



# Pacific Council News

A publication of the Pacific Fishery Management Council  
 Spring 2009 • Volume 33, No. 1 • www.pcouncil.org

## Contents

### Salmon & Halibut

- 2009 salmon seasons 1
- Workgroup report on causes of salmon failure 1
- Stocks not meeting conservation objectives 2
- Topics for methodology review 2
- 2009 halibut limits, dates 3
- Incidental halibut landing restrictions 3

### Highly Migratory Species

- Council forgoes high seas shallow-set longline amendment 4
- International HMS management recommendations 4

### Groundfish

- Inseason adjustments 6
- Essential fish habitat review process 6
- Intersector allocation 7
- VMS evaluation 8
- Whiting harvest specifications 8
- Open access registration process 9
- Trawl rationalization process continues 10

### Other Features

- Council considers annual catch limits 5
- Acronyms 11
- Sardine EFP for aerial survey research 12
- Habitat & ecosystem news 12
- Enforcement Corner 13
- Recipe: Cashew-crusted salmon with bok choy 9
- June Council meeting agenda 14
- Briefing book deadlines 17
- Events Back cover

## Council Adopts Ocean Salmon Seasons

For the second year in a row, the Pacific Fishery Management Council recommended closure of commercial and most recreational salmon fisheries off the coast of California in response to the collapse of the Sacramento River fall Chinook stock. In contrast, fisheries north of Cape Falcon, Oregon (near Nehalem Bay) will be better than they were last year, with much greater coho opportunity and similar Chinook opportunity. The Council's season recommendations were approved by the National Marine Fisheries Service on May 5, 2009.

In most years, Sacramento River fall Chinook is the most abundant stock south of Cape Falcon and supports large commercial and recreational ocean fisheries in both Oregon and

This means there are projected to be only about 200 harvestable Sacramento River fall Chinook in 2009. Some of those harvestable fish were used to provide a very limited 10 day

recreational season in the Klamath Management Zone, where Klamath River fall Chinook are expected to return in good numbers. The rest of the harvestable Sacramento River fall Chinook were used to allow a mark-selective

recreational coho fishery in Oregon.

In contrast, hatchery coho abundance predictions from

*Continued on page 14*



The charter boat Scooter, out of Westport, Washington. Photo: J. Gilden.

California. However, in 2009 the forecast for this stock is 122,200, just slightly above the minimum spawning escapement goal of 122,000 fish.

## Work Group Releases Report on Causes of 2008 Salmon Failure

In April, the Council was briefed on a report titled "What caused the Sacramento River fall Chinook stock collapse?" The report was developed by a work group consisting of 26 scientists from Federal, state, and tribal agencies and universities, and was lead jointly by the National Marine Fisheries Service (NMFS) Southwest and Northwest Fisheries Science Centers. The report identified several factors leading to the recent

collapse, including poor ocean conditions, habitat degradation and water withdrawals, and changes in hatchery operations. The report concluded that while unfavorable ocean conditions likely led to poor survival of juvenile salmon as they entered the ocean environment in 2005 and 2006, decades of freshwater habitat degradation and hatchery production have reduced the stock's fitness and resiliency, making the stock

more susceptible to those conditions. The report also noted that the hatchery net-pen acclimation program was suspended in 2006, contributing to poor survival of fish returning in 2008. In addition, while ocean conditions off Central California improved somewhat in 2007, the drought that year resulted in low numbers of juvenile salmon leaving the

*Continued on page 2*

## The Pacific Fishery Management Council

Toll-free (866) 806-7204  
www.pcouncil.org

### Chair

Mr. Donald Hansen

### Vice Chairs

Mr. David Ortmann  
Mr. Mark Cedergreen

### COUNCIL STAFF

#### Executive Director

Dr. Donald McIsaac

#### Deputy Director

Dr. John Coon

#### Executive Specialist

Ms. Carolyn Porter

#### Administrative Staff

Ms. Renee Dorval  
Ms. Kim Merydith  
Ms. Carrie Montgomery  
Ms. Mary Wilson

#### Information Technology

Ms. Sandra Krause

#### NEPA Compliance and Highly Migratory Species

Dr. Kit Dahl

#### Groundfish

Mr. John DeVore  
Ms. Heather Brandon

#### Communications, Habitat, and Social Science

Ms. Jennifer Gilden

#### Fishery Economics

Mr. Jim Seger  
Mr. Merrick Burden

#### Salmon & Halibut

Mr. Chuck Tracy

#### Coastal Pelagic Species, Marine Protected Areas & Legislation

Mr. Mike Burner




The Pacific Council News is published by the Pacific Fishery Management Council pursuant to National Oceanic and Atmospheric Administration Award Number NA05NMF4410008.

# Salmon News

## Council Identifies Stocks Not Meeting Conservation Objectives

At its March meeting, the Council reviewed the most recent information on relevant stocks meeting the Conservation Alert threshold (forecasted to not achieve the conservation goal in 2009) and the Overfishing Concern threshold (not meeting the conservation goal

for the three most recent years). The Council identified two stocks that met the Overfishing Concern threshold, Queets River and Western Strait of Juan de Fuca natural coho. No stocks met the Conservation Alert threshold in 2009. The Council's Salmon Technical

Team will work with relevant state and tribal agencies to conduct an assessment of the role of fishing in the spawning escapement shortfalls for Queets River coho and Western Strait of Juan de Fuca coho. Reports for these efforts will be due at the March 2010 Council meeting. 

## Council Adopts Topics for Salmon Methodology Review


The Council has adopted six candidate issues for review by the Scientific and Statistical Committee (SSC) and Salmon Technical Team (STT) during the fall of 2009:

- Assessment of the September 1 maturity boundary assumption for Klamath River fall Chinook (STT)
- Forecasting impact rates in fall fisheries for Klamath River fall Chinook and Sacramento River fall Chinook (STT).

- Evaluation of the Oregon Coastal Natural (OCN) coho abundance predictor (Oregon Production Index Technical Team)
- Sensitivity analyses of the Chinook and Coho Fishery Regulation Assessment Models (FRAM) to major assumptions, including sensitivity to parameters related to mark-selective fisheries (Model Evaluation Workgroup, or MEW)
- Characterization of bias in

the mark-selective Chinook and Coho FRAM (STT/MEW)

- Development of ocean abundance predictors for Columbia River Chinook (STT/MEW)

The Council will review the status of these issues and decide on final candidates at the September Council meeting in Foster City, Cal. The SSC Salmon Subcommittee and STT will conduct the review in October and report to the Council at the November meeting in Costa Mesa, Cal. 

### *Causes of 2008 salmon failure, continued from page 2*

freshwater environment, and expectations for 2009 returns were not optimistic.

The Council recommended sending a letter to NOAA Administrator Jane Lubchenco when the report is finalized, recommending NMFS take the lead


in convening a regional forum to coordinate a comprehensive strategy for optimizing salmon

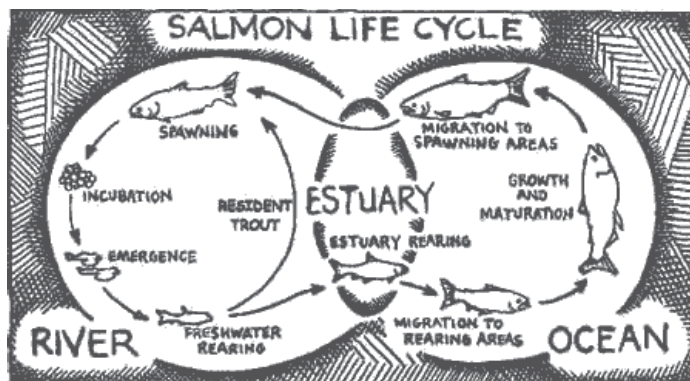
produced in California rivers, including the Sacramento-San Joaquin and the Klamath-Trinity

and making recommendations on hatchery practices; habitat protection measures, including

water management practices; biological opinions for Endangered Species Act-listed species, monitoring and research studies, and alternative approaches for future fishery management.

The draft report is available online at

the NMFS Southwest Fisheries Science Center web site: <http://swfsc.noaa.gov/>. 



# Halibut News

## International Pacific Halibut Commission Sets 2009 Limits, Dates

At its annual meeting in January, 2009, the International Pacific Halibut Commission (IPHC) adopted catch limits for Alaska, Canada, and southern U.S. areas, including Area 2A, off the coasts of Washington, Oregon, and California. The total allowable catch for Area 2A in 2009 is 950,000 pounds, down about 22 percent from 2008. Most Area 2A fisheries will see a similar decrease in quotas, although the commercial sablefish fishery north of

Point Chehalis will suffer an 83 percent decrease.


### **Directed Commercial Fishery:**

The coast-wide opening date for directed halibut fisheries was March 21, 2009, 13 days later than in 2008. The treaty-Indian fishery is the only Area 2A fishery opening on the coast-wide date.

The 2009 non-treaty directed halibut fishery will open two weeks later than 2008, which aligns with the traditional late

June opener. The IPHC recommended eight potential ten-hour fishing periods for the non-treaty directed commercial fishery in Area 2A south of Point Chehalis, Washington: June 24, July 8, July 22, August 5, August 19, September 2, September 12, and September 30, 2009. After each fishing date, IPHC will track landings and determine whether sufficient halibut quota remains to re-open the fishery on the next ten-hour fishing period. All fishing periods are to begin at 8 a.m.

and end at 6 p.m. local time, and will be further restricted by fishing period limits announced at a later date. There are a number of areas closed to halibut fishing in order to protect overfished groundfish stocks; check the NMFS web page for additional information at <http://tinyurl.com/halibut2009>.

A change was adopted to the 72-hour rule preceding each set-line opening which now requires either a hold inspection or for fish to be offloaded. 

## Incidental Halibut Landings Restrictions Adopted

The Council adopted recommendations for landing restrictions in both the non-Indian commercial salmon troll fishery and the directed primary sablefish fishery at its April meeting. The language for both fisheries was modified to specify that the restrictions included possession as well as landing to assist in on-the-water enforcement.

### **Commercial Salmon Fisheries:**


For 2009, the Council recommended the same landing limit used in 2008 for halibut caught incidentally in the non-Indian commercial salmon fishery. For 2009, fishers may possess or land no more than one halibut per each two Chinook, except one halibut may be possessed or landed without meeting the ratio requirement, and no more than 35 halibut may be possessed or landed per trip. Halibut must be landed with the head on and be no less than 32 inches measured from the tip of the lower jaw with the mouth closed to the extreme end of the middle of the tail. Retention of halibut will be allowed beginning May 1 and will continue until the end of the salmon season, or when the quota of 29,362 pounds of halibut is reached.

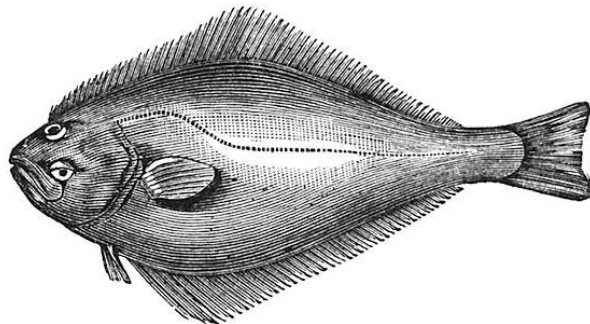
In addition to the Salmon Troll Yelloweye Rockfish Conservation Area, a mandatory closed area currently in regulation, the Council also recommended designating the "C-shaped" yelloweye rockfish conservation area off the north Washington coast as an area to be voluntarily avoided in the salmon troll fishery (see National Marine Fisheries Service (NMFS) website, <http://tinyurl.com/yelloweye>).

### **Longline Sablefish Fisheries:**

The total Area 2A halibut quota is large enough this year (over 900,000 pounds) to provide for an incidental halibut harvest in the commercial sablefish fishery north of Point Chehalis, Washington. For 2009, the available incidental harvest amounts to 11,895 pounds, just slightly over the minimum of 10,000 allowable under the terms of the Catch Sharing Plan. Because the allocation to the sablefish fishery is low compared to recent years, the Council adopted a more conservative landing restriction compared to recent years to ensure the quota would not be exceeded and to distribute the quota among more vessels and over a longer time frame.

For 2009, the Council recommended a possession and landing restriction of no more than 100 pounds (dressed weight) per trip for the fixed gear primary sablefish fishery, north of Pt. Chehalis. Halibut must be landed with the head on and be no less than 32 inches measured from the tip of the lower jaw with the mouth closed to the extreme end of the middle of the tail. Retention of halibut will be allowed beginning May 1 and will continue until the end of the sablefish season or when the halibut quota of 11,895 pounds is reached, whichever comes first.

For inseason details on the openings and closures affecting these commercial halibut fisheries and the West Coast sport halibut fisheries, call NMFS's salmon and halibut hotline at: 1-800-662-9825. 



**Grand flétan (*Hippoglossus vulgaris*).**

## Highly Migratory Species News

### Council Forgoes Shallow-Set Longline Fishery Amendment to HMS Fishery Management Plan

In a seven-to-five vote at its April meeting, the Council decided not to move forward with a west coast high seas shallow-set longline (SSLL) fishery. The decision came after reviewing an analysis of alternatives to authorize the fishery in waters seaward of the U.S. west coast Exclusive Economic Zone.

The Council has been considering the proposal since September 2007. The fishery was closed in 2004 when the highly migratory species fishery management plan was adopted, due to a finding by National Marine Fisheries Service (NMFS) that the fishery could jeopardize the continued existence of threatened loggerhead sea turtles. The new proposal would have included mitigation measures to reduce the level of sea turtle takes to an acceptable

level. (See *Pacific Council News*, Fall 2008 for a more detailed description of the proposal.)

Despite a preliminary analysis suggesting that the proposed SSLL fishery would result in comparatively small catches of nontarget species, such as bigeye, yellowfin, and albacore tuna, some Council members raised concerns about the potential for increased bycatch in the proposed fishery. Council members also voiced concern about the fishery's potential to take protected species.

The Council discussed the relationship between the proposed SSLL fishery and the current California drift gillnet fishery. The Highly Migratory Species Advisory Subpanel had recommended that the Council authorize a limited entry program for the SSLL fishery that

would be open only to current California drift gillnet permit holders, and prohibit the use of both permits in any one year. The Highly Migratory Species Advisory Subpanel's proposal was intended to allow a shift of fishing effort from the drift gillnet to the SSLL fishery without increasing overall fishing effort in a given year. However, some Council members questioned whether the provision was sufficient, given that there are a number of latent (currently unused) permits in the drift gillnet fishery. Some Council members argued that these unused permits could be activated to compensate for any lost fishing effort due to permit holders shifting over to the proposed SSLL fishery.

In a related development, the Western Pacific Fishery


Management Council is in the process of allowing their SSLL fishery to expand by removing the current cap on the total amount of fishing effort allowed in the fishery. An amendment to their Pelagics Fishery Management Plan to lift the effort limit is currently being reviewed by NMFS. Historically, many participants in the west coast SSLL fishery were permitted under the Western Pacific Council's fishery management plan, landing swordfish on the west coast seasonally. Since Hawaii-permitted vessels may currently land SSLL-caught swordfish on the west coast (even though west coast based vessels cannot), this seasonal pattern of landings may reassert itself if fishing effort in the Hawaii fishery increases. 

### Council Takes Action on National, International Relations on Highly Migratory Species

In April, Dr. Donald McIsaac, Council Executive Director, presented a finalized memorandum of understanding (MOU) between the Pacific, Western Pacific, and North Pacific Councils and the Departments of State and Commerce regarding Council participation in U.S. delegations to regional fishery management organizations (RFMOs) and associated advisory committees. Part of the Magnuson-Stevens Reauthorization Act directed the Federal departments to reach this MOU with the Councils. Council Executive Directors and departmental representatives have been working on the substance of the MOU for the past two years. The Council approved the essence of the MOU content with the understanding that small changes to the draft will be necessary in finalizing the document.

Dr. McIsaac also briefed the Council on the results of the Western and Central Pacific Fisheries Commission (WCPFC) Fifth Annual Meeting, which took place in Busan, Korea, December 8-12, 2008. At the meeting the WCPFC adopted a number of conservation measures, most notably one to address overfishing of bigeye tuna in the Western Pacific. Dr. McIsaac attended the meeting as part of the U.S. delegation, along with staff member Kit Dahl, and

participated in delegation discussions during the meeting.

The Inter-American Tropical Tuna Commission (IATTC) will hold its 80th meeting June 8-11 in La Jolla, California. The lack of agreement on conservation measures for bigeye and yellowfin tuna has been an ongoing concern. The last set of conservation measures expired at the end of 2007 and no new agreement was reached at the 2008 IATTC meeting or at several interim meetings set up to tackle the issue. The Council restated its concerns, first voiced to the U.S. delegation in 2008, about the lack of conservation and the impact this is having on the Council's ability to proactively manage domestic highly migratory species fisheries. In addition, the Council recommended that the U.S. delegation ask the IATTC to consider using total allowable catch limits rather than time and area closures to manage fishing mortality for bigeye and yellowfin tuna; restate the request that IATTC conduct a new stock assessment for the eastern Pacific striped marlin stock, in coordination with the International Scientific Committee for Tuna and Tuna-like species in the North Pacific Ocean; urge better reporting on members' compliance with the IATTC's resolution on North Pacific albacore; and support better data collection for all IATTC species. 

## Council Considers Annual Catch Limits for Each Fishery Management Plan

In January 2007, National Marine Fisheries Service (NMFS) published final updates to National Standard 1 Guidelines, revising them to reflect policy changes made by the 2006 Magnuson-Stevens Reauthorization Act (MSA). These guidelines relate to how Councils create harvest specifications for species in their fishery management plans, including defining maximum sustained yield (MSY), an overfishing level, acceptable biological catches, and status determination criteria. In addition, Councils will now be required to establish an annual catch limit (ACL) for most species – a ceiling for catches that should not be exceeded. In March and April, the Council considered how to address the ACL issue for its four fishery management plans.

### Groundfish

The Council decided to pursue a groundfish fishery management plan (FMP) amendment to incorporate the new guidelines. Amendment 23 would incorporate the following new harvest thresholds: an overfishing level, which is the level of harvest corresponding to the fishing rate predicted to result in maximum sustainable yield; an acceptable biological catch (ABC), which is set below the overfishing level and incorporates scientific uncertainty; and an ACL, which is set equal to or below the ABC and is analogous to the current optimum yield specification. Further catch buffers for other reasons may be considered.

The Council considered an aggressive schedule that would incorporate these new guidelines by November, in time for



Westport, Washington fishing vessels. Photo: J. Gilden.

the start of the next biennial specifications process. Council staff are following up with additional analysis and scheduling alternatives.

### Salmon

As with groundfish, the Council is considering an amendment to incorporate ACLs into the salmon fishery management plan. A number of issues will be considered, including alternatives for ACLs and accountability measures; revising criteria for “overfishing” and “overfished” designations; revising conservation objectives to include updated maximum sustainable yield values; exploitation rate approaches and *de minimis* fishing schedules for stocks without such measures; exceptions for stocks managed under the Pacific Salmon Treaty; and subdividing ACLs and accountability measures for multi-jurisdictional fisheries.

Additional scoping may occur at the September 2009 Council meeting in Foster City, California. The Council recommended the salmon amendment be completed by November 2010.

### Highly Migratory Species

The ACL Guidelines include an exception for “stocks or stock complexes subject to management under an international agreement,” as many highly migratory species (HMS) stocks are. ACLs would not need to be specified for excepted stocks, although other reference points, such as MSY and status determination criteria (used to determine if a stock is subject to overfishing or is overfished), would still need to be established.

The HMS FMP contains 13 management unit species and a much longer list of monitored species that are not actively managed. The Council tasked the HMS advisory bodies to gather information useful for evaluating which species listed in the HMS FMP may be subject to international management. The Council also asked the committees to review the list of monitored species and provide information on

species that may be removed from the HMS FMP (because, for example, they are managed under another Council FMP or state management plan), or, alternatively, elevated to management unit species status. This review would also help the Council decide whether the remaining monitored species might be designated ecosystem component species, a new category identified in the National Standard 1 Guidelines. Ecosystem component species are generally not targeted in FMP-managed fisheries, but may be incidentally caught in small amounts and not generally sold as a marketable species.

The HMS advisory bodies are scheduled to report back to the Council in November with the information outlined above so that the Council can provide further guidance. They will then develop alternatives for amending the FMP and conduct a preliminary analysis so that the Council may adopt alternatives for review in April, 2010. The Council will then adopt a preferred alternative at a later meeting, such as June or September 2010, so that the amendment can be implemented by the end of next year.

### Coastal Pelagic Species

The Council is scheduled to review alternatives to amend the coastal pelagic species FMP to address ACL requirements in November 2009.

Precautionary harvest control rules exist for Pacific sardine and Pacific mackerel, providing a solid foundation for new fishery management provisions such as overfishing levels and ACLs. The CPS FMP’s moni-

# Groundfish News

## Inseason Adjustments to 2009 Groundfish Fisheries

The Council made the following inseason adjustments to 2009 groundfish fisheries:

### Fixed Gear Sablefish Fisheries North of 36° N. Latitude


At its March and April meetings, the Council received requests to consider an increase in opportunities for both the limited entry and open access sablefish daily trip limit (DTL) fisheries operating north of 36° N latitude. Recently available information illustrated that both the limited entry and open access sablefish DTL fisheries operating north of 36° would not attain their specified allocations of sablefish under the trip limits set in place at the start of 2009. Therefore, the Council's Groundfish Management Team

(GMT) analyzed trip limits for both of these fisheries that would increase the take of sablefish while staying within acceptable impacts on overfished species. Based on information from the GMT and the Groundfish Advisory Subpanel, the Council voted to modify trip limits in both the open access and limited entry DTL fisheries operating north of 36° N latitude as shown

in the following table.

### Unidentified Recreational Rockfish

At the March meeting, the Council heard reports from the GMT and from staff at the Pacific States Marine Fisheries Commission on recreational rockfish catch that is not being identified at the species level. The Council discussed the possible implications and risks with

having portions of recreational catch be unidentified, and the amount of time and resources it would take to resolve the issue. The Council tasked the Rec-FIN committees, state, NMFS, and Council staff with further analysis of this issue. Staff will report back to the Council at the September meeting, when the Council is scheduled to provide further guidance. 


| Open Access Daily Trip Limit Fishery North of 36° N latitude   | Limited Entry Daily Trip Limit Fishery North of 36° N latitude   |
|--|--|
| Beginning May 1 through the end of the year: <ul style="list-style-type: none"> <li>▪ 300 lbs per day or</li> <li>▪ One landing per week of up to 800 lbs</li> <li>▪ Not to exceed 2,400 lbs per two months</li> </ul> | Beginning May 1 through the end of the year: <ul style="list-style-type: none"> <li>▪ 500 lbs per day or</li> <li>▪ One landing per week of up to 1,500 lbs</li> <li>▪ Not to exceed 5,500 lbs per two months</li> </ul> |

## Council Moves Forward with Groundfish Essential Fish Habitat Review Process

At its March meeting, the Council reviewed and accepted a "terms of reference" document developed by the ad hoc groundfish Essential Fish Habitat Review Committee (EFHRC), which provides guidance for proposed modifications to groundfish essential fish habitat, habitat areas of particular concern, and areas closed to bottom contact gear. The document also lists criteria which will be used to evaluate proposals.

The Council has solicited proposals from state, Federal, and tribal entities, non-governmental organizations, academic institutions, and the public, with a deadline for submission of May 1, 2009. The EFHRC will conduct an initial evaluation of proposals at a work session on May 12-13 and develop recommendations for the June Council meeting. The EFHRC work session is

open to the public and will be held Tuesday, May 12, 2009 from 9 a.m. until 5 p.m., and Wednesday, May 13, from 8 a.m. to 3 p.m. at the Council office.

Proposals are scheduled to be presented to the Council for consideration at the June 2009 Council meeting in Spokane, Washington. The Council will consider advancing proposals and may request additional information on proposals prior to taking final action in November. At the November meeting, the EFHRC and other appropriate Council advisory bodies will review the scientific and technical merits of proposals, including any new information incorporated since the initial proposal was submitted. The Council will determine an appropriate process for further analysis and consideration of proposals adopted at the November meeting. 



Rosy rockfish. Photo: Chad King, Monterey Bay N.M.S.

# Groundfish News

## Intersector Allocation Amendment Adopted

In April, the Council adopted the intersector allocations for trawl and non-trawl sectors recommended by the Groundfish Allocation Committee for Amendment 21 species (see table below). No allocation was made for longspine thornyhead south of 34°27' N latitude since this stock is not targeted in trawl fisheries and the stock will not be managed using individual fishing quotas under trawl rationalization.

Yield set-asides, or projected bycatch amounts, are set to account for incidental bycatch. No management measures are associated with set-asides; they are simply a catch accounting mechanism. The at-sea whiting sector set-asides (see <http://tinyurl.com/whitingsetasides>) were adopted, except 300 mt of yellowtail rockfish were set aside instead of 500 mt to accommodate the incidental bycatch of this species in the at-sea whiting fishery.

The Council adopted the within-trawl sector allocations between the shoreside whiting and shoreside non-whiting sectors using 1995-2005 sector catch percentages, except as follows:

Darkblotched rockfish – allocate 9 percent or 25 mt, whichever is greater, of the trawl allocation of darkblotched to the whiting sectors and apportion this amount to the whiting sectors based on their pro rata allocation of whiting;

Pacific ocean perch – allocate 17 percent or 30 mt, whichever is greater, of the trawl allocation of Pacific ocean perch to the whiting sectors and

apportion this amount to the whiting sectors based on their pro rata allocation of whiting;

Widow rockfish – allocate 52 percent of the trawl allocation of widow to whiting sectors if the stock is still under rebuilding when Amendment 21 is implemented or 10 percent or 500 mt, whichever is greater, of the trawl allocation of widow to the whiting sectors, and apportion this amount to the whiting sectors based on their pro rata allocation of whiting. If the stock is under rebuilding when the Amendment 21 allocations are implemented, specify the latter allocation scheme when the stock is subsequently rebuilt (42 percent of this allocation goes to the shoreside sector since the two shoreside sectors will be combined at this point);


Yellowtail rockfish – allocate 300 mt of yellowtail rockfish to the shoreside whiting sector when Amendment 21 allocations are implemented.

The Council adopted a modified version of Alternative 4 for Pacific halibut trawl total catch limits, such that the trawl limit will be 15 percent of the Area 2A constant exploitation yield (CEY) not to

exceed 130,000 pounds. This limit will be specified for the first four years of trawl rationalization. The limit will be reduced to 15 percent of the Area 2A CEY not to exceed 100,000 pounds in the fifth year of trawl rationalization. This total bycatch limit may be adjusted downward through the biennial management process in future years. A set-aside of 10 mt of Pacific halibut to accommodate bycatch in the at-sea whiting fishery and bottom trawl bycatch south of 40°10' N latitude is part of the overall total catch limit.

All Amendment 21 allocations will be implemented when trawl rationalization is

implemented. The Council will review these Amendment 21 allocations five years after implementation when the trawl rationalization program will also be reviewed.

All other species managed with individual fishing quotas not included under Amendment 21 will be allocated every two years in the biennial management process. A regulatory amendment will be required to revise Amendment 21 allocations and the status quo Pacific whiting and northern sablefish allocations. A formal allocation for a stock will be suspended if the stock is declared overfished. 

| Stock or Complex           | All Non-Treaty LE Trawl Sectors | All Non-Treaty Non-Trawl Sectors |
|----------------------------|---------------------------------|----------------------------------|
| Lingcod - coastwide        | 45.0%                           | 55.0%                            |
| Pacific Cod                | 95.0%                           | 5.0%                             |
| Sablefish N. of 36° a/     | 52.5%                           | 47.5%                            |
| Sablefish S. of 36°        | 42.0%                           | 58.0%                            |
| <b>PACIFIC OCEAN PERCH</b> | <b>95.0%</b>                    | <b>5.0%</b>                      |
| <b>WIDOW</b>               | <b>91.0%</b>                    | <b>9.0%</b>                      |
| Chilipepper S. of 40° 10'  | 75.0%                           | 25.0%                            |
| Splitnose S. of 40° 10'    | 95.0%                           | 5.0%                             |
| Yellowtail N. of 40° 10'   | 88.0%                           | 12.0%                            |
| Shortspine N. of 34° 27'   | 95.0%                           | 5.0%                             |
| Shortspine S. of 34° 27'   | 50 mt                           | Remaining Yield                  |
| Longspine N. of 34° 27'    | 95.0%                           | 5.0%                             |
| Longspine S. of 34° 27'    |                                 | No Allocation                    |
| <b>DARKBLOTCHED</b>        | <b>95.0%</b>                    | <b>5.0%</b>                      |
| Minor Slope RF North       | 81.0%                           | 19.0%                            |
| Minor Slope RF South       | 63.0%                           | 37.0%                            |
| Dover Sole                 | 95.0%                           | 5.0%                             |
| English Sole               | 95.0%                           | 5.0%                             |
| Petrale Sole - coastwide   | 95.0%                           | 5.0%                             |
| Arrowtooth Flounder        | 95.0%                           | 5.0%                             |
| Starry Flounder            | 50.0%                           | 50.0%                            |
| Other Flatfish             | 90.0%                           | 10.0%                            |

a/ The Council is not recommending a modification of the status quo allocation of sablefish N. of 36°. The LE trawl percentage is status quo but re-calculated as a percent of the total non-treaty available yield (90.6 % (the LE allocation) × 58% (the LE trawl allocation of the total LE amount)).

# Groundfish News

## Committee to Evaluate Vessel Monitoring Systems

In April, the Council decided to convene its ad hoc Vessel Monitoring System (VMS) committee to evaluate performance of the VMS system, enforcement-industry communication, and related regulations. VMS is essential for monitoring area-based regulations such as the Rockfish Conservation Area boundaries. Without such a tool, harvest limits would have to be much more restrictive.

In particular, the committee will be asked to look at the effects of the VMS system on small vessel fleets such as that which operate out of Bolinas, California. The Council might take action on recommendations from this committee as part of its development of the biennial groundfish regulations.



F/V Quest, Westport, Washington. Photo: J. Gilden.

## Pacific Whiting Harvest Specifications and Management Measures Adopted for 2009

A new Pacific whiting stock assessment has been adopted by the Council. The assessment was recommended by the stock assessment review (STAR) panel and the Scientific and Statistical Committee (SSC) for deciding harvest specifications for 2009 Pacific whiting fisheries.

The Council adopted a coastwide (U.S. plus Canada) acceptable biological catch (ABC) of 253,582 mt, as recommended by the SSC. The Council further adopted a coastwide optimum yield (OY) of 184,000 metric tons (mt), which is predicted to prevent the stock from falling below the overfished threshold of 25 percent of initial, unfished biomass next year. The U.S. OY, which is 73.88 percent of the Coastwide OY according to the terms of the Pacific whiting treaty, is 135,939 mt.

The Council adopted a set-aside of 4,000 mt to be deducted from the U.S. OY to account for the projected bycatch of whiting in non-tribal non-whiting fisheries and research fisheries this year. This set-aside is double what has been used in management of whiting fisheries in recent years and is based on a higher observed bycatch of whiting in non-whiting bottom trawl and shrimp trawl fisheries.

The Council also adopted a roll-over whiting yield of 18,211 mt from the original tribal whiting set-aside of 50,000 mt to non-

| Coastwide OY (mt) | U.S. OY in mt (73.88% of Coastwide OY) | Set-Asides (mt)                      |                  | Non-treaty Sector Allocations (mt) |                    |             |                   |
|-------------------|--|--------------------------------------|------------------|------------------------------------|--------------------|-------------|-------------------|
|                   |  | Non-Whiting/Research Fishery Bycatch | Tribal Set-aside | Total                              | Catcher-Processors | Motherships | Shoreside Whiting |
| 184,000           | 135,939                                | 4,000                                | 31,789           | 100,150                            | 34,051             | 24,036      | 42,063            |

tribal whiting fisheries. This amount of roll-over yield resulted from an offer by the Makah Tribe to reduce their 2009 fishery set-aside from 42,000 mt to 17.5 percent of the U.S. OY (23,789 mt). An additional 8,000 mt were set aside for the Quileute Tribe to accommodate their plans to prosecute a whiting fishery this year. The total tribal whiting set-aside is therefore 31,789 mt. Given these decisions, the whiting harvest specifications and allocations are as shown in the table above.

Bycatch limits of canary, darkblotched and widow rockfish for non-treaty sectors of the whiting fishery were also adopted by the Council. The Council had already adopted the concept of sector-specific bycatch limits during the biennial 2009-10 specifications and management measures decision process (see summer 2008 Council newsletter) to allow each non-treaty whiting sector the ability to design their own business plans and fishing strategies to better minimize bycatch of overfished species. Additionally, the Council adopted the ability for NMFS to specify depth restrictions by sector inseason if needed to reduce bycatch, as well as the

| Species      | Non-Treaty Sector Bycatch Limits (mt) |                    |             |                   |
|--------------|---------------------------------------|--------------------|-------------|-------------------|
|              | Total                                 | Catcher-Processors | Motherships | Shoreside Whiting |
| Canary       | 18                                    | 6.1                | 4.3         | 7.6               |
| Darkblotched | 25                                    | 8.5                | 6.0         | 10.5              |
| Widow        | 250                                   | 85.0               | 60.0        | 105.0             |

ability to close a sector of the fishery upon projected attainment of a bycatch limit rather than waiting until the bycatch limit is attained. The sector-specific bycatch limits adopted for canary, darkblotched, and widow rockfish are shown to the left.



## Groundfish News

### Council Decides on Preseason Registration Process for Open Access Fishing Vessels

By a narrow margin, the Council voted at its March 2009 meeting in Seattle to recommend a preseason registration process for open access fishing vessels that seek to take and retain specified groundfish species. The action, if implemented by the National Marine Fisheries Service (NMFS), would represent the 22nd amendment to the Pacific Coast Groundfish Plan. The species covered under the motion included all Federal groundfish species, not including nearshore species, which were referred to as B species groundfish. The nearshore species excluded from the definition of B species groundfish included cabezon, kelp greenling, rockfish designated as nearshore species, and California scorpionfish.

The proposed registration process would require all open access fishing vessel owners to register their vessels with NMFS in the year prior to the fishing year. The registration requirement would extend to all commercial fishing vessels that seek to retain B species ground-

fish, whether fishing directly for (targeting) those species or taking them incidentally while fishing for non-groundfish species (e.g., salmon, pink shrimp, California halibut) or nearshore species (e.g., cabezon, black rockfish). The prior year registra-



Westport, Washington docks. Photo: J. Gilden.

tion requirement is expected to minimize fishery participation by vessel owners who are not truly dependent on the fishery for income.


The earliest the registration requirement could be implemented, according to the NMFS,

would be the 2011 fishing season. Initial vessel registrations would have to be completed during the 2010 fishing season. Owners that fail or are not able to register their vessels would not be allowed to fish for and take B species groundfish in the

current fishing year, but would be allowed to register for the following year.

The vote came at the end of 21 months of Council and public deliberations that were initially aimed at converting the fishery to Federal permit

management. However, the limited entry aspect of the proposal was deemed unnecessary by the Council in the light of peripheral regulations affecting the fishery, including the vessel monitoring system enacted in 2008 and the creation of large area closures (Rockfish Conservation Areas) in 2002 to protect overfished groundfish species.

The vessel registration fee will be set by NMFS based on its projected costs for program implementation and administration. NMFS is expected to start their regulation process once it has received the Council's draft Environmental Assessment (EA) explaining the proposed action. However, in April 2009 some Council members said they would like to receive clarification on the adopted motion and additional analysis of the scope and usefulness of the proposed regulation at the June 2009 Council meeting in Spokane, Washington. Because of this, the EA transmittal will be postponed until after the June meeting. 

### Recipe: Cashew-Crusted Salmon with Bok Choy

#### Ingredients

2 tablespoons olive oil, divided  
4 salmon fillets  
1/3 cup honey mustard (or Dijon mustard mixed with honey)  
2 tablespoons onion flakes  
Freshly ground black pepper  
1/2 cup finely chopped dry-roasted cashews  
2 cloves garlic, minced  
1 bunch bok choy, rinsed well and chopped

#### Directions

Brush honey mustard all over salmon. Season both sides of salmon with onion flakes and black pepper. Place cashews in a shallow dish, add four of the salmon fillets and turn to coat.

Heat 1 tablespoon of the oil in a large skillet over medium heat. Place all salmon fillets in skillet and cook 3-4 minutes per side, until fork-tender. (If cashews start to burn, lower heat and cover skillet).

Heat remaining olive oil in separate large skillet over medium heat. Add garlic and cook 1 minute. Add bok choy and cook 2 minutes, until greens wilt but stalks are still crisp-tender. Season, to taste, with salt and pepper.

## Council Continues Work on Trawl Rationalization

At its March and April meetings, the Council followed up on “trailing actions” related to trawl rationalization, including accumulation limits, criteria determining who is eligible to own individual fishing quota (IFQ), and an adaptive management program.

The Council took final action on trawl rationalization in November 2008, adopting an IFQ program for the shoreside fishery, and co-op-related programs for the at-sea whiting sectors. At the time, the Council identified several “trailing actions” that needed additional attention. These actions are to be completed before the Council submits its trawl rationalization recommendations to National Marine Fisheries Service (NMFS). Over the course of the Winter and Spring, the Council has continued its work on these and other areas of its November action for which clarification was needed. During that process another issue surfaced, the specification of criteria for community fishing associations (CFAs).

The Council expects to complete trailing actions and to adopt the actual Fishery Management Plan amendment language at its June 2009 meeting. The entire package of recommendations, regulations, and analysis would then be submitted to NMFS in the fall of 2009. Implementation is expected in 2011, at the earliest.

### Accumulation Limits

In March, the Council determined that control/ownership limits would apply only to quota shares (QS) and that vessel limits would apply to the quota pounds (QP) placed in



E/V God's Will on a storm day in Astoria, Oregon. Photo: J. Gilden.

vessel accounts (QP are issued annually to those holding QS and must be transferred to a vessel in order to be used). It also adopted control/ownership limits and vessel limits for all species except the overfished groundfish species and Pacific halibut bycatch. It will adopt limits for these species at its June meeting. The Council also adopted control and vessel usage limits for the mothership whiting co-op program.

In June, the Council will consider whether or not to change its initial recommendations on divestiture. As presently specified, a person would not be able to receive an initial allocation of an amount of QS greater than the control limits. A divestiture provision would allow them to receive an initial allocation in excess of control limits but require that they divest themselves of the excess within a certain amount of time.

### Eligibility to Own

The current preferred option indicates that any individual or legal entity would be

eligible to own IFQ if they are also eligible to own a U.S.-documented fishing vessel. In November 2008, the Council moved to initiate a trailing action process to help ensure that QS holders have direct ties or investments in the fishery. This would have required the

creation of criteria for who may be eligible to own or hold QS. In March 2009, the Council was presented with the direction an additional “eligible to own” option could take, such as defining trawl harvesters, processors, communities, crew, and other groups with ties to fishing communities as “eligible to own” quota shares. The Council considered this more restrictive group and opted to retain the current preferred alternative, which is to allow any individual or entity that meets the program requirements to own quota shares.

### Adaptive Management Program

At the April 2009 meeting, the Council continued to make strides in the development of an adaptive management program for the non-whiting component of the shoreside trawl fishery. The Council established goals and objectives for the adaptive management program including community stability, processor stability, conservation, addressing unintended/unforeseen consequences of the trawl individual quota program, and facilitating new entrants (both harvesters and processors).

A formulaic approach will be used to allocate the adaptive management quota during years three through five of the trawl rationalization program. The Council adopted two options for further analysis that would apply to the first two years of the program. The first option is described as a “pass through” and would effectively call for no adaptive management program for the first two years. The second option would implement a simple formula in years one and/or two. The Council tasked staff and the Groundfish Management Team with further development of this second option and will consider this option at

*Continued on page 11*

| At Sea Sectors   | Shoreside Sector   |
|--|--|
| Pacific whiting<br>Widow rockfish<br>Canary rockfish<br>Darkblotched rockfish<br>Pacific ocean perch | All species in the Council's ABC/OY table, except for the following:<br><br>Longspine thornyheads south of 34° 27' N lat<br>Minor nearshore rockfish (north and south)<br>Black rockfish<br>California scorpionfish<br>Cabezon<br>Kelp greenling<br>Shortbelly rockfish<br>Spiny dogfish |

*Species to be covered by IFQ or bycatch caps*

*Trawl rationalization, continued from page 10*

the June Council meeting.

### Clarifications

At the March meeting, the Council clarified several aspects of the November 2008 motion on trawl rationalization. The first item clarified the species that would be covered with IFQ or bycatch caps in the trawl rationalization program. These species are identified in the table on page 10.

The second item clarified the treatment of Pacific halibut under the trawl rationalization program. As part of this consideration, the Council voted to establish a trawl sector total catch limit that would apply to all sectors of the rationalized trawl fishery. However, only shoreside trawl vessels operating north of 40° 10' N latitude

would be required to have Pacific halibut Individual Bycatch Quota (IBQ). Shoreside trawl vessels operating south of 40° 10' N latitude would not be required to have Pacific halibut IBQ, nor would vessels operating in the at-sea sectors of the trawl fishery. Instead, the estimated take of Pacific halibut from the at-sea sectors and from shoreside vessels operating south of 40° 10' N latitude would be deducted from the total trawl sector catch limit, and the remainder would be distributed as IBQ to shoreside trawl vessels.

Other minor issues of clarification were also decided by the Council and can be found on the Council's webpage under 'Council Decisions' (<http://www.pcouncil.org/decisions/archivedecisions.html>).


chivedecisions.html).

### Community Fishing Associations (CFAs)

At the March 2009 Council meeting, while working on defining accumulation limits, the Council indicated its interest in defining a CFA, using a NOAA Memorandum titled *Design and Use of Limited Access Privilege Programs* and a public comment letter from The Nature Conservancy as a starting point. CFAs are being proposed to create a community-linked entity that would be eligible for higher control limits than other types of entities. CFAs could receive other special considerations, such as receiving priority under the adaptive management program. The Council attempted to define CFAs at the April 2009

meeting, requested additional information on vulnerable and other communities, and ultimately decided to take up CFAs in a trailing amendment to the trawl rationalization program, to be completed after other trailing actions and after the Council submits its initial trawl rationalization program recommendations to NMFS.

### Amendment Language

While the Council adopted the specifics of the trawl rationalization program in November, the Council still needs to determine the language to be used to incorporate the policy into the groundfish fishery management plan (FMP). The Council will adopt FMP language on the trawl rationalization program at its June meeting. 

## Acronyms

|       |   |        |  |
|-------|---|--------|--|
| ABC   | acceptable biological catch   | MSY    | maximum sustained yield                          |
| ACL   | annual catch limit  | mt     | metric ton                                       |
| CEY   | constant exploitation yield   | NMFS   | National Marine Fisheries Service                |
| CFA   | community fishing association   | NOAA   | National Oceanic & Atmospheric Administration    |
| DTL   | daily trip limit (fishery)  | OCN    | Oregon Coastal Natural (coho)                    |
| EFHRC | Essential Fish Habitat Review Committee   | OY     | optimum yield                                    |
| ESA   | Endangered Species Act  | QP     | quota pounds                                     |
| FMP   | fishery management plan   | QS     | quota share(s)                                   |
| FRAM  | Fishery Regulation Assessment Model   | RecFIN | Recreational Fisheries Information Network       |
| GMT   | Groundfish Management Team  | RF     | rockfish   |
| HMS   | highly migratory species: tunas, sharks, billfish/swordfish, and dorado or dolphinfish. | RFMO   | regional fishery management organization         |
| HMSAS | Highly Migratory Species Advisory Subpanel  | SSC    | Scientific and Statistical Committee             |
| IATTC | Inter-American Tropical Tunas Commission  | SSLL   | shallow-set longline                             |
| IBQ   | individual bycatch quota  | STAR   | Stock Assessment Review (Panel)                  |
| IFQ   | individual fishing quota  | STT    | Salmon Technical Team                            |
| IPHC  | International Pacific Halibut Commission  | TAC    | total allowable catch                            |
| IUU   | illegal, unregulated, and unreported  | VMS    | vessel monitoring system(s)                      |
| LE    | limited entry   | WCPFC  | Western and Central Pacific Fisheries Commission |
| MEW   | (Salmon) Model Evaluation Workgroup   | WDFW   | Washington Department of Fish and Wildlife       |
| MMS   | Minerals Management Service   |        |  |
| MOU   | memorandum of understanding   |        |  |
| MSA   | Magnuson-Stevens Reauthorization Act of 2006  |        |  |

Need more? See our list of definitions at <http://www.pcouncil.org/acronyms.html>.

## Coastal Pelagic Species News

### Council Seeks Comments on Exempted Fishing Permits for Aerial Survey Research on Pacific Sardine


In March, the Council reviewed proposals for aerial survey research on Pacific sardine to be conducted under an exempted fishing permit in order to develop a new index of sardine abundance. The Council adopted the proposals for public review and recommended that they ultimately be combined into a single project managed under its own collaborative team guided by a scientifically sound survey design. Sardine industry representatives and scientists have since collaborated on a proposal that is posted on the

Council website. The Council scheduled a stock assessment review panel for May 4-8 in La Jolla, California to review survey methodologies proposed for 2009, among other things. The Council plans to consider adopting its final recommendations for 2009 exempted fishing permits at its June 13-18, 2009 meeting in Spokane, Washington.

The Council heard preliminary testimony that the survey proposals will likely require an increase in the 2009 research set-aside from 1,200 mt to 2,400 mt in order to conduct the

survey work from Cape Flattery, Washington to Monterey Bay, California. Therefore the Council has recommended that National Marine Fisheries Service (NMFS) conduct the necessary rulemaking to increase the research set-aside to 2,400 mt by reducing the directed sardine fishery in the second and third fishing periods. The Council continues to support limiting use of the research set-aside to the second allocation period (July 1 through September 14, 2009) with any unused portion of the research set-aside to be trans-

ferred to the third period of the directed fishery.

The Council understands that there is minimal time available for rulemaking before the July 1, 2009 start of the second period. Should this rulemaking effort fail, the Council intends to continue its consideration of an exempted fishing permit for 2009 Pacific sardine research under the existing management regime and the initial 1,200 mt research set-aside. Under this scenario, the scope of the proposed research would need to be scaled back. 

## Habitat News

### Habitat Committee Updates Council on Klamath Dam Removal, Columbia River and California Issues

In March and April, the Council's Habitat Committee (HC) discussed the following topics:

#### **Klamath Dam Removal**

Last November, the Department of Interior, States of Oregon and California, and PacifiCorp signed an agreement in principal to remove the four lower Klamath Dams. The agreement is scheduled to be finalized on June 30. Dam removal would open up over 300 miles of habitat for anadromous fish.

On February 17, the Oregon Senate passed a bill to pay for removing the dams with a two percent surcharge on the Oregon ratepayers of Pacific Power. The bill must still be approved by the House and signed by the governor before becoming law. Under the bill, Oregon ratepayers would cover the first \$180 million of dam removal costs,

while California would cover \$20 million. Voters in California would also be asked to approve up to \$250 million in general obligation bonds to pay any additional costs.

Dam removal could begin by 2020, but there are many other steps that could derail it, including required legislation in Washington, D.C., and California.

#### **Columbia River Biological Opinion (BO)**

Litigation over the Columbia River Federal Hydropower System continues. In February, the Federal government agreed to continue the 2008 spill program, which provides benefits to out-migrating juvenile fish. On March 6, Judge James Redden heard oral arguments about the legal validity of the Federal Columbia River salmon protection plan. The judge could uphold the BO, but if he does

not consider it legally sufficient under the Endangered Species Act, he has indicated he will not simply remand it back to the action agencies again, but will likely issue orders to implement whatever actions he determines are necessary to make it so.

#### **Liquefied Natural Gas (LNG) Developments**

The HC heard an update on the proposed Bradwood Landing LNG development. The project would be located in the Columbia River, upstream from an important juvenile salmon rearing area and migration pathway.

The project received a license from the Federal Energy Regulatory Commission (FERC) last fall, followed by several unsuccessful court appeals. The National Marine Fisheries Service (NMFS) joined Washington and Oregon in challenging FERC's approval of the LNG ter-

minal. The project raises many salmon-related concerns due to unscreened ballast water intakes on LNG tankers, the need to dredge 58 acres for a turning basin for the tankers, large wakes generated from ships, pipeline construction, and increased water temperatures. Due to the inadequacy of the company's proposed hydrodynamic study and other required products (i.e., ballast water screening), FERC is consulting with NMFS and private contractors to analyze the project's design and implementation. The applicant's final Biological Assessment and essential fish habitat consultation is scheduled for late spring of 2009.

#### **California Marine Life Protection Act**

The California Marine Life Protection Act process for the north-central coast of

*Continued on page 19*

## Enforcement Corner

**Washington State Endangered Species Act Case Ends with State Charges:** Over a period of four months, Washington Department of Fish and Wildlife (WDFW) Enforcement Officers with the statewide investigative unit monitored the movements of a suspect who was reported to be violating state and Federal laws. Detectives watched as he loaded about 1,000 individual salmon into his boat, which he transported to Lakeland, Florida and offered for sale. The fish had been illegally caught with a gillnet from a river known to be occupied by fish listed on the Endangered Species Act (ESA).

WDFW Officers, in conjunction with NOAA Office of Law Enforcement Agents, twice flew to Florida, worked with NOAA Southeast Enforcement agents and Florida Fish & Game Detectives, where they executed search warrants related to Lacey Act and ESA violations.

Charges were filed by the WDFW Enforcement Program. The suspects are facing prosecution in state court for 27 felony and gross misdemeanor charges. One of these charges relates to the suspect's illegal possession of a firearm as a convicted felon.

**Critical ESA Habitat Destroyed:** WDFW Officers received a call from an informant about a large hydraulics violation in Salmon Creek in Okanogan County, Washington. Upon arrival they met a man, who would later be identified as the property owner, and observed hydraulics work in violation with equipment still on site. The subject would not cooperate with the case, nor even identify himself. WDFW Officers prepared a

search warrant and maintained surveillance of the site. Once Officers served the search warrant, they discovered the suspect was an attorney, but still would not cooperate nor identify



*A 47-foot motor lifeboat crew, from Coast Guard Station Golden Gate, performs a side tow of the F/V Irene's Way March 13, 2009. The lifeboat crew towed the over 75-foot fishing vessel after the skipper reported the vessel was disabled just outside the Golden Gate Bridge. (Photo: U.S. Coast Guard/Erik Swanson)*

ownership of the machines. The suspect's camera was seized and the site was assessed and photographed with the assistance of the WDFW Habitat Program. About 300 feet of the site was severely impacted, with gabion baskets (mesh cages) filled with rock and sand taken from the creek bed. A bridge and decking made of creosoted timbers had been constructed, and a wet crossing was installed for use by the heavy equipment.

The equipment was not seized at the time, as Officers had no keys and did not know who owned the equipment. The next day, Officers analyzed the camera they had seized and found numerous deleted photos that showed the same equipment and the attorney working on the site. Also, the prior owner of the

equipment was contacted and found to have sold the equipment to the suspect.

WDFW obtained working keys for the machines and served a new warrant for the equip-

ment. It was hauled away. The Colville Tribe, NOAA Fisheries, the Environmental Protection Agency, Okanogan County, and the U.S. Army Corps of Engineers have all been contacted and are assisting with the case as there are ESA-listed steelhead in the creek. Colville Tribal biologists are the lead in restoring steelhead in this creek and are assisting with biological assessment data about the creek for our investigation.

**U.S. Coast Guard Operations Summary:** District 11 and District 13 Coast Guard Officers documented 1086 commercial fisheries boardings and 53 fisheries violations during 2008. (District 11 and 13 are the two West Coast Coast Guard districts; District 13 covers Oregon and Washington while District

11 includes California).

The two districts spent 11,703 resource hours (air, cutter, and boat) on fisheries enforcement during 2008.

The Coast Guard Pacific Area Training Team spent 8,180 hours training 409 fisheries enforcement personnel at 92 Coast Guard units during 2008.


Although not directly related to Districts 11 and 13, the Coast Guard out of Alaska and Hawaii dedicated 97,378 cutter days and 115 C-130 (airplane) hours to enforcement of illegal, unregulated and unreported (IUU) fishing and high seas driftnet fisheries enforcement during 2008. Ninety-seven cutter days was a 200 percent increase over the previous three-year average. The Coast Guard also conducted a joint patrol with a Russian Border Guard vessel and interdicted two Chinese IUU vessels in coordination with an embarked Chinese enforcement officer. The Coast Guard intends to dedicate 90 cutter days and 200 aircraft hours to IUU/high seas driftnet enforcement during 2009.

### Joint Operations:

District 11 and 13 units participated in joint operations with NOAA and state fisheries enforcement personnel during Dungeness crab, salmon, Pacific whiting and Pacific halibut seasons throughout 2008.

### Safety:

Seven lives were lost from West Coast fishing vessels during 2008.


As part of District 13's Operation Safe Crab, approximately 200 commercial crabbers were inspected at the dock prior to the start of the 2008-2009 Dungeness crab season. 

*2009 salmon seasons, continued from page 1*

the Columbia River are at the highest levels since 1991, and Oregon Coastal natural coho are predicted to be the highest since 2003. These expected returns have allowed for some exceptional coho opportunity off the Oregon and Washington coast, including a small commercial fishery south of Cape Falcon in September. Fisheries

north of Cape Falcon will have familiar seasons structures, with a May-June Chinook directed fishery and July-September all species fisheries for commercial non-Indian and Treaty Indian fishers, and late June to September recreational fisheries. Coho quotas will be four to five times the 2008 quotas while Chinook quotas will be similar to 2008.

An overview of Council area ocean salmon seasons is presented in Figures 1 and 2 for non-Indian commercial and recreational fisheries; a detailed summary is presented in Tables 1, 2, and 3 for the non-Indian commercial, recreational, and treaty Indian ocean fisheries. Detailed information on the regulations and fishery impacts

are presented in Preseason Report III; Analysis of Council Adopted Management Measures for 2009 Ocean Salmon Fisheries posted on the Council website (<http://www.pcouncil.org>). Hard copies of the report may also be obtained by contacting the Council office at 503-820-2280, or by email at [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov). 

## Council Advisory Body Appointments

The Council made the following advisory body appointments at its March and April meetings:

### Coastal Pelagic Species Management Team

- Mr. Greg Krutzikowsky to the Oregon Department of Fish and Wildlife position
- Dr. Robert Emmett to the newly created NMFS Northwest Fisheries Science Center position

### Enforcement Consultants

- Lt. Dave Cleary to the Oregon position

### Highly Migratory Species Management Team

- Dr. Kevin Piner to the NMFS Southwest Fisheries Science Center position

### Groundfish Management Team

- Mr. Daniel Erickson to the Oregon Department of Fish and Wildlife position

- Dr. Jason Cope to the NMFS Northwest Fishery Science Center position

### Groundfish Advisory Subpanel


- Mr. Shems Jud to the Conservation position
- Mr. Thomas Libby to a Processor position
- Mr. Larry Giese to the Washington Charter Boat position

### Groundfish Allocation Committee

- Mr. Andrew Borstein to the non-voting Processor position

### Essential Fish Habitat Review Committee

- Mr. Joe Schumacker to a Tribal position

The Council chair also appointed Mr. Roger Bain to serve in an interim Tribal Fisher position on the Groundfish Advisory Subpanel at the June meeting. Council staff will request nominations to fill this position on a regular basis for final selection by the Council at its June meeting. 

## Coming Up at the June 2009 Council Meeting

The next Council meeting will be held in Spokane on June 11-18, 2009. The advance Briefing Book will be posted on the Council website in May.

### Groundfish

- Review proposed changes to essential fish habitat
- Process and schedule for 2011-2012 biennial management
- Amendments 20 & 21 (trawl rationalization & intersector allocation): final action on clarifications, FMP language, accumulation limits, divestiture, & adaptive management program
- Amendment 22 (open access fishery): review March Council action
- Amendment 23 (annual catch limits)
- Stock assessments for 2011-2012
- Inseason adjustments
- Experimental fishing permits for 2010

### Highly Migratory Species

- Recommendations for WCPFC Northern Committee Actions

### Pacific Halibut

- Proposal for estimating bycatch in the groundfish setline fisheries

### Other Items

- Habitat report
- Membership appoint-

ments, including Chair & Vice-Chair

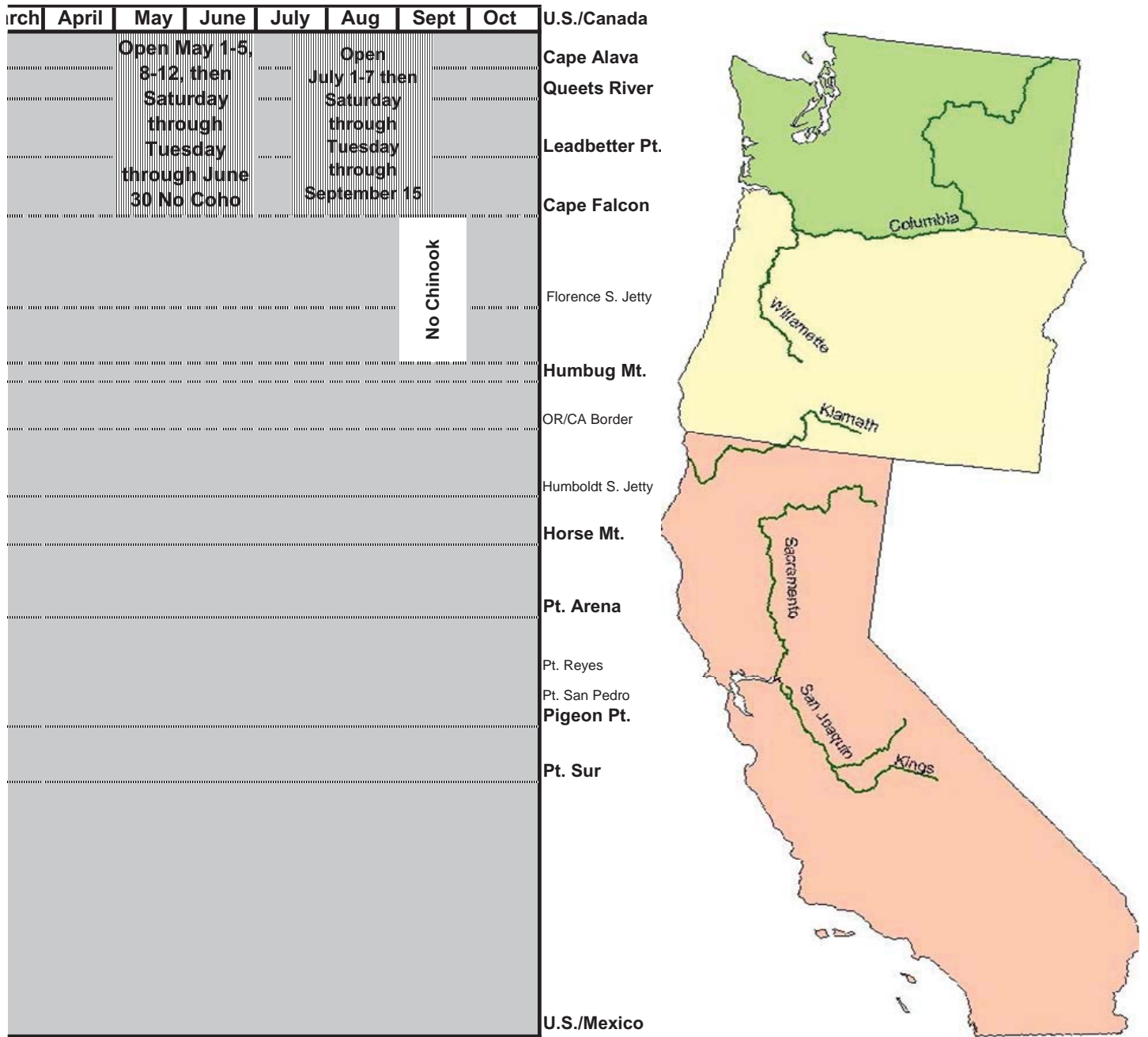
### Coastal Pelagic Species Management

- Pacific mackerel harvest guidelines & management measures for 2009-2010
- Experimental fishing permit for sardine research

**Table 1. Commercial troll management measures adopted by the Council for non-Indian ocean salmon fisheries, 2009.**


| <b>A. SEASON DESCRIPTIONS</b>  |
|--|
| <b>North of Cape Falcon</b>  |
| <b>Supplemental Management Information</b>   |
| <ol style="list-style-type: none"> <li>Overall non-Indian TAC: 41,000 Chinook and an impact equivalent quota of 210,000 coho marked with a healed adipose fin clip (marked).</li> <li>Non-Indian commercial troll TAC: 20,500 Chinook and 33,600 marked coho.</li> <li>Trade: None.</li> </ol>   |
| <p><b>U.S./Canada Border to Cape Falcon</b></p> <ul style="list-style-type: none"> <li>May 1 through earlier of June 30 or 13,735 Chinook quota.</li> </ul> <p>Open May 1-5, 8-12, then Saturday through Tuesday thereafter with a landing and possession limit of 75 Chinook per vessel for each open period north of Leadbetter Point or 75 Chinook south of Leadbetter Point. All salmon except coho.</p> <ul style="list-style-type: none"> <li>July 1 through the earlier of September 15 or 6,765 preseason Chinook guideline or a 33,600 marked coho quota.</li> </ul> <p>Open July 1-7, then Saturday through Tuesday thereafter, with a landing and possession limit of 40 Chinook and 200 coho per vessel for each open period north of Leadbetter Point or 40 Chinook and 200 coho south of Leadbetter Point. All Salmon except no chum retention north of Cape Alava, Washington beginning August 1. All coho must be marked.</p> <p>Cape Flattery, Mandatory Yelloweye Rockfish Conservation Area, and Columbia Control Zones closed. See gear restrictions and definitions. Oregon State regulations require that fishers south of Cape Falcon, OR intending to fish within this area notify Oregon Department of Fish and Wildlife before transiting the Cape Falcon, OR line (45°46'00" N. lat.) at the following number: 541-867-0300 Ext. 271. Vessels must land and deliver their fish within 24 hours of any closure of this fishery. Under state law, vessels must report their catch on a state fish receiving ticket. Vessels fishing or in possession of salmon while fishing north of Leadbetter Point must land and deliver their fish within the area and north of Leadbetter Point. Vessels fishing or in possession of salmon while fishing south of Leadbetter Point must land and deliver their fish within the area and south of Leadbetter Point, except that Oregon permitted vessels may also land their fish in Garibaldi, Oregon. Oregon State regulations require all fishers landing salmon into Oregon from any fishery between Leadbetter Point, Washington and Cape Falcon, Oregon must notify ODFW within one hour of delivery or prior to transport away from the port of landing by calling 541-867-0300 Ext. 271. Notification shall include vessel name and number, number of salmon by species, port of landing and location of delivery, and estimated time of delivery. Inseason actions may modify harvest guidelines in later fisheries to achieve or prevent exceeding the overall allowable troll harvest impacts.</p> |
| <b>South of Cape Falcon</b>  |
| <b>Supplemental Management Information</b>   |
| <ol style="list-style-type: none"> <li>Sacramento River Basin recreational fishery catch assumption: 0 adult Sacramento River fall Chinook.</li> <li>Klamath River recreational fishery allocation: 30,800 adult Klamath River fall Chinook.</li> <li>Klamath tribal allocation: 30,900 adult Klamath River fall Chinook.</li> <li>Overall recreational TAC: 117,000 coho marked with a healed adipose fin clip (marked).</li> <li>Commercial coho TAC: 11,000 coho with no mark-selective restriction, plus impact neutral inseason transfer of surplus recreational TAC less than 110,000 prior to September 1.</li> </ol>   |
| <p><b>Cape Falcon to Humbug Mt.</b></p> <ul style="list-style-type: none"> <li>September 1 through the earlier of September 30 or an 11,000 preseason coho quota.</li> </ul> <p>All salmon except Chinook. Seven days per week with a landing and possession limit of 100 coho per vessel per calendar week, no coho mark-selective restriction. All vessels fishing in the area must land their fish in the State of Oregon. See gear restrictions and definitions and Oregon State regulations for a description of special regulations at the mouth of Tillamook Bay.</p> <p>In 2010, the season will open March 15 for all salmon except coho, with a 27 inch Chinook minimum size limit. This opening could be modified following Council review at its March 2010 meeting.</p>   |
| <p><b>Humbug Mt. to OR/CA Border (Oregon KMZ)</b></p> <ul style="list-style-type: none"> <li>Closed</li> </ul> <p>In 2010, the season will open March 15 for all salmon except coho, with a 27 inch Chinook minimum size limit. This opening could be modified following Council review at its March 2010 meeting.</p>   |
| <p><b>OR/CA Border to U.S./Mexico Border</b></p> <p>Closed.</p>  |

**Figure 1. Council-adopted non-Indian commercial salmon seasons for 2009. Dates are for the first or last days of the month unless otherwise noted.**



*Annual catch limits, continued from page 5*

tored stocks are either exempt from the new requirements because of their short life cycle (market squid) or are currently harvested at relatively low levels (anchovy, jack mackerel). ACLs for monitored stocks may be implemented with greater flexibility, but also greater precaution, than for actively managed species because they are assessed with less frequency. Scoping comments on amending the CPS FMP to address the National Standard 1 guidelines included

recommendations to assess scientific and management uncertainty, include krill and other forage species as ecosystem components of the FMP, improve accountability of live bait harvest and overall fishery discards, and improve inseason harvest reporting. Council staff is preparing a scoping summary and the Council is scheduled to review preliminary CPS FMP amendment alternatives in November 2009. 



**Table 2. Recreational management measures adopted by the Council for non-Indian ocean salmon fisheries, 2009 (north of Cape Falcon).**

| A. SEASON DESCRIPTIONS   |
|--|
| North of Cape Falcon   |
| Supplemental Management Information  |
| <ol style="list-style-type: none"> <li>1. Overall non-Indian TAC: 41,000 Chinook and an impact equivalent quota of 210,000 coho marked with a healed adipose fin clip (marked).</li> <li>2. Recreational TAC: 20,500 Chinook and 176,400 marked coho.</li> <li>3. Trade: None.</li> <li>4. No Area 4B add-on fishery.</li> <li>5. Buoy 10 fishery opens August 1 with an expected landed catch of 115,000 marked coho in August and September.</li> </ol>  |
| <p><b>U.S./Canada Border to Cape Alava (Neah Bay)</b></p> <ul style="list-style-type: none"> <li>• June 27 through earlier of September 20 or 18,350 marked coho subarea quota with a subarea guideline of 2,200 Chinook. Tuesday through Saturday through July 17; seven days per week thereafter. All salmon except no chum retention beginning August 1 and no Chinook retention east of the Bonilla-Tatoosh line beginning August 1 during Council managed ocean fishery. Two fish per day, only one of which can be a Chinook, plus two additional pink salmon. Chinook 24-inch total length minimum size limit. All retained coho must be marked. See gear restrictions and definitions. Inseason management may be used to sustain season length and keep harvest within the overall Chinook recreational TAC for north of Cape Falcon.</li> </ul>          |
| <p><b>Cape Alava to Queets River (La Push Subarea)</b></p> <ul style="list-style-type: none"> <li>• June 27 through earlier of September 20 or 4,480 marked coho subarea quota with a subarea guideline of 950 Chinook.</li> <li>• September 26 through earlier of October 11 or 100 marked coho quota or 100 Chinook quota in the area north of 47°50'00" N. lat. and south of 48°00'00" N. lat.</li> </ul> <p>Tuesday through Saturday through July 17; seven days per week thereafter. All salmon. Two fish per day, no more than one of which can be a Chinook, plus two additional pink salmon. All retained coho must be marked. Chinook 24-inch total length minimum size limit. See gear restrictions. Inseason management may be used to sustain season length and keep harvest within the overall Chinook recreational TAC for north of Cape Falcon.</p> |
| <p><b>Queets River to Leadbetter Point (Westport Subarea)</b></p> <ul style="list-style-type: none"> <li>• June 28 through earlier of September 20 or 65,270 marked coho subarea quota with a subarea guideline of 11,850 Chinook. Sunday through Thursday through July 23, seven days per week thereafter. All salmon, two fish per day, no more than one of which can be a Chinook, plus one additional pink salmon. Chinook 24-inch total length minimum size limit. All retained coho must be marked. See gear restrictions and definitions. Grays Harbor Zone closed beginning August 1. Inseason management may be used to sustain season length and keep harvest within the overall Chinook recreational TAC for north of Cape Falcon.</li> </ul>   |
| <p><b>Leadbetter Point to Cape Falcon (Columbia River Subarea)</b></p> <ul style="list-style-type: none"> <li>• June 28 through earlier of September 30 or 88,200 marked coho subarea quota with a subarea guideline of 5,400 Chinook. Seven days per week. All salmon, two fish per day, no more than one of which can be a Chinook. Chinook 24-inch total length minimum size limit. All retained coho must be marked. See gear restrictions and definitions. Columbia Control Zone closed. Inseason management may be used to sustain season length and keep harvest within the overall Chinook recreational TAC for north of Cape Falcon.</li> </ul>   |

### Upcoming Briefing Book Deadlines

The next Council meeting will be held June 13-18, 2009, in Spokane, Washington. Comments received by 11:59 p.m. on **May 27** will be included in the briefing books mailed to Council members prior to the June meeting. Comments received by 11:59 p.m. on **June 8** will be distributed to Council members at the onset of the June meeting. For more information on the briefing book, see [www.pccouncil.org/bb/bb.html](http://www.pccouncil.org/bb/bb.html).

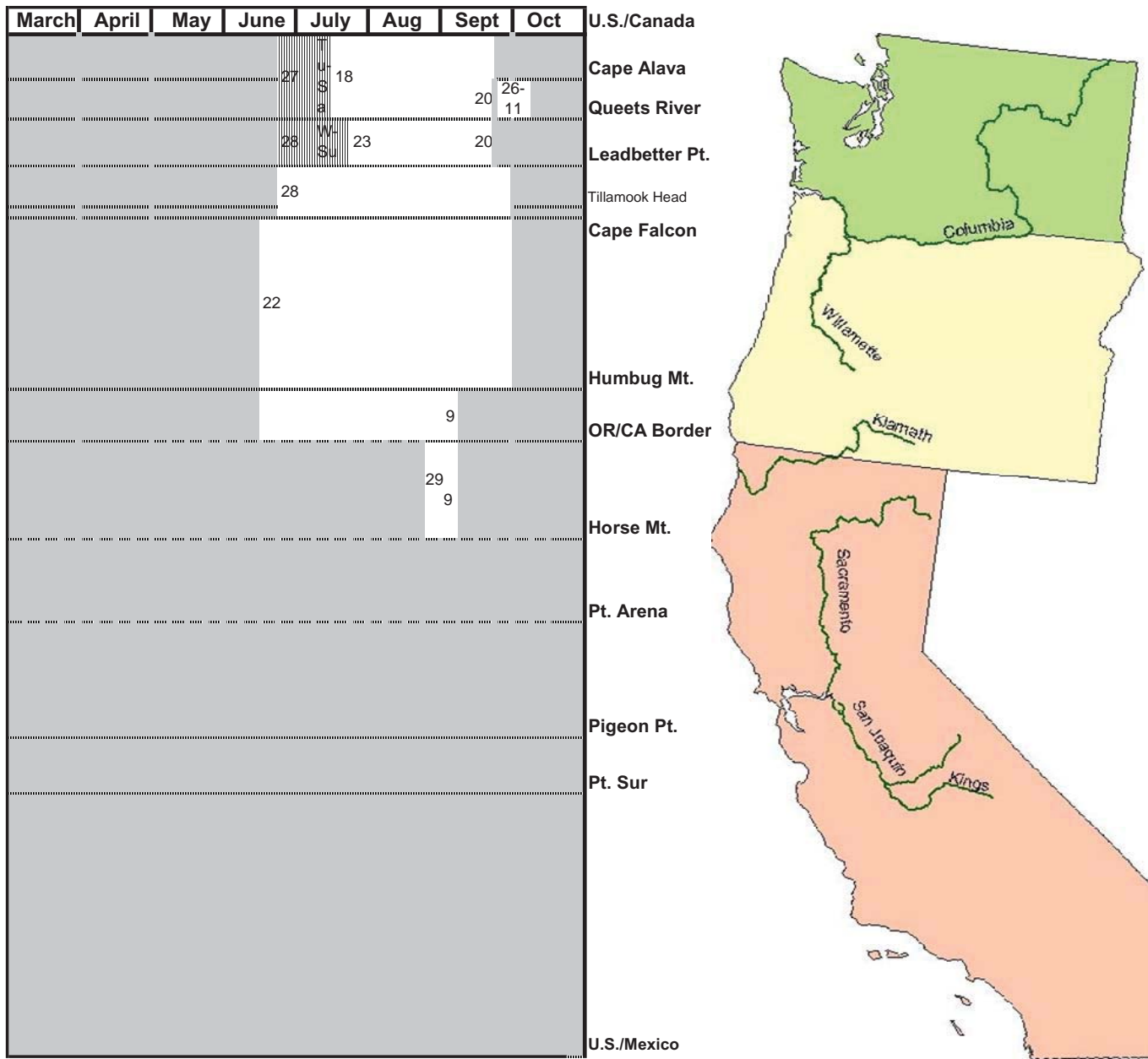
**Table 2. Recreational management measures adopted by the Council for non-Indian ocean salmon fisheries, 2009 (south of Cape Falcon).**

| A. SEASON DESCRIPTIONS (continued)   |
|--|
| South of Cape Falcon   |
| Supplemental Management Information  |
| <ol style="list-style-type: none"> <li>1. Sacramento River Basin recreational fishery catch assumption: 0 adult Sacramento River fall Chinook.</li> <li>2. Klamath River recreational fishery allocation: 30,800 adult Klamath River fall Chinook.</li> <li>3. Klamath tribal allocation: 30,900 adult Klamath River fall Chinook.</li> <li>4. Overall recreational TAC: 117,000 coho marked with a healed adipose fin clip (marked).</li> <li>5. Commercial coho TAC: 11,000 coho with no mark-selective restriction, plus impact neutral inseason transfer of surplus recreational TAC less than 110,000 prior to September 1.</li> </ol>  |
| <p><b>Cape Falcon to Humbug Mt.</b></p> <ul style="list-style-type: none"> <li>• June 20 through earlier of August 31 or an 110,000 marked coho quota for the area between Cape Falcon and the OR/CA border. Seven days per week. All salmon except Chinook, three fish per day. All retained coho must be marked.</li> <li>• September 1 through earlier of September 30 or a 7,000 preseason marked coho quota. Seven days per week. All salmon except Chinook, two fish per day. All retained coho must be marked. Coho remaining from the June through August recreational 110,000 coho quota may be transferred inseason to the coho quota for this fishery.</li> </ul> <p>See gear restrictions and definitions. Fishing in the Stonewall Bank groundfish conservation area restricted to trolling only on days the all depth recreational halibut fishery is open (call the halibut fishing hotline 1-800-662-9825 for specific dates). Open days and bag limit may be adjusted inseason to utilize the available quota.</p> <p>In 2010, the season between Cape Falcon and Humbug Mt. will open March 15 for all salmon except coho, two fish per day.</p> |
| <p><b>Humbug Mt. to OR/CA Border</b></p> <ul style="list-style-type: none"> <li>• June 20 through earlier of August 31 or a 110,000 marked coho quota for the area between Cape Falcon and the OR/CA border. Seven days per week. Except as provided below for the all salmon fishery, all salmon except Chinook. Two fish per day. All retained coho must be marked.</li> <li>• August 29 through September 7. Seven days per week. Except as provided above for the mark selective coho fishery, all salmon except coho. Two fish per day. Chinook minimum size limit of 24 inches total length.</li> </ul>  |
| <p><b>OR/CA Border to Horse Mt. (California KMZ)</b></p> <ul style="list-style-type: none"> <li>• August 29 through September 7. Seven days per week. All salmon except coho. Two fish per day. Chinook minimum size limit of 24 inches total length. See gear restrictions and definitions. Klamath Control Zone closed in August.</li> </ul>   |
| <p><b>Horse Mt. to U.S./Mexico Border</b></p> <ul style="list-style-type: none"> <li>• Closed.</li> <li>• In 2010, season opens April 3 for all salmon except coho, two fish per day. Chinook minimum size limit of 20 inches total length; and the same gear restrictions as in 2007.</li> </ul>  |

**Table 3. Treaty Indian ocean troll management measures adopted by the Council for ocean salmon fisheries, 2009.**

| A. SEASON DESCRIPTIONS   |
|--|
| Supplemental Management Information  |
| <ol style="list-style-type: none"> <li>1. Overall Treaty-Indian TAC: 39,000 Chinook and 60,000 coho.</li> </ol>  |
| <p><b>U.S./Canada Border to Cape Falcon</b></p> <ul style="list-style-type: none"> <li>• May 1 through the earlier of June 30 or 19,000 Chinook quota. All salmon except coho. If the Chinook quota for the May-June fishery is not fully utilized, the excess fish cannot be transferred into the later all-salmon season. If the Chinook quota is exceeded, the excess will be deducted from the later all-salmon season.</li> <li>• July 1 through the earlier of September 15, or 20,000 preseason Chinook quota, or 60,000 coho quota. All Salmon.</li> </ul> |

**Figure 2. Council-adopted recreational salmon seasons for 2009. Dates are the first or last days of the month unless otherwise specified.**



*Habitat report, continued from page 12*

California is underway. Three marine protected area proposals were developed by a regional stakeholder group, and a Blue Ribbon task force created an alternative proposal incorporating elements of each. However, not all constituents, particularly the local fishing industry, were satisfied with the outcome. All proposals are undergoing further review under the California Environmental Quality Act process

and by the California Fish and Game Commission. State funding was frozen during the latter part of the north-central process. State funding has since been reinstated, but it is unclear if sufficient funds will be available for monitoring and enforcement. The southern California process is underway, but with limited funding.

**California Gold Dredging**  
Mr. Jim Hie of the Salmon

Advisory Subpanel spoke to the HC about suction dredge gold mining in West Coast rivers with anadromous fish.

The California Department of Fish and Game (CDFG) issues permits for recreational suction dredge gold mining and has promulgated regulations intended to protect fish. The controversy stems from CDFG allegedly failing to enforce their regulations, resulting in a series of lawsuits by

Klamath Basin tribes, the Pacific Coast Federation of Fishermen's Associations, and other plaintiffs. Recreational mining groups have pursued counter suits concerning tribal fishing in the Klamath Basin. California State Senator Patricia Wiggins has introduced legislation to ban suction dredge mining in California in response to the situation. A hearing on the bill was scheduled for May 11. 

# Schedule of Events

For more information on these meetings, please see our website ([www.pcouncil.org/events/csevents.html](http://www.pcouncil.org/events/csevents.html)) or call toll-free (866) 806-7204.

## Habitat Committee Meeting

**Date:** June 5, 2009

**Location:** Riverplace Hotel, Portland, OR

**Contact:** Jennifer Gilden ([jennifer.gilden@noaa.gov](mailto:jennifer.gilden@noaa.gov))

## Groundfish Stock Assessment Review Panel

**Purpose:** To review stock assessments for Pacific Ocean perch, darkblotched & canary rockfish, and cowcod

**Date:** June 10-11, 2009

**Location:** Spokane, Washington

**Contact:** John DeVore ([john.devore@noaa.gov](mailto:john.devore@noaa.gov))

## Pacific Fishery Management Council Meeting

**Dates:** June 11-18, 2009

**Location:** Doubletree Hotel, Spokane, WA

**Contact:** Don McIsaac ([donald.mcisaac@noaa.gov](mailto:donald.mcisaac@noaa.gov))

## Advisory Body Vacancies

The Pacific Fishery Management Council is seeking qualified candidates to serve on the

### Groundfish Advisory Subpanel

Tribal Fisher Position

(Deadline: May 20, 2009)

## Groundfish Stock Assessment Review Panel

**Purpose:** To review stock assessments for Bocaccio and widow rockfish

**Date:** July 13-17, 2009

**Location:** Santa Cruz, California

**Contact:** John DeVore ([john.devore@noaa.gov](mailto:john.devore@noaa.gov))

## Groundfish Stock Assessment Review Panel

**Purpose:** To review stock assessments for lingcod and cabezon

**Date:** July 27-31, 2009

**Location:** Seattle, Washington

**Contact:** John DeVore ([john.devore@noaa.gov](mailto:john.devore@noaa.gov))

The public comment deadline for the June Council meeting is May 27! (See p. 15)



Pacific Council News  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, Oregon 97220-1384