HAPC designations, and information on fishing and nonfishing impacts included in the FMP at least every five years.

Composition

General

The Groundfish EFH OC will be an ad hoc committee following the administrative procedures of COP 8 (members appointed by the Council Chair with advice from Council members and advisors, etc.). The specific members of the EFH OC will vary, depending on the review assignment and geographic area of the proposals. The committee may include appropriate representatives from the Groundfish Advisory Subpanel, Groundfish Management Team, Scientific and Statistical Committee, Habitat Committee, and other individuals with familiarity and expertise in the fisheries and marine habitats of the areas proposed for changes (e.g., commercial bottom trawl representatives, NMFS scientists, professors involved in marine habitat research and mapping, etc.). If the appointed OC lacks expertise to adequately review a proposal or proposals, the OC may request additional assistance through the Council Chair.

Short Term EFH Reviews

To address new information received between the five year comprehensive reviews, the Council Chair will appoint an ad hoc EFH OC with a composition tailored to deal effectively with the unique new information at hand. This ad hoc EFH OC will meet in accordance with the schedule described in the short term review portion of this COP, and disband at the conclusion of that process.

Five Year Review and Extensive Modifications

To address the overall five year review or proposals for major modifications requiring special expertise, the Council Chair will appoint an ad hoc EFH OC with a composition similar to the original Groundfish Habitat Technical Review Committee that was a key review group for identifying the initial EFH and HAPC. That committee was composed of two NMFS scientists (NW and SW Science Centers) familiar with Pacific marine habitats, two bottom trawl representatives knowledgeable about fisheries and trawling practices on the West Coast, two scientists representing conservation entities, and two professors intimately involved and expert in mapping of marine habitats off the Pacific Coast.

Member Terms, Alternates, and Officers

As described in COP 8, *Ad Hoc Committees*:

Ad Hoc Committee members serve until the tasks assigned to the Ad Hoc Committee are completed. However, an Ad Hoc Committee member may be replaced at the Council Chair's discretion if a member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the Committee Chair or Council Executive Director, or 3) appears unable to fulfill their obligations as a Committee member.

Due to the limited and specific nature of Ad Hoc Committees, members shall, generally, not be allowed to appoint alternates and are strongly encouraged to attend all Ad Hoc Committee meetings. However, at the discretion of the Council Chair or Executive Director and upon advance notice, in writing, committee members may designate alternates to serve in their absence. Such designees may participate in Ad Hoc Committee deliberations as a regular member. At the discretion of the Council Chair or Executive Director, alternates may be reimbursed for expenses per the Council travel rules.

The Chair and Vice Chair of each Ad Hoc Committee shall be appointed by the Council Chair. Such officers shall be confirmed by the Council Chair and shall serve for the duration of the Ad Hoc Committee. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

Meetings

As described in COP 8, *Ad Hoc Committees*:

The committee shall meet at the request of the Council Chair or Executive Director as often as necessary to fulfill their responsibilities.

Staff Responsibilities

As described in COP 8, *Ad Hoc Committees*:

In addition to drafting meeting minutes, a Council staff member shall be assigned to assist the committee with coordination, organization, and meeting logistics (e.g., *Federal Register* and meeting notices), and to provide other expertise needed by the Committee on a case-by-case basis.

EFH REVIEW PROCEDURES

Review procedures utilized by the Council will vary depending on the purpose or type of review.

Short Term EFH Reviews

Within a 5 year period, to allow for an orderly and efficient process for considering proposed changes to EFH and areas closed to fishing by various gear types (e.g., bottom trawl and bottom contact gear) to protect EFH, the review of proposals by the EFH OC and final determination by the Council will be coordinated with the groundfish biennial management specifications process to the degree possible. **[Some exceptions to the schedule may be necessary in the initial review]** The normal process will be as follows:

Timing	Action
June Council Meeting of Odd Numbered Years	Final Deadline for Council to request the EFH OC to review a proposed modification to areas closed to bottom trawl or bottom contact gear for the next biennial groundfish season (complete proposals must be received at the Council office no later than three weeks prior to the Council meeting).
November Council Meeting of Odd Numbered Years	Council considers recommendations of EFH OC and makes recommendations for considering modifications in ongoing biennial management process (implementation in following odd year).
April Council Meeting of Even Numbered Years	Council may include proposed modifications among a range of alternatives prepared for the next biennial groundfish management period for public review.
June Council Meeting of Even Numbered Years	Council makes its final recommendations for implementation by NMFS in January of next odd year.

Five Year Review

The complete review every five years of the Council's EFH and HAPC designations is a major task that requires special expertise and planning. The review process, based on the initial five year review, is expected, to the extent practicable, to proceed as follows in the table below. The actual timing of some actions may vary, depending on Council workload and complexity of the modifications being considered. The table in this COP will be modified for the next five-year review to reflect the realities of the process and the updated Council workload.

Timing*	Action
June 2008 Council Meeting	Council Chair appoints adequate EFH OC to complete comprehensive five year review of EFH and HAPC. Any proposals for extensive modifications to be included in the review must be submitted to the Council office no later than three weeks prior to the September Council meeting.

Timing*	Action
July 2008 through May 15, 2009	EFH OC meets to review the FMP EFH and HAPC descriptions, and proposals for any extensive modifications; then develops recommendations for the Council.
June 2009 Council Meeting	Council considers recommendations of the EFH OC and adopts proposed changes for public review.
September 2009 Council Meeting	Council adopts final recommendations for changes to be incorporated in the FMP and become effective in the next biennial management specifications.

*This table describes the initial five year review beginning in 2008; subsequent second five year reviews would follow chronologically.

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Excerpts from Current Groundfish FMP Regarding Changes to EFH:

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6.2.4 The Habitat Conservation Framework

In order to protect EFH from the adverse effects of fishing, the Council has identified areas that are closed to bottom trawling (see sections 6.8 and 7.4). These areas are described in Federal regulations and may be modified through the full rulemaking process as described under Section 6.2 D. The Council shall establish an EFH Oversight Committee (OC). At the request of the Council, the EFH OC would review the areas currently closed to bottom trawling and recommend to the Council the elimination of existing areas or the addition of new areas, or modification of the extent and location of existing areas. In making its recommendation to the Council, the committee should consider, but is not limited to considering, the best available scientific information about:

1. The importance of habitat types to any groundfish FMU species for their spawning, breeding, feeding, or growth to maturity.
2. The presence and location of important habitat (as defined immediately above).
3. The presence and location of habitat that is vulnerable to the effects of bottom trawl fishing.
4. The presence and location of unique, rare, or threatened habitat.
5. The socioeconomic and management-related effects of closures, including changes in the location and intensity of bottom trawl fishing effort, the displacement or loss of revenue from fishing, and social and economic effects to fishing communities attributable to the location and extent of closed areas.

When making its recommendation to the Council, the committee may also include in its recommendations proposed changes in the designation of habitat areas of particular concern (HAPCs) consistent with the proposed modification of the location and extent of areas closed to bottom trawling. For example, if a current closed area, which is also identified as a HAPC, is recommended for elimination, the committee may recommend whether or not to retain the HAPC designation. Any such recommendation with respect to a HAPC would trigger the process for the modification of HAPCs (by FMP amendment) described in Section 7.3.2. Upon receipt of a recommendation from the committee, the Council will decide whether to begin the rulemaking process described in Section 6.2 D for establishing, adjusting, or removing discretionary management measures intended to have a permanent effect.

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D. Full Rulemaking For Actions Normally Requiring at Least Two Council Meetings and Two Federal Register Rules (Regulatory Amendment)

These include any proposed management measure that is highly controversial or any measure that directly allocates the resource. These also include management measures that are intended to have permanent effect and are discretionary, and for which the impacts have not been previously analyzed. Full rulemakings will normally use a two-Council-meeting process, although additional meetings may be required to fully develop the Council's recommendations on a full rulemaking issue. Regulatory measures to implement an FMP amendment will be developed through the full rulemaking process. The Secretary will publish a proposed rule in the *Federal Register* with an appropriate period for public comment followed by publication of a final rule in the *Federal Register*.

Council-recommended management measures addressing a resource conservation issue must be based upon the identification of a point of concern through that decision-making framework, consistent with the specific procedures and criteria listed in Section 6.2.2.

Council-recommended management measures addressing social or economic issues must be consistent with the specific procedures and criteria described in Section 6.2.3.

Council-recommended changes to habitat protection measures must be consistent with the specific procedures and criteria described in Section 6.2.4.

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7.3.2 Process for Modifying Existing or Designating New HAPCs

Recognizing that new scientific information could reveal other important habitat areas that should be designated HAPCs or call into question the criteria for existing HAPCs, the Council may designate a new HAPC or modify or eliminate an existing HAPC through the process described below. This process allows organizations and individuals to petition the Council at any time to consider a new designation, or modify or eliminate an existing designation, and ensures, provided they submit the required information described below, their proposal will be considered by the Council. The process includes the following elements, which may be described in more detail in Council Operating Procedures:

1. A petitioner submits a proposal to eliminate or modify an existing HAPC, or designate a new HAPC, by letter to the Chairman and Executive Director of the Council. Proposals must include a description of: (a) for a new HAPC, the location of the HAPC, defined by specified geographic characteristics such as coordinates, depth contours, or distinct biogeographic characteristics; (b) for a new HAPC, how the HAPC meets the criteria specified in regulations at 50 CFR 600.815 (a)(8), or for changes to an existing HAPC,

how such a change would better meet these criteria; and (c) a preliminary assessment of potential biological and socioeconomic effects of the proposed change or new designation.

2. Council/NMFS staffs determine whether the proposal contains the mandatory components outlined in step one. If this technical review determines that the proposal is inadequate, staff return it to the petitioner for revision and resubmission. If it is determined adequate, staff forward it to the Council for full consideration over three Council meetings as described below.
3. At the first meeting, the Council establishes a timeline for consideration, including merit review by the EFH OC and the SSC.
4. At the second meeting, the EFH OC and SSC provide their merit review to the Council. Depending on the results of this review, the Council directs staff to begin developing any documentation necessary for implementation. The proposal is also be forwarded to other advisory bodies for additional review.
5. At the third meeting the Council receives advisory body reports, reviews implementing documentation, and decides whether to approve an FMP amendment for Secretarial review.

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7.6 Review and Revision of Essential Fish Habitat Descriptions and Identification

The Council will review the EFH description and identification, HAPC designations, and information on fishing impacts and nonfishing impacts included in this FMP at least every five years. New information may be included in the annual SAFE document or similar document and, if necessary, the FMP may be amended. The Council may schedule more frequent reviews in response to recommendation by the Secretary or for other reasons.

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PFMC
05/25/07

ENFORCEMENT CONSULTANTS REPORT ON COP FOR REVIEWING AND
INCORPORATING PROPOSED CHANGES TO GROUND FISH ESSENTIAL FISH
HABITAT (EFH)

The Enforcement Consultants (EC) is requesting a seat on the Essential Fish Habitat Oversight Committee. The EC had to deal with quite a few last minute challenges during the creation of EFH, and would like to be more involved early in the process to help reduce these challenges in the future. We feel enforcement input early in any EFH modifications process is an essential part of creating or modifying EFH areas.

PFMC
06/13/07

GROUND FISH ADVISORY SUBPANEL REPORT ON
COP FOR REVIEWING AND INCORPORATING PROPOSED CHANGES TO
GROUND FISH ESSENTIAL FISH HABITAT (EFH)

The Groundfish Advisory Subpanel (GAP) considered Agenda Item B.4.a, Attachment 1.

The GAP agrees with the document as presented. The panel members did wish to provide comments regarding emphasis. It is recommended that two areas receive primary focus.

1. The makeup of the EFH Oversight Committee with regard to fishing sectors be represented. It is felt that the committee make up should remain flexible in order to provide representation for any sector potentially affected by any given proposal.

2. Input from affected fishermen, communities and other directly affected parties shall be consulted for their input to any proposed area closures or other restrictions involving fishing or harvest.

PPMC
06/11/07

HABITAT COMMITTEE REPORT ON
COUNCIL OPERATING PROCEDURES FOR REVIEWING AND INCORPORATING
PROPOSED CHANGES TO GROUND FISH ESSENTIAL FISH HABITAT (EFH)

The Habitat Committee (HC) reviewed the proposed Council Operating Procedure (COP) for Groundfish Essential Fish Habitat (EFH) Review and Modification. Our comments cover the composition and duties of the Groundfish EFH Oversight Committee and the Review Procedure timelines.

The HC was uncertain of Council intent for composition and duties of the Oversight Committee. The HC believes that any such committee should include technical expertise adequate to review proposals to modify habitat areas of particular concern. The HC suggests that any new committees draw on a wide variety of fisheries constituents including various commercial gear types, recreational interests, and government agencies, including National Marine Fisheries Service EFH consultation staff.

We understand the two-year EFH review to address fishery management issues related to fishing impacts on habitat, rather than the designation of EFH per se. To clarify this, the HC recommends the following change: On page 4 of the Agenda Item B.4.a, Attachment 1 (Draft COP), propose striking “EFH and” in the first sentence under “short term EFH reviews.”

PFMC
06/12/07

MAGNUSON-STEVENSON ACT REAUTHORIZATION IMPLEMENTATION

The Council has been working closely with the National Marine Fisheries Service (NMFS) and the other seven Regional Fishery Management Councils on implementing new provisions in the Magnuson-Stevens Act (MSA) as amended by the *Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006* (MSRA). NMFS maintains a web site focused on MSA reauthorization (www.nmfs.noaa.gov/msa2007/) and has posted a tracking sheet on the status of implementation of many new provisions (Agenda Item B.5.a, Attachment 1).

In April, the Council focused on three specific items for Council action: (1) the process for establishing annual catch limits (ACLs) and accountability measures (AM); (2) consideration of proposals for a new environmental review process for fishery management actions; and (3) implementation of Western Central Pacific Fisheries Commission provisions. In a letter dated April 17, 2007 (Agenda Item B.5.a, Attachment 2), the Council provided comments regarding ACLs and AMs including examples of how the current Council process is already meeting many of the envisioned requirements for preventing overfishing. Additionally, the letter conveyed Council support for integrating applicable environmental analytical procedures of the National Environmental Policy Act (NEPA) with the procedures for preparation or amendment of Fishery Management Plans under the MSA and endorsed the Council Coordination Committee's (CCC) proposed revised environmental review procedures for use as general initial guidance to NMFS on the matter. No additional review materials are anticipated on these two matters until July 2007.

The CCC met May 7-11, 2007 and devoted a significant portion of their agenda to implementation of the reauthorized MSA. The meeting was well attended by Council and Council staff representatives who conveyed Council recommendations and positions as appropriate. Chairman, Don Hansen and Mr. Frank Lockhart will brief the Council on the meeting under Agenda Item B.5.b.

Regarding highly migratory species (HMS) management and the implementation of the Western and Central Pacific Commission provisions, the Council has approved a revised Council Operating Procedure (COP) for providing HMS management recommendations to Regional Fishery Management Organizations for public review and reviewed a draft Memorandum of Understanding (MOU) on HMS affairs between the Council, the North Pacific Fishery Management Council and the Western Pacific Fishery Management Council as called for in the MSRA. Final adoption of the COP and further guidance on the MOU is scheduled for the June meeting under Agenda Item B.2. Additionally, NMFS completed the MSRA requirement for the defining "illegal, unreported, or unregulated fishing" (IUUF) and published the definition in the Federal Register on April 12, 2007 (Agenda Item, B.5.a, Attachment 3)

Title VI of the MSRA (Agenda Item B.5.a, Attachment 4), *The Pacific Whiting Act of 2006* (Whiting Act), is an important step in the implementation of the Pacific Whiting treaty between the U.S. and Canada. The Whiting Act requires the Secretary of Commerce to appoint, in consultation with the Secretary of State and the Council, U.S. representatives to the Joint Management Committee, the Joint Technical Committee, and the Advisory Committee for the co-management of Pacific whiting with Canada. One of the four U.S. representatives on the Joint Management Committee is to be a member of the Council. The Whiting Act also calls for 6-12 U.S. representatives on both the Joint Technical Committee and the Advisory Panel.

The reauthorized MSA requires that NMFS promulgate new Experimental Fishing Permit (EFP) regulations within 180 days that “create an expedited, uniform, and regionally-based process to promote issuance, where practicable, of experimental fishing permits.” Council staff has provided NMFS with the Council’s existing EFP policies as initial input. The proposed rule for this process is anticipated soon, but was not available for the June Briefing Book. Council staff will continue to work with NMFS on the new EFP regulations and should a proposed rule become available in the near future, it will be distributed as supplemental material at the June Council meeting.

The reauthorized MSA requires the Secretary of Commerce establish a registry of recreational fisherman who fish in the Exclusive Economic Zone or for anadromous species and vessels engaged in these fisheries. Fisherman or charter vessels that are registered under suitable State laws are exempt from this registry. In an April 27, 2007 letter to Council Chairman Hansen (Agenda Item B.5.a, Attachment 5; Dr. Bill Hogarth, National Oceanic and Atmospheric Administration Assistant Administrator for Fisheries informed the Council that NMFS will be working with State agencies over the coming months as the Federal registry program is developed.

Council Action:

Direct Planning and Action on New MSA Requirements and Recommend Appointments for U.S. Representation on Joint U.S./Canada Committees and the Advisory Panel.

Reference Materials:

1. Agenda Item B.5.a, Attachment 1: NMFS MSA Reauthorization Tracking Table.
2. Agenda Item B.5.a, Attachment 2: April 17, 2007 letter from Dr. McIsaac to NMFS regarding Council comments on ACLs and Revised Environmental Review Procedures.
3. Agenda Item B.5.a, Attachment 3: IUUF Definition Final Rule, *Federal Register* Notice (72FR18404).
4. Agenda Item B.5.a, Attachment 4: MSRA, Title VI. *The Pacific Whiting Act of 2006*.
5. Agenda Item B.5.a, Attachment 5: April 27, 2007 letter from Dr. Hogarth to Chairman Hansen regarding the Federal registry of recreational fisherman and vessels.

Agenda Order:

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|--|---------------------------|
| a. Agenda Item Overview | Mike Burner |
| b. Council Coordination Committee/NMFS Report | Don Hansen/Frank Lockhart |
| c. Reports and Comments of Advisory Bodies | |
| d. Public Comment | |
| e. Council Action: Direct Planning and Action on New Requirements as Needed for Timely Implementation | |

PFMC
05/25/07

MSFCMA Reauthorization Tracking: by Sorted by Activity (31 items)
As of May 18, 2007

<u><i>Task</i></u>	<u><i>Product</i></u>	<u><i>Due date</i></u>	<u><i>Status</i></u>	<u><i>Additional Information</i></u>
<i>Annual Catch Limits (1 item)</i>				
Establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability. The amendment made by subsection (a)(10)—(1) shall, unless otherwise provided for under an international agreement in which the United States participates, take effect— (A) in fishing year 2010 for fisheries determined by the Secretary to be subject to over fishing; and (B) in fishing year 2011 for all other fisheries; and (2) shall not apply to a fishery for species that have a life cycle of approximately 1 year unless the Secretary has determined the fishery is subject to overfishing of that species; and (3) shall not limit or otherwise affect the requirements of section 301(a)(1) or 304(e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)(1) or 1854(e), respectively).	Guidance	01/01/10	On Track	<p>* Annual Catch Limits must be in place for overfished stocks by 1/01/10. However, the task tracked here is GUIDELINES to be provided to NMFS/Councils to establish a mechanism for specifying annual catch limits. The deadline to have those guidelines in place is November, 2007.</p> <p>A Notice of Intent published on 2/14/07 (72 FR 7016). The public comment period is closed.</p> <p>Scoping meetings are complete: http://www.nmfs.noaa.gov/msa2007/opportunities.htm#schedule NMFS expects to publish a notice in the FR summarizing comments received during the scoping session in early June.</p>
<i>Bycatch (1 item)</i>				
The Secretary, in cooperation with the Councils and other affected interests, and based upon the best scientific information available, shall establish a bycatch reduction program, including grants, to develop technological devices and other conservation engineering changes designed to minimize bycatch, seabird interactions, bycatch mortality, and post-release mortality in Federally managed fisheries. The section specifies program requirements.	Program	01/12/08	On Track	NMFS is working to present Program details at a future Council Coordinating Committee meeting.
<i>Conflict of interest (1 item)</i>				
On January 1, 2008, and annually thereafter, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources on action taken by the Secretary and the Councils to implement the disclosure of financial interest and recusal requirements of this subsection, including identification of any conflict of interest problems with respect to the Councils and scientific and statistical committees and recommendations	Report	01/12/08	On Track	NMFS will prepare guidance for the Councils on what information to collect for the annual report to Congress.

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
for addressing any such problems.				
<i>Council Liaison (1 item)</i>				
The MA Council, in consultation with the NE Council, shall submit a report to the Senate Committee on Commerce, Science, and Transportation - (1) describing the role of council liaisons between the MA and NE Councils, including an explanation of council policies regarding the liaison's role in Council decision-making since 1996; (2) describing how management actions are taken regarding the operational aspects of current joint FMPs, and how such joint plans may undergo changes through amendment or framework processes; (3) evaluating the role of the NE and the MA Council liaisons in the development and approval of management plans for fisheries in which the liaisons or members of the non-controlling Council have a demonstrated interest and significant current and historical landings of species managed by either; (4) evaluating the effectiveness of the various approaches developed by the Councils to improve representation for affected members of the non-controlling Council in decision-making, such as use of liaisons, joint management plans, and other policies, taking into account both the procedural and conservation requirements of the MSA; and (5) analyzing characteristics of NC and FL that supported their inclusion as voting members of more than one Council and the extent to which those characteristics support RI's inclusion on a second Council (the MA Council).	Report	10/12/07	On Track	The MA Council is preparing this report. NMFS will provide assistance as requested.
<i>Deep Sea Coral (1 item)</i>				
The Secretary, in consultation with the Councils, shall submit biennial reports to Congress and the public on steps taken by the Secretary to identify, monitor, and protect deep sea coral areas, including summaries of the results of mapping, research, and data collection performed under the program.	Report	01/12/08	On Track	
<i>Ecosystem Research (1 item)</i>				
Requires Sec., in consultation with the Councils, to undertake and complete a study on the state of science for integration of ecosystem considerations in regional fisheries management. The study should build upon the recommendations of the advisory panel (established under Section 406 of MSA). Stipulates what must be included in study.	Study	07/12/07	Targets/Milestones Being Established	NMFS has issued a contract for the completion of this study and anticipates its release this fall.

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
Environmental Review Process - NEPA (1 item)				
The Secretary shall, in consultation with the Councils and the Council on Environmental Quality, revise and update agency procedures for compliance with the National Environmental Policy Act (42 U.S.C. 4231 et seq.). Specifies requirements of the procedures. First part of schedule specifies when revised procedures are to be proposed. Proposed rule shall provide 90 days for public comment. Requires that the Secretary promulgate final procedures for compliance with the National Environmental Policy Act (42 U.S.C. 4231 et seq.) no later than 12 months after the date of enactment.	Procedures	01/12/08	On Track	The National Marine Fisheries Service solicited public comment on the environmental review provisions required by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA). Comments were accepted through April 20, 2007. For more information, see: http://www.nmfs.noaa.gov/msa2007/docs/notice_to_public_5.pdf A summary of the public comments received is expected to be posted on the website before June 1, 2007. A proposal with a 90-day public comment period is expected in July.
Experimental Fishing Permits (1 item)				
Requires Sec., in consultation with the Councils, to promulgate regulations that establish an expedited, uniform, and regionally-based process for issuance of experimental fishing permits.	Regulations	07/12/07	Delayed	NMFS is working to develop a proposed rule, which is expected to publish in the Federal Register in June.
Fishery Science (1 item)				
Secretaries of Commerce and Education shall collaborate to study if there is a shortage of individuals with post-baccalaureate degrees in fisheries science and shall submit a report to congress detailing the findings and recommendations of the study.	Report	09/12/07	On Track	
Framework 42 (1 item)				
The Secretary of Commerce shall conduct a unique, thorough examination of the potential impact on all affected and interested parties of Framework 42 to the Northeast Multispecies FMP and report the Secretary's findings. The report shall include a detailed discussion of the provisions specified in the section.	Report	02/12/07	Completed	COMPLETE See: http://www.nmfs.noaa.gov/msa2007/Framework42ReporttoCongressFinalFinal.pdf
Hurricane (2 items)				
The Secretary of Commerce shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources on the impact of Hurricane Katrina, Hurricane Rita, and Hurricane Wilma on— (1) commercial and recreational fisheries in the States of Alabama, Louisiana, Florida, Mississippi, and Texas; (2) shrimp fishing vessels in those States; and (3) the oyster industry in those States.	Report	07/12/07	On Track	NMFS is currently drafting this report with the assistance of the Gulf Coast state marine fishery agencies and the Gulf States Marine Fisheries Commission. See also: http://www.st.nmfs.gov/hurricane_katrina/

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
The Secretary of Commerce shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources on the impact of Hurricane Katrina, Hurricane Rita, and Hurricane Wilma on habitat, including the habitat of shrimp and oysters in those States.	Report	07/12/07	On Track	NMFS is currently drafting this report.
International fisheries (4 items)				
Amends the High Seas Driftnet Fishing Moratorium Protection Act to require the Secretary, in consultation with the Sec of State, to provide to Congress, a biennial report that includes— (1) the state of knowledge on the status of international living marine resources shared by the U.S. or subject to treaties or agreements to which the U.S. is a party, including a list of all such fish stocks classified as overfished, overexploited, depleted, endangered, or threatened with extinction by any international or other authority charged with management or conservation of living marine resources; (2) a list of nations whose vessels have been identified under section 609(a) or 610(a), including the specific offending activities and any subsequent actions taken pursuant to section 609 or 610; (3) a description of efforts taken by nations on those lists to comply take appropriate corrective action consistent with sections 609 and 610, and an evaluation of the progress of those efforts, including steps taken by the U.S. to implement those sections and to improve international compliance; (4) progress at the international level, consistent with section 608, to strengthen the efforts of international fishery management organizations to end IUU fishing; and (5) steps taken by the Secretary at the international level to adopt international measures comparable to those of the U.S. to reduce impacts of fishing and other practices on protected living marine resources, if no international agreement to achieve such goal exists, or if the relevant international fishery or conservation organization has failed to implement effective measures to end or reduce the adverse impacts of fishing practices on such species.	Report	01/12/09	On Track	Project Manager and team to write sections of the biennial report were identified in March '07. An advance notice of proposed rulemaking is being drafted to solicit public comments on a procedure for certifying IUU fishing flag states and a procedure for certifying flag states whose fishing vessels are responsible for unacceptable levels of bycatch of protected living marine resources and is expected to be published in June '07. These certifications are required elements of the biennial report. Target date for publication of a proposed rule is October '07 and for a final rule May '08.
The Secretary shall certify to the Congress by January 31, 2009, and biennially thereafter whether each such nation has provided the documentary evidence described in paragraph 610(1)(A) and established a management plan described in paragraph 610(1)(B).	Certification	01/12/09	On Track	Since this task is a necessary component of the report issued under Section 403 of MSRA (amending section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et. seq.)), this task will be tracked as a milestone for completion of that report, and will no longer be tracked as a separate task.
The Secretary shall publish a definition of the term ‘illegal, unreported, or unregulated fishing’ for purposes of this Act, including in the definition, at a minimum—(A) fishing activities that violate conservation and	Definition	04/12/07	Completed	Definition published in the Federal Register on April 12, 2007, at 72 FR 18404-5. See: http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/pdf/07-1830.pdf

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements; (B) overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and (C) fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.				
The Secretary, in consultation with the Under Secretary of Commerce for Oceans and Atmosphere, shall designate a Senate-confirmed, senior official within the National Oceanic and Atmospheric Administration to perform the duties of the Secretary with respect to international agreements involving fisheries and other living marine resources, including policy development and representation as a U.S. Commissioner, under any such international agreements.	Appointment	01/12/09	Targets/Milestones Being Established	
Joint Enforcement Agreements (2 items)				
Requires NMFS and Coast Guard to transmit a joint report to Congress on feasibility, value, and cost of using GMDSS (or other similar data system) for fishery management, conservation, enforcement, and safety purposes with the Federal government bearing the capital costs of any such system; the cumulative impact of existing requirements for commercial vessels; whether such data systems would overlap existing requirements or render them redundant; how data from systems could be integrated; how to maximize data-sharing opportunities between State and Federal agencies; and an assessment of the development, purchase, and distribution of systems to regulated vessels.	Report	04/12/08	On Track	
The Secretary shall implement data-sharing measures to make any data required to be provided by this Act from satellite-based maritime distress and safety systems, vessel monitoring systems, or similar systems— (A) Directly accessible by State enforcement officers authorized under subsection (a) of this section; and (B) Available to a State management agency involved in, or affected by, management of a fishery if the State has entered into an agreement with the Secretary under section	Data-sharing measures	10/12/09	On Track	

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
402(b)(1)(B) of this Act.				
King/Tanner Crab (1 item)				
Sec. Comm shall amend the FMP for the BSAI King and Tanner Crabs for the Northern Region (as that term is used in the plan) to authorize—(A) an eligible entity holding processor quota shares to elect on an annual basis to work together with other entities holding processor quota shares and affiliated with such eligible entity through common ownership to combine any catcher vessel quota shares for the Northern Region with their processor quota shares and to exchange them for newly created catcher/processor owner quota shares for the Northern Region; and (B) an eligible entity holding catcher vessel quota shares to elect on an annual basis to work together with other entities holding catcher vessel quota shares and affiliated with such eligible entity through common ownership to combine any processor quota shares for the Northern Region with their catcher vessel quota shares and to exchange them for newly created catcher/processor owner quota shares for the Northern Region.	FMP Amendment	04/12/07	Completed	AMENDMENT APPROVED. <ul style="list-style-type: none">• NOA published 2/5/07 - 72 FR 5255• Comment period ended: 4/6/07• Amendment was approved by NMFS on 4/12/07
LAPP (1 item)				
Within 1 year after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, the Secretary shall publish guidelines and procedures to determine procedures and voting eligibility requirements for referenda and to conduct such referenda in a fair and equitable manner.	Procedures	01/12/08	On Track	Proposed procedures are expected to be published in mid-September.
Marine Recreational Fisheries Information (1 item)				
Sec. Comm, in consultation with reps of the rec fishing industry and experts in statistics, technology, and other appropriate fields, shall establish a program to improve the quality and accuracy of information generated by MRFSS. The program must take into account the 2006 NRC report "Review of Recreational Fisheries Survey Methods." Identifies the goal of the program and what it shall include. The Sec. must complete the program and implement the improved MRFSS by January 1, 2009. Within 24 months of establishment of the revised MRFSS program, requires Sec. to submit a report to Congress describing progress toward achieving the program goals and objectives.	Report	01/12/09	Targets/Milestones Being Established	To develop an improved recreational fishing data collection program, an Executive Steering Committee was established and met for the first time in March. Members include fisheries managers and scientists from NOAA Fisheries, the interstate marine fisheries commissions, and the regional fishery management councils. Executive Steering Committee has established the Operations Team. OT has begun to set milestones and timelines for issue-specific work groups. The OT estimates making the program proposal available for public comment by July, 2008 See: http://www.st.nmfs.noaa.gov/RecSurveyUpgrade/RecSurveyUpgrade.html

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
Overcapitalization (1 item)				
Subject to the availability of funds, the Secretary shall, within 12 months after the date of the enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 submit to the Congress a report— (i) identifying and describing the 20 fisheries in United States waters with the most severe examples of excess harvesting capacity in the fisheries, based on value of each fishery and the amount of excess harvesting capacity as determined by the Secretary; (ii) recommending measures for reducing such excess harvesting capacity, including the retirement of any latent fishing permits that could contribute to further excess harvesting capacity in those fisheries; and (iii) potential sources of funding for such measures.	Report	01/12/08	On Track	The NMFS Office of Science and Technology is conducting capacity assessments for fisheries in each region during April – August 2007. As each region's report is completed, it is delivered to the NMFS Office of Sustainable Fisheries (SF). SF will work with the Councils on ranking the fisheries and developing management strategies for addressing the overcapacity issue.
Pacific Groundfish (1 item)				
Requires the Pacific Fishery Management Council to develop a proposal for an appropriate rationalization program for the Pacific trawl groundfish and whiting fisheries, including the shore-based sector of the Pacific whiting fishery. In developing the rationalization proposal, the Pacific Council must fully analyze alternative program designs, assess the proposal's impact on conservation and economies of the communities, fishermen, and processors participating in the groundfish trawl fisheries, including the shore-based sector of the Pacific whiting fishery. Requires the Pacific Council to submit the proposal and related analysis to Congress within 24 months of enactment.	Report	01/12/09	Targets/Milestones Being Established	- Trawl rationalization issues were discussed by the Groundfish Allocation Committee, a PFMC subcommittee, on Tuesday, May 15 and Wednesday, May 16. Intersector allocation issues were discussed on Thursday, May 17. - GAC recommendations will be provided for consideration by the Council at its June 2007 meeting in Foster City, California. See: http://www.pcouncil.org/events/2007/gac0507.html
Salmon Recovery Plan (1 item)				
The Secretary of Commerce shall complete a recovery plan for Klamath River Coho salmon and make it available to the public. Within 2 years of enactment, and annually thereafter, the Sec. is required to submit a report to Congress on the actions taken under the recovery plan and other law relating to the recovery of Klamath River Coho salmon and how these actions are contributing to its recovery; progress on restoration of salmon spawning habitat, including water conditions that relate to salmon health and recovery (with emphasis on the Klamath River and its tributaries below Iron Gate Dam); the status of other Klamath River anadromous fish populations, and actions taken by the Sec. to address the 2003 National Research	Report	01/12/09	On Track	A presentation was made at the PFMC the week of April 2nd, 2007.

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
Council's recommendations regarding monitoring and research on Klamath River salmon stocks.				
Secretarial Action on State-waters fishing (1 item)				
The Secretary of Commerce shall determine whether fishing in State waters— (A) without a New England Multispecies groundfish fishery permit on regulated species within the multispecies complex is not consistent with the applicable Federal fishery management plan; or (B) without a Federal bottomfish and seamount groundfish permit in the Hawaiian archipelago on regulated species within the complex is not consistent with the applicable Federal fishery management plan or State data are not sufficient to make such a determination. If the Secretary makes a determination that such actions are not consistent with the plan, the Secretary shall, in consultation with the Council, and after notifying the affected State, develop and implement measures to cure the inconsistency pursuant to section 306(b).	Determina- tion	03/12/07	Completed	Analyses completed and are available at: http://www.nmfs.noaa.gov/msa2007/implementation.htm
Training (2 items)				
Council members appointed after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall complete a training course that meets the requirements of this section not later than 1 year after the date on which they were appointed. Any Council member who has completed a training course within 24 months before the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 shall be considered to have met the training requirement of this paragraph.	Required Training	01/12/09	On Track	New member training has been tentatively scheduled for the week of October 15, 2007.
Requires the Sec., in consultation with the Councils and the National Sea Grant College Program, develop a training course for new Council members. Training course shall be made available to new and existing Council members and staff from the RO's and RSC's of NMFS, and may be made available to committee or advisory panel members as resources permit.	Training course	07/12/07	On Track	New member Council training is tentatively scheduled for the week of October 15, 2007.
Tsunami (4 items)				
Comptroller General of the U.S. shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives that (1) evaluates the current status of the tsunami detection, forecasting, and warning system	Report	01/31/10	On Track	View NWS charter here: http://www.ppi.noaa.gov/weather_water/TsunamiPage.html View Indian ocean tsunami warning system program here: http://www.iotws.org/ev_en.php?ID=1267_201&ID2=DO_TOPIC

<u>Task</u>	<u>Product</u>	<u>Due date</u>	<u>Status</u>	<u>Additional Information</u>
and the tsunami hazard mitigation program established under this title, including progress toward tsunami inundation mapping of all coastal areas vulnerable to tsunami and whether there has been any degradation of services as a result of the expansion of the program; (2) evaluates the NWS's ability to achieve continued improvements in the delivery of tsunami detection, forecasting, and warning services by assessing policies and plans for the evolution of modernization systems, models, and computational abilities (including the adoption of new technologies); and (3) lists the contributions of funding or other resources to the program by other Federal agencies, particularly agencies participating in the program.				
The Administrator shall establish a process for monitoring and certifying contractor performance in carrying out the requirements of any contract to construct or deploy tsunami detection equipment, including procedures and penalties to be imposed in cases of significant contractor failure or negligence.	Process	04/12/07	On Track	View NWS charter here: http://www.ppi.noaa.gov/weather_water/TsunamiPage.html View Indian ocean tsunami warning system program here: http://www.iotws.org/ev_en.php?ID=1267_201&ID2=DO_TOPIC
The National Weather Service, in consultation with other relevant Administration offices, shall transmit a report to Congress on how technology developed under section 806 is being transferred into the program under this section.	Report	01/12/10	On Track	View NWS charter here: http://www.ppi.noaa.gov/weather_water/TsunamiPage.html View Indian ocean tsunami warning system program here: http://www.iotws.org/ev_en.php?ID=1267_201&ID2=DO_TOPIC
The National Weather Service, in consultation with other relevant Administration offices, shall transmit to Congress a report on how the tsunami forecast system under this section will be integrated with other United States and global ocean and coastal observation systems, the global earth observing system of systems, global seismic networks, and the Advanced National Seismic System.	Report	01/12/08	On Track	View NWS charter here: http://www.ppi.noaa.gov/weather_water/TsunamiPage.html View Indian ocean tsunami warning system program here: http://www.iotws.org/ev_en.php?ID=1267_201&ID2=DO_TOPIC



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April 17, 2007

Mr. Mark Millikin
National Marine Fisheries Service, NOAA
1315 East-West Highway
Silver Spring, MD 20910

Re: Pacific Fishery Management Council Comments on Environmental Review Procedures and National Marine Fisheries Service's Notice of Intent to Prepare an Environmental Impact Statement Analyzing Alternatives for Guidance on Annual Catch Limits, Accountability Measures, and Other Overfishing Provisions of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.

Dear Mr. Millikin:

The Pacific Fishery Management Council (Pacific Council) appreciates the opportunity to provide comments to the National Marine Fisheries Service (NMFS) on the proposed range of alternatives for guidance on annual catch limits (ACL) and accountability measures (AM) designed to end overfishing. The Pacific Council remains committed to preventing overfishing and protecting and rebuilding depleted stocks and strongly supports timely and effective implementation of the *Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006* (MSRA).

At the March 2007 meeting, the Pacific Council reviewed all of the new provisions in the reauthorized Magnuson-Stevens Fishery Conservation and Management Act (MSA) and prioritized efforts to help implement any new requirements by the legislatively-mandated implementation schedules. At its April 2007 meeting, the Pacific Council focused attention on three new provisions: 1) guidance on annual catch limits and accountability measures designed to end overfishing, 2) consideration of proposals for a new environmental review process for fishery management actions; and 3) implementation of Western Central Pacific Fisheries Commission provisions. The first two issues were the subject of a NMFS sponsored public scoping session and this letter and the enclosed materials are intended to be included as the Pacific Council's scoping comments on these two important matters. The Pacific Council appreciated the efforts of Dr. Rick Methot and Ms. Marian Macpherson and their help in hosting the session and in presenting the scoping issues and responding to questions by the Pacific Council and the public.

ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES

The Pacific Council currently prevents overfishing by implementing science-based precautionary approaches to both the preseason setting of harvest levels and active fishery monitoring and inseason management mechanisms for many key species within our four fishery management

plans (FMPs). The Pacific Council believes its good record of avoiding overfishing events while rebuilding and protecting critical stocks speaks to the strength of the Pacific Council's current management mechanisms. Therefore, the Pacific Council recommends that the range of alternative performance standards and guidance on annual catch limits and accountability measures analyzed in the draft Environmental Impact Statement include an alternative under which the Pacific Council's current system can operate efficiently and effectively to meet the differing management capabilities and needs of our diverse fisheries. At this early stage of development, the Pacific Council has identified Alternative 2 as presented by Dr. Methot as the alternative that may best meet the requirements of the MSRA while maintaining the necessary flexibility for regional and species-specific implementation.

Prior to the passage of the MSRA, the Pacific Council was actively engaged in revision of National Standard 1 guidelines to help make them an understandable, applicable, and efficient set of requirements for ending overfishing practices and rebuilding depleted stocks while assuring measurable success through regional management flexibility in their implementation. As illustrated in this letter and the enclosed statements from the Pacific Council advisory bodies, a set of very specific performance standards and guidelines will not likely work when strictly applied to the wide range of federally managed fisheries and stocks. This "one size fits all strategy" could be problematic under several of the Pacific Council's FMPs as summarized below and detailed in the enclosed documents.

SALMON FISHERY MANAGEMENT PLAN

The Pacific Council's Salmon Technical Team (STT) documented several potential issues with developing ACLs and AMs for salmon. Many salmon stocks managed under the Pacific Council's salmon FMP have spawning escapement objectives rather than catch limits. To achieve conservation objectives the Pacific Council and NMFS manage salmon fisheries through the use of both catch limits or quotas as well as effort limiting measures such as season structure and daily or weekly landing limits. The application and definition of annual catch limits should remain broad enough to include the use of effort controls in addition to catch limits. Because salmon stock origin cannot be determined visually, the impacts of a given fishery, whether limited by catch or effort levels, cannot currently be known inseason. Measuring salmon spawning escapement is a more direct measure of management success and stock-specific sustainability.

Klamath River fall Chinook (KRFC) management is an excellent example of how fishery effort controls and measured spawning escapement provide both catch limitations and accountability measures. Recent KRFC escapements have fallen below conservation objectives for the stock. The Pacific Council has responded with review and revision of fishery modeling methods and precautionary fishery opportunities to quickly end overfishing and meet spawning escapement objectives. The Pacific Council recommends this type of mechanism, with its measurable objectives and subsequent management accountability, should be analyzed as a potential mechanism under the proposed guidelines.

Additionally, due to their migratory nature, many stocks in the FMP experience fishery mortality in ocean and freshwater fisheries outside the Pacific Council's jurisdiction. The Pacific Council

considers these other sources of mortality when establishing annual management measures, but the Pacific Council is not accountable for those fisheries.

Many salmon stocks are exempted from the Pacific Council's FMP because they are of hatchery origin, they are impacted very little in Pacific Council managed fisheries, or they are listed under the Endangered Species Act. The Pacific Council recommends that these exemptions continue under any new ACL and AM provisions, particularly for salmon stocks with catch and accountability measures established by international fishery agreements such as the Pacific Salmon Treaty. Finally, coho and pink salmon stocks are only vulnerable to Pacific Council fisheries for one year of their life cycles and Chinook salmon are predominantly vulnerable during one year. Therefore, salmon life cycles do not lend themselves to catch accountability restrictions the following year and should be considered for exemption.

GROUND FISH FISHERY MANAGEMENT PLAN

The Pacific Council's FMP for groundfish management perhaps best fits the proposed model for ACLs and AMs. Under this FMP, the Pacific Council establishes numeric optimum yield (OY) and allowable biological catch (ABC) harvest limits with varying degrees of precautionary approaches as warranted by a stock's status. OYs for species determined to be overfished are very conservative and set to achieve a science-based rebuilding schedule. The harvest control rule for species in a precautionary status (assessed between 25% and 40% of virgin biomass) scales down allowable harvest until the stock reaches optimal sustainable levels. For healthy groundfish stocks, OY is often set at the ABC or overfishing level.

The Pacific Council and NMFS closely monitor groundfish fishery mortality through the active monitoring of inseason landings and expanded observer coverage. Due in part to an intensive inseason management process, overfishing has occurred very rarely since the 1996 reauthorization of MSA. In one instance in 2005, overfishing was occurring on petrale sole, a condition that was remedied with dramatic fishery closures as soon as the problem was identified and inseason regulatory changes could be implemented. Ultimately, the ABC was only exceeded by 0.14 percent or 4 metric tons. As an additional AM, future fishery modeling of petrale sole impacts was refined to deter any reoccurrence.

Of the over 90 groundfish species managed under the FMP, ABC values have been established for only about 25. The remaining species are primarily incidentally landed and usually are not listed separately on fish landing receipts. Information from fishery independent surveys are often lacking for these stocks, because of their low abundance or they are not vulnerable to survey sampling gear. Until sufficient at-sea observer program data are available or surveys of other fish habitats are conducted, it is unlikely that there will be sufficient data to upgrade the assessment capabilities or to evaluate the overfishing potential of these stocks. Therefore, the Pacific Council manages many of these data-poor species as stock complexes and applies precautionary management approaches when setting OYs for the complex. The Pacific Council recommends this approach continue under the new guidelines until such a time as more information on these species becomes available.

The Pacific Council is currently working to rationalize the West Coast groundfish trawl fishery and establish long term fixed species allocations for each sector of the fishery. In the enclosed draft white paper "Managing Yield in a Groundfish Management Regime of Individual Fishing

Quotas, Intersector Allocations, and Stringent Rebuilding Requirements,” Pacific Council staff proposes the setting of multi-year OYs, with carryover provisions under which annual catch underages or overages could be adjusted in subsequent years of a multi-year management period. This management tool has many potential advantages in the management of a limited access privilege program. The Pacific Council strongly recommends that the provisions proposed in the staff white paper and supported by the Groundfish Management Team be included in the analysis for alternative guidelines on ACLs and AMs.

HIGHLY MIGRATORY SPECIES FISHERY MANAGEMENT PLAN

The Pacific Council’s FMP for highly migratory species includes two categories, actively managed species and monitored species. All of the actively managed species have a trans-boundary distribution and are the subject of international fishing agreements through Regional Fishery Management Organizations (RFMOs). For most of the species in the HMS FMP numerical harvest limits (harvest guidelines or quotas) have not been established. Furthermore, Pacific RFMOs have by and large not established catch quotas. Like some salmon stocks, catch by domestic fisheries managed under the HMS FMP generally comprises a small portion of the total catch. The Pacific Council recommends that the analysis of alternative guidelines include clear criteria and procedures for determining if international RFMO ACL and AM provisions are adequate for exemption under the MSA. Restricting domestic fisheries to near zero annual catch limits to address overfishing concerns would have almost no impact in ending overfishing on the stock as a whole but could severely disadvantage local fisherman. Additionally, the Western Pacific Fishery Management Council also manages HMS fisheries. Development of ACLs would need to be coordinated with that Council.

The monitored species category of the HMS FMP consists of over 40 species that are usually caught incidentally and are included in the FMP, in part, to track the effectiveness of bycatch reduction strategies. Establishing ACLs and AMs for these relatively data-poor species will be problematic and are of questionable value given how rarely some of the species are encountered and that many of them are non-target species.

COASTAL PELAGIC SPECIES FISHERY MANAGEMENT PLAN

The Pacific Council’s FMP for coastal pelagic species (CPS) contains actively managed species, and monitored species and was recently amended to include all species of krill as prohibited harvest species. The FMPs harvest control rules for actively managed species (Pacific mackerel and Pacific sardine) removes a fixed portion of the assessed biomass of these species from harvest consideration to minimize the potential for overfishing and to help ensure a sustainable spawning biomass. Therefore, the definition of an overfished stock is explicit in the harvest control rules as harvestable biomass automatically declines as the stock approaches an overfished state.

Per the CPS FMP, the Council must take action to prevent overfishing if exploitation rates are projected to exceed overfishing levels within two years. Under the CPS FMP, the Council can and does set a harvest guidelines or catch limits below the overfishing level. Often this precautionary approach is intended to prevent overfishing by reserving a portion of the harvestable biomass as an incidental landing allowance for CPS fisheries targeting other species.

Like the HMS FMP, the CPS FMP also contains monitored species. Monitored species are either exploited at very low levels or are under State jurisdiction, or both. It is presumed that market squid, a monitored species, would be exempt from ACL and AM provisions due to its short life cycle. Much like monitored species in the HMS FMP and data-poor stocks in the groundfish FMP, assessing ACLs and AMs for monitored stocks could be problematic.

SCIENTIFIC AND STATISTICAL COMMITTEE

The Pacific Council and its Scientific and Statistical Committee (SSC) have developed an active and effective relationship that provides detailed and independent review of the best available science within the Pacific Council process. The Pacific Council and its SSC have raised several questions regarding the SSC's role in establishing annual catch limits under the reauthorized MSA. These concerns are well documented in the enclosed SSC statements. Additionally, like other Pacific Council advisory bodies, the SSC has expressed many of concerns about determining catch accounting control rules for data-poor species or for salmon stocks which are generally managed for escapement.

REVISED ENVIRONMENTAL REVIEW PROCEDURES

The Pacific Council is supportive of integrating applicable environmental analytical procedures of the National Environmental Policy Act (NEPA) with the procedures for preparation or amendment of FMPs under the MSA with the goal of aligning timelines more closely with FMP processes and reducing paperwork while providing clear and concise analyses for decision makers and maintaining effective public involvement. The Pacific Council reviewed the Council Coordination Committee's (CCC) enclosed February 28, 2007 proposed revised procedure and endorsed this document for use as general initial guidance to NMFS on the matter. The Pacific Council Chairman and Executive Director will provide additional comments and recommendations at the May 2007 CCC meeting in New Orleans, Louisiana. The Pacific Council will continue to work with NMFS and the CCC throughout the development, review, and adoption of revised environmental review procedures.

CONCLUSIONS

The Pacific Council appreciates the opportunity to comment on the development of these important guidelines. Please consider the comments of this letter as well as the written and oral record from the April 2007 Council meeting and NMFS scoping session as initial Pacific Council recommendations for the development and analysis of alternative guidelines for implementation of ACLs and AMs. The Pacific Council looks forward to further coordination with NMFS as National Standard 1 guidelines and ACL and AM alternatives are further developed and analyzed.

If you or your staff has any questions regarding this letter, please contact me or Mr. Mike Burner, the lead Staff Officer on this matter at 503-820-2280.

Sincerely,

D. O. McIsaac, Ph.D
Executive Director

MDB:rdd

Enclosures:

1. Relevant Briefing Book Materials, Advisory Body Statements, and full meeting recordings from the April 2007 Council Meeting.

c: (without enclosures)

Council Members

Regional Fishery Management Council Executive Directors

Mr. Samuel D. Rauch, Deputy Assistant Administrator for Regulatory Programs

Mr. Alan Risenhoover, Deputy Director, Office of Sustainable Fisheries

Mr. Adam Issenberg, Deputy Assistant General Counsel for Sustainable Fisheries

Mr. Robert Lohn, NMFS, Northwest Regional Administrator

Mr. Rod McInnis, NMFS, Southwest Regional Administrator

Dr. Usha Varanasi, Science Director, Northwest Fisheries Science Center

Dr. William Fox, Science Director, Southwest Fisheries Science Center

Ms. Eileen Cooney

Dr. John Coon

Mr. Jim Seger

Mr. John DeVore

Ms. Laura Bozzi

Dr. Kit Dahl

Mr. Chuck Tracy

Ms. Jennifer Gilden

considered among the other factors. The contracting officer shall determine the relative importance of price and other factors as appropriate to the acquisition.

(e) *Contractor support for meetings and conferences.* A contract, order, work assignment or purchasing agreement that includes contractor support for meeting and conference planning and logistics must include a green meeting and conference requirement. The contracting officer shall ensure language is included in the tasking document work statement that requires the contractor to use the provision at 1552.223–71, or language approved by the contracting officer that is substantially the same as the provision, when soliciting quotes or offers for meeting and conference services on behalf of the EPA.

(f) *Solicitation Provision.* The contracting officer shall insert the provision or language substantially the same as the provision at 1552.223–71, EPA Green Meetings and Conferences, in solicitations for meeting and conference services. Contracting officers issuing an oral solicitation must also use the provision, though it may be provided to the vendor orally or electronically. Contractors soliciting quotes or offers for meeting and conference services on behalf of EPA shall use the provision, or language approved by the contracting officer that is substantially the same as the provision.

PART 1552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 3. The authority citation for 48 CFR part 1552 continues to read as follows:

Authority: 5 U.S.C. 301; Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); and 41 U.S.C. 418b.

■ 4. Add § 1552.223–71 to read as follows.

§ 1552.223–71 EPA Green Meetings and Conferences.

As prescribed in 1523.703–1, insert the following provision or language substantially the same as the provision in solicitations for meetings and conference services.

EPA GREEN MEETINGS AND CONFERENCES (May 2007)

(a) The mission of the EPA is to protect human health and the environment. We expect that all Agency meetings and conferences will be staged using as many environmentally preferable measures as possible. Environmentally preferable means products or services that have a lesser or reduced effect on the environment when compared with competing products or services that serve the same purpose.

(b) As a potential meeting or conference provider for EPA, we require information about environmentally preferable features and practices your facility will have in place for the EPA event described in the solicitation.

(c) The following list is provided to assist you in identifying environmentally preferable measures and practices used by your facility. More information about EPA's Green Meetings initiative may be found on the Internet at <http://www.epa.gov/oppt/greenmeetings/>. Information about EPA voluntary partnerships may be found at <http://www.epa.gov/partners/index.htm>.

(1) Do you have a recycling program? If so, please describe.

(2) Do you have a linen/towel reuse option that is communicated to guests?

(3) Do guests have easy access to public transportation or shuttle services at your facility?

(4) Are lights and air conditioning turned off when rooms are not in use? If so, how do you ensure this?

(5) Do you provide bulk dispensers or reusable containers for beverages, food and condiments?

(6) Do you provide reusable serving utensils, napkins and tablecloths when food and beverages are served?

(7) Do you have an energy efficiency program? Please describe.

(8) Do you have a water conservation program? Please describe.

(9) Does your facility provide guests with paperless check-in & check-out?

(10) Does your facility use recycled or recyclable products? Please describe.

(11) Do you source food from local growers or take into account the growing practices of farmers that provide the food? Please describe.

(12) Do you use biobased or biodegradable products, including biobased cafeteriaware? Please describe.

(13) Do you provide training to your employees on these green initiatives? Please describe.

(14) What other environmental initiatives have you undertaken, including any environment-related certifications you possess, EPA voluntary partnerships in which you participate, support of a green suppliers network, or other initiatives? Include "Green Meeting" information in your quotation so that we may consider environmental preferability in selection of our meeting venue.

[FR Doc. E7–6856 Filed 4–11–07; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 070402076–7076–01; I.D. 022007B]

RIN 0648–AV23

Illegal, Unreported, or Unregulated Fishing

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS publishes this final rule to satisfy the requirement in section 403 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) to publish a definition of the term "illegal, unreported, or unregulated (IUU)" fishing for purposes of the MSRA.

DATES: This final rule is effective April 12, 2007.

ADDRESSES: Dean Swanson, Chief, International Fisheries Affairs Division, Office of International Affairs, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT:

Dean Swanson at 301–713–2276, fax 301–713–2313.

SUPPLEMENTARY INFORMATION: Section 403 of the MSRA amends the High Seas Driftnet Fishing Moratorium Protection Act (Driftnet Moratorium Protection Act), 16 U.S.C. 1826d *et seq.*, by adding, among other things, a new section 609 that addresses illegal, unreported, or unregulated fishing. Section 609 requires the Secretary of Commerce (Secretary) to identify, and list in a biennial report to Congress, a nation if its fishing vessels are engaged, or have been engaged during the preceding 2 years, in illegal, unreported, or unregulated fishing. Section 609 also provides for notification to and consultation with nations and an "IUU Certification Procedure" for determining if a nation or relevant international fishery management organization has taken specified action to address the IUU fishing activities. As an initial step, section 609(e)(2) requires the Secretary to "publish a definition of the term 'illegal, unreported, or unregulated fishing,' for purposes of this Act," within 3 months after the date of enactment of MSRA, i.e., by April 12, 2007. Publication of this definition is the focus of this rulemaking. NMFS intends to conduct separate rulemaking,

as needed, to implement other requirements such as the IUU certification procedure.

Section 609(e)(3) states that “the Secretary shall include in the definition, at a minimum—

(A) fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements; (B) overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and (C) fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.”

NMFS has decided to publish the definition exactly as set forth in section 403 of MSRA (new section 609(e)(3) of the Driftnet Moratorium Protection Act). As noted above, NMFS will initiate separate rulemaking for the IUU certification procedure, and if needed, may promulgate additional implementing regulations for the definition of “illegal, unreported, or unregulated” fishing as that procedure is developed.

Therefore, for purposes of the MSRA, this final rule defines “illegal, unreported, or unregulated” fishing as: (A) fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements; (B) overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; or (C) fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water

corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

Classification

This final rule is published under the authority of the MSRA.

This rule has been determined to be not significant for purposes of Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment is unnecessary. This rule publishes verbatim a definition that is already set forth in a statute, and NMFS has no authority to publish a definition that does not include the specific elements set forth in the statute. Thus, public comment would be unnecessary. For the same reason, the Assistant Administrator finds good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(1). This rule publishes verbatim a definition that is already set forth in a statute; thus, public comment would be unnecessary.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

List of Subjects in 50 CFR Part 300

Fisheries; Fishing; Fishing vessels; Illegal, unreported, or unregulated fishing; Foreign relations.

Dated: April 10, 2007.

William T. Hogarth

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

■ For the reasons set out in the preamble, 50 CFR part 300 is amended as follows:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart N—Definition of Illegal, Unreported, or Unregulated Fishing

■ 1. Subpart N, consisting of §§ 300.200 and 300.201, is added to read as follows:

Subpart N—Definition of Illegal, Unreported, or Unregulated Fishing

Sec.

300.200 Purpose.

300.201 Definition.

Subpart N—Definition of Illegal, Unreported, or Unregulated Fishing

Authority: 16 U.S.C. 1826d *et seq.*

§ 300.200 Purpose.

The purpose of this subpart is to satisfy the requirement in section 403 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (“Act”) to publish a definition of the term “Illegal, unreported, or unregulated fishing” for purposes of the Act.

§ 300.201 Definition.

Illegal, unreported, or unregulated fishing means:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements;

(2) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; or

(3) Fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

[FR Doc. 07–1830 Filed 4–10–07; 12:51 pm]

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H. R. 5946—70

(1) notify the United States Coast Guard or the National Marine Fisheries Service Office of Law Enforcement in the appropriate region of the name, flag state, location, route, and destination of the vessel and of the circumstances under which it will enter United States waters;

(2) ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place where it is normally used for fishing and placed where it is not readily available for fishing; and

(3) where requested by an enforcement officer, proceed to a specified location so that a vessel inspection can be conducted.

SEC. 511. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary to carry out this title and to pay the United States' contribution to the Commission under section 5 of part III of the WCPFC Convention.

TITLE VI—PACIFIC WHITING

SEC. 601. SHORT TITLE.

This title may be cited as the "Pacific Whiting Act of 2006".

SEC. 602. DEFINITIONS.

In this title:

(1) **ADVISORY PANEL.**—The term "advisory panel" means the Advisory Panel on Pacific Hake/Whiting established by the Agreement.

(2) **AGREEMENT.**—The term "Agreement" means the Agreement between the Government of the United States and the Government of Canada on Pacific Hake/Whiting, signed at Seattle, Washington, on November 21, 2003.

(3) **CATCH.**—The term "catch" means all fishery removals from the offshore whiting resource, including landings, discards, and bycatch in other fisheries.

(4) **JOINT MANAGEMENT COMMITTEE.**—The term "joint management committee" means the joint management committee established by the Agreement.

(5) **JOINT TECHNICAL COMMITTEE.**—The term "joint technical committee" means the joint technical committee established by the Agreement.

(6) **OFFSHORE WHITING RESOURCE.**—The term "offshore whiting resource" means the transboundary stock of *Merluccius productus* that is located in the offshore waters of the United States and Canada except in Puget Sound and the Strait of Georgia.

(7) **SCIENTIFIC REVIEW GROUP.**—The term "scientific review group" means the scientific review group established by the Agreement.

(8) **SECRETARY.**—The term "Secretary" means the Secretary of Commerce.

(9) **UNITED STATES SECTION.**—The term "United States Section" means the United States representatives on the joint management committee.

SEC. 603. UNITED STATES REPRESENTATION ON JOINT MANAGEMENT COMMITTEE.

(a) REPRESENTATIVES.—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of State, shall appoint 4 individuals to represent the United States as the United States Section on the joint management committee. In making the appointments, the Secretary shall select representatives from among individuals who are knowledgeable or experienced concerning the offshore whiting resource. Of these—

(A) 1 shall be an official of the National Oceanic and Atmospheric Administration;

(B) 1 shall be a member of the Pacific Fishery Management Council, appointed with consideration given to any recommendation provided by that Council;

(C) 1 shall be appointed from a list submitted by the treaty Indian tribes with treaty fishing rights to the offshore whiting resource; and

(D) 1 shall be appointed from the commercial sector of the whiting fishing industry concerned with the offshore whiting resource.

(2) **TERM OF OFFICE.**—Each representative appointed under paragraph (1) shall be appointed for a term not to exceed 4 years, except that, of the initial appointments, 2 representatives shall be appointed for terms of 2 years. Any individual appointed to fill a vacancy occurring prior to the expiration of the term of office of that individual's predecessor shall be appointed for the remainder of that term. A representative may be appointed for a term of less than 4 years if such term is necessary to ensure that the term of office of not more than 2 representatives will expire in any single year. An individual appointed to serve as a representative is eligible for reappointment.

(3) **CHAIR.**—Unless otherwise agreed by all of the 4 representatives, the chair shall rotate annually among the 4 members, with the order of rotation determined by lot at the first meeting.

(b) **ALTERNATE REPRESENTATIVES.**—The Secretary, in consultation with the Secretary of State, may designate alternate representatives of the United States to serve on the joint management committee. An alternate representative may exercise, at any meeting of the committee, all the powers and duties of a representative in the absence of a duly designated representative for whatever reason.

SEC. 604. UNITED STATES REPRESENTATION ON THE SCIENTIFIC REVIEW GROUP.

(a) **IN GENERAL.**—The Secretary, in consultation with the Secretary of State, shall appoint no more than 2 scientific experts to serve on the scientific review group. An individual shall not be eligible to serve on the scientific review group while serving on the joint technical committee.

(b) **TERM.**—An individual appointed under subsection (a) shall be appointed for a term of not to exceed 4 years, but shall be eligible for reappointment. An individual appointed to fill a vacancy

occurring prior to the expiration of a term of office of that individual's predecessor shall be appointed to serve for the remainder of that term.

(c) **JOINT APPOINTMENTS.**—In addition to individuals appointed under subsection (a), the Secretary, jointly with the Government of Canada, may appoint to the scientific review group, from a list of names provided by the advisory panel—

- (1) up to 2 independent members of the scientific review group; and
- (2) 2 public advisors.

SEC. 605. UNITED STATES REPRESENTATION ON JOINT TECHNICAL COMMITTEE.

(a) **SCIENTIFIC EXPERTS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of State, shall appoint at least 6 but not more than 12 individuals to serve as scientific experts on the joint technical committee, at least 1 of whom shall be an official of the National Oceanic and Atmospheric Administration.

(2) **TERM OF OFFICE.**—An individual appointed under paragraph (1) shall be appointed for a term of not to exceed 4 years, but shall be eligible for reappointment. An individual appointed to fill a vacancy occurring prior to the expiration of the term of office of that individual's predecessor shall be appointed for the remainder of that term.

(b) **INDEPENDENT MEMBER.**—In addition to individuals appointed under subsection (a), the Secretary, jointly with the Government of Canada, shall appoint 1 independent member to the joint technical committee selected from a list of names provided by the advisory panel.

SEC. 606. UNITED STATES REPRESENTATION ON ADVISORY PANEL.

(a) **IN GENERAL.**—

(1) **APPOINTMENT.**—The Secretary, in consultation with the Secretary of State, shall appoint at least 6 but not more than 12 individuals to serve as members of the advisory panel, selected from among individuals who are—

- (A) knowledgeable or experienced in the harvesting, processing, marketing, management, conservation, or research of the offshore whiting resource; and
- (B) not employees of the United States.

(2) **TERM OF OFFICE.**—An individual appointed under paragraph (1) shall be appointed for a term of not to exceed 4 years, but shall be eligible for reappointment. An individual appointed to fill a vacancy occurring prior to the expiration of the term of office of that individual's predecessor shall be appointed for the remainder of that term.

SEC. 607. RESPONSIBILITIES OF THE SECRETARY.

(a) **IN GENERAL.**—The Secretary is responsible for carrying out the Agreement and this title, including the authority, to be exercised in consultation with the Secretary of State, to accept or reject, on behalf of the United States, recommendations made by the joint management committee.

(b) **REGULATIONS; COOPERATION WITH CANADIAN OFFICIALS.**—In exercising responsibilities under this title, the Secretary—

(1) may promulgate such regulations as may be necessary to carry out the purposes and objectives of the Agreement and this title; and

(2) with the concurrence of the Secretary of State, may cooperate with officials of the Canadian Government duly authorized to carry out the Agreement.

SEC. 608. RULEMAKING.

(a) **APPLICATION WITH MAGNUSON-STEVENS ACT.**—The Secretary shall establish the United States catch level for Pacific whiting according to the standards and procedures of the Agreement and this title rather than under the standards and procedures of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), except to the extent necessary to address the rebuilding needs of other species. Except for establishing the catch level, all other aspects of Pacific whiting management shall be—

(1) subject to the Magnuson-Stevens Fishery Conservation and Management Act; and

(2) consistent with this title.

(b) **JOINT MANAGEMENT COMMITTEE RECOMMENDATIONS.**—For any year in which both parties to the Agreement approve recommendations made by the joint management committee with respect to the catch level, the Secretary shall implement the approved recommendations. Any regulation promulgated by the Secretary to implement any such recommendation shall apply, as necessary, to all persons and all vessels subject to the jurisdiction of the United States wherever located.

(c) **YEARS WITH NO APPROVED CATCH RECOMMENDATIONS.**—If the parties to the Agreement do not approve the joint management committee's recommendation with respect to the catch level for any year, the Secretary shall establish the total allowable catch for Pacific whiting for the United States catch. In establishing the total allowable catch under this subsection, the Secretary shall—

(1) take into account any recommendations from the Pacific Fishery Management Council, the joint management committee, the joint technical committee, the scientific review group, and the advisory panel;

(2) base the total allowable catch on the best scientific information available;

(3) use the default harvest rate set out in paragraph 1 of Article III of the Agreement unless the Secretary determines that the scientific evidence demonstrates that a different rate is necessary to sustain the offshore whiting resource; and

(4) establish the United State's share of the total allowable catch based on paragraph 2 of Article III of the Agreement and make any adjustments necessary under section 5 of Article II of the Agreement.

SEC. 609. ADMINISTRATIVE MATTERS.

(a) **EMPLOYMENT STATUS.**—Individuals appointed under section 603, 604, 605, or 606 of this title who are serving as such Commissioners, other than officers or employees of the United States Government, shall be considered to be Federal employees while performing such service, only for purposes of—

(1) injury compensation under chapter 81 of title 5, United States Code;

(2) requirements concerning ethics, conflicts of interest, and corruption as provided under title 18, United States Code; and

(3) any other criminal or civil statute or regulation governing the conduct of Federal employees.

(b) COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), an individual appointed under this title shall receive no compensation for the individual's service as a representative, alternate representative, scientific expert, or advisory panel member under this title.

(2) SCIENTIFIC REVIEW GROUP.—Notwithstanding paragraph (1), the Secretary may employ and fix the compensation of an individual appointed under section 604(a) to serve as a scientific expert on the scientific review group who is not employed by the United States Government, a State government, or an Indian tribal government in accordance with section 3109 of title 5, United States Code.

(c) TRAVEL EXPENSES.—Except as provided in subsection (d), the Secretary shall pay the necessary travel expenses of individuals appointed under this title in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(d) JOINT APPOINTEES.—With respect to the 2 independent members of the scientific review group and the 2 public advisors to the scientific review group jointly appointed under section 604(c), and the 1 independent member to the joint technical committee jointly appointed under section 605(b), the Secretary may pay up to 50 percent of—

- (1) any compensation paid to such individuals; and
- (2) the necessary travel expenses of such individuals.

SEC. 610. ENFORCEMENT.

(a) IN GENERAL.—The Secretary may—

(1) administer and enforce this title and any regulations issued under this title;

(2) request and utilize on a reimbursed or non-reimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title; and

(3) collect, utilize, and disclose such information as may be necessary to implement the Agreement and this title, subject to sections 552 and 552a of title 5, United States Code.

(b) PROHIBITED ACTS.—It is unlawful for any person to violate any provision of this title or the regulations promulgated under this title.

(c) ACTIONS BY THE SECRETARY.—The Secretary shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) were incorporated into and made a part of this title. Any person that violates any provision of this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act in the same manner, by the same means, and with the same jurisdiction, power, and duties as though all applicable terms and

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provisions of that Act were incorporated into and made a part of this title.

(d) **PENALTIES.**—This title shall be enforced by the Secretary as if a violation of this title or of any regulation promulgated by the Secretary under this title were a violation of section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857).

SEC. 611. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the obligations of the United States under the Agreement and this title.

TITLE VII—MISCELLANEOUS

SEC. 701. STUDY OF THE ACIDIFICATION OF THE OCEANS AND EFFECT ON FISHERIES.

The Secretary of Commerce shall request the National Research Council to conduct a study of the acidification of the oceans and how this process affects the United States.

SEC. 702. PUGET SOUND REGIONAL SHELLFISH SETTLEMENT.

(a) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) the Tribes have established treaty rights to take shellfish from public and private tidelands in Washington State, including from some lands owned, leased, or otherwise subject to harvest by commercial shellfish growers;

(B) the district court that adjudicated the Tribes' treaty rights to take shellfish found that the growers are innocent purchasers who had no notice of the Tribes' fishing right when they acquired their properties;

(C) numerous unresolved issues remain outstanding regarding implementation of the Tribes' treaty right to take shellfish from lands owned, leased, or otherwise subject to harvest by the growers;

(D) the Tribes, the growers, the State of Washington, and the United States Department of the Interior have resolved by a settlement agreement many of the disputes between and among them regarding implementation of the Tribes' treaty right to take shellfish from covered tidelands owned or leased by the growers;

(E) the settlement agreement does not provide for resolution of any claims to take shellfish from lands owned or leased by the growers that potentially may be brought in the future by other Tribes;

(F) in the absence of congressional actions, the prospect of other Tribes claims to take shellfish from lands owned or leased by the growers could be pursued through the courts, a process which in all likelihood could consume many years and thereby promote uncertainty in the State of Washington and the growers and to the ultimate detriment of both the Tribes and other Tribes and their members;

(G) in order to avoid this uncertainty, it is the intent of Congress that other Tribes have the option of resolving their claims, if any, to a treaty right to take shellfish



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

101 27 107

Mr. Donald K. Hansen
Chair
Pacific Fishery Management Council
7700 North East Ambassador Place
Portland, Oregon 97220-1384

RECEIVED

MAY 07 2007

PFMC

Dear Mr.  Hansen:

On January 12, 2007, President Bush signed a bill reauthorizing the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The MSA, as amended, mandates that the Secretary of Commerce (the Secretary) establish a regionally based registry program for recreational fishermen who fish in the Exclusive Economic Zone or for anadromous species. It also requires registration of vessels used in such fishing if appropriate. The registries will assist us to build complete, up-to-date telephone/address directories of marine recreational fishery participants that can be utilized for efficient, cost-effective surveys of recreational fishing effort and, ultimately, catch.

The MSA directs the Secretary to "exempt from registration under the program any recreational fishermen and charter fishing vessels licensed, permitted or registered under the laws of a State if the Secretary determines that information from the State program is suitable for the Secretary's use or is used to assist in completing marine recreational fisheries statistical surveys, or evaluating the effects of proposed conservation and management measures for marine recreational fisheries".

NMFS will be developing the federal program over the coming months. At this time, we have preliminarily identified minimum information for registered anglers that would include:

- State of registration
- Angler name (first name, middle initial, last name, suffix)
- Mailing address of permanent residence (street, city, state, zip code)
- County of permanent residence
- Phone number
- Category of registration (if applicable)
- Effective dates of registration

Minimum information for registered fishing vessels would include:

- Vessel name (if applicable)
- Vessel registration number (State or Coast Guard registration number)
- Name of vessel representative (vessel owner or operator)

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES



- Mailing address of vessel representative (street, city, state, zip code)
- Phone number of vessel representative
- State in which the vessel primarily operates
- County in which the vessel primarily operates
- Port out of which the vessel primarily operates
- Effective dates of registration

In addition to collecting these minimum data elements, State programs must attempt to register all participants to ensure that no individuals are excluded from the directories used for surveys. It will be necessary to include individuals who are often excluded from licensing because of age, military status or residency. Because the data will be used as a foundation for collecting recreational fishing catch and effort data, angler contact information must also be managed in electronic databases that are accessible to NMFS staff. These databases must be kept as up to date as possible to ensure the inclusion of new registrants in the surveys used to produce recreational fishery statistics.

We look forward to working with our State agency partners over the coming months as we further develop and refine the data elements, protocols, and procedures for this registry program. NMFS, in cooperation with the Interstate Marine Fisheries Commissions, Regional Fishery Management Councils, State agency partners, and the recreational fishing industry, has already initiated the development of improved data collection programs for marine recreational fisheries. These efforts are heavily dependent upon the development of comprehensive registries of recreational fishing participants. NMFS is fully committed to meeting the requirements of MSA, and I look forward to working with each of our State agency partners to ensure the development of an angler registry program that will meet the needs of all interested parties in an efficient, cost-effective manner.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

William T. Hogarth, Ph.D.
Assistant Administrator
for Fisheries

Summary notes from May 15-17, 2007 workshop on science support for annual catch limit determinations. Discussion draft only, does not represent NOAA policy

Science for ACL Workshop

May 15-17, 2007
Alaska Fisheries Science Center
Seattle, WA

Sponsored by:
NMFS Office of Science and Technology
NMFS Office of Sustainable Fisheries

Hosted by:
NMFS Alaska Fisheries Science Center

Workshop Summary Prepared by:
Richard Methot

Workshop Summary

This workshop was held to discuss the science requirements for implementation of annual catch limits (ACL) per the requirements of the Magnuson-Stevens Reauthorization Act of 2006 (MSRA). Four topics were covered: assessment support for ACL determination, quantifying and communicating uncertainty in assessment forecasts, SSCs and peer review, and data-limited situations. The workshop was not designed to develop specific recommendations. Rather, the goal was to engage in an inter-regional, management-science discussion to explore the breadth of current and potential approaches to these topics, and the potential merits of follow-up specific workshops to develop technical guidance.

Because the workshop was held soon after completion of formal scoping sessions on ACLs and because the workshop participants included representatives from all Science Centers, Regional Offices, and Fishery Management Councils, it also provided a natural opportunity to continue discussions on general issues with regard to definition of ACLs and guidance for their implementation. These discussions are valuable because they provide the workshop participants, who will be involved with ACL implementation, with a better working knowledge of the issues. However, the workshop was not intended to provide any specific advice on ACL implementation.

Overview of ACL Requirement

The workshop opened with Galen Tromble (SF) presenting an overview of the MSRA requirements related to overfishing, optimum yield and annual catch limits. Some key issues are the concept of using targets below limits in order to avoid exceeding the limit while taking into account the degree of uncertainty in knowledge of the actual limit and the management capability in controlling catch close to the target. Another factor is the amount of time between excess mortality occurring in a fishery to accountability measures being implemented to address the problem.

Assessment Support for Annual Catch Limits

Richard Methot (ST) presented a summary of the current and foreseeable ability to conduct adequate assessments for the 530 listed stocks. The goal of this exercise is to better understand our ability to calculate annual catch limits and related management quantities directly from adequate assessments rather than data-limited proxies. The lists developed by Science Center representatives included five categories ranging from stocks for which updates of current assessments probably will be suitable for ACL calculation, to a category of stocks for which even development of data-limited, stock-specific ACLs will be challenging. His presentation included a summary of the degree to which various FMPs have used stock complexes and the degree to which different FMPs have identified geographic sub-units of species within an FMP area.

Characterizing and Communicating Uncertainty

Five presentations were made to provide background on the state of the scientific capability to calculate uncertainty in assessment results, to incorporate this uncertainty in forecasts of future stock conditions and potential yield, and to communicate this information to fishery managers and constituents. Richard Methot (ST) opened with an overview of factors that contribute to uncertainty in the assessment results. Kyle Shertzer (SEC) described an approach to using the uncertainty in the assessment to forecast future catch levels that would have a specified probability of preventing overfishing. Grant Thompson's (AKC) presentation showed how a decision theory approach to obtaining maximum "utility" can take into account the tradeoff between achieving a high average yield while avoiding hitting limits. Paul Rago (NEC) presented the NEFSC's method for doing projections that takes into account uncertainty in stock abundance plus uncertainty in future stock productivity (recruitment). He also showed how the uncertainty in assessments is underrepresented when it does not take into account the tendency for a sequence of assessments to show a consistent bias for several years. George Darcy (NER) emphasized the necessity of learning to deal with the inevitable uncertainty in assessment results, including improved communication between scientists and managers with regard technical stock assessments and their uncertainty.

ACLs in Data-Limited Situations

Eight presentations covered a range of sub-topics within the general category of data-limited situations. Rick Hart (SEC) presented an overview of the shrimp life history and the

Summary notes from May 15-17, 2007 workshop on science support for annual catch limit determinations. Discussion draft only, does not represent NOAA policy

factors that cause these short life cycle stocks to not be amenable to ACL management. Norma Sands (NWC) followed with a presentation on Pacific salmon in which several special factors included short life cycle, inability to distinguish individual stocks real-time in ocean fisheries, ESA listing of several stocks, hatchery production, and minimal occurrence of some stocks in regional fisheries have influenced the development of salmon overfishing criteria. Grant Thompson (AKC) described the tier system developed for North Pacific groundfish in which the size of the buffer between the OFL and the target catch is based upon the quality of the available stock assessment information. Rebecca Reuter (AKC), Olav Ormseth (AKC) and Jane Dicosimo (NPFMC) teamed to describe recent efforts in the North Pacific groundfish FMPs to better define and manage catch of stock complexes. This includes investigation of alternative management approaches for non-target stocks that would not entail full status determination specifications. Jack McGovern (SER) presented the approach to defining complexes for data-limited stocks in the Southeast and Caribbean and to setting their target catch at a fraction of the estimated limit catch. In an effort to better understand whether recent average catch is a reasonable stating point for recommendation of an ACL in data-limited situations, Jim Hastie (NWC) compared the recent average catch of some west coast groundfish stocks to the level of recommended catch when these stocks were subsequently assessed for the first time. Alec MacCall (SWC) demonstrated how one might use a statistical approach to inclusion of stocks in a complex and using assessment of a related indicator stock to provide information on the status and potential ACL of the complex. Paul Rago (NEC) wrapped up the session with a presentation on the Northeast's approach to using time series of survey indices and catch to develop a data-limited assessment.

Role of SSCs and Peer Review

Five presentations were made in the session on SSCs and peer review. Richard Methot (ST) opened with a brief summary of some of the issues including the chain of custody of the potential ACL number as it moves from the assessment through the technical review to the SSC and then to the Council. Elizabeth Clarke (NWC) presented an overview of the SEDAR, SARC and STAR processes including their use of external reviewers. Stephen Brown (ST) and Tom Gleason described the requirements of the Information Quality Act and OMB Peer Review Bulletin, and the role of the Center for Independent Experts (CIE) in conducting assessment reviews. Chris Kellogg (NEFMC) presented the historical role of the NEFMC's SSC which has served primarily as reviewers of specific scientific questions, rather than as routine components of the ongoing development and review of status determinations and harvest recommendations. The NE assessments are reviewed through the SAW/SARC process involving some external reviewers. Harvest recommendations are made by the Species Monitoring Committees and Plan Development Teams. Jane DiCosimo (NPFMC) described the NPFMC's SSC role in which they review all assessments and make recommendations on status determinations and harvest levels. The role of external reviewers in the North Pacific is focused on review of current methods and recommendations for improvements to implement in subsequent assessments.

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON MAGNUSON-STEVENSON
ACT REAUTHORIZATION IMPLEMENTATION

The Scientific and Statistical Committee (SSC) noted that the “Pacific Whiting Act of 2006” (Agenda Item B.5.a, Attachment 4, Section 604) calls for the appointment of two U.S.A. scientific experts to the whiting “Scientific Review Group.” The SSC has considerable experience with whiting assessment and management issues. The Council may wish to nominate a member of its SSC to serve as one of the U.S.A. members of the Scientific Review Group.

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06/14/07

POSTPONED TO SEPTEMBER COUNCIL MEETING

LEGISLATIVE MATTERS

The Legislative Committee (Committee) will not be meeting at the June Council meeting as previously scheduled. The LC will meet next at the September meeting in Portland, Oregon.

Council Action:

None.

Reference Materials:

None.

Agenda Order (cancelled):

- a. Agenda Item Overview
- b. Legislative Committee Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider Recommendations of the Legislative Committee

Mike Burner
Dave Hanson

PFMC
05/24/07

FISCAL MATTERS

The Council's Budget Committee will meet on Monday, June 11, 2007, at 8:30 A.M. to consider budget issues as outlined in Ancillary E, Budget Committee Agenda.

The Budget Committee's report will be provided to the Council for review and approval on Friday, June 15.

Council Action:

Consider the report and recommendations of the Budget Committee.

Reference Materials:

1. Agenda Item B.7.b, Supplemental Budget Committee Report.

Agenda Order:

- | | |
|---|--------------|
| a. Agenda Item Overview | John Coon |
| b. Budget Committee Report | Jerry Mallet |
| c. Reports and Comments of Advisory Bodies | |
| d. Public Comment | |
| e. Council Action: Consider the Report and Recommendations of the Budget Committee | |

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05/24/07

REPORT OF THE BUDGET COMMITTEE

The Budget Committee met on Monday, June 11, 2007 and received the Executive Director's Budget Report on the current status of funding and expenditures under the 2005-2009 Award, and his expectations for future funding. The following Budget Committee members were present:

Mr. Jerry Mallet, Chairman
Mr. Donald K. Hansen

Mr. Mark Helvey/Mr. Frank Lockhart
Mr. Frank Warrens

Absent: Mr. Phil Anderson (Ms. Michele Culver in attendance)
Dr. Dave Hanson (in attendance at concurrent North Pacific Fishery Management Council meeting)

Current Status of Calendar Year 2007 Base Funding

Dr. McIsaac reviewed the sequence of events which established the 2007 funding available to the Council. The funding process this year was especially delayed due to the fact that Congress did not act on the Federal budget until mid-February 2007. While the Senate mark identified the much needed level of \$30 million for the regional council's line item, the final adoption was status quo at \$15 million, resulting in a Pacific Council share of about \$2.2 million. Given the 2007 budget target of \$3.2 million to maintain Pacific Council status quo operations at the 2006 level, additional critical funding was needed from supplemental line item sources. Significant amounts of the supplemental funding for the Pacific Council were received in early May, and, at this time, the Pacific Council has received about \$2.7 million, or about 85 percent of the amount needed to cover status quo base funding at the 2006 operational level. The Council Chair and Executive Director have received verbal assurances that the full \$3.2 million needed for status quo base operations will ultimately be provided.

Proposed 2007 Base Budget and Status

Dr. McIsaac presented the committee with a total proposed 2007 operational base budget of \$3,255,454. This budget provides for continuation of status quo programs and Council staffing.

Expenditure of the proposed 2007 budget is proceeding within normal expectations for the first four months of the year.

Groundfish Trawl Rationalization (IQ) Funding

In May, the Council received \$1.4 million to complete the necessities for final Council recommendations regarding groundfish trawl rationalization (IQ) considerations, including the Intersector Allocation Environmental Impact Statement (EIS) and the Trawl Rationalization EIS. This amount, combined with funds remaining from \$300,000 in dedicated funds received late in 2006, provides a total of about \$1.6 million to support the program for 2007 through 2009. This funding will be used to support meetings, contractors, and Council staff working on IQ issues. Dr. McIsaac will provide the committee with a spending plan for 2007-2009 in September.

Preliminary Expectations for Future Funding

For 2008, Dr. McIsaac reported that the President's budget includes \$19 million for the regional council's line item. If this level were enacted, it would be an increase over the recent funding level of \$15 million, but would not provide hard funding at the level the councils need to maintain status quo operations under the combination of hard and soft funding they have been receiving.

At this time, there is considerable uncertainty in Council funding for 2008, including both the risk that funding for status quo operations will be insufficient and that delays similar to calendar year 2007 might occur.

Other

The committee also discussed funding possibilities for development of an Ecosystem Fishery Management Plan. Efforts are going forward to explore the possibilities of a separate award for that purpose.

Budget Committee Action and Recommendations

Recognizing the base operational funding received and expected to be received by the Council in 2007 and the uncertainties of the budget process for 2008, the Budget Committee recommends the Council adopt:

1. The 2007 operational base budget proposed by Dr. McIsaac of \$3,255,454; and
2. A carry over of savings from the 2006 budget year to protect the operational continuity and capacity of the Council in 2008.

PFMC
06/14/07

APPOINTMENTS TO ADVISORY BODIES, STANDING COMMITTEES,
AND OTHER FORUMS, AND CHANGES TO COUNCIL OPERATING PROCEDURES
(COP) AS NEEDED

Advisory Body Appointments

The California Department of Fish and Game (CDFG) is proposing changes to its membership on the Highly Migratory Species Management Team (HMSMT) and the Coastal Pelagic Species Management Team (CPSMT) due to internal promotions. The CDFG proposes that Ms. Leeanne Laughlin replace Mr. Steve Wertz on the HMSMT and Ms. Briana Brady replace Ms. Laughlin on the CPSMT (Closed Session A.1.a, Attachment 1).

Dr. Lyman McDonald has notified us of his intent to resign from an at-large position on the Scientific and Statistical Committee (SSC). The Council should advertise to fill this vacancy so a new member may be selected in September.

The following advisory body vacancies remain:

- HMSMT – Washington Department of Fish and Wildlife Position
- SSC – Idaho Department of Fish and Game Position
- Ad Hoc Groundfish Trawl Individual Quota Committee – Community Representative
- Appointments to an Ecosystem Fishery Management Plan Development Team
- Ad Hoc appointments to the Groundfish Essential Fish Habitat Oversight Committee

Changes to COP

Changes to COP are scheduled under Agenda Item B.2 with regard to Council coordination with Regional Fishery Management Organizations, and under Agenda Item B.4 for the review of groundfish essential fish habitat.

Council Action:

- 1. Confirm CDFG replacements on the HMSMT and CPSMT.**
- 2. Issue a request for nominations to fill an at-large position on the SSC.**
- 3. Provide direction on any pertinent appointment or COP issue.**

Reference Materials:

1. Closed Session A.1a, Attachment 1: CDFG changes on the HMSMT and CPSMT.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Consider Changes to COP and Appoint new Advisory Body Members as Needed

John Coon

COUNCIL THREE MEETING OUTLOOK, DRAFT SEPTEMBER 2007 COUNCIL MEETING AGENDA, AND WORKLOAD PRIORITIES

This agenda item requests guidance on the following three matters:

1. The Council three-meeting outlook (September, November, and March).
2. The draft agenda for the September 2007 Council meeting in Portland, Oregon.
3. Council staff workload priorities for June 18 through September 14, 2007.

The Council preliminarily reviewed items 1 and 2 above under Agenda Item B.1 on Monday. With the inclusion of any input gathered from that review or other Council actions during the week, the Executive Director will review supplemental proposed drafts of the three items listed above and discuss any other matters relevant to the Council meeting agendas and workload. After considering any reports and comments from advisory bodies and public, the Council is scheduled to provide appropriate guidance for final agenda development and also has the opportunity to identify priorities for advisory body consideration for the June Council meeting.

Council Tasks:

- 1. Provide guidance on potential agenda topics for the next three Council meetings.**
- 2. Provide guidance on the draft agenda for the September 2007 Council meeting.**
- 3. Provide guidance on priorities for Council workload management between the June and September Council meetings.**
- 4. Identify priorities for advisory body consideration at the next Council meeting.**

Reference Materials:

1. Agenda Item B.10.a, Supplemental Attachment 1: Proposed Preliminary Three-Meeting Outlook for the Pacific Council.
2. Agenda Item B.10.a, Supplemental Attachment 2: Preliminary Draft Council Meeting Agenda, September 9-14, Portland, Oregon.
3. Agenda Item B.10.a, Supplemental Attachment 3: Council Workload Priorities June 18, 2007 through September 14, 2007.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Guidance on Three Meeting Outlook, September Council Agenda, Council Staff Workload, and Priorities for Advisory Body Consideration

Don McIsaac

PFCMC
05/22/07

Preliminary Three Meeting Outlook for the Pacific Council (Contingent Items are Shaded and Counted in Time Estimate)

September Portland, OR (9/9-9/14/07) Estimated Percent of Standard Floor Time = 121%	November San Diego, CA (11/4-11/9/07) Estimated Percent of Standard Floor Time = 175%	March Sacramento, CA (3/10-14/2008) Estimated Percent of Standard Floor Time = 85%
<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Fiscal Matters Interim Appointments to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Drft Nov Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Fiscal Matters Interim Appointments to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Drft Mar Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items	<u>Administrative</u> Closed Session; Open Session Call to Order; Min. Legislative Committee Report Interim Appt. to Advisory Bodies MSA Reauthorization Implementation 3 Mtg Outlook, Apr Agenda, Workload (2 sessions) Public Comment on Non-Agenda Items
<u>Coastal Pelagic Species</u>	<u>Coastal Pelagic Species</u> NMFS Rpt Pac. Sardine Stk Assessment & HG for 2008: Adopt Final Pac. Mackerel Stk Assmnt Methodology	<u>Coastal Pelagic Species</u>
<u>Enforcement Issues</u> State Activity Rpt	<u>Enforcement Issues</u>	<u>Enforcement Issues</u>
<u>Groundfish</u> NMFS Report 2007 Inseason Management (2 Sessions) Stock Assessments 2009-10: Adopt All Remaining Open Access Limitation: Refine Proposed Alts Observer Data Delivery Schedule Revisions FMP A-15 (AFA): Final Council Action Pacific Whiting: Consider Bycatch Allocation & Opening Dates (Mtg 1) Bottom Closures: Consider Rev of Proposed Changes	<u>Groundfish</u> NMFS Report 2007 Inseason Management (2 Sessions) Trawl IQ: Adopt Alts. to Analyze for DEIS Intersector Allocation: Adopt Preferred Alt (Prelim DEIS) Stock Assessments: Adopt New Assmnts & RB Analyses (including Mop-up) Open Access Limitation: Adopt Preferred Alts for Pub Rev Mgmt Spx for 2009-10: Adopt Prelim Range of ABCs & OYs, & Range of Mgmt Measures EFPs for 2008: Final Recommendations Off-Year Sci. Improvements: Prioritize & Plan for 2008 Pacific Whiting: Consider Bycatch Allocation & Opening Dates (Mtg 2)	<u>Groundfish</u> NMFS Report 2007 Inseason Mgmt (2 Sessions) Stock Assessment Planning for 2011-2012 Seasons Pac. Whiting: Adopt Final 2008 Spx & Mgmt Measures
<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report	<u>Habitat Issues</u> Habitat Committee Report

Agenda Item B.10.a
Supplemental Attachment 1
June 2007

Preliminary Three Meeting Outlook for the Pacific Council
(Contingent Items are Shaded and Counted in Time Estimate)

September Portland, OR (9/9-9/14/07) Estimated Percent of Standard Floor Time = 121%	November San Diego, CA (11/4-11/9/07) Estimated Percent of Standard Floor Time = 175%	March Sacramento, CA (3/10-14/2008) Estimated Percent of Standard Floor Time = 85%
<u>Highly Migratory Species</u> NMFS Rpt New EFPs for 2008: Adopt for Pub Rev-- or in Nov Yellowfin Overfishing Response: Adopt Alts. for Pub Rev High Seas Limited Entry Longline Fishery: Consider Need & Options	<u>Highly Migratory Species</u> NMFS Rpt New EFPs for 2008: Adopt for Pub Rev--or New EFPs for 2008: Adopt Final --or in Apr Yellowfin Overfishing Response: Final Action WCPFC Recommendations	<u>Highly Migratory Species</u>
<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>	<u>Marine Protected Areas</u>
<u>Pacific Halibut</u> Changes to 2008 CSP & Regs: Adopt for Pub Rev Halibut Bycatch Est for IPHC: review Halibut Abundance Estimation for 2008	<u>Pacific Halibut</u> Changes to 2008 CSP & Regs: Adopt Final	<u>Pacific Halibut</u> Rpt on IPHC Annual Mtg Incidental Catch Regs for 2008: Adopt Options for Public Rev
<u>Salmon</u> 2007 Methodology Review: Select Final Rev Priorities KRFC Escapement Shortfall Report: Progress Update	<u>Salmon</u> Preseason Salmon Mgmt Sched for 2008: Approve 2007 Methodology Review: Adopt Final Changes Mitchell Act EIS: Provide Council Comments	<u>Salmon</u> 2008 Mgmt Options: Adopt Range for Public Rev & Appt. Hearings Officers KRFC Escapement Shortfall Report: Final Identify Stocks not Meeting Conserv. Objectives Mass Marking & CWT Information Briefing
<u>Information Reports</u> Salmon Fishery Update Final SAFE Rpt	<u>Information Reports</u> Salmon Fishery Update	<u>Information Reports</u>
<u>Special Sessions</u> Joint Session Monday night for New Stock Ass. Q & A OCNMS Marine Habitat Research Rpt--Weds 7 pm	<u>Special Sessions</u> Joint Session Mon Night on Groundfish Intersector Allocation Joint Session Tue Night--Trawl Rationalization 1 hr =3%	<u>Special Sessions</u>

PROPOSED COUNCIL MEETING AGENDA, SEPTEMBER 9-14, 2007, PORTLAND, OREGON

	Sun, Sept 9	Mon, Sept 10	Tues, Sept 11	Wed, Sept 12	Thurs, Sept 13	Fri, Sept 14
Day-Time Council Floor Matters	<u>Unscheduled Candidate Items</u> 1) Bycatch Allocation & Opening Dates for the Pacific Whiting Fishery—Mtg 1 of 2 (2 hr) 2) Proposals for Changes in GF Bottom Closures (2 hr)	<u>CLOSED SESSION</u> 2:30 pm <u>CALL TO ORDER</u> 3:30 pm A.1 Opening (15 min) <u>ADMINISTRATIVE</u> B.1 Future Agenda Planning (15 min) <u>OPEN PUBLIC COMMENT</u> C.1 Comments on Non-Agenda Items (30 min)	<u>ENFORCEMENT</u> D.1 State Activity Rpt (45 min) <u>HABITAT</u> E.1 Current Issues (45 min) <u>HIGHLY MIGRATORY SPECIES</u> F.1 NMFS Rpt (IATTC, etc.) (45 min) F.2 EFPs for 2008: Adopt for Pub Rev (2 hr) F.3 Yellowfin Overfishing: Adopt Alts for Pub Rev (1 hr 30 min) F.4 High Seas Limited Entry Longline Fishery: Consider Need & Options (2 hr)	<u>GROUND FISH</u> G.1 NMFS Report (45 min) G.2 Observer Data Delivery Schedule: Consider Revisions (1.5 hr) G.3 Open Access Limitation: Refine Alts (3 hr) <u>GROUND FISH</u> G.3 Inseason Adjustments (2 hr) <u>ADMINISTRATIVE</u> B.2 MSA Reauthorization Implementation (3 hr)	<u>GROUND FISH</u> G.4 Stock Assessments: Remaining Full Assessments (3 hr) G.5 Amendment 15 (AFA): Adopt Final Recommendations (4 hr) G.6 Final Inseason Adjustments (1 hr)	<u>PACIFIC HALIBUT</u> H.1 Changes to CSP: Adopt for Pub Rev (45 min) H.2 Bycatch Est. for IPHC (45 min) H.3 Abundance Est. for 2008 (1 hr) <u>SALMON</u> I.1 Final Topics for 2007 Methods Rev (45 min) I.2 KRFC OF Rev: Progress Rpt (1 hr) <u>ADMINISTRATIVE</u> B.3 Legislative Matters (30 min) B.4 Fiscal Matters (30 min) B.5 Interim Appts (15 min) B.6 Minutes (15 min) B.7 3-Mtg Outlook, Nov Agenda, Workload (30 min)
		2 hr (plus 2 hr in Evening)	7 hr 45 min	7 hr 15 min (plus 1.5 hr in Evening)	8 hr	6 hr 15 min
Committees	4:00 pm GAP 4:00 pm GMT	8:00 am GAP 8:00 am GMT 8:00 am SSC 8:30 am BC 9:00 am HC 10:00 am LC 11:00 am Chr B 4:30 pm EC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT	8:00 am EC

Council-sponsored evening sessions:
 Monday Evening 7:00 pm Groundfish Stock Assessment Question and Answer Session
 Tuesday Evening 6:00 pm Chairman's Reception
 Wednesday Evening 7:00 pm OCNMS Marine Habitat Research Report

6/15/2007 12:42 PM

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Agenda Item B.10.a
 Supplemental Attachment 2
 June 2007

COUNCIL WORK LOAD PRIORITIES JUNE 18, 2007 THROUGH SEPTEMBER 14, 2007

(Bolded tasks represent core management programs; lead responsibility for shaded tasks is outside Council staff)

	Salmon	Groundfish	CPS	HMS	Other
ACTIVE	Inseason Mgmt KRFC Over fishing Rev	Inseason Mgmt SAFE Doc drafting	Final SAFE 2007	Final SAFE	Admin Necessities (Briefing Book, minutes, Newsletter, Website, E-Filing, COP (EFH, RFMO), Fiscal Matters, MSA Reauthorization Implementation
	Methodology Review	Trawl IQ Program: Ongoing Analysis of Refined Alts.		Yellowfin OF Response	Pacific Halibut Mgmt
	GSI Workshop	Intersector Alloc.-- Analyze Alts Shore-based Whiting Monitoring Prgrm Transmit Final Recommendation to NMFS			Changes to 2008 CSP & Regs Abundance Estimation Rev Bycatch Est. for IPHC
		Amend. 15 (AFA)--Alts. for Analysis & Public Review			RecFIN Refinements
		Open Access Limitations--Prelim Alts			
		Biennial Mgmt Spx Planning			
	SAS Mtg--conf call Sept 6 STT Mtg--conf call Sept 5 MEW Mtg--Jun 13 & ?	STAR Panels--Jun 25-29; Jul 16-20; and Jul 30-Aug 3 TIQC Mtg--none GAC Mtg--Sept 25-27 GMT Mtg--at Sept Council Mtg GAP Mtg--at Sept Council Mtg	Sardine STAR--Sept 18- Sept 21 CPSMT Mtg--Oct 2-3 CPSAS Mtg--Oct 4	WCPFC & IATTC involvement HMSAS Mtg--Aug 15 HMSMT Mtg--Aug 14-16	Leg. Com Mtg--at Sept CM HC Mtg--at Sept CM SSC Mtg--at Sept CM--3 days EC Mtg--at Sept CM BC Mtg--at SEpt CM Ecosystem-Based Mgmt Halibut Wrkshp--Jun 27-28
CONTINGENT	Mitchell Act EIS Com-in Fall Historical Data Doc Update FMP			Amend. : Mgmt Regime for HS Longline Fishery Planning for Joint WPFMC-PFMC Mtg	PacFIN/EFIN issues
		Whiting Bycatch Controls			
DELAYED					
	Amendments: OCN Coho Matrix SOF Coho Allocation Cons. Objectives: Puget S. Chinook & Coho LCR Coho Sacramento River Chinook	Gear Conversion SSC Bycatch Workshop II Alternative Mgmt Approaches GF Strategic Plan Formal Review Amend. 14--Ownership Limits Split Deliveries for Trawl Electronic Logbooks for all Trawl	International Mgmt		Communication Plan Economic Data Collection Program

VERY PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, NOVEMBER 4-10, 2007, SAN DIEGO, CALIFORNIA

	Sun, Nov 4	Mon, Nov 5	Tues, Nov 6	Wed, Nov 7	Thurs, Nov 8	Fri, Nov 9
Day-Time Council Floor Matters	<u>Unscheduled Candidate Items</u> 1) Open Access Limitation: Adopt Pref. Alt. (4 hr) 2) Amendment 15 (AFA): Adopt Final Alt (4 hr) 3) Current Habitat Issues (45 min) 4) Leg. Matters (30 min) 5) Whiting bycatch Caps & Opening(Mtg 2) (1.5 hr) 6) Off-year Sci Imprvmnts (1 hr) 7) HMS EFPs for 2008: Adopt for Pub Rev (2 hr) 8) Yellowfin Overfishing: Adopt Alts for Pub Rev (1 hr 30 min)	<u>CLOSED SESSION</u> 11:00 am <u>CALL TO ORDER</u> 1:00 pm A.1 Opening (15 min) <u>ADMINISTRATIVE</u> B.1 Future Agenda Planning (15 min) <u>HIGHLY MIGRATORY SPECIES</u> C.1 WCPFC Recomd. (1 hr) <u>PACIFIC HALIBUT</u> D.1 Changes to CSP: Adopt Final (45 min) <u>SALMON</u> E.1. Preseason Mgmt Sched for 2008: Adopt (30 min) <u>COASTAL PELAGIC SPECIES</u> F.1 Pac Sardine Assmnt & HG: Adopt 2008 (45 min) <u>OPEN PUBLIC COMMENT</u> G.1 Comments on Non- Agenda Items (30 min)	<u>SALMON</u> E.2 2007 Methods Rev: Adopt Changes (1 hr) E.3 Mitchell Act EIS: Comments (2 hr) <u>GROUNDFISH</u> H.1 Stock Assmnts: Adopt New & RB Analyses (2 hr) H.2 Mgmt Recomd. Part 1: Adopt Range of Spx for 2009-10 (3 hr)	<u>GROUNDFISH</u> H.3 EFPs: Adopt Final for 2008 (2 hr) H.4 Intersector Alloc.: Adopt Pref. Alt. (4 hr) H.5 Inseason Adjustmts (2 hr)	<u>GROUNDFISH</u> H.6 Trawl IQ: Adopt Alts for Analysis (8 hr)	<u>GROUNDFISH</u> H.7 Final Inseason Adjustments (1 hr) H.8 Mgmt Recomd. Part II: Adopt Prelim Range of Mgmt Meas. (3 hr) <u>ADMINISTRATIVE</u> B.2 MSA Reauthor. Implementation (3 hr) B.3 Fiscal Matters (30 min) B.4 Interim Appts (15 min) B.5 Minutes (15 min) B.6 3-Mtg Outlook, Mar Agenda, Workload (30 min)
	15 hr 15 min	5 hr plus 2 hr in Evening	8 hr plus 2 hr in Evening	8 hr	8 hr	8 hr 30 min
Committees	1:00 pm GAP 1:00 pm GMT 4:00 pm BC	8:00 am GAP 8:00 am GMT 8:00 am SSC 9:00 am Chr B 9:00 am HC 10:00 am LG 4:30 pm EC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC	8:00 am EC 8:00 am GAP 8:00 am GMT 8:00 am SSC??	8:00 am EC 8:00 am GAP 8:00 am GMT	8:00 am EC

Council-sponsored evening sessions: Monday Evening 7:00 pm Intersector Allocation Presentations
 Tuesday Evening 7:00 pm IQ Presentation
 Wednesday Evening 6:00 pm Council Reception & Banquet

6/15/2007 12:45 PM

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Agenda Item B.10.a
 Supplemental Attachment 4
 June 2007

GROUND FISH ADVISORY SUBPANEL REPORT ON COUNCIL THREE-MEETING
OUTLOOK, SEPTEMBER 2007 COUNCIL MEETING AGENDA,
AND WORKLOAD PRIORITIES

The Groundfish Advisory Subpanel (GAP) requests that the Council schedule an agenda item for the September 2007 meeting that addresses sector bycatch limits for the whiting fishery. The September meeting would be the first of a two-meeting process that would allow for implementation of sector bycatch caps for the 2008 whiting fishery.

For the last three years one sector or another has had the potential to negatively impact the other two sectors of the whiting fishery. Each year the species of concern has varied and each year the sector experiencing the problem has varied. Exploring the use of sector bycatch caps for the whiting fishery could be a solution to this problem. The GAP recommends this important issue be added to the Council's September agenda.

PFMC
06/15/07

HABITAT COMMITTEE REPORT ON
COUNCIL THREE-MEETING OUTLOOK, SEPTEMBER 2007 COUNCIL MEETING
AGENDA, AND WORKLOAD PRIORITIES

The Habitat Committee (HC) reviewed the Council's three meeting outlook and workload priority documents. The HC noted that there are no placeholders for ecosystem-based fishery management (EBFM) planning. We realize that the Council is investigating possible funding sources to assist in this process, but we thought it appropriate to include placeholders to update the Council on the status of funding and for when funding becomes available. The HC hopes the Council will take the lead in developing EBFM concepts rather than merely reacting to proposals by nongovernmental organizations and others.

Additionally, the HC thought there might be a need for future agenda items related to groundfish essential fish habitat (EFH) as Council Operating Procedures for the groundfish EFH review are developed.

We also note that salmon EFH revisions are not included in the three-meeting outlook.

PPMC
06/12/07