Pacific Council News

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Coastwide Salmon Seasons Opened for First Time in Three Years

For the first time since 2007, the Pacific Fishery Management Council has recommended allowing commercial and recreational ocean seasons for Chinook salmon in most of California and Oregon. The commercial season in California is very limited, with only eight days in July for most of the coast, plus two quota periods in July and August for the Fort Bragg area. The recreational seasons are closer to normal, with most of the state open now through September 6 (Labor Day), although the ocean will be closed Tuesdays and Wednesdays south of Point Arena, and the minimum size limit is 24 inches, up from 20 inches. The north coast area around Eureka and Crescent City will have a Memorial Day to Labor Day recreational season, but no commercial season.

The Council took a conservative approach to managing salmon fisheries this year because of the recent collapse of the Sacramento River fall Chinook stock. The stock has fallen below its minimum spawner goal for the last three years, and while the forecast in somewhat improved for 2010, the Council targeted a higher escapement level this year to increase the likelihood of achieving the minimum spawner goal in 2010. The increase in the recreational minimum size limit is intended to reduce impacts on Endangered Species Act-listed Sacramento winter Chinook, whose numbers have also been low the last two years.

Charter businesses up and down the coast should get some business this summer

Oregon will also see the return of Chinook fishing, including May, July, and August commercial seasons on the south coast; and May, June, July and August commercial seasons on the central coast. Recreational seasons will be Memorial Day weekend through Labor Day south of Cape Falcon for Chinook, with a mark-selective coho season beginning June 26. However, the coho quota is only 26,000 this year, compared to over 100,000 last year, so coho opportunity may not extend through Labor Day weekend.

The Council also included allowances for an experimental genetic stock identification study in Oregon and California. The study will contract with commercial salmon trollers to

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Trawl Quota Share Participants: Ensure that Your Data is Accurate Now

People who may receive initial allocation of quota share under the trawl rationalization program should ensure that data concerning them in National Marine Fisheries Service (NMFS) landings and delivery databases are correct.

On July 1, NMFS plans to extract a copy of the landings and delivery databases to use for issuing quota shares, endorsements, catch history and permits if the program is approved by the Secretary of Commerce. A decision on approval is expected in August.

Appeals on accuracy of the information contained in the databases will not be allowed after the data is extracted; therefore, it is important to ensure now that the data contained in these databases are accurate.

For more information, see the small entity compliance guide available at (shortcut) http://tinyurl.com/2dmptgl. Additionally, industry members expecting to receive initial allocations were required to return their ownership interest surveys by May 1, 2010.

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Salmon News

Sacramento River Fall Chinook Technically Listed as "Overfished"

Sacramento River fall Chinook was labeled with an "overfishing concern" at the March Council meeting, despite the fact that fishing is believed to be a minor factor in the overall decline of the stock.

In March, the Council reviewed the most recent information on stocks that were forecast to not meet their conservation objective (a given number of spawers returning) this year, and those that had not met their conservation goal for the three most recent years. Those that have not met the goal for three consecutive years fall under the Council's definition of an Overfishing Concern. Only Sacramento River fall Chinook fell into this category.

No stocks met the Conservation Alert threshold (projected not to meet their conservation goal) in 2010.

The Council's Salmon Technical Team (STT) and Habitat Committee (HC) will work with relevant state and tribal agencies to assess the cause of the spawning escapement shortfalls for Sacramento River fall Chinook. A report, including recommendations for ending the Overfishing Concern, is due at the March 2011 Council meeting.

In 2009, two stocks met the Overfishing Concern threshold, Queets River coho and Western Strait of Juan de Fuca coho. The STT reported to the Council their findings on the cause of those stocks falling below their spawning goals. For Queets River coho, the STT reported that fisheries had been managed according to expectations; however, the preseason abundance forecasts had been too high, resulting in excessive removals. The forecast methodology had already been revised in 2009, and the stock met its spawning goal in 2009. In addition, the stock was projected to meet its goal in 2010. Because the stock had achieved its conservation objective, the Council determined that the Overfishing Concern for this stock had ended.

For Western Strait of Juan de Fuca coho, the STT reported that fisheries had been managed at very low levels, according to expectations, and that even without any harvest the stock would have been below its spawning goal. In addition, the Council had subsequently adopted new management objectives for Strait of Juan de Fuca coho, and based on those objectives, the stock would not have triggered an Overfishing Concern in 2009. The Council determined that the Overfishing Concern was not warranted at this time. However, because the stock continued to be depressed, the Council recommended the State and Tribal co-managers review the STT recommendations and the revised Overfishing Criteria resulting from the updated conservation objectives, and report back to the Council by the November 2011 Council meeting.

The STT also reported that based on updated information, Grays Harbor coho may have triggered an Overfishing Concern in 2009 after falling below its spawning goal in 2006, 2007, and 2008. However, the stock was well above its spawning goal in 2009. The Council determined that since the stock had achieved its goal in 2009, and was projected to achieve it in 2010, the Overfishing Concern had ended and no further action was necessary.

Finally, the STT reported that Klamath River fall Chinook had met its interim rebuilding objective for 2009 with a natural spawning area escapement of 44,589 adults, and therefore if it achieved an escapement of more than 35,000 again in 2010, the stock would have met the criteria for ending the Overfishing Concern according to the Council's recommended criteria.

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catch and release salmon during closed times and areas from May through September. Salmon will have a small piece of fin and some scales removed before being released. The tissue sample will be used to determine the river of origin so researchers can improve their understanding of stock distribution, and provide information to consumers on fish where their fish came from. Tissue samples from fish landed during open seasons will be used as well. For more information on this study, see the Pacific Fish Trax website at: http://www.pacificfishtrax.org/.

Fisheries in the Columbia River and Washington coast regions will benefit from improved Columbia River Chinook forecasts. Non-Indian commercial fisheries will have a Chinook quota more than double the 2009 quota for the May-June

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Halibut News

International Pacific Halibut Commission Sets 2010 Limits, Dates

At its annual meeting in January, 2010, the International Pacific Halibut Commission (IPHC) adopted catch limits for Alaska, Canada, and mainland U.S. areas, including Area 2A, off the coasts of Washington, Oregon, and California.

2010 Catch Limits:

The total allowable catch for Area 2A in 2010 is 810,000 pounds, down about 15 percent from 2009. Most Area 2A fisheries will see a similar decrease in quotas, although the commercial sablefish fishery north of Point Chehalis will not have an incidental halibut allowance in 2010, due to the overall 2A quota being lower than 900,000 lbs.

Directed Commercial Fishery:

The coast-wide opening date for directed halibut fisheries was March 6, 2010, 15 days earlier than in 2010. The treaty-Indian fishery is the only Area 2A fishery opening on the coast-wide date.

The 2010 non-treaty directed halibut fishery will open one week later than in 2009, which aligns with the traditional late June opener. The IPHC recommended seven potential ten-hour fishing periods for the non-treaty directed commercial fishery in Area 2A south of Point Chehalis, Washington: June 30, July 14, July 28, August 11, August 25, September 8, and September 22, 2010. 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 trip 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/23woesp.

Council Adopts Incidental Halibut Landings Restrictions

The Council adopted recommendations for landing restrictions in the non-Indian commercial salmon troll fishery and the directed primary sablefish fishery at its March and April meetings.

Commercial Salmon Fisheries:

For 2010, the Council recommended a change in the landing limit used in 2009 for halibut caught incidentally in the non-Indian commercial salmon fishery. For 2010, fishermen may possess or land no more than one halibut per each three Chinook, except one halibut may be possessed or landed without meeting the ratio requirement. In addition, 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 25,035 pounds of halibut is reached.

The 2010 landing restriction is more conservative than the 2009 restriction, which allowed one halibut for every two Chinook. The 2010 halibut quota is lower than in 2009, and Chinook quotas are larger north of Cape Falcon, Oregon, and Chinook seasons longer south of Cape Falcon; therefore, the more restrictive halibut landing limit was intended to ensure a longer opportunity to land incidentally caught halibut.

Longline Sablefish Fisheries:

The total Area 2A halibut quota is too small this year (less than 900,000 pounds) to provide for incidental halibut harvest in the commercial sablefish fishery north of Point Chehalis. Therefore, there will be no allowance for retention of incidentally caught halibut in that fishery for 2010.

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.

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Chinook fishery and the July through mid-September all-salmon fishery; however, coho quotas will be about one third last year's. The recreational seasons will include a late June Chinook-directed (all-salmon-except-coho) fishery in addition to the usual July to September all-salmon fishery. While the June seasons have occurred in the past, for the first time in 2010 the fishery will be mark-selective for Chinook. The June quota is small at 12,000, but the fishery will be intensively monitored to allow a thorough evaluation. The all-salmon fishery will be mark-selective for coho but not for Chinook. Because of the low coho quotas, fishing will be initially limited to five days per week in the Westport, La Push and Neah Bay subareas to keep from reaching the quotas too quickly.

Treaty Indian ocean fisheries off Washington will also have greater Chinook quotas and lower coho quotas, and have similar season structures with Chinook fisheries in May and June, and all-salmon fisheries in July through mid-September.

Maps of Council-area ocean salmon seasons are presented on pages 21 and 22, with tribal seasons on page 22. More information on the regulations and fishery impacts are presented in *Preseason Report III: Analysis of Council Adopted Management Measures for 2010 Ocean Salmon Fisheries* (http://www.pcouncil.org/wp-content/uploads/Preseason_Report_III_2010.pdf) Hard copies are available from the Council office.

Salmon News

Council Adopts Topics for Salmon Methodology Review

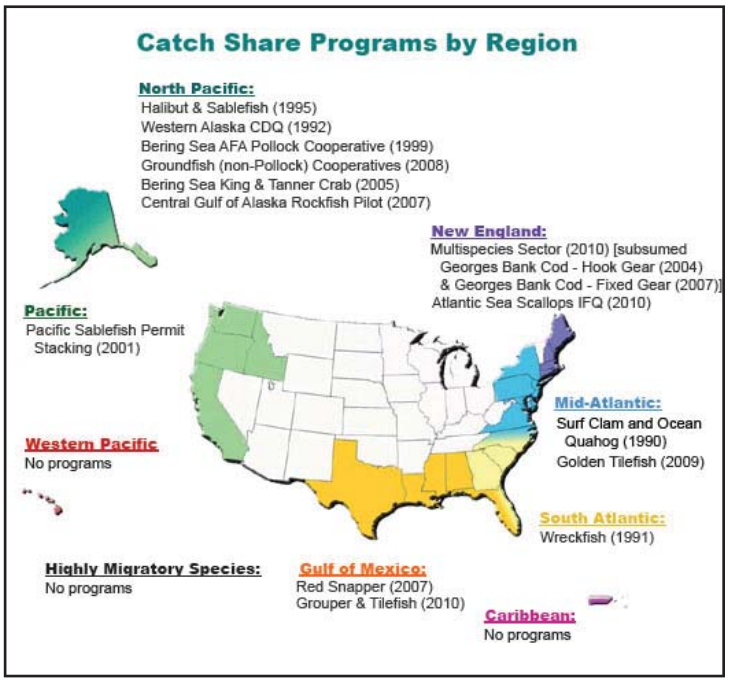
The Council adopted six candidate issues for review by the Scientific and Statistical Committee (SSC) and Salmon Technical Team (STT) during the fall of 2010:

- Examination of the potential bias in Coho and Chinook Fishery Regulation Assessment Model (FRAM) of fishery-related mortality introduced by mark-selective fisheries (Model Evaluation Workgroup)
- Continued sensitivity analysis of the FRAM to key parameters (Model Evaluation Workgroup)
- Oregon coastal natural (OCN) coho abundance predictor (National Marine Fisheries Service)
- Evaluation of indicator stock tag groups for Columbia River summer Chinook for incorporation into FRAM (Salmon Technical Team)
- Incorporation of additional Chinook stocks into the FRAM for improved accounting and better overall stock representation (Salmon Technical Team)
- Revisions to Amendment 13 matrix control rules for OCN coho stocks (Oregon Department of Fish and Wildlife)
- Abundance-based management framework for Lower Columbia River tule fall Chinook (to be determined)
- Update and revision of natural production information in the Lower Columbia River natural coho harvest management matrix (Oregon Department of Fish and Wildlife, Washington Department of Fish and Wildlife)
- Review and evaluation of ocean mark-selective fishery reports (Salmon Technical Team)

The Council will review the status of these issues and decide on final candidates at the September Council meeting in Boise. The SSC Salmon Subcommittee and Salmon Technical Team will conduct the review in October and report back to the Council at the November meeting in Costa Mesa.

NOAA Chief of Staff Updates Council on Catch Shares and Ocean Policy

EDITED. At the March meeting, NOAA Chief of Staff Margaret Spring provided the Council with an update on the NOAA Catch Shares (CS) Policy and the Ocean Policy Task Force. On June 22, 2009, National Oceanic and Atmospheric Administration (NOAA) Undersecretary Lubchenco announced the formation of a Catch Shares Task Force charged with developing a national catch share policy for marine fishery management. Dr. David Hanson (of Pacific States Marine Fisheries Commission, and Council parliamentarian) was designated as a member of the task force upon nomination by the Pacific Council. A draft Catch Share Policy was issued December 10, 2009, with a public comment period that closed on April 10, 2010. The Council submitted a comment letter, available upon request at the Council office.



Ms. Spring's main message regarding catch shares was that NOAA encourages Councils to consider them as a tool to help manage fisheries sustainably, but the decision to use catch shares should be made on a case-by-case basis. She stated that while NOAA supports catch shares as a possible management tool, NOAA does not require any Council to adopt catch shares. Ms. Spring noted that about 20% of stocks nationwide are in rebuilding, and more than that amount are not meeting their full economic potential. She suggested that catch shares may be one way to improve fishery performance. NOAA has a $36 million 2010 budget increase to provide technical and other support for catch shares.

The NOAA Catch Shares policy has five key features. First, a CS system should be designed to address a specific goal, such as reducing a derby fishery. Second, CS recipients should have flexibility while ensuring community access to shares. Third, CS should allow for new generation to enter a fishery. Fourth, Councils should consider a royalty system, as fisheries become more profitable; and fifth, there should be provisions for periodic review and feedback.

Ms. Spring then discussed the Ocean Policy Task Force (OPTF), which President Obama established to develop a comprehensive strategy for coastal and marine spatial planning on a regional level, among other goals. The OPTF, chaired by the White House Council

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Groundfish News

Harvest Specifications for 2011 and 2012 Groundfish Fisheries are Adopted

In April, the Council adopted the groundfish overfishing limits (OFLs) recommended by the Scientific and Statistical Committee, and chose preliminary preferred acceptable biological catches (ABCs) and annual catch limits (ACLs) for groundfish stocks and stock complexes for 2011-2012 fisheries, as shown on page 23.

As part of the decision, the Council elected to manage lingcod with separate ACLs north and south of the California-Oregon border. The Council also elected to continue to manage splitnose rockfish in the northern slope rockfish complex and greenstriped rockfish in the northern and southern shelf rockfish complexes. The Council decided to remove chilipepper rockfish from the northern shelf rockfish complex and manage the stock coastwide with its own specifications. Likewise, the Oregon substock of cabezon, which was newly assessed in 2009, will be removed from the "Other Fish" complex and managed with stock-specific harvest specifications.

All the 2011 and 2012 ACLs adopted in April are preliminary preferred alternatives, and are subject to change in June. The alternatives will be analyzed in a draft environmental impact statement (EIS) that will be provided for the June Council meeting, when the Council is scheduled to take final action on both 2011 and 2012 harvest specifications and management measures.

FMP Amendment Addresses National Standard 1 - Annual Catch Limits, Accountability Measures

In March, the Council adopted a preliminary preferred alternative for Amendment 23 for public review. Amendment 23 to the groundfish fishery management plan (FMP) concerns a new harvest specification framework in response to the new National Standard 1 guidelines that NMFS is using to interpret the reauthorized Magnuson-Stevens Act of 2006. The preliminary preferred alternative contains the following elements:

- Adopt the more precautionary approach (Option 2) for the 40-10 harvest control rule (see http://tinyurl.com/25a3nun);
- Include a 25-5 harvest control rule for assessed flatfish species;
- Remove dusky and dwarf-red rockfish from the FMP;
- Do not categorize the current FMP species as "ecosystem component" species at this time, pending future development of criteria for doing so;
- Include an annual catch target as an accountability measure that the Council could specify during the biennial specifications process (see http://tinyurl.com/2dc4nbv);
- Include the overfishing probability (P*) concept as one approach that could be used to set scientific uncertainty buffers in the biennial specifications process; and
- Specify that an upper limit of P* of 0.45 be used when P* is used to set an acceptable biological catch. (P* of 0.45 means there is a 45% probability that the estimated overfishing limit is too high).

The Council also reiterated their guidance that the Amendment 23 FMP framework should be relatively simple and not overly prescriptive. To that end, the Council offered edits to the draft amendment language in Agenda Item E.4.a, Attachment 2 and also requested Council staff coordinate with NMFS staff, NOAA General Counsel, the SSC, and the GMT to incorporate their recommended edits in the next iteration of the draft FMP language under this amendment.

Since Amendment 23 is proposed to be implemented by the start of 2011, the Council will use the new proposed Amendment 23 framework in their 2011-12 biennial specifications decision-making process this year. The Council provided guidance to Council staff on the types of analyses, reports, and discussions they would like to see in April to make biennial harvest specification decisions.

The final preferred alternative for the Amendment 23 framework will be decided at the June Council meeting.

Council Conducts Stock Assessment Planning for 2013-2014 Management Measures

In March, the Council adopted for public review the list of groundfish species for assessment next year to inform management in 2013 and beyond. Besides Pacific whiting, which is assessed annually, the following species are recommended for a full assessment: widow rockfish, petrale sole, Pacific ocean perch, blackgill rockfish, sablefish, Dover sole, spiny dogfish, rex sole, and greenspotted rockfish. Further, the Council requested the National Marine Fisheries Service explore the data available for a possible assessment of China rockfish, quillback rockfish, and copper rockfish, nearshore species that are believed to be vulnerable to overexploitation. The preliminary list of species for an updated assessment next year include bocaccio, canary, darkblotched, and yelloweye rockfish. A status report for cowcod will also be prepared since the SSC has judged there is not enough data to justify a full or updated assessment.

The Council also adopted for public review a revised terms of reference for stock assessments and assessment reviews. The Council requested inclusion of a proposed definition of a stock status report in the revised terms of reference.

The Council is scheduled to take final action on stock assessments in June.

Groundfish News

Council Adopts Whiting Harvest Specifications for 2010

The Council adopted both the Pacific whiting stock assessments (Martell 2010; Stewart and Hamel 2010) that were forwarded for Scientific and Statistical Committee (SSC) review in March, since there was no SSC consensus on a preferred assessment model for setting harvest specifications for 2010 Pacific whiting fisheries.

The Council adopted a coastwide (U.S. plus Canada) acceptable biological catch (ABC) of 455,550 metric tons (mt) for 2010 fisheries, which is the average of the ABCs estimated in each assessment. A coastwide optimum yield (OY) of 262,500 mt was adopted for 2010 fisheries. This level of harvest was derived from an average of OY values from both assessments.

The Martell assessment estimated the harvest rate that produces a maximum sustainable yield of F53% (the harvest rate estimated to produce a spawning biomass that is 53% of its unfished spawning biomass at equilibrium), which is more conservative than the proxy F_{MSY} harvest rate of F40%. The OY estimated in the Martell assessment using the F53% harvest rate is 339,000 mt, and projects the stock's depletion level to be B31% (estimated spawning biomass of 31% of the stocks unfished spawning biomass) in 2011.

Conversely, the assessment done by Stewart and Hamel predicts a 2010 OY of 186,000 mt under an F40% harvest rate will cause the stock to decline to B25% in 2011.

The 262,500 mt OY is the average of the 339,000 mt from the Martell assessment and the 186,000 mt from the Stewart and Hamel assessment. Under the terms of the U.S.-Canada Pacific whiting treaty, the U.S. allocation of the coastwide OY is 73.88% of the coastwide OY, which equates to 193,935 mt.

The Council was apprised that NMFS would soon publish a proposed rule for a 2010 treaty whiting allocation that would be deducted from the U.S. OY. This allocation was published in the *Federal Register* on March 12 (75 FR 11829).

The Council also adopted a set-aside of 3,000 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. Once the rulemaking for the treaty whiting allocation is finalized and that amount, as well as the 3,000 mt bycatch set-aside, are deducted from the U.S. OY, the resulting yield would be allocated to the non-tribal whiting sectors according to the formal allocation of 24% to motherships, 34% to catcher-processors, and 42% to shoreside whiting.

The Council also adopted 2010 total catch limits for canary, darkblotched, and widow rockfish for the non-tribal whiting sectors, as well as species trip limits for this year's shoreside whiting EFP. Those decisions were made during the Council's deliberations on inseason adjustments to 2010 groundfish fisheries and are reported on page 7.

Trawl Rationalization Regulations Clarified; Program Expected to Begin January 1, 2011

The new trawl rationalization program is scheduled to begin on January 1, 2011, following Council discussions this spring and assuming Secretary of Commerce approval. During its two spring meetings, the Council made several minor changes to the trawl rationalization program (Amendment 20 to the groundfish fishery management plan (FMP)); deemed that certain implementing regulations were ready for public review; provided guidance on the development of tracking and monitoring regulations; and appointed a committee to review the next set of implementing regulations.

In April, the Council considered four modifications to the program and made the following decisions:

A trawler at the dock of a seafood processor in Astoria, Oregon (photo J. Gilden)

- The 30-day period during which a vessel must cover any catch overage with quota (Section A-2.1.1 of the trawl rationalization program), will not start until data are available indicating that an overage has occurred. As originally specified, this period for covering an overage would have started on the landing date.
- The 10% carryover of a quota pound (QP) deficit will be determined based on the amount of QP in the vessel account 30 days after the deficit occurs. For the carryover of a surplus of unused QP, the 10% will be calculated at the end of the year and will be based on both the used and unused QP in the vessel's account. (Used QP is that which has been used to cover catch.)
- Mothership catcher vessels will have until September 1st of each year to notify a mothership that they are considering delivering to a different mothership in the coming year, and until December 31st of each year to declare their intent to participate in the co-op or non-co-op fishery and to declare the mothership to which they plan to obligate their catch. The dates in the Council's original action were July 1st for the notification of motherships

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Groundfish News

Groundfish Inseason Adjustments Recommended

At its March and April meetings, the Council considered inseason adjustments for 2010 groundfish fisheries. The following is a summary of the Council's recommendations to the National Marine Fisheries Service (NMFS).

Pacific Halibut Retention in the Sablefish Fisheries North of Point Chehalis

In March, the Council confirmed that under the current Pacific halibut Catch Sharing Plan there are insufficient halibut available to provide for incidental halibut retention in the commercial fixed-gear sablefish fishery north of Point Chehalis, Washington. NMFS adjusted the groundfish regulations to reflect this change on May 1, 2010.

Bycatch Limits for the 2010 Non-treaty Pacific Whiting Fisheries

The Council considered the historical performance of the Pacific whiting fisheries relative to overfished species bycatch, and recommended that NMFS specify the bycatch limits outlined in the table below for 2010. As analyzed in the 2009-2010 Harvest Specifications and Management Measures Environmental Impact Statement, the Council's preferred alternative is to further distribute the bycatch limits to the sectors in proportion to their whiting allocations (i.e., 42 percent shoreside, 34 percent catcher-processor, 24 percent mothership).

Cumulative Limits for the 2010 Pacific Whiting Exempted Fishing Permit for the Shoreside Fishery

In 2007, cumulative monthly limits were specified in the shoreside Pacific whiting Exempted Fishing Permit (EFP) for lingcod, minor slope rockfish (including darkblotched), minor shelf, shortbelly, widow, and yellowtail rockfish, Pacific Ocean perch, Pacific cod, and sablefish. The 2008 and 2009 EFP structure did not provide landing allowances for species other than whiting, and, as such, Federal regulations only allowed fishermen to get paid for monthly landing allowances for yellowtail and widow rockfish (species for which there is a midwater gear trip limit specified in Federal regulation). The Council tasked the Groundfish Management Team (GMT) and the Northwest Region with analyzing midwater trawl trip limits for the shoreside whiting EFP for 2010.

The GMT analyzed the 2007 trip limit structure specified in the EFP and compared it to landings in 2008 and 2009, years when overages were forfeited to the state, to determine whether these limits could be appropriate for the 2010 EFP. From 2007-2009, the whiting fishery operated north of 40°10' N latitude, so the analysis and recommendations are limited to north of 40°10' N latitude. Overall, the limits specified in the 2007 EFP appear to be appropriate, although many boats would be expected to exceed the sablefish and slope rockfish limits. The GMT did not recommend increasing these limits to accommodate the higher landings because the whiting season is very short (~4-6 weeks) and there is limited opportunity to decrease limits inseason should it become necessary. These cumulative limits are not expected to change the species composition of the landings or the magnitude of landings; they are only to allow the fishermen to get paid for their incidental catch, instead of forfeiting those landings to the state.

The Council recommended that NMFS specify the following limits in the 2010 EFP for the shoreside non-treaty whiting fisheries operating north of 40°10' N latitude:

- Lingcod: 600 lb per calendar month
- Minor slope rockfish, including darkblotched rockfish: 1,000 lb per calendar month
- Pacific ocean perch: 600 lb per calendar month
- Pacific cod: 600 lb per calendar month
- Sablefish: 1,000 lb per calendar month

These limits would be in addition to the current midwater trawl limits specified in Federal regulations (http://tinyurl.com/2b6fgff) for widow rockfish and yellowtail rockfish north of 40°10; N latitude. Midwater trawl limits south of 40°10' N latitude remain unaffected by this recommendation.

Limited Entry Non-Whiting Trawl Fishery North of 40°10' N. lat.

After reviewing preliminary data from 2010, catches of darkblotched rockfish north of 40°10' N. lat. may be higher than previously projected while catches south of 40°10' N. lat. are tracking as projected. Without an inseason adjustment, the GMT estimated that the catch of darkblotched rockfish (combined for both north and south of 40°10' N. lat.) would be 321 mt, which would exceed the darkblotched OY.

Given the results of the GMT analysis, the Council recommended that NMFS implement a 2,000 lbs/2 months cumulative limit for minor slope rockfish and darkblotched rockfish beginning on May 1, 2010 through the end of the year (Periods 3-6) (http://tinyurl.com/2b6fgff). With this limit reduction, the projected impacts to darkblotched rockfish (both north and south of 40°10' N. lat.) in the limited entry non-whiting trawl fishery are 228 mt and minor slope rockfish catch (excluding darkblotched) are 262 mt. The total projected impacts for darkblotched rockfish in all fisheries is estimated to be 285 mt, below the darkblotched OY of 291 mt.

Council-Recommended Pacific Whiting Bycatch Limits for 2010

Species	Total	Shoreside (42%)	Catcher-Processor (34%)	Mothership (24%)
Canary	14 mt	5.9 mt	4.8 mt	3.3 mt
Darkblotched	25 mt*	10.5 mt	8.5 mt	6.0 mt
Widow	279 mt	117 mt	95 mt	67 mt

*This number is currently specified in Federal regulations, so no change is needed.

Groundfish News

Council Adopts List of 2011-2012 Management Measures for Analysis

At its April meeting, the Council refined the list of management measures to be analyzed for use in the 2011-2012 groundfish fisheries. Management measures include tools that help constrain catch within the annual catch limits (ACLs), achieve conservation goals, meet socio-economic objectives, or achieve other objectives of the Groundfish Fishery Management Plan.

Management measures explored will be consistent with Amendment 23 to the Groundfish Fishery Management Plan, which is designed to incorporate the new National Standard 1 guidelines for preventing overfishing (see Winter 2010 newsletter, page 5). Specifically, the Council is considering the use of annual catch targets, a harvest amount set below the ACL in order to keep total catch within the ACL.

Overarching analyses also include developing management measures consistent with the new petrale sole rebuilding plan as well as rebuilding plans for other overfished species (see article, page 5); analyzing impacts to protected resources using best available science; and implementing sorting requirements for species with a management target (e.g., ACL, point of concern, trip limit, bag limit, etc.). For commercial fisheries, regulations will be drafted for ice and slime deductions, dressed weight of sablefish, and landing requirements for species captured in Exclusive Economic Zone and landed into Mexico and Canada. Additionally, selected coordinates of rockfish conservation area boundaries (RCAs) for trawl and non-trawl may be revised to more closely approximate depth contours.

Cabezon

The Council also reviewed a Supplemental Tribal Report outlining the estimated 2011-2012 levels of harvest and associated management measures. An analysis will be conducted to estimate the impacts to overfished species in coordination with the tribes.

For recreational fisheries, all three states will be analyzing season lengths, depth restrictions, and bag limits to provide opportunity while keeping catch within the ACLs. In California, depth restrictions may include changes to existing RCA coordinates, addition of new RCA lines, or changes to the depth restriction regulation language. Additionally, California is exploring reducing the lingcod size limit from 24 inches to 22 inches, as well as removing the spawning closure in the southern management area, in order to provide increased access to healthy lingcod stocks.

California is also analyzing changes to depth restrictions around the Farallon Islands, Noon Day Rock, and Catalina Island. In the Cowcod Conservation Areas, changes to depth restrictions and retention rules for shelf and slope rockfish will be analyzed.

With regard to the California recreational management areas, consideration will be given to combining the south-central Morro Bay and South Central Monterrey Bay management areas as well as developing a new management line at Cape Vizcaino. In Oregon, groundfish retention in the all-depth halibut fishery will be analyzed. For Oregon cabezon, sub-bag limits, seasonal closures, and changes to the minimum size limit will be explored in order to keep catches within ACL.

For the commercial fisheries, analyses will be conducted in order to support a rationalized trawl fishery as well as a contingency plan in the event rationalization is delayed beyond January 1, 2011.

For fixed gear commercial fisheries, the Enforcement Committee will evaluate gear stowage requirements for fixed gear vessels transiting closed areas, as well as Vessel Monitoring Systems technologies to allow drifting by limited entry and open access vessels. The impacts of removing the coastwide winter lingcod spawning closure will also be analyzed, given the healthy status of the lingcod stock.

In California, consideration will be given to modifying the gear description for other flatfish hook and line gear to align with recreational regulations. Additionally, near Catalina Island, the impacts of modifying the non-trawl RCA from 60 to 100 fm will be explored.

Results of the 2011-2012 management measure analyses, including a draft Environmental Impact Statement, will be provided in the briefing book for Council consideration and final action at the June 12-17 meeting in Foster City, California.

Highly Migratory Species News

Council to Gather More Information on Albacore Fisheries to Support Possible Limitation

At its April meeting, the Council discussed whether to limit effort by the West Coast albacore fishery. The discussion was sparked by the report Possible Management Options for the U.S. West Coast Albacore Fishery, drafted by Drs. Mike Laurs and Joe Powers of National Marine Fisheries Service (NMFS). The Council had received a draft of the report at its November 2009 meeting, when it asked its Highly Migratory Species Management Team (HMSMT) to review the report and gather information to support formal consideration of a limited entry program.

NMFS has been encouraging the Council to consider limiting fishing effort for albacore. Both the Western and Central Pacific Fisheries Commission (WCPFC) and Inter-American Tropical Tuna Commission (IATTC) have called on members to not increase fishing effort on this stock.

The current status of the North Pacific albacore stock is uncertain. The last stock assessment, completed in 2006, showed that stock biomass was at a historically high level, but that the level of fishing mortality at that time could result in biomass shrinking to an overfished level over the next few years. A new stock assessment is overdue, and could clarify whether fishing mortality is leading to a decline in stock biomass. The Council wants to be prepared in case a new albacore stock assessment, to be completed in 2011, shows a need for nations to reduce their fishing effort on the stock.

Albacore tuna

The most likely framework to limit fishing effort would be a limited access, or "limited entry," program for the commercial albacore fishery. Under limited entry, a fixed number of permits are issued and such a permit must be obtained in order to participate in the fishery.

Participation in the albacore fishery is diverse. While there appears to be a core group of full-time albacore fishermen, many use a "portfolio strategy," participating in a variety of fisheries including albacore. As a result, many vessels have comparatively small albacore landings. Effectively limiting potential fishing effort, while not excluding occasional participants, may be challenging.

The Council decided not to move forwarded with a limited entry program at this time, but will gather information and prepare for the results of the next stock assessment and any ensuing action at the international level. The Council wants to make sure that the U.S. is in advantageous position should discussions at the international level turn to more explicit measures to limit albacore catch, such as harvest limits applied to individual nations or national fleets.

In a related matter, the Council considered changing the current March 9, 2000, control date for albacore limited entry. However, since the Council decided not to move forward with a limited entry program, they decided there was no need to change the control date.

The Council asked the HMSMT and HMSAS to report back in spring 2011 with information on a response to new stock assessment results. Topics include past and present information on non-U.S. fisheries targeting North Pacific albacore; potential socioeconomic impacts of various types of management measures; fleet-specific contributions to total fishing mortality; and the effects of illegal, unregulated, and unreported fishing on the how seas.

The finalized version of the report, Possible Management Options for the U.S. West Coast Albacore Fishery, is available on the Council website at http://tinyurl.com/27c7kxg.

Appointments Made to Advisory Bodies; New Workgroup Formed

The Council made the following appointments to fill advisory body vacancies:

In March, Mr. David Price was appointed to the Washington Department of Fish and Wildlife position on the Habitat Committee, and Mr. Merrick Burden was appointed to the Trawl Individual Quota Committee, replacing Ms. Dorothy Lowman. The Council aslo terminated the Coastal Pelagic Species Tribal Allocation Committee, the Highly Migratory Species Management Committee, the Marine Protected Area Committee, the Shorebased Whiting Amendment Workgroup, the Trawl Individual Quota Enforcement Group (this can be covered by the Enforcement Consultants in the future), and the Trawl Individual Quota Independent Experts Panel.

In April, Ms. **Meisha Key** to the California Department of Fish and Game position on the Scientific and Statistical Committee; LT **Steve Arnwine** to the 11th Coast Guard District position on the Enforcement Consultants; Ms. **Suzanne Kohin** to the NMFS Southwest Fishery Science Center position on the Highly Migratory Species Management Team; and Mr. **Merrick Burden** to the conservation position on the Highly Migratory Species Advisory Subpanel.

In reviewing long-standing unfilled vacancies on advisory bodies, the Council decided to eliminate the Idaho at-large position on the Ecosystem Advisory Subpanel. This will require a change to Council Operating Procedure 2.

The Council established a new ad hoc committee, the **Regulatory Deeming Workgroup** (RDW). The RDW will assist the Council in the

Story continued on page 18

Highly Migratory Species News

Council Adopts Range of Alternatives to Address National Standard 1 Guidelines

In April, the Council adopted a range of alternatives for public review related to Amendment 2 to the Highly Migratory Species Fishery Management Plan (HMS FMP). Amendment 2 incorporates changes to the FMP needed to address revised National Standard 1 Guidelines published by National Marine Fisheries Service (NMFS) in January 2009. (The Winter 2009 issue of Pacific Council News provides background on the content of the Guidelines and their application to the HMS FMP.) The alternatives are organized around five decision areas, described below.

The largest reported common thresher shark off the U.S. West Coast was 18 feet long. (Photo: NOAA)

The first decision involves classifying stocks in the FMP in either the managed category or as ecosystem component (EC) species. The EC species category was created as part of the revisions to the Guidelines to apply to species not regularly targeted and landed by managed fisheries. The Council adopted four options, which are not mutually exclusive: 1) retain the current 13 managed species in the FMP and reclassify monitored species in the FMP as EC species; 2) Reclassify opah (*Lamprus gutattus*), currently a monitored species, as a managed species, because of significant commercial landings; 3) Reclassify bigeye thresher and pelagic thresher sharks, currently managed species, as EC species, because they are infrequently caught in West Coast HMS fisheries; and/or 4) drop 22 monitored species from the FMP, because there is little information to suggest that they are regularly encountered in West Coast HMS fisheries.

The second set of alternatives relates to application of the "international exception" to the requirement in the Guidelines to set annual catch limits (ACLs). This provision applies to stocks managed under an international agreement to which the U.S. is a party. In the Pacific, the Inter-American Tropical Tuna Commission (IATTC) and Western and Central Pacific Fisheries Commission (WCPFC) are regional organizations chartered to manage HMS fisheries at the international level. The Council adopted three options: 1) Apply the international exception to all the managed species in the HMS FMP (including opah if reclassified) based on the fact that the IATTC and WCPFC have the authority to manage these species and have made efforts to do so; 2) Apply the international exception to all managed species except for common thresher shark and shortfin mako shark, because existing harvest guidelines indicate the Council's desire to actively manage these stocks; 3) Apply the international exception to all managed species except common thresher shark, based on information showing that its distribution is principally in U.S. and Mexican waters, in contrast to shortfin mako, which ranges more widely in international waters.

Third, the Council considered the issue of assigning a "primary FMP" designation to the managed species, because the Western Pacific Fishery Management Council (WPFMC) also includes them in their Pelagics FMP. The Guidelines state that when a stock occurs in more than one Council's FMP, Councils should identify which FMP will be the primary FMP in which reference points and other requirements of the Guidelines are established. PFMC and WPFMC staffs and respective management teams have been consulting on the appropriate division of responsibility, which would be based on what is known about stock structure. Where stocks are managed separately in the western and eastern Pacific, the respective Councils' FMPs would be designated primary. In other cases, primary FMP designation would be based on the relative importance of the species in the fisheries managed by the respective FMPs. Stock definitions would not be "hard wired" in the FMP, because scientific understanding of stock structure can change over time. Because both Councils are considering the international exception for most or all of their managed HMS species, the primary FMP designation would mainly relate to which Council would report reference points, such as maximum sustained yield (MSY) and the overfishing limit (OFL).

Fourth, the Council adopted proposed procedures for identifying reference points and,

Story continued on page 20

Highly Migratory Species News

Council Makes Recommendation on Proposed Leatherback Sea Turtle Critical Habitat

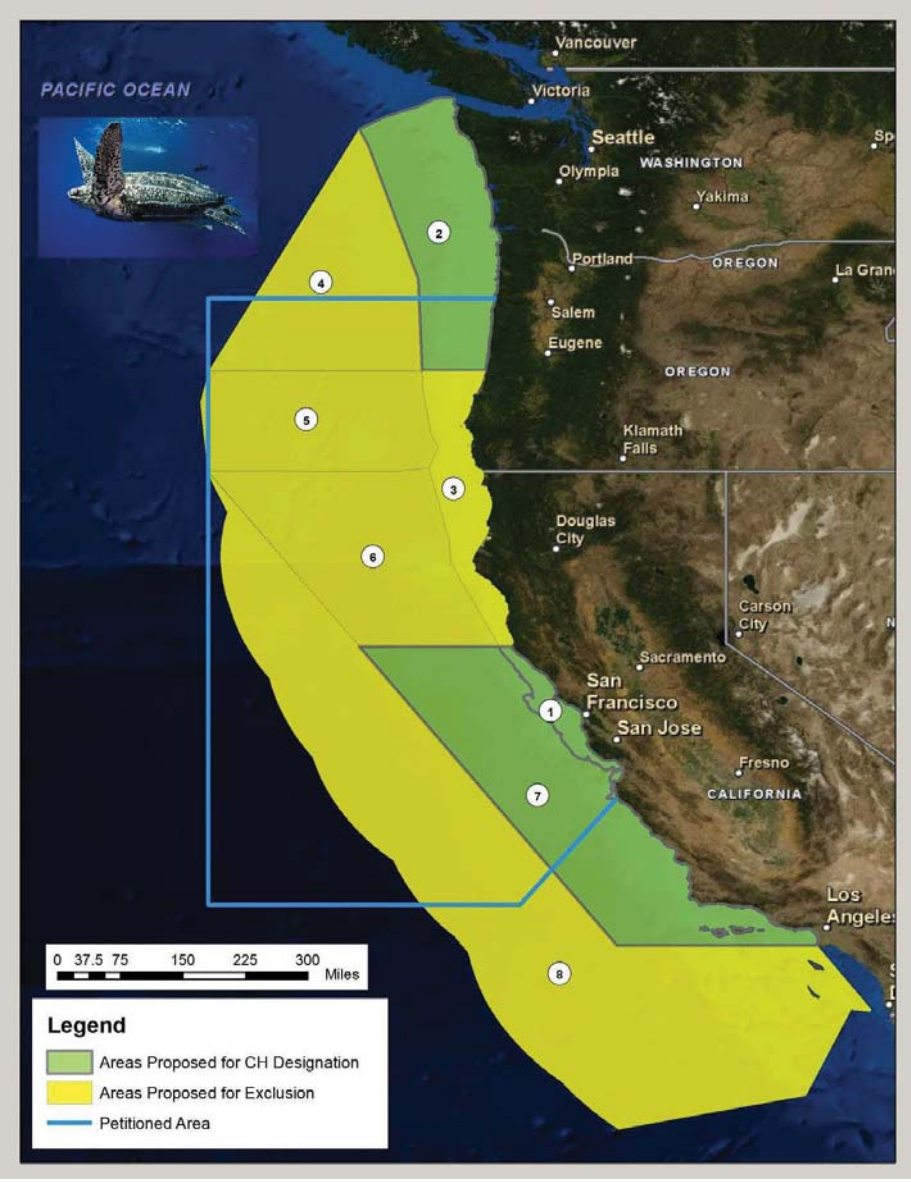
On January 5, 2010, National Marine Fisheries Service (NMFS) published a proposed rule to designate critical habitat in the U.S. West Coast Exclusive Economic Zone (EEZ) for the endangered leatherback sea turtle. The proposal responds to a petition filed by the Center for Biological Diversity, Oceana, and Turtle Island Restoration Network on October 2, 2007. Three areas are proposed for designation covering approximately 70,000 square miles.

Critical habitat is defined in the Endangered Species Act (ESA) as areas whose physical and biological features are essential to the conservation of the species, and which may require special management considerations or protection. The petitioners had asked that the current time/area closure for the West Coast drift gillnet fishery (50 CFR 660.713(c)(1)) be designated. Because of the extensive migrations of leatherback sea turtles, NMFS considered designation of areas beyond that proposed by the petitioners. After evaluating conditions across much of the West Coast EEZ, they identified three areas to propose for designation (see figure).

The Council made the following comments, which were submitted as part of the public comment period on the proposed rule, which closed April 23, 2010.

- The Council agrees that fishing does not directly or indirectly affect physical or biological features essential to conservation (Primary Constituent Elements, or PCEs) of leatherback sea turtles within the area considered for designation in the proposed rule.
- Consultation under Section 7 of the ESA is required for any federally permitted actions that may jeopardize a listed species directly or indirectly, even if critical habitat has not been designated. The Section 7 process is the most effective mechanism for addressing the direct and indirect impacts of fishing on Pacific leatherback sea turtles and has already been used to address fishery-related impacts to Pacific leatherbacks.
- The Pacific Council raised concerns about the methods used to identify candidate critical habitat area boundaries and the ratings for conservation and economic value assigned to these areas.
- More information should be provided on the occurrence of jellyfish species that are leatherbacks' main prey, since prey is identified as a PCE.
- Effects associated with climate change and inter-annual oceanographic changes should be better documented.
- The reasons for designating critical habitat in tribal usual and accustomed fishing areas should be explained.

The Council also noted that the comparatively large area proposed for designation will set an unusual precedent in relation to future critical habitat designation for leatherback sea turtles and other species listed under the ESA. The extent of this proposed designation seems inconsistent with the previous designation of leatherback sea turtle critical habitat over a much smaller area in waters adjacent to a nesting beach in St. Croix, U.S. Virgin Islands.



Habitat & Ecosystem News

Olympic Coast Nat'l Marine Sanctuary Updates Council on Management Plan Review

Olympic Coast National Marine Sanctuary (OCNMS) Superintendent Carol Bernthal provided the Council with an update on the OCNMS management plan review in April. Lauren Bennett, OCNMS Management Plan Specialist, also attended the April Council meeting and presented to the Habitat Committee and the Groundfish Advisory Subpanel.

The OCNMS was designated in 1994, and this is the first time the Sanctuary has revised its management plan as mandated by the National Marine Sanctuaries Act. The OCNMS boundaries encompass 3,310 square miles off of Washington State's Olympic Peninsula, extending from Koitlah Point to the mouth of the Copalis River, and extending 25-40 miles offshore. The Sanctuary is encompassed by the usual and accustomed areas for the Makah, Quileute, Hoh, and Quinault Tribes, and shares a boundary with Olympic National Park as well as with the Washington Maritime National Wildlife Refuge Complex.

In her presentation, Ms. Bernthal referred to a letter she wrote to Chairman Ortmann, which provided further information on a draft set of 20 preliminary action plans under consideration by the Sanctuary. These preliminary plans fall roughly into five categories: management, research and monitoring, education and outreach, conserving natural resources, and cultural and socio-economic resources. The Sanctuary is considering changes to its regulations, including addressing discharge from cruise ships and clarifying the intent of the term "traditional" fishing. The OCNMS is not considering any regulation changes that would manage fishing activities.

The Sanctuary has held seven public meetings and is soliciting input and participation through the Olympic Coast National Marine Sanctuary Advisory Council and Olympic Coast Intergovernmental Policy Council. The draft action plans are currently being reviewed by the OCNMS Advisory Council, and a draft management plan, which will include the action plans and implementation strategy, is slated to be issued for public comment in early 2011. See http://olympiccoast.noaa.gov/ for more information.

Habitat Committee Discusses Sacramento Water Issues, Other Topics

In April, the Council's Habitat Committee (HC) discussed Sacramento River water issues, wave energy projects, and the Landscape Conservation Cooperative system. Summaries of the discussions are provided below.

Sacramento River water issues

In March, the Council directed the HC to compose a letter on the Bureau of Reclamation's water management practices regarding Sacramento Bay/Delta Chinook salmon in the Central Valley of California. The Central Valley Project Improvement Act (CVPIA) mandates that 800,000 acre-feet of Central Valley Project water be directed specifically to restore depleted Sacramento River fall-run Chinook salmon. However, the HC believes the Bureau of Reclamation has neglected to meet this mandate by diverting all 800,000 acre-feet of water out of the Delta for non-salmonid purposes. The HC drafted a letter on this subject, which the Council approved with some changes. The letter is available at http://www.pcouncil.org/habitat-and-communities/habitat/habitat-document-library/.

Landscape Conservation Cooperatives

The Habitat Committee received a briefing on Landscape Conservation Cooperatives (LCCs) from Brad Thompson of the U.S. Fish and Wildlife Service. LCCs are applied conservation science partnerships between the U.S. Fish and Wildlife Service (FWS), U.S. Geological Survey (USGS), and other Interior Department bureaus, as well as other federal agencies, states, tribes, nongovernmental organizations, universities and stakeholders within a geographically defined area.

LCCs provide scientific and technical support for understanding and addressing climate change impacts at a "landscape" scale—the entire range of an identified species or groups of species. They support biological planning, conservation design, prioritizing and coordinating research, and designing species inventory and monitoring programs. LCCs also have a role in helping partners identify common goals and priorities to target the right science in the right places for efficient and effective conservation. By functioning as a network of interdependent units rather than independent entities, LCC partnerships can accomplish a conservation mission no single agency or organization can accomplish alone.

The initial federal LCC investment for FY2010 will be $25 million. Three of the nation's twenty-one planned LCCs will encompass geographic areas that support Council managed species: the California Landscape Conservation Cooperative, the North Pacific LCC, and the Great Northern LCC. The combined geographic extent of these three LCCs extends from southern California to Alaska and includes the drainage basins of the North Pacific Ocean.

For an overview of the Cooperatives, visit http://www.fws.gov/science/shc/lcc.html.

Wave Energy

The HC discussed the status of the Reedsport Ocean Power Technologies (OPT) Wave Energy Park off Reedsport, Oregon. OPT has had a preliminary permit to explore wave energy development at

Story continued on page 20

Coastal Pelagic Species News

Council Recommends Exempted Fishing Permit for Aerial Sardine Research

In April, the Council voted unanimously to issue an exempted fishing permit (EFP) for industry-sponsored aerial sardine research. The purpose of the research is to help understand differences between fish behavior during day and night, and to explore whether alternative survey methods might be adapted to spatially broader surveys, inclement weather, and nighttime surveying.

The California Wetfish Producers Association and the Northern Sardine Survey LLC first presented the EFP proposal jointly at the March meeting in Sacramento. After receiving comments, the applicants revised the proposal and resubmitted it for the April Council meeting. The proposal lays out a detailed survey methodology to use the 5,000mt research set-aside that was included in the 2010 sardine harvest guidelines.

The proposal calls for 4,200 mt of sardine to be used for a nearly coastwide survey between Cape Flattery in the north, to (and including) the Channel Islands in the south. The proposed survey involves a two-stage sampling design. First, aircraft fly over 66 transects, each extending 38 miles offshore, following explicit methodology described in the application. Photos are taken to estimate surface area and biomass of sardine schools. Then spotter planes will work in tandem with purse seine vessels to capture up to 112 sardine schools of various sizes. This will establish the relationship between surface area and biomass.

The proposal also includes a pilot survey in the Southern California Bight to investigate alternative survey methods, using the remaining 800mt of the set-aside. For this portion of the research, the applicants will fly 36 times over six transects, half during daylight and half at night. They will be testing day-versus-night detection, photogrammetry-versus-lidar detection, and acoustic-versus-lidar detection. There are likely differences in fish behavior - such as swimming closer to the surface or schooling more or less densely - between day and night.

National Marine Fisheries Service is scheduled to consider approval of the EFP application in May, 2010.

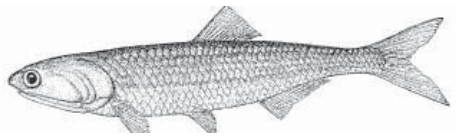
Council Identifies Preferred Alternative for CPS Amendment 13 (National Standard 1)

In March, the Council considered preliminary preferred alternatives for Amendment 13 to the coastal pelagic species fishery management plan (CPS FMP). Amendment 13 is proposed as a means of bringing the CPS FMP into compliance with the reauthorized Magnuson-Stevens Act National Standard 1 guidelines. Like other Council FMPs, the CPS FMP must be amended to ensure the prevention of overfishing through the use of mechanisms specified in the NS1 guidelines such as overfishing levels, annual catch limits (ACLs), and annual catch targets.

The question of how existing harvest control rules adequately protect CPS stocks from overfishing will be critical in meeting the new National Standard 1 requirements. The Scientific and Statistical Committee (SSC) CPS Subcommittee are currently working on methods to account for scientific uncertainty in biomass estimates.

The Council identified the following preliminary preferred alternatives for Amendment 13:

- All actively managed and monitored species in the fishery management plan (FMP) remain "in the fishery" and krill are moved to a new Ecosystem Component (EC) category while continuing the existing harvest prohibitions for krill species.
- Add no new forage species to the EC category pending additional analysis of non-target stocks.
- Maintain existing Status Determination Criteria for CPS FMP stocks and develop a maximum sustainable yield (MSY) proxy for the Northern subpopulation of Northern anchovy.
- Adopt no preferred alternative at this time for overfishing levels (OFLs), acceptable biological catches (ABCs), and annual catch limits (ACLs), pending additional analyses and direct the CPS Management Team and the SSC to continue to analyze alternatives and report the results at the June Council meeting.
- Maintain the default harvest control rule for monitored stocks.
- Adopt no preferred alternative for sector-specific ACLs, accountability measures (AMs) or annual catch targets (ACTs). Rather, further analyze the use of AMs such as ACTs, set-asides, and management uncertainty buffers to address research, live bait, management uncertainty, and incidental fishery mortality. Additionally, consider describing all of these tools in the CPS FMP framework to maintain annual flexibility in their application to CPS fishery management.
- Maintain all current species in the current CPS FMP and transfer no species to State management.



At its June 2010 meeting, the Council anticipates receiving additional analyses and is scheduled to choose a final preferred alternative for Amendment 13. Under this schedule, Amendment 13 is projected to be in place for the 2011 fishery as required by the MSA.

Enforcement Corner

Klamath River Salmon Case

In July 2009, California Fish and Game Wardens teamed up with NOAA-OLE and tribal enforcement officers to seize over 500lbs of salmon illegally placed on the commercial market in Ft. Bragg. The fish had been harvested from the Klamath River under tribal subsistence regulations, which prohibit sale. The tribe prosecuted two members, suspended fishing rights for one year, and levied fines. Charges involving the non-Indian fish buyer are pending. The fish were returned to the tribe for proper distribution among the membership. During the process, federal, state and tribal members worked together and established important protocols for future action.

Sushi Chef Charged With Selling Whale Meat

In March, Federal prosecutors filed a criminal complaint that charged a Santa Monica sushi restaurant and one its chefs with selling Sei whale meat. Sei whales are listed as an endangered species, and the sale of all whale meat is prohibited in the United States by the Marine Mammal Protection Act.

The criminal complaint charges Typhoon Restaurant, Inc. – the parent company of The Hump restaurant – and Kiyoshiro Yamamoto, a 45-year-old chef who resides in Culver City, with the illegal sale of a marine mammal product for an unauthorized purpose.

According to the criminal complaint and a search warrant that was executed at the restaurant on March 5, 2010, The Hump sold whale sushi to customers on three occasions dating back to October. The meat sold as "whale" on two of the occasions was examined by scientists, who tested its DNA and determined it was Sei whale. Additionally, receipts given to customers at The Hump indicated that they had purchased "whale."

The investigation into The Hump and Yamamoto was conducted by the National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement. NOAA investigators received assistance from the United States Fish and Wildlife Service, the California Department of Fish & Game, and U.S. Customs and Border Protection. "Making illicit products like whale meat available on the market only encourages the illegal hunting of marine mammals such as the Sei whale – a species that is already threatened by extinction," said Martina Sagapolu, Acting Special Agent in Charge for the NOAA Office of Law Enforcement, Southwest Division. "While there is a market for illegal products and delicacies, we are dedicated to finding and prosecuting those who would exploit protected resources that are under threat."

The Hump's parent company, Typhoon Restaurant, Inc., and Yamamoto are each charged with illegally selling a marine mammal product. This charge is a misdemeanor offense that carries a maximum statutory penalty of one year in federal prison and a maximum fine of $100,000 for an individual and $200,000 for an organization.

The Hump subsequently closed its doors on March 20, stating "The Hump hopes that by closing its doors, it will help bring awareness to the detrimental effect that illegal whaling has on the preservation of our ocean ecosystems and species. Closing the restaurant is a self-imposed punishment on top of the fine that will be meted out by the court. The Owner of The Hump also will be taking additional action to save endangered species."

Washington Officer Dave Hughes seizes a portion of an illegally possessed and mutilated brood stock sturgeon

Interstate Trafficking In Sturgeon Broodstock

In 2010, Washington Department of Fish and Wildlife Police Officers teamed up with Oregon State Police to address the trafficking in brood stock sturgeon taken illegally from the boundary waters of the Columbia River by prosecuting offenders. Sturgeon over 60" in length are considered brood stock, and are protected from harvest because they are long-lived, slow growing, and slow-reproducing animals. Poachers seek these animals for both their flesh and roe. The roe, known as caviar when processed, can bring as much as $200 per pound, and a mature fish can carry as much as 50 pounds of roe. Oversized sturgeon are often chunked up by poachers prior to sale in an effort to hide the size. A long-term investigation involving state and federal law enforcement agencies resulted in identifying multiple suspects involved in catching, selling and buying illegal sturgeon; however, not all the cases have been adjudicated. Jessie Sampson of Harrah, Washington, pled guilty in March, 2010 in Skamania County Washington to a reduced charge for the sale of two broodstock sturgeon. Sampson spent 35 day in jail and was ordered to pay $1575 in fines. He was put on probation for six months where he cannot fish or have any fish and wildlife violations. He was transferred to Oregon pending trial

Continued on page 18

A Review of Recent Fishery Legislation

The Council's Legislative Committee met at both the March and April Council meetings to review legislative matters of interest to the Council.

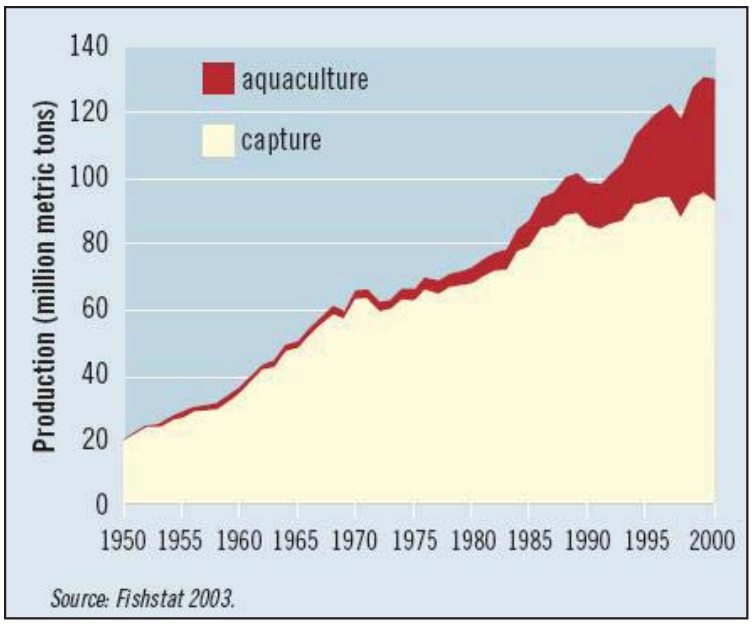
The Council is prevented from lobbying, so it may not comment on legislation without a specific request for comments from a member of Congress or a state legislature. The Council has received requests for a few long-standing legislative matters, but no requests have been received recently. Therefore, the Legislative Committee prepared the following comments to update the Council and provide recommendations for comments that could be submitted if needed.

Senate Bill 2871 - Technical Corrections to the Western and Central Pacific Fisheries Convention Implementation Act

The technical corrections in this bill relate to U.S. representation on the Western and Central Pacific Fisheries Commission and the U.S./Canada agreement on Pacific Whiting, and are needed to prevent further delay in the implementation of these international forums. The Council expressed support for these corrections in the spring of 2009 in response to a Congressional request. In the interest of expediting these corrections, the Council recommends the Executive Director send a letter to Senator Cantwell (Washington) and staff of the U.S. Senate Subcommittee on Commerce, Science and Transportation, reiterating Council comments on S. 2871.

Senate Bill 1255 and H.R. 1584 - the Flexibility in Rebuilding American Fisheries Act of 2009.

This matter was addressed by the Council and Legislative Committee in 2008, when, in response to a request from Congressional staff, the Council expressed support for flexibility in rebuilding overfished stocks. The bill did not pass in the last Congress and has been reintroduced in the 111th Congress. S. 1255 and H.R. 1584 seek to amend the Magnuson-Stevens Fishery Conservation and Management to extend the authorized time period for rebuilding overfished species by providing exceptions to the requirement to rebuild overfished stocks within 10 years. The Council recommended the Executive Director send a letter to staff of the U.S. House Subcommittee for Insular Affairs, Oceans, reiterating Council comments on the Flexibility in Rebuilding American Fisheries Act of 2009.



Aquaculture vs. capture since 1950. The National Sustainable Offshore Aquaculture Act would establish a regulatory system for offshore aquaculture. Source: FAO, 2004.

Senate Bill 2870 - International Fisheries Stewardship and Enforcement Act

This bill would establish uniform administrative and enforcement procedures and penalties for the enforcement of over 10 fishery-related statutes. The bill would also implement the Antigua Convention concerning U.S. participation in the Inter-American Tropical Tuna Commission, and amend existing legislation to make the technical corrections contained in S. 2871 (see above).

Regarding international enforcement issues addressed in S. 2870, the Council and the Legislative Committee found that the penalties proposed under S. 2870 are severe, and represent a substantial increase from the penalties in the 10 existing fisheries statutes. The penalties for those statutes have been adjusted for inflation over the years and are not in need of revision.

Additionally, S.2870 establishes uniform enforcement provisions across several fishery statutes. The Council noted that enforcement and economics vary by fisheries. Therefore, any enforcement program for fisheries under international statue should provide flexibility to ensure that penalties and forfeitures are appropriate for each fishery and its potential violations.

The Committee noted that the technical corrections on implementation of the WCPFC and the U.S./Canada agreement on Pacific Whiting under Title III of S.2870 are non-controversial, overdue, and the sole purpose of related legislation (S.2871). Also, implementation of the Antigua Convention will take place in August 2010 and, although the U.S. is signatory to this agreement, legislation similar to that under Title IV of S.2870 is needed to invoke the required instruments of U.S. ratification for full U.S. participation. The Committee agreed that S.2870 addresses too broad a range of issues, and recommended that Title III and Title IV under S.2870 be removed and treated under separate legislation.

H.R. 4363 - National Sustainable Offshore Aquaculture Act of 2009

This bill was introduced in the U.S. House to establish a regulatory system and research program for sustainable offshore aquaculture in the United States Exclusive Economic Zone. The Council recommended that additional provisions be considered, such as requiring coastal states to opt-in to aquaculture activities before Federal aquaculture permits are issued, and suggested more collaboration with the tribes as permits are considered. Additionally, the Council requested clarification on the bill's provisions regarding the use of wild fish as either aquaculture stock or as feed.

The full reports of the Legislative Committee can be found in the March and April Briefing Books that are posted on the Council's web site.

Acronyms Used in this Newsletter

ABC	acceptable biological catch
ACL	annual catch limit
ACT	annual catch target
AM	accountability measure
B_{MSY}	target biomass
$B_{19\%}$	19% of target biomass (for example)
CPS	coastal pelagic species
CS	catch share
EC	Enforcement Consultants
EC	ecosystem component
EEZ	Exclusive Economic Zone
EFP	exempted fishing permit
ESA	Endangered Species Act
EIS	environmental impact statement
FMP	fishery management plan
FR	Federal Register
FRAM	(Salmon) Fishery Regulation Assessment Model
GMT	Groundfish Management Team
HC	Habitat Committee
HG	harvest guideline
HMS	highly migratory species
HMSMT	Highly Migratory Species Management Team
IATTC	Inter-American Tropical Tunas Commission
IFQ	individual fishing quota
IPHC	International Pacific Halibut Commission
LCC	Landscape Conservation Cooperative
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MSY	maximum sustained yield
mt	metric tons
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OCN	Oregon coastal natural (salmon)
OCNMS	Olympic Coast National Marine Sanctuary
OFL	overfishing limit
OLE	Office of Law Enforcement
OPTF	Ocean Policy Task Force
OY	optimum yield
P*	probability of overfishing
PCE	primary constituent element (of sea turtle habitat)
QP	quota pounds
QS	quota share
RCA	Rockfish Conservation Area
RDW	Regulatory Deeming Workgroup
SSC	Scientific and Statistical Committee
STT	Salmon Technical Team
WCPFC	Western and Central Pacific Fisheries Commission

Coming Up at the June 2010 Council Meeting

The next Council meeting will be held in Foster City, California on June 12-17, 2010. The advance Briefing Book will be posted on the Council website in early June (www.pcouncil.org).

Groundfish

- Amendment 23 (annual catch limits): adopt final
- Harvest specs., management measures & rebuilding plans for 2011-2012
- Stock assessment planning for 2013-2014 management measures: adopt final terms of reference, list of stocks, & schedule
- Inseason adjustments
- Amendment 20 (trawl catch shares) & Amendment 21: regulatory deeming

Coastal Pelagic Species

- Adopt final Pacific mackerel harvest guideline & management measures & approve draft SAFE report
- Amendment 13 (annual catch limits): adopt final

Salmon

- Amendment 16 (annual catch limits): adopt for public review

Habitat and Ecosystem Management

- Current habitat issues

Highly Migratory Species

- Changes to routine management for 2011-2012
- Amendment 2 (annual catch limits): adopt final
- Recommendations to Northern Committee of Western and Central Pacific Fisheries Commission & Inter-American Tropical Tunas Commission

'All the water that will ever be is right now.' – National Geographic

A Council Guide to Twitter: A Helpful Tool for Following Fisheries News

During the past few months, the Council has been using Twitter to update readers of our website about fisheries news, and to keep people informed about the status of the agenda during Council meetings. The number of followers for both Twitter feeds (@PacificCouncil and @PFMCagenda) is growing, but for many people, Twitter remains a mystery.

Twitter is an online service that enables you to broadcast short messages to your friends or "followers." It also lets you specify which Twitter users you want to follow so you can read their messages in one place. Twitter use can be extremely simple (like reading updates from your "friends" on the Twitter page) to extremely complex. This guide presents the basics of simple Twitter use, with a focus on reading fisheries-related tweets.

Twitter is designed to work on a mobile phone as well as on a computer. All Twitter messages are limited to 140 characters, so each message can be sent as a single text message.

Although Twitter is used by millions to follow the exploits of favorite musicians and starlets, it can be a useful professional tool for tracking specific issues and learning about breaking events.

How to get started

Go to Twitter.com and click "Join for free." For best results, use your real name when signing up; otherwise potential followers won't be able to find you easily. It's also helpful to upload a picture (otherwise people may think you're a spammer). If you select the "Protect my updates" box, people won't be able to read your tweets unless you authorize them. The PacificCouncil Twitter page is public and only things that staff post to it show up on the page.

Once you have a Twitter account, you can tell your friends your username or send them the link to your Twitter page. Each user has his or her own page, in the form twitter.com/username.

Twitter on a mobile phone

Many people find it useful to follow the progress of the Council agenda on their mobile phones during Council meetings. Complete instructions for doing this are available at http://www.pcouncil.org/resources/twitter-instructions-for-cell-phones/.

Twitter was originally designed to be used on mobile phones, so there are many iPhone and Blackberry apps designed for Twitter, and many commands that can be used to control your Twitter account via your phone.

Following Twitter feeds

When you follow someone on Twitter, you see their posts. They don't see yours unless they follow you as well. (Twitter etiquette dictates that you should at least try following whoever follows you – this helps build community and brings you more news that you may be interested in, but it is not required.) Most people will start following you if you follow them.

If you want to stop following someone, go to their profile page on the Twitter site and click "remove."

Who to follow?

There are Twitter feeds on almost any topic of interest. Some useful feeds for fisheries are listed in the box below. To find more feeds, look at who your favorite Twitterers are following.

Using hashtags to find useful Twitter feeds

"Hashtags" are a useful tool for finding stories that interest you. Hashtags allow you to follow events in progress or to create communities around certain issues. For example, the hashtag for following the Gulf oil spill is #oilspill. #Earthquake and #tsunami are other useful hashtags, especially for coastal dwellers. Other useful hastags are #fish, #oceans, #fisheries, #water, #climate, #science, #biology. You can try searching for hashtags that you make up to see if anyone out there has already created them.

Sending tweets

You can send a Twitter message, or Tweet, from your Twitter web page, from a third-party application like Tweetdeck, or your cell phone, if it is set up to use Twitter.

Some Twitter conventions to know about

Retweeting: When you see a message that you

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Some useful Twitter feeds for fisheries

@columbiafish (Columbia Basin fish issues)
@CRITFC (Columbia River Inter-Tribal Fisheries Commission)
@ENNNews (Environmental News Service)
@highcountrynews (general environmental information about the West)
@IDFG (Idaho Dept. of Fish and Game)
@matt_weiser (Sacramento Bee reporter on California water issues)
@NMSFOcean (National Marine Sanctuary Foundation)
@NWCouncil (NW Power & Conservation Council)
@NWIFC (Northwest Indian Fisheries Commission)
@NYTimesScience
@oceanexplorer (an educational NOAA feed)
@ODFW (Oregon Dept. of Fish and Wildlife)
@OregonianEnviro (Oregonian environmental reporter Matt Preusch)
@Oregon_Wave (Oregon Wave Energy Trust)
@pugetpeople (Puget sound fisheries/environmental news)
@SeafoodSource (news and opinion about the global seafood industry)
@SenateFloor (U.S. Senate)
@USCG (U.S. Coast Guard)
@USNOAAgov (NOAA)
@USoceangov (NOAA's Ocean Service)
@WaterWatching (environmental reporter for the Kitsap Sun)
@WDFW (Washington Dept. of Fish and Wildlife)

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for another sale of brood stock sturgeon. In that case, Sampson pled guilty to Unlawful Possession of Food Fish, a Class C felony. He was sentenced to 24 months of supervised probation, credit for time served (5 days), and fined $392.

NOAA Office of Law Enforcement Addresses Agricultural Impacts on Salmonids

During the spring of 2008, the Northern California agricultural community experienced one of the worst frost seasons in recent history. To prevent damage to frost-sensitive crops, many farmers pumped water either directly from the Russian River and tributaries or from groundwater wells to spray over their land for protection. Frost prevention pumping is used by to protect crops such as grapes, pears and apples from being frozen due to frost in the early hours of the morning. Water is pumped from rivers and tributaries through overhead irrigation systems to the crops. Pumping times can range anywhere from four to nine hours, depending on the severity of the frost. This cumulative effect has devastating impacts on critical habitat for federally listed species such as steelhead, coho and Chinook salmon, especially during periods of low flows.

The Russian River (photo: Russian River Watershed Council)

In conjunction with a major frost event in April 2008, the NOAA Santa Rosa Office of Law Enforcement received a complaint that provided evidence of a serious salmon kill in the upper Russian River watershed. Due to the life stage of fish involved, OLE estimated that thousands of juvenile salmonids may have been killed during one event that was directly related to pumping for frost protection. The intense simultaneous pumping lowered the flow of the Russian River and caused dangerous conditions for fish. Salmonid fry, having just emerged from their redds, lack the escape mechanism necessary to avoid a sudden fluctuation in flow. Their natural instinct in response to a sudden drop in flow is to retreat into the gravel from which they recently emerged, subjecting them to certain death when that portion of stream is dewatered.

This past summer, NOAA OLE organized a multi-agency task force, including California Fish and Game Enforcement, to address the adverse effects of frost prevention practices on salmonids. This collaborative effort, spearheaded by the Santa Rosa OLE and assisted by the NOAA Habitat Conservation Division, is committed to working with Federal, state and local agencies, non-governmental organizations and the agricultural community to take a watershed approach and use best management practices, along with community-oriented policing and problem solving, to eliminate adverse impacts to salmonids during frost protection pumping events.

Catch shares/Ocean policy, continued from page 4

on Environmental Quality and composed of senior policy-level officials across Federal government agencies, issued an interim report September 10, 2009. The report articulated a draft national policy and implementation strategy for a regional public process to regulate marine spatial planning. A final report is pending, but with no firm deadline.

Appointments, continued from page 9

deeming process for Groundfish Amendments 20 (Catch Shares) and 21 (Trawl Allocation). It is expected to meet prior to and possibly at the June Council meeting to accomplish its review and recommendations for affirmation and resolution of regulatory issues implementing the amendments. The Council chair appointed the following members to the DRW: Dr. **Dave Hanson**, Chair; Mr. **Merrick Burden**; Mr. **Joe Sullivan**; Mr. **Corey Niles**; Mr. **Craig Urness**; Mr. **Dayna Matthews**; Mr. **Robert Alverson**; Mr. **Pete Leipzig**; AC **Tony Warrington**; Mr. **Brent Paine**; Mr. **Michael Lake**; Ms. **Donna Parker**; and Mr. **Dan Waldeck**.

"In every glass of water we drink, some of the water has already passed through fishes, trees, bacteria, worms in the soil, and many other organisms, including people... Living systems cleanse water and make it fit, among other things, for human consumption." – Elliot A. Norse, "Animal Extinctions"

Trawl rationalization, continued from page 6

and September 1st for the declaration of intent.

- Both mothership and catcher-processor co-ops will be required to have a permit. Previously, the Council had not made a recommendation on a permit requirement for mothership co-ops, and had recommended against a permit requirement for catcher-processors.

The Council also addressed its intent with respect to five issues for which NMFS had provided a particular interpretation or requested clarification.

First, the Council clarified that the Amendment 21 trawl/non-trawl allocations were to replace the limited entry/open access allocations decided under Amendment 6, rather than to supplement those allocations. However, the sablefish and Pacific whiting allocations specified in the FMP will remain in place, unchanged. Additionally, there should be a minimum set aside of 5 mt for any species allocated through Amendment 21 which is incidentally caught in the at-sea whiting fisheries.

Second, the Council confirmed that determination of whether a person controls an excessive amount of QS should include evaluation of their control of the QP allocated annually from the QS. As part of this, the Council deemed it appropriate to identify in the regulations some of the specific situations in which the QS control limits migh apply to QP.

Third, the Council clarified that the non-whiting fishery and shoreside whiting fishery should be combined into a single shore-based sector, and that therefore it would be appropriate to include regulations prohibiting at-sea processing, except to the extent at-sea processing of non-whiting and the shoreside whiting allocation is already specifically allowed in the regulations.

Fourth, the Council indicated that regulations allowing vessels to split deliveries between locations would be consistent with its intent that the IFQ program provide flexibility for vessels operations.

Finally, the Council indicated that the regulations should maintain the current limitation which prevents more than 5% of the shoreside whiting allocation from being harvested south of 42° N. lat. degrees before the opening of the primary whiting season.

In addition, in March the Council indicated its concurrence with NMFS on the following implementation approaches: do not allow permit transfers during the quota and endorsement issuance process; once issued, mothership catcher vessel endorsed permits will be transferable twice a year, provided that the vessel assigned to the permit for the second transfer will operate in the mothership whiting fishery; and a catcher-processor co-op will be deemed to fail if the co-op agreement does not include all catcher-processor endorsed permits, if one such permit withdraws from the co-op during the year, if the co-op manager announces co-op failure, or if the co-op fails to meet its responsibilities.

Taking these adjustments and clarifications into account, together with others identified in the report from Council staff, the Council authorized its staff to continue to work with NMFS to make other technical revisions needed to clarify the regulations and to then provide a deeming letter. The deeming letter would accompany the regulations when they are submitted to NMFS and would indicate that the regulations are necessary or appropriate to implement Amendments 20 and 21 to the groundfish FMP.

The Council staff submitted the deeming letter on May 7 and the public comment period on Amendments 20 and 21 commenced May 12.

Between the April and June Council meetings, NMFS will continue drafting a second package of regulations (the "components rule") which will be presented to the Council for review in June. In drafting these regulations, NMFS will rely on the report on tracking and monitoring developed by the Pacific States Marine Fisheries Commission (http://tinyurl.com/28avgtg) and adopted as Council guidance. The Council also asked that NMFS explore the use of state employees in monitoring shoreside landings. The Council authorized the chairman to appoint a groundfish regulatory deeming workgroup to review draft regulations developed by NMFS and report to the Council in June on the consistency of those regulations with Council action.

Using Twitter, continued from page 17

want to post on your Twitter feed, you can retweet it. Retweeted messages appear as (for example): "RT @PacificCouncil: NOAA and California agree to remove dam." Retweeting is a polite way of pointing other people to the original source for your message.

Thank Yous: Occasionally you will see someone post something like "Thanks for the retweets @PacificCouncil @USCG." This is a polite way to thank people for retweeting your messages and to direct people to other posters who they might be interested in.

@ sign: Starting a message with the @ sign and a username (for example, @PacificCouncil) is a way to send a direct message to a specific username. Such direct messages are visible to all of your followers.

Blocking: You can block people from following your tweets by clicking on their profile in Twitter and choosing "Block."

Third-party Twitter readers

There are several free, third-party Twitter readers that make it easier to manage your Twitter account. One of the most popular is Tweetdeck (http://www.tweetdeck.com/), but if you search for "Twitter client" on the web you will find many more. Twitter readers tend to be more powerful and easier to use than the Twitter page on the web. For example, Tweetdeck provides several panels that show your Tweets; replies, direct messages, and mentions (for example, if someone retweets your post, it will show up here); Twitter profiles; search results; and more.

Habitat Report, continued from page 12

the Reedsport site since 2007. The Council provided written comments to the Federal Energy Regulatory Commission (FERC) at that time. This permit expired in January 2010, prompting OPT to file for a full license, which triggered FERC to begin the environmental assessment (EA) process.

On March 1, 2010, FERC published a scoping document to solicit public and agency comment on the scope of the issues that FERC should address in the EA. The deadline for comments was May 10, 2010. Given the Council's meeting schedule, the Council did not have opportunity to comment on the scoping document and the related license application, although the HC feels that some of the comments presented to FERC and OPT in its November 2007 letter are still relevant. In addition, FERC will issue a "notice of Ready for Environmental Analysis" in July, and a final EA will be issued in August (there will be no draft EA). The Council directed the HC to prepare comments on issues of concern for the June meeting.

Salmon Overfishing Reports

The Habitat Committee discussed the ongoing Western Strait of Juan de Fuca Coho habitat review and the recently assigned Sacramento Fall Chinook habitat review.

The Western Strait of Juan de Fuca habitat review is nearing a review draft stage. Hydrologic conditions pertinent to brood years 2002 - 2005 are being incorporated, and marine and estuary conditions sections are being distilled to focus on the brood years and range of sub-adult coho.

In addition, the HC plans a coordination meeting with the STT in June to discuss the Sacramento Fall Chinook habitat review.

HMS National Standard 1, continued from page 10

as necessary, ACLs. Managed species would be categorized according to how much information is available relative to stock status. For example, regional fishery management organizations such as the IATTC conduct stock assessments for many of the managed HMS species. Information in these assessments could be used to identify MSY and OFL. Other stocks are not regularly assessed or have never been assessed. In these cases, methods based on catch history and other information would have to be used. Furthermore, for some stocks only a "local MSY" can be estimated, because stockwide catch data are unavailable. Neither common thresher or shortfin mako shark, the two species for which the international exception might not apply, have been assessed, and stockwide catch data may not be available. Therefore, alternative methods would have to be used to estimate MSY and OFL. ACLs would be based on a precautionary reduction from the OFL. Risk-based methods developed to set ACLs for groundfish stocks could be also applied to determine ACLs for these stocks.

Finally, the Council determined that no new accountability measures are necessary to ensure that ACLs, if established, are not exceeded. The HMS FMP contains a biennial harvest specifications framework. Should it become apparent that ACLs are likely to be exceeded, appropriate management measures could be implemented under this framework.

Recipe: Crisp Lemongrass Salmon - Ca Nuong Xa

Serves 4.

Ingredients

- 1 lb skin-on salmon fillet, cut ito 4 portions
- 1 1/2 tablespoons chopped lemongrass
- 1 1/2 teaspoons packed light brown sugar
- Scant 1/4 tablespoon salt
- 2 tablespoon chopped shallot
- 1 1/2 teaspoons fish sauce
- 1/2 teaspoon Madras-style curry powder, such as Sun Brand
- 1 tablespoon oil

Directions

Run your finger along the flesh side of the salmon filet to check for any bones. Remove them with tweezers. Set aside.

Position a rack 5 to 6 inches from the broiler element and set the oven to broil. Let it heat up for 20 minutes. Meanwhile, in a food processor or blender, grind the lemongrass, brown sugar, and salt to a minced texture. Add the shallot, fish sauce, curry powder, and oil. Run the machine, pausing to scrape down the sides, to arrive at a coarse paste. Taste it and adjust the flavors to create a heady paste that's a little saltier than you're comfortable with.

Coat both sides of the salmon filets with the paste, cover, and refrigerate for at least 2 hours or as much as 4 hours. Remove from the refrigerator 30 minutes before cooking.

Cover a baking sheet with aluminum foil. Drizzle a little oil on both sides of the salmon filets and position them skin side up. (Or oil the foil.) Broil for 3 minutes, until there is evidence of slight charring on the skin. Use a spatula to flip the filets over and then broil the flesh side up for 2 minutes. Now flip it again so that the skin is up. Broil for 30 to 60 seconds more to crisp the skin. Watch the fish carefully, lest the skin blacken too much. Transfer to a serving plate and enjoy with lots of rice. *Adapted from VietWorldKitchen.com*

Figure 1. Council-adopted non-Indian commercial salmon seasons for 2010. Dates are the first or last days of the month unless otherwise specified.

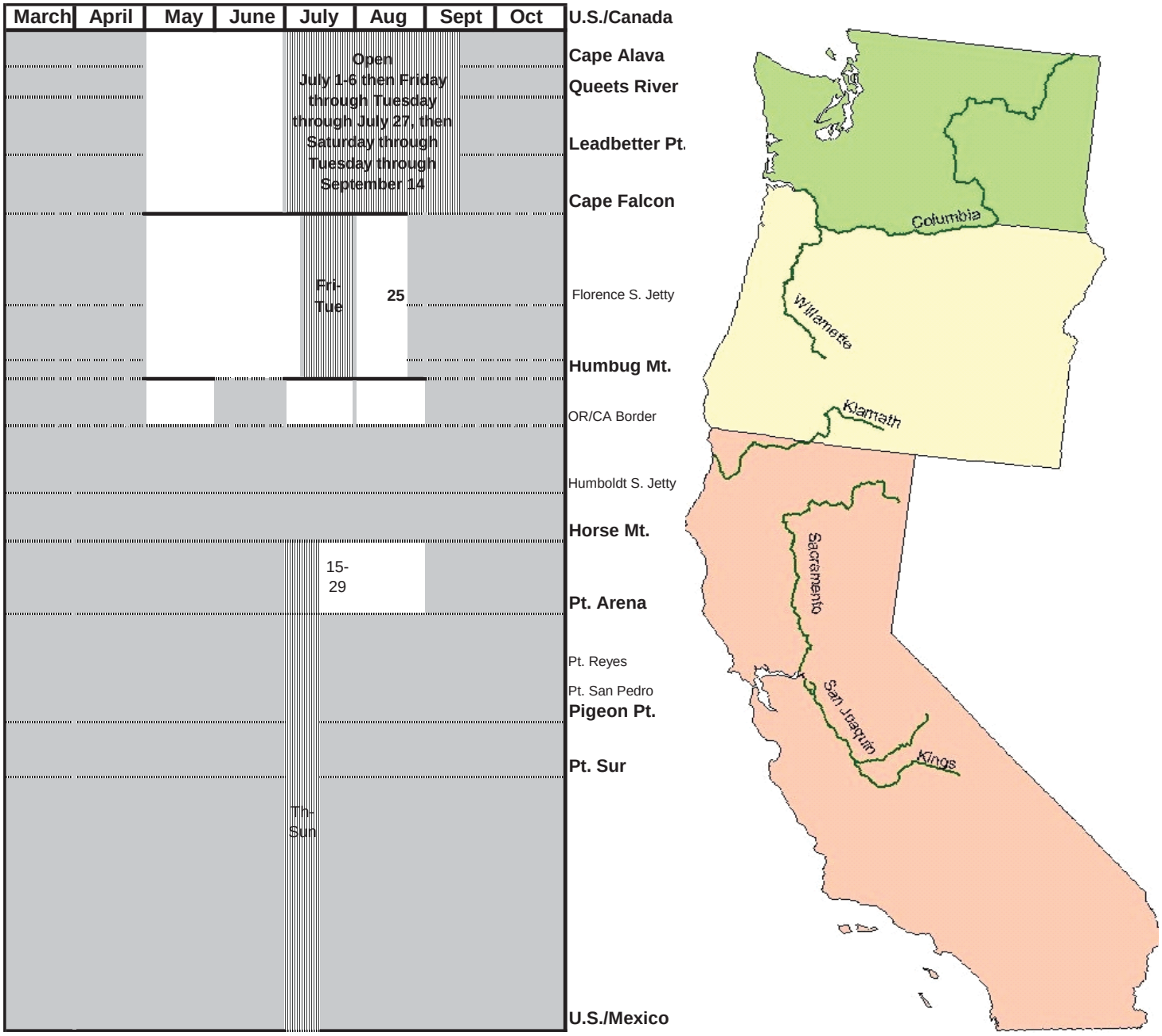
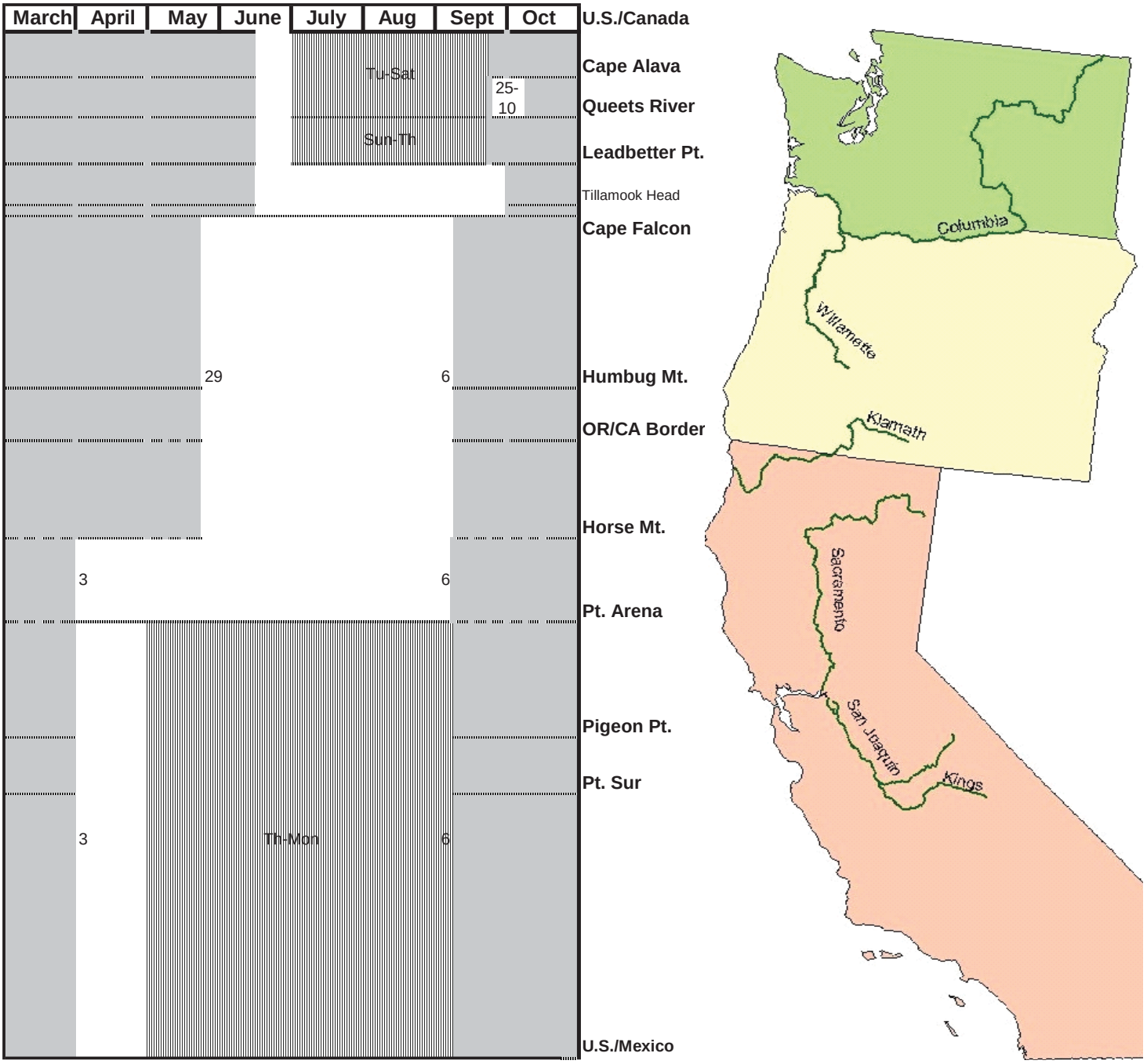


Figure 2. Council-adopted recreational salmon seasons for 2010. Dates are the first or last days of the month unless otherwise specified.



Treaty Indian ocean troll management measures adopted by the Council for ocean salmon fisheries, 2010.

A. SEASON DESCRIPTIONS
Supplemental Management Information
1. Overall Treaty-Indian TAC: 55,000 Chinook and 41,500 coho.
• May 1 through the earlier of June 30 or 27,500 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. See size limit (B) and other restrictions (C). • July 1 through the earlier of September 15, or 27,500 preseason Chinook quota, or 41,500 coho quota. All Salmon. See size limit (B) and other restrictions (C).

Table 1. Council-preferred 2011 and 2012 overfishing limits (metric tons), and preliminary 2011 and 2012 acceptable biological catches and annual catch limits (mt). (Overfished stocks in CAPS; stocks with new assessments in bold).

Stock	SSC-Recommended and Council-Preferred Alternatives		Council-Preferred Alternatives			
	2011 OFL	2012 OFL	2011 ABC	2012 ABC	2011 ACL	2012 ACL
Lingcod N. of 42° N lat. (OR & WA)	2,438	2,251	2,330	2,151	*2,330*	*2,151*
Lingcod S. of 42° N lat. (CA)	2,523	2,597	2,102	2,164	*2,102*	*2,164*
Pacific Cod	3,200	3,200	2,222	2,222	*1,600*	*1,600*
Sablefish (coastwide)	8,808	8,623	8,418	8,242	*NA*	*NA*
Sablefish N. of 36° N lat.			NA	NA	*4,961*	*4,689*
Sablefish S. of 36° N lat.			NA	NA	*1,167*	*1,103*
PACIFIC OCEAN PERCH	1,026	1,007	981	962	*180*	*183*
WIDOW	5,097	4,923	4,872	4,705	*600*	*600*
CANARY	614	622	586	594	*102*	*107*
Chilipepper (coastwide)	2,229	2,013	2,130	1,924	*2,130*	*1,924*
BOCACCIO S. of 40°10' N lat.	737	732	704	700	*53-263*	*56-274*
Splitnose S. of 40°10' N lat.	1,529	1,610	1,461	1,538	*1,461*	*1,538*
Yellowtail N. of 40°10' N lat.	4,566	4,573	4,364	4,371	*4,364*	*4,371*
Shortspine Thornyhead (coastwide)	2,384	2,358	2,279	2,254	*NA*	*NA*
Shortspine Thornyhead - N. of 34°27' N lat.			NA	NA	*1,573*	*1,556*
Shortspine Thornyhead - S. of 34°27' N lat.			NA	NA	*405*	*401*
Longspine Thornyhead (coastwide)	3,577	3,483	2,981	2,902	*NA*	*NA*
Longspine Thornyhead - N. of 34°27' N lat.			NA	NA	*2,119*	*2,064*
Longspine Thornyhead - S. of 34°27' N lat.			NA	NA	*376*	*366*
COWCOD S. of 40°10' N latitude	13	13	10	10	*4*	*4*
DARKBLOTCHED	508	497	485	475	*332*	*329*
YELLOWEYE	48	48	46	46	*20*	*20*
Black Rockfish (WA)	445	435	426	415	*426*	*415*
Black Rockfish (OR-CA)	1,217	1,169	1,163	1,117	*1,000*	*1,000*
Minor Rockfish North	3,611	3,680	2,507	2,555	*2,283*	*2,283*
Minor Nearshore Rockfish North	NA	NA	NA	NA	*155*	*155*
Minor Shelf Rockfish North	NA	NA	NA	NA	*968*	*968*
Minor Slope Rockfish North	NA	NA	NA	NA	*1,160*	*1,160*
Minor Rockfish South	4,302	4,291	2,987	2,979	*1,990*	*1,990*
Minor Nearshore Rockfish South	NA	NA	NA	NA	*650*	*650*
Minor Shelf Rockfish South	NA	NA	NA	NA	*714*	*714*
Minor Slope Rockfish South	NA	NA	NA	NA	*626*	*626*
California scorpionfish	141	132	135	126	*135*	*126*
Cabezon (CA)	187	176	179	168	*179*	*168*
Cabezon (OR)	52	50	50	48	*50*	*48*
Dover Sole	44,400	44,826	42,436	42,843	*17,560*	*17,560*
English Sole	20,675	10,620	19,761	10,150	*19,761*	*10,150*
PETRALE SOLE	1,021	1,279	976	1,222	*976*	*1,160*
Arrowtooth Flounder	18,211	14,460	15,174	12,049	*15,174*	*12,049*
Starry Flounder	1,802	1,813	1,502	1,511	*1,352*	*1,360*
Longnose skate	3,128	3,006	2,990	2,873	*1,349*	*1,349*
Other Flatfish	10,146	10,146	7,044	7,044	*4,884*	*4,884*
Other Fish	11,150	11,150	7,742	7,742	*5,575*	*5,575*

Schedule of Events

For more information on this meeting, please see our website (www.pcouncil.org/events/csevents.html) or call toll-free (866) 806-7204.

Regulatory Deeming Workgroup
Purpose: To review draft trawl rationalization regulations
Dates: May 20-21, 2010
Location: Hotel Deca, Seattle
Contact: Jim Seger (jim.seger@noaa.gov)

Pacific Fishery Management Council Meeting
Dates: June 12-17, 2010
Location: Crowne Plaza Mid-Peninsula, Foster City, CA
Contact: Don McIsaac (donald.mcisaac@noaa.gov)

ODFW Groundfish Management Meetings (not Council-sponsored)
Purpose: To discuss sport and commercial groundfish issues for 2011 and 2012.
Dates and Locations: Astoria (7-9 p.m. May 17, Holiday Inn Express); Newport (7-9 p.m. May 18, Holiday Inn Express); North Bend (6-8 p.m. May 19, North Bend Library); Brookings (1:30-3:30 p.m. May 20, Best Western Beachfront Inn, Harbor); Port Orford (6 -8 p.m. May 20, Port Orford Library)

Upcoming Briefing Book Deadlines

The next Council meeting will be held June 12-17, 2010, at the Crowne Plaza Hotel in Foster City, California. Comments received by **11:59 p.m. on May 26** 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 3** will be distributed to Council members at the onset of the June meeting. For more information on the briefing book, see http://www.pcouncil.org/council-operations/council-meetings/current-meeting/.

The Council is on Twitter!

Follow @PacificCouncil for news on Council happenings, West Coast fisheries, and fish habitat; and @PFMCagenda for real-time agenda updates during Council meetings (see article, page 17)

Pacific Council News
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