



Pacific Council News

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Contents

Meeting in a Nutshell 1

Groundfish

Inseason adjustments 1

Trawl rationalization deadline 2

Trawl rationalization/intersector allocation 2

Exempted fishing permits 3

Habitat & Ecosystem

Salmon essential fish habitat 4

Ecosystem fishery management plan 4

Groundfish essential fish habitat 5

Council endorses Habitat Assessment Improvement Plan 5

National System of Marine Protected Areas 5

Salmon

Annual catch limits (Amendment 16) 6

Salmon methodology review 7

Mitchell Act Hatchery comments 7

FDA considers genetically modified salmon 7

Salmon science plans 11

Halibut

Catch sharing plan 8

Halibut bycatch in groundfish fisheries 9

Highly Migratory Species

NMFS report 9

Albacore bag limits/swordfish longline limit 9

Recommendations to IATTC 10

Coastal Pelagic Species

Terms of reference for sardine, mackerel 10

Other Features

Recipe: Albacore satay 6

Recent fisheries legislation 10

Marine spatial planning 11

Enforcement Corner 12

November Council agenda 12

Appointments 13

Acronyms & definitions 14

Briefing book deadlines 15

Events Back cover

The Council's Boise Meeting in a Nutshell

Note: The Council is experimenting with some new features for this issue of the newsletter, such as this "meeting in a nutshell" article. Let us know what you think at pfmc.comments@noaa.gov.

For **groundfish**, the Council looked at exempted fishing permit (EFP) applications for 2011 and heard reports on two EFPs from 2010. The Council preliminarily adopted an EFP sponsored by the Oregon Department of Fish and Wildlife (to collect biological data from yelloweye rockfish encountered in the Oregon sport charter fishery) for public review (p. 3). The Council made inseason adjustments to the Conception Area fixed-gear sablefish fishery (below). The Council discussed allocation rules and trailing actions for trawl rationalization, with public hearings on community fishing associations to be held in October. In addition, an important deadline (Nov. 1) is approaching for trawlers (p. 2).

For **salmon** (pp. 6-7), the Council adopted a range of alternatives for public review on Amendment 16 to the salmon fishery management plan, which sets annual catch limits, accountability measures,

and other standards to prevent overfishing. The Council discussed changes to the models used in salmon management and asked the Scientific and Statistical Committee to review these further. The Council also discussed National Marine Fisheries Service's draft environmental impact statement on

halibut bycatch retention in fixed gear sablefish fisheries.

For **highly migratory species** (pp. 9-10), the Council heard a report from National Marine Fisheries Service (NMFS) on the status of highly migratory stocks and discussed a per-trip, recreational bag limit for albacore tuna in Federal wa-



Council members Tim Roth, David Sones, Dorothy Lowman, and Steve Williams.

Mitchell Act hatcheries and the process for developing comments.

For **halibut** (p. 8-9), the Council recommended minor changes to the catch sharing plan, sanctioned estimates of Pacific halibut bycatch in 2009 groundfish fisheries, and scheduled a proposal to consider

ters off Washington state. The Council also adopted two alternatives for public review which would change the regulations for retention of incidentally-caught swordfish in the deep-set tuna longline fishery, and made recommendations to the U.S. delegation attending the recent

Continued on page 11

Inseason Adjustments Made to Groundfish Fisheries

The Council recommended inseason adjustments to 2010 groundfish fisheries at the September meeting in Boise, including changes to commercial trip limits. The Council considered input from the Groundfish Management Team, the Ground-

fish Advisory Subpanel, and the public as well as recent information on the status of ongoing fisheries, and made the following recommendations:

Limited Entry Non-whiting Trawl Fishery

The Council recommended

that the following trip limits and Rockfish Conservation Areas outlined below be implemented on October 1, 2010 (see table, page 15).

For the Conception Area fixed-gear sablefish fishery (south

Continued on page 13

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Groundfish News

Notice from NMFS to All Potential Recipients of Initial Allocation Quota Share

- **November 1, 2010 Deadline – No Exceptions.** All applications for a quota share permit, a mothership permit, an mothership/catcher vessel endorsement, or a catcher/processor endorsement, including pre-filled applications, must be COMPLETED and RETURNED (postmarked or hand-delivered) to National Marine Fisheries Service (NMFS) by **November 1, 2010** at 5 pm local time (Pacific Time). The application instructions detail how to respond in the event that the applicant does not agree with the calculations they receive from NMFS in the pre-filled application. Any corrections to the pre-filled application must be included with the application and returned to NMFS by the November 1, 2010 deadline. **This is a one-time opportunity** to apply for this permit and an initial issuance of quota share and individual bycatch quota. **There are no hardship exemptions for missing this deadline.** A Compliance Guide is available from NMFS to assist applicants in the application and initial issuance process.
- **Permit Transfer Deadline.** NMFS will not review or approve any request for a change in limited entry trawl permit owner at any time after either November 1, 2010, or the date upon which the application is received by NMFS, whichever occurs first, until a final decision is made by the Regional Administrator on behalf of the Secretary of Commerce regarding the initial issuance. Changes in vessel registration will continue to be allowed.
- **Arrange for Observers and Monitors.** NMFS encourages participants to begin contacting observer providers and catch monitor providers so that providers can adequately plan for participants' needs in 2011. Contacts for observer providers are available on the NMFS Fact Sheet: Observer Program Frequently Asked Questions listed on NMFS Trawl Program website. Contacts for catch monitor providers are available on the NMFS Fact Sheet: Catch Monitor Providers for IFQ First Receivers.
- **Apply for First Receivers Licenses.** Application for a first receiver site license, creation of QS accounts, & registration for vessel accounts is expected to begin in Dec. 2010.
- **For More Information:** NMFS will make a toll free number available. Visit the NMFS catch share website: <http://tinyurl.com/trawlquota>

Council Considers Trailing Actions on Trawl Rationalization & Allocation

The Council received a report from National Marine Fisheries Service (NMFS) on progress toward implementing trawl catch shares (or rationalization) at the Boise meeting. In August 2010, NMFS approved groundfish fishery management plan Amendment 20 (implementing trawl catch shares) and 21 (intersector allocation), with the exception of some technical details. None of these details was significant enough to prevent NMFS from moving forward with the catch share program on January 1, 2011.

NMFS reported that the initial allocation rule (which explains how catch shares will

be allocated to fishermen) has been finalized, and NMFS was seeking public comment on some aspects of trawl catch shares, related to a proposed "components rule." In Boise, the Council decided to submit comments to NMFS on issues related to the effectiveness date for mothership/catcher vessel permit transfers, the need (or lack thereof) for the at-sea fishery catch donation program, support for the NMFS alternative on conflict-of-interest language for catch monitors and observers and standardization of dressed-to-round conversion factors. The public comment period on the components rule

closed September 30.

NMFS noted that all applications for an initial allocation of quota shares must be returned to NMFS by November 1, and that there will be no exceptions—anyone who does not meet that deadline will not ever receive an initial allocation quota of quota shares.

Trailing Actions

When the Council took final action on the trawl rationalization program, it recognized that there would be a number of follow on actions (trailing actions) that it would want to consider. At its Boise meeting, the

Continued on page 13

Groundfish News

Council Considers 2011 Exempted Fishing Permits; Hears Reports on Existing EFPs

The Council considered exempted fishing permits (EFPs) for groundfish fisheries, and heard reports on existing EFPs, at its September meeting in Boise. EFPs provide a way to test innovative fishing gears and strategies to allow sustainable, risk-averse fishing opportunities.

Four EFP proposals for 2011 were submitted to the Council. The first, sponsored by the Oregon Department of Fish and Wildlife, seeks to collect biological data from yelloweye rockfish encountered in the Oregon sport charter fishery. The second, sponsored by Steve Fosmark, seeks to test the ability of trolled longline gear to selectively harvest chilipepper rockfish in waters off central California. The third, sponsored by the Oregon Chapter of the Recreational Fishing Alliance, seeks to test a recreational gear configuration designed to selectively catch yellowtail rockfish in waters off Oregon. The fourth, sponsored by the Oregon Trawl Commission, seeks to test a new trawl configuration and search areas within the trawl Rockfish Conservation Area to selectively harvest Pacific sanddabs. In addition, the Nature Conservancy, in collaboration with the ports of Morro Bay and Port San Luis and others, provided a report on the implementation of their 2009 EFP testing the efficacy of a community fishing association, and John Holloway of the Oregon chapter of the Recreational Fishing Alliance provided a report on the 2009 Oregon Recreational Yellowtail Rockfish EFP.

The Council reviewed the

new EFP applications and adopted the Oregon Department of Fish and Wildlife (ODFW) EFP for public review. Since the objective of this EFP is to collect biological samples to inform future yelloweye assessments, the Council recommended the 0.06 metric ton yelloweye impact associated with this EFP be taken from the research set-aside rather than the EFP set-aside established in the 2011-12 biennial specifications process. The other proposed EFPs were rejected to reduce NMFS workload and to provide a greater amount of the harvestable surplus to directed fisheries rather than EFP activities.

The Council is scheduled to consider final adoption of the ODFW EFP at their November meeting in Costa Mesa, California.

Nature Conservancy EFP Report

The Nature Conservancy provided a report on the community fishing association EFP. The intention of this EFP was to test how communities traditionally reliant on groundfish (Morro Bay and Port San Luis) could use a Community Fishing Association to help protect its access to the fishery; to improve the economic and environmental performance of the local fishery through better harvest planning and collaboration; and to explore the potential benefits to the fishing community of switching gears from bottom trawling to other methods.

In 2009, under the EFP, 84 fishing trips took place. In addition to landings under the EFP

in 2009, two California Fisheries Fund loans were made to increase processing capacity and other shoreside infrastructure in Morro Bay, and a new baiting business was established to serve fishermen. Several other tasks were accomplished. The EFP participant selection process was revised; EFP data collection protocols were revised and a new online database, "eCatch" was developed and imple-

mented, allowing fishermen to share information more easily; a harvest plan was developed and periodically revised with EFP fishermen, including weekly review by all participants on the performance of the project; major costs for community fishing associations (CFAs), such as observer coverage, were identified, and potential solutions were researched; and a new local groundfish industry association, the Central Coast Sustainable Groundfish Association, was formed by a group of local commercial fishermen, including EFP participants.

The report stated that EFP participants and sponsors believed the project has been successful in developing a tool to help protect fishing access in communities, and in exploring how collective fishery structures and approaches can be used to address challenges facing the trawl catch share fishery. The report stated that "The EFP demonstrated that fishermen will work cooperatively with nontraditional partners to develop a harvest plan and manage

a local fishery within the context of a CFA; share observers and carry electronic monitoring systems; share fishing opportunities to enable profitable trips; and can achieve fishery objectives such as the avoidance of overfished species." This EFP was not proposed for 2011 since

For more, see the September groundfish briefing book materials: <http://tinyurl.com/328lgjs>

the concepts considered under the EFP can be implemented under the new trawl rationalization program scheduled for implementation next year.

Oregon Recreational Angler EFP Report

The purpose of the Oregon Recreational Yellowtail Rockfish EFP was to avoid or minimize bycatch of prohibited species while targeting abundant offshore midwater stocks. The strategy entailed the deployment of floated long leaders (i.e., ≥40 foot) designed to keep the gear off the bottom to more effectively target abundant midwater stocks such as yellowtail rockfish on Oregon sport charter vessels. The EFP officially got underway on June 21, 2009 with a trip by the charter vessel Norwester. During 2009, 13 trips were completed under the EFP, out of 30 planned trips. The reduced number was due to a later than planned startup and minimal participation in the south coast sector. All trips were monitored

Continued on page 13

Habitat & Ecosystem News

Council Discusses Essential Fish Habitat for Salmon; Scheduled for Final Action in Spring

At its meeting in Boise, the Council discussed the periodic review of essential fish habitat (EFH) for salmon. As with EFH for other managed species, salmon EFH should be reviewed at least every five years.

The Magnuson-Stevens Act defines EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” The Council and National Marine Fisheries Service further define EFH for federally-managed salmon (Chinook, coho, and Puget Sound pink) as “all streams, estuaries, marine waters, and


other water bodies occupied or historically accessible to salmon in Washington, Oregon, Idaho, and California.” The definition excludes those areas upstream of certain impassible barriers, listed in Amendment 14 of the Pacific Coast Salmon Plan. Although pink salmon are often found outside of Puget Sound, EFH only applies to the watersheds of Puget Sound.

The Council is required to minimize the negative impacts of fishing activities on EFH, and is required to comment on and make recommendations on Federal agencies’ actions that

salmon. HAPCs allow management agencies to focus on areas that are particularly important for the health of a given species. The Council has not established HAPCs for salmon.

In 2009 and 2010, the Pacific Coast Salmon EFH Oversight Panel met to develop a draft report and annotated bibliography on salmon EFH for public review. The report describes the general requirements and elements of EFH, including guidance for periodic reviews; summarizes the activities of the Panel; summarizes existing salmon EFH, including activities that affect EFH and research needs; presents new information and an updated list of impassible barriers that designate the upstream extent of EFH; and makes recommendations for changes.

Potential changes to the EFH designation include the spatial extent of EFH for freshwater and marine areas; revising the list of impassible barriers; recommending HAPCs; identifying new fishing and non-fishing threats; updating relevant literature on salmonid life history and habitat requirements; and recommending research needs.

In September, the Council approved the draft report, recommended that the Panel incorporate comments by the Scientific and Statistical Committee and Habitat Committee, and asked for a clearer explanation of how the report related to Amendment 14 of the Pacific Coast Salmon Plan, which designates EFH for salmon. The Council is scheduled to take final action on salmon EFH in March 2011. 

For more, see the September salmon briefing book materials: <http://tinyurl.com/23lfwj2>

may affect salmon EFH. The Council may also identify habitat areas of particular concern (HAPCs) for

Ecosystem-Based Fishery Management Plan Continues to Take Shape

In Boise, the Council heard a report from the Ecosystem Plan Development Team (EPDT) on the goals, options, and scope of a proposed ecosystem fishery management plan (EFMP).

The Council began planning for an EFMP in November 2006. The plan envisioned at that time would not replace the existing fishery management plans (FMPs), but would advance fishery management under these FMPs by introducing new theories, new scientific findings, and new authorities to the current Council process. The EFMP would serve as an “umbrella” plan over the four existing fishery management plans, helping to coordinate scientific

information, policy guidance, and research planning; create a framework for status reports on the health of West Coast ecosystems; and deal with area-based management in an ecosystem context.


In November 2009, the Council appointed members of the EPDT and Ecosystem Advisory Subpanel (EAS), and outlined initial tasks for the two groups. One task was to prepare a report that included a draft statement of purpose and need for an EFMP; initial goals and objectives; and options on the geographic and regulatory scope of the EFMP and the species to be managed under it.

This September, the EPDT presented their report. The

EPDT and the EAS worked closely to develop the report, and solicited input from the Council’s advisory bodies early in the process.

In its discussion following the presentation, the Council decided not to pursue an omnibus FMP that would combine the scope of all the existing FMPs into a single plan. However, the Council reserved the option for the EFMP to have regulatory authority, and did not narrow the scope of that authority. The Council asked the EPDT to review the Council’s four FMPs to identify existing ecosystem-based

principles and common needs that could benefit from a coordinated EFMP framework, and to provide background for a future discussion of the EFMP’s regulatory authority. The results of this review will be vetted through other Council advisory bodies.

An informational briefing on ecosystem science will be held at the November Council meeting. The Council is scheduled to take up the EFMP matter in March 2011. 

For more, see the September ecosystem-based management briefing book materials: <http://tinyurl.com/32kqn6h>

Habitat & Ecosystem News

Process for Reviewing Groundfish Essential Fish Habitat Considered

The five-year periodic review of groundfish essential fish habitat (EFH) is scheduled to begin in 2011. The groundfish fishery management plan (FMP) requires that the Council "...review the EFH description and identification, habitat areas of particular concern designations, and information on fishing impacts and nonfishing impacts..." During the review, the Council will consider corrections to the current EFH description, identification of new information, and emerging threats to EFH, as well as proposals from outside entities for modification of ecologically important habitat closed areas. In September, the Council discussed the schedule for the process and the role of


the Groundfish EFH Review Committee (EFHRC).

The Council recommended that the EFHRC meet to discuss the scope, data sources, and process for conducting the five-year review, and report to the Council early in 2011 with recommendations. The EFHRC will also meet to evaluate existing EFH descriptions and criteria for designating ecologically important habitat closed areas and habitat areas of particular concern. The Council will then solicit proposals for changes to these designations, and the EFHRC



A rosethorn and a redbanded rockfish adjacent to the reef-building coral *Lophelia pertusa* and a giant cup coral. Photo: NOAA.

will review those proposals. The process to accomplish these objectives, along with a proposed schedule for completing

the review, will be included in Council Operating Procedure 22, which the Council will discuss in April 2011. 

Council Endorses NMFS' Marine Fisheries Habitat Assessment Improvement Plan

The Council heard a report by biologist Mary Yoklavich, National Marine Fisheries Service (NMFS), on the NMFS *Marine Fisheries Habitat Assessment Improvement Plan*. The plan outlines current gaps in NMFS' habitat science, describes steps to improve habitat as-


sessments, and explains the need for an integrated, national habitat science program. At Yoklavich's request, the Council agreed to write a letter of support for the plan.

Council Discusses National System of Marine Protected Areas; Postpones Final Decision

At its Boise meeting, the Council discussed the process for nominating sites to the National System of Marine Protected Areas (MPAs) and decided to postpone a decision until National Marine Fisheries Service General Counsel

of MPAs. The National MPA Center has been developing the national system and recently opened a fourth round of nomi-

a decision until several issues were addressed. The Council directed staff to develop a white paper (available on the Council website) to evaluate whether the sites identified by the MPA Center met national criteria for MPAs; to identify the pros and cons of including sites in the national system; to address questions raised by the Scientific and Statistical Committee; to describe the MPA Center's gap analysis; to lay out a possible Council procedure for adding, removing, or modifying a site in the national system; and to provide a legal review of the

phrase "avoid harm" as stated in Executive Order 13158 — "Each Federal agency whose actions affect the natural or cultural resources that are protected by an MPA shall identify such actions. To the extent permitted by law and to the maximum extent practicable, each Federal agency, in taking such actions, shall avoid harm to the natural and cultural resources that are protected by an MPA." Since the Council had some remaining questions about the meaning of this phrase, they postponed a final decision on the MPA system until some future date. 

For more, see the September habitat briefing book materials: <http://tinyurl.com/23lfwj2>

can provide a more detailed definition of the phrase "avoid harm."

In September 2009, the Council considered a proposed list of 52 sites for possible nomination to the National System

nations ending November 19th, 2010.

The Council expressed concern last year about the implications of including Council-managed sites in the national system, and deferred

Salmon News

Council Adopts Range of Alternatives for Salmon Amendment 16 (Annual Catch Limits)

At its September meeting, the Council adopted a range of alternatives for public review on Amendment 16 to the salmon fishery management plan (FMP).

Amendment 16 is designed to address requirements of the reauthorized Magnuson-Stevens Act (MSA) and the revised NMFS guidelines for National Standard 1, which are intended to end and prevent overfishing. The reauthorized MSA included new requirements for FMPs including specification of acceptable biological catch (ABC) annual catch limits (ACLs), and accountability measures that are designed to better account for scientific uncertainty and to prevent overfishing. Each of the Council's fishery management plans must be amended to address the requirements.

The alternatives adopted



Angling for salmon. Photo: Jennifer Gilden

by the Council in September included a preliminary preferred alternative, and address the following issues:


- Classifying stocks in the FMP as "in the fishery," "out of the fishery," or "ecosystem component" stocks.
- Ecosystem component stocks

are not actively managed under the salmon FMP and would be exempted from the ACL requirements; in addition, essential fish habitat would not be specified for ecosystem component stocks.

- Applying an "international exception" to specifying ABC, ACLs, and accountability

measures for stocks managed under the Pacific Salmon Treaty.

- Establishing objective and measurable status determination criteria for all relevant stocks.
- Establishing a framework for specifying overfishing limits, ABCs, ACLs, and related reference points for relevant stocks.
- Developing accountability measures that ensure that ACLs are not exceeded and that mitigate for any overages that may occur.
- Establishing *de minimis* fishing provisions for stocks that don't have existing provisions.

Before taking final action on Amendment 16, the Council will release a draft environmental assessment with detailed descriptions of the alternatives and an analysis of impacts. 

Recipe: Indonesian Albacore Satay

Ingredients

- 1-1/3 pounds skinless Pacific albacore, cut into large cubes

Marinade:

- 1/4 cup lime juice
- 4 teaspoons vegetable oil
- 1 teaspoon ground coriander
- 1 teaspoon grated fresh ginger
- 1 teaspoon minced garlic
- 1/8 teaspoon black pepper

Dipping Sauce:

- 3 tablespoons peanut butter
- 3 tablespoons warm water
- 1 tablespoon lime juice
- generous pinch of cayenne
- 3/4 teaspoon sugar
- 1/2 teaspoons salt-reduced soy sauce
- 1/2 teaspoon grated fresh ginger

Rinse albacore with cold water; pat dry with paper towels. In glass or ceramic bowl, combine marinade ingredients. Add albacore cubes and marinate in refrigerator for 30 minutes, tossing cubes gently halfway through marinating time. While albacore is marinating, make dipping sauce by blending peanut butter and warm water, and adding remaining ingredients.

Drain albacore, reserving marinade. Thread albacore cubes on metal or bamboo skewers. Place skewers on greased grate 4-5 inch from hot briquettes. Cook 4-6 minutes per inch of fish (measured at its thickest point), turning to cook all sides. Baste frequently with reserved marinade. Do not overcook! Albacore should be pink in center when removed from heat. Serve with dipping sauce. Makes 4 servings.

Source: Oregon Albacore Commission.

Did you know? The albacore harvested by Oregon & Washington fishermen are younger fish (three to five years old) between 10 and 30 pounds, and are higher in Omega-3 fish oils than the large, lean, older albacore caught mostly by foreign longline fishermen in the central Pacific. Because these fish are young, mercury accumulation is not a concern.


Salmon News

Scientific and Statistical Committee, Salmon Technical Team to Discuss Salmon Methodology

Each September, the Scientific and Statistical Committee (SSC) reviews the models used in salmon management to ensure that they use the best available science. Any proposed changes are adopted by the Council in November, in time to be used for the spring salmon management season.

At its September meeting, after considering input from various agencies and advisory bodies, the Council directed the SSC to review reports on potential bias in the Coho and Chinook Fishery

Regulation Assessment Model (FRAM) of fishery-related mortality introduced by mark-selective fisheries; indicator stock tag groups for Columbia River summer Chinook for incorporation into Chinook FRAM; and the Oregon coastal natural coho abundance predictor.

The SSC Salmon Subcommittee and Salmon Technical Team will discuss these issues on October 19-20, and the SSC will report their findings to the Council at its November meeting. 


Council Discusses Future of Mitchell Act Hatcheries, Prepares Comments for NMFS

In Boise, the Council discussed the future of Mitchell Act-funded hatchery programs in light of a NMFS draft environmental impact statement (DEIS) on Columbia Basin hatchery operations and funding of Mitchell Act hatchery programs. The DEIS proposes to develop a NMFS policy direction to guide distribution of Mitchell Act hatchery funds

and inform future review of Columbia River basin hatchery programs under the Endangered Species Act. Salmon production from Mitchell Act-funded hatcheries has provided fish for Columbia River, ocean, and in-river tribal, recreational and commercial fisheries. More re-

cently, these hatchery programs are conserving genetic resources

former range.

The Council established an ad hoc committee of seven Council members to develop comments, and identified several key questions for the committee to consider. The committee will report back to the Council with its proposed comments in November. The deadline for comments on the DEIS is December 3, 2010. 

For more, see the September salmon briefing book materials: <http://tinyurl.com/23lfwj2>

for Endangered Species Act purposes, and for reintroducing salmon into parts of their

FDA Considers Approval of Genetically Modified Salmon for Human Consumption

The Food and Drug Administration is considering whether to approve genetically modified (GM) salmon for human consumption. The fast-growing salmon are made by AquaBounty Technologies, Inc. The "AquAdvantage" salmon are Atlantic salmon whose growth is enhanced through the use of a growth gene from Chinook salmon, and genetic material from the ocean pout (an eel-like fish). The Chinook gene promotes the growth to market size, and the pout gene allows the fish to grow in the winter as well as the summer.

If approved, the salmon would be the first GM animal developed for human consumption in the United States. AquaBounty is also considering using genetic technology in fish



These two salmon are the same age. The one in the back is genetically modified. Source: AquaBounty Technologies.


like tilapia and trout.

Consumer advocates, fishermen, environmentalists and others have expressed concerns ranging from fears that the GM salmon would cause allergic reactions, that the growth hormone in AquAdvantage salmon could lead to an increased risk of cancer, and that the salmon

could escape into the wild, competing or interbreeding with wild fish. They also criticize the U.S. Food and Drug Administration (FDA) for allowing just 14 days for the public to review the data on whether the fish are safe to eat. Massachusetts-based AquaBounty counters that GM salmon could help meet the increasing demand for protein without overfishing of wild stocks. They claim that the fish are reproductively sterile due to a genetic alteration that prevents them from breeding. The company plans to sell only female eggs and to raise the fish in con-

tained inland systems. However, the FDA indicates that up to 5% of the eggs may be fertile.

The FDA has already ruled that the genetically modified salmon is safe to eat. The question of whether the fish may be labeled as genetically modified remains to be settled. The FDA has said it cannot require a label on the genetically modified fish once it determines that the fish is not "materially" different from other salmon. The FDA is accepting comments from the public on the labeling question until November 22 (see <http://tinyurl.com/32a4aum> for more information). If approved, the first GM salmon could be in the grocery store in two years.

Sources: Reuters, Eatocracy.com, CommonDreams.org, Phoenix New Times 

Halibut News

Council Proposes Minor Changes to Halibut Catch Sharing Plan

Each September, the Council considers proposed changes to the halibut regulations in order to adjust regulations (primarily for the recreational fishery) for the Area 2A Catch Sharing Plan. The Council may also make changes in catch allocation among areas or gear groups.

Both Washington's and Oregon's Departments of Fish and Wildlife held public meetings in August to solicit proposed changes to the Catch Sharing Plan. Recommendations resulting from the Oregon Department of Fish and Wildlife meeting were presented for review at the September Council meeting. There were no recommendations following the Washington Department of Fish and Wildlife meeting.

The Council adopted the following proposed changes to the Catch Sharing Plan and 2011 regulations for public review.

For all areas, specify that closed areas that will apply to the non-Indian directed commercial fishery will be defined within groundfish regulations at 50 CFR 660.70.


For the Oregon Central Coast Sub-area:

1) Adjust the number of open days per week in the spring all-depth fishery from three to two days, if the number of fixed days will be nine days or less, otherwise remain at three days per week.

2) Adjust the number of open days per week in the nearshore (in-

side 40 fathoms) fishery from seven days per week to less than seven days per week. If, after some point mid-season, effort and harvest are tracking slowly, the nearshore fishery could then be expanded to seven days per week to more fully utilize the allocation.

3) Adjust the allocation to the three central coast subarea seasons (spring all-depth, summer all-depth, and nearshore. The following alternatives have been suggested: 1) maintain status quo with 69% to the spring all-depth, 23% to the summer all-depth, and 8% to the nearshore; 2) maintain 8% to the nearshore, then divide the remainder equally between the spring and summer all-depth seasons; 3) maintain 8% to the nearshore, then divide the remaining 60% to the spring and 40% to the summer all-depth seasons; 4) change the allocations to 45% to the spring all-depth, 45% to the summer all-depth, and 10% to the nearshore.

The Council will take final action on this matter at its November meeting. 

For more, see the September halibut briefing book materials: <http://tinyurl.com/29bsgm6>

Council to Consider Halibut Bycatch Retention in Fixed Gear Groundfish Fisheries

In September, the Council considered ways to estimate Pacific halibut bycatch in groundfish fisheries, and considered

NMFS briefed the Council on bycatch estimates for Pacific halibut in Council-area groundfish trawl and fixed gear fisheries in 2009. This report included information from the groundfish observer program. NMFS will provide this information to the International Pacific Halibut Commission (IPHC) for use in establishing the 2011 halibut total allowable catch.


In addition, Michele Culver, the Council's representative on the International Pacific Halibut Commission, provided a summary of the IPHC's Halibut Bycatch Work Group meeting in August.

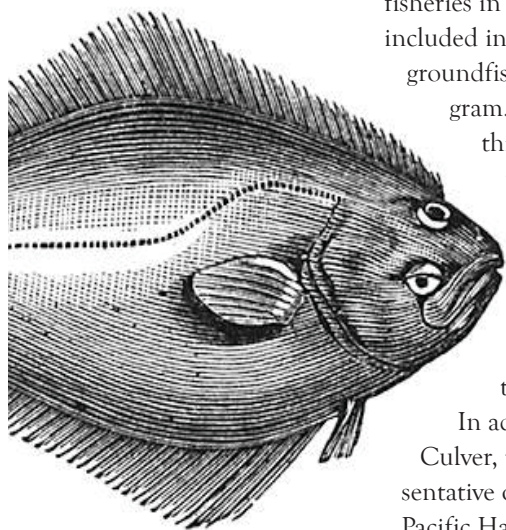
The Council recommend-

ed that NMFS forward the bycatch information to the IPHC, and include two additional items: a break-down of legal and sublegal halibut impacts in the groundfish fisheries, and the most recent Oregon Department of Fish and Wildlife report on incidental mortality of Pacific halibut in the pink shrimp trawl fishery.

The Council also discussed proposed changes to allocation of Pacific halibut for bycatch and catch sharing in the groundfish fisheries. In 2007, the Council received a proposal to allow retention of Pacific halibut caught in fixed gear sablefish fisheries in the Port Orford area. The Council took no action on the proposal, but stated its intent to consider halibut bycatch retention on a

broader scale.

In September, the Council took the matter up again. The Council agreed to consider allowing retention of incidentally caught Pacific halibut in the limited entry directed, limited entry daily trip limit, and open access sectors of the fixed gear sablefish fisheries south of Point Chehalis, Washington. The Oregon Department of Fish and Wildlife will develop a preliminary analysis of the biological, socioeconomic, and fishery management implications of this action. The analysis assumes that any additional allocation of halibut for incidental retention in fixed gear sablefish fisheries would come from the Area 2A non-Indian commercial directed halibut fishery allocation. 



possible changes to halibut allocation for bycatch and catch sharing in groundfish fisheries.

Highly Migratory Species News

NMFS Provides Report on Highly Migratory Species Status and Activities

In September, National Marine Fisheries Service (NMFS) presented a report to the Council on activities in the highly migratory species (HMS) fisheries. Here are some highlights:

- NMFS is proposing regulations to revise the total U.S. vessel well (or hold) volume carrying capacity limit for the purse seine fishery targeting tuna in the Inter-American Tropical Tuna Convention (IATTC) Area. This would ensure that U.S. regulations are consistent with IATTC rules. The proposed rule would set the purse seine carrying capacity limit to 31,775 cubic meters and require small purse seine vessels to be accounted for in the total capacity limits. The proposed rule was made available for public comment on September 3, 2010.

- In June, NMFS published its proposed 2011 list of fisheries, which reflects new information on interactions between commercial fisheries and marine mammals. (The list of fisheries must classify each commercial fishery into one of three categories based on its level of interaction with marine mammals). The California/Oregon drift gill-net fishery may be reclassified from a Category I fishery (high level of interactions) to a Category III fishery (low level of interactions), given the low levels of injury to marine mammals in this fishery.


- In January 2010, NMFS published a proposed rule to revise critical habitat of the leatherback sea turtle. The comment period on the proposed rule has ended, and NMFS' Critical Habitat Review Team is reviewing the comments and considering revisions to critical habitat designations for leatherback sea turtles, and ways to preserve particularly important habitat for the sea turtles.

- Russell Smith III has joined NOAA as the new Deputy Assistant Secretary for International Fisheries. He will serve as the

U.S. government commissioner for the International Commission for the Conservation of Atlantic Tunas,

and will provide high-level coordination among all the regional, international management organizations for tuna.

- The International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean met in July (ISC10) and created conservation recommendations for several species of importance to Council fisheries:

- o Pacific bluefin tuna: The rate of fishing mortality is increasing, and should be decreased to less than its 2002-2004 levels, particularly for juvenile age classes. The next assessment is planned in 2012.
- o Albacore tuna: An assessment was last conducted in 2006. Fishing mortality should not be increased; a full assessment is planned for 2011.
- o Striped marlin: The last assessment was completed in 2007. Fishing mortality should be reduced from 2001-2003 levels.
- o Swordfish: the western-central and eastern Pacific Ocean stocks are healthy and above the level required to sustain recent catches.
 - o Sharks: ISC10 established a Shark Working Group to conduct stock assessments and other studies. It will first work on assessments of blue and shortfin mako sharks. 

For more, see the September HMS briefing book materials: <http://tinyurl.com/38p5s9j>

Council Looks at Range of Albacore Bag Limits for Recreational Fishery, Swordfish Longline Limits

The biennial cycle for managing highly migratory species fisheries occurs at the June, September, and November Council meetings to establish or adjust harvest specifications and management measures for a two-year period beginning on April 1 of the following year—the start of the next fishing year, April 1, 2011. In September, the second phase occurred, with the Council scheduled to adopt for public review more detailed proposals for the issues identified in June.

In June, Washington Department of Fish and Wildlife (WDFW) proposed a per-trip, recreational bag limit for alba-



Council staffer Chuck Tracy with albacore

core tuna. WDFW recommended considering bag limits of 10, 15, 20, and 25 albacore tuna per fishing trip for public review. The Highly Migratory Species Management Team provided


comments and analysis of this proposal, and the Council subsequently adopted the same range for public review.

In addition, the Council adopted two alternatives for public review for a regulatory change to regulations for the deep-set tuna longline fishery on retention of incidentally-caught swordfish:

- No action (retain existing regulations with a 10

swordfish limit per trip)

- Establish a 25-swordfish trip limit for deep-set longline vessels targeting tuna using circle hooks, and 10 swordfish per trip for vessels using tuna-hooks, if vessels are not carrying observers. If an observer is being carried by a deep-set tuna vessel, then there is no limit to the amount of swordfish that can be retained by a longline vessel.

These regulations would be consistent with a change proposed by the Western Pacific Fishery Management Council for deep-set longline vessels managed under their Pelagics Fishery Ecosystem Plan. 

Highly Migratory Species News

Council Makes Recommendations to International Fishery Management Organizations

In September, the Council made the following recommendations to the U.S. delegation to the recent Inter-American Tropical Tuna Commission (IATTC) meeting, held September 27-October 1 in Antigua, Guatemala:

- Support the IATTC staff recommendation on conservation measures for bigeye and yellowfin tuna. (See <http://tinyurl.com/294y2xvj> for more details on this recommendation.)

- For Pacific bluefin tuna, the U.S. position should be to exempt recreational fisheries from Pacific bluefin tuna management measures recommended by the IATTC Secretariat. If an exemption cannot be agreed to, the secondary position should be to include recreational fisheries in

the proposed commercial Pacific bluefin tuna measures. This would help ensure that during 2011-2012, annual catches of Pacific bluefin tuna in the Convention Area by commercial and recreational fisheries not exceed the average annual level of such catches during 1994-2007.

- For albacore tuna, the U.S. should participate in the IATTC's ad hoc working group to develop an operational definition of "current levels" of effort. The U.S. should evaluate the best base periods for the determination of "current effort" by the U.S. fishing fleet to achieve the maximum percentage of harvest when compared to other nations that harvest North Pacific albacore. The U.S. should not propose or endorse any changes to inter-

national management of North Pacific albacore until the 2010 stock assessment of North Pacific albacore is completed in 2011.

- Support renewal of the tuna retention requirement in the purse seine fishery only if uniformly implemented and enforced by all parties to the IATTC.

At the IATTC meeting, China blocked consensus on all proposals because of disagreement about how Chinese Taipei should participate in the meeting. As a result, the IATTC only adopted three proposals as nonbinding recommendations, including an update of Resolution C-09-01 relating to the conservation and management of yelloweye and bigeye tuna. The recommendation essentially carries over the measures in place for 2010 into 2011,


including the 62-day purse seine closure, longline catch limits, and the purse seine tuna retention requirement. Proposals for North Pacific albacore or Pacific bluefin tuna were not discussed. The other two agreements relate to seabird mitigation measures for longline vessels (submitted by the European Union and Japan) and prohibiting fishing on data buoys (submitted by the U.S.). The Commission also confirmed the annual budget for 2011 using the previously adopted provisional budget. At this time it is not clear whether all members will be willing or able to fully comply with nonbinding agreements, unless they are subsequently converted to binding resolutions by China joining consensus by correspondence. 

Coastal Pelagic Species News

Terms of Reference for Pacific Sardine and Mackerel Issued for Public Review

The Council considered the draft terms of reference for stock assessment and methodology reviews for Pacific sardine and Pacific mackerel. The terms of reference outline how stock assessment should be conducted and reported. The Council considered statements from the Coastal Pelagic Species (CPS) Management Team, the CPS Advisory Subpanel, and the Scientific and Statistical Committee, and voted to issue the draft terms of reference for public review. Council staff will work with relevant advisory bodies to

make some edits to the document, and will compile a list of proposed review methods, based on advisory

body suggestions, and submit them to the Scientific and Statistical Committee for approval in November. 

For more, see the September CPS briefing book materials: <http://tinyurl.com/38s3obk>

Recently Introduced Fisheries Legislation Addresses NMFS Ombudsmen, Coastal Jobs, Overfishing

The following legislation has been recently introduced in Congress, and is being tracked by the Council's Legislative Committee.

H.R.5180 - the National Marine Fisheries Service Ombudsman Act of 2010

H.R. 5180 was introduced in April by Congresswoman Carol Shea-Porter of New

Hampshire. It would establish an Office of the Ombudsman in the National Marine Fisheries Service (NMFS); and require NMFS to maintain regional Ombudsman for each of the regional fishery management councils. The Ombudsman would act as a neutral third party to conduct informal, impartial fact finding and investigations; identify and mitigate

points of conflict or contention between the fishing industry and the NMFS with respect to the implementation and enforcement of regulations; and serve as a point of contact for local fishermen and businesses that are regulated by NMFS.

H.R.4914 and S.3528 - the Coastal Jobs Creation Act of 2010

This bill was introduced

on March 23, 2010 in the U.S. House of Representatives by Congressman Frank Pallone of New Jersey and in the U.S. Senate on June 24 by Senator Olympia Snowe of Maine. The bill directs the Secretary of Commerce to implement a Coastal Jobs Creation Grant Program which would include funds for economic and social data collec-

Continued on page 14


Southwest Fisheries Science Center Outlines Salmon Science Plans

The National Marine Fisheries Service Southwest Fisheries Science Center (SWFSC) is developing a model to estimate how many fall Chinook might return to the Klamath basin if the four lower Klamath dams are removed. If the dams are removed, Chinook and coho salmon would regain access to historical habitats in the upper basin, and water quality in the lower basin might be improved.

The model will look at how many salmon would be available to ocean and river fisheries over the next decades if the dams are removed, and will consider the predicted impacts of climate change. The SWFSC presented a report on this and other modeling tools at the Council meeting in September.

The SWFSC is also working with partners to look at Chinook habitat and prey resources

in the coastal ocean, and to estimate future ecosystem states and potential productivity of Chinook salmon in the California Current ecosystem. SWFSC has developed a way to evaluate current and past ecosystem health based on biological responses to environmental conditions, and has developed models to forecast environmental conditions in the California Current as far as nine months out.

In addition, The SWFSC is creating a tool that will allow resource managers to predict how management actions, such as habitat restoration and modifying hatchery operations, could improve California's Chinook salmon fishery. The tool focuses on Central Valley and Klamath River Chinook stocks, and will look at survival rates at various life stages, using data from coded wire tags and other sources. 

Council Hears Report on Marine Spatial Planning; Drafts Letter on Regional Planning Body

At its September meeting, the Council heard a presentation on marine spatial planning from Sam Rauch, Deputy Assistant Administrator for Regulatory Programs for National Marine Fisheries Service, who provided an overview and history of marine spatial planning from the national perspective. Jessica Keys, Office of Oregon Governor Kulongoski, briefed the Council on marine spatial planning from a regional perspective in relation to the West Coast Governors Agreement on Ocean Health and other state actions. Dr. Usha Varanasi, Director, NMFS Northwest Fisheries Science Center, also provided a regional perspective on marine spatial planning.

The Ocean Policy Task Force, comprised of senior representatives from federal agencies and chaired by the White

House Council on Environmental Quality, defines marine spatial planning as "a comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of ocean, coastal, and Great Lakes areas." Marine spatial planning identifies areas most suitable for various types of activities in order to reduce conflicts among uses, reduce environmental impacts, facilitate compatible uses, and preserve critical ecosystem services.

The Council asked the Executive Director to write a letter to the National Ocean Council encouraging it to designate the West Coast Governors Agreement as the regional planning body for marine spatial planning offshore of the three West Coast states, noting that the


Pacific Council should be seated on the regional planning body as a formal member.

The Council also asked the Executive Director to write a letter to the West Coast Governors Agreement requesting a formal seat on the planning body for the Pacific Council should they, or a successor body of theirs, be designated as the actual regional planning body.

In September 2009, the Federal Ocean Policy Task Force issued a draft national policy and strategy for a regional public process to regulate marine spatial planning. The Pacific Council, and other regional fishery management councils, commented on the plan, and in July the Council on Environmental Quality issued its

For more, see the September briefing book materials: <http://tinyurl.com/32natux>

final recommendations on the report. One of the report's main recommendations is to establish nine marine spatial planning regions, each containing an authoritative body. The West Coast is one of the regions where such a body would be established.

This past July, President Obama signed Executive Order 13547, which established a National Policy for the Stewardship of the Ocean, Coasts, and Great Lakes. The Executive Order adopts the final recommendations of the Ocean Policy Task Force and directs Federal agencies to take the appropriate steps to implement them. 

Council meeting in a nutshell, from page 1

meeting of the Inter-American Tropical Tuna Commission.


In the world of **habitat** (pp. 4-5), the Council discussed the process for updating salmon and groundfish essential fish habitat (EFH). They approved a report developed

by the Pacific Coast Salmon EFH Oversight Panel, and plan to take final action on salmon EFH in March. They directed the Groundfish EFH Review Committee to meet to discuss various aspects of reviewing groundfish EFH. In addition, the Council heard a report on NMFS' Habitat Assessment

Improvement Plan and agreed to write a letter in support of the plan.

For **ecosystem-based management** (p.4), the Council provided some direction regarding the scope of an ecosystem fishery management plan, and planned for an informational briefing on ecosystem

science at the November 2010 meeting.

In addition, the Council discussed the terms of reference for Pacific sardine and Pacific mackerel stock assessments (p.10), heard a presentation on marine spatial planning (p. 11), and made appointments to advisory bodies (p.13). 

Enforcement Corner

Aquatic Invasive Species Pose Recurring Threat to Western Waters

Two incidents involving aquatic invasive species occurred within two weeks in the state of Washington.

On September 22, 2010, Washington Department of Fish and Wildlife (WDFW) Police Officer Corey Peterson responded to a report of a 57' yacht stopped at the Cle Elum Weigh Station. Commercial Vehicle Enforcement Officer Dale Kavanagh stopped the vehicle after he located what appeared to be Zebra mussels on the trim tabs. The boat was from Lake Michigan. Officer Peterson took photos and samples of the mussels, and forwarded a report to Aquatic Invasive Species Officer Phil Johnson. Both the boat's owner and the truck driver transporting the vessel were cooperative and said they would do whatever was necessary to comply with Washington's aquatic invasive



A WDFW officer and dry dock worker discuss the decontamination of a vessel infested with Zebra mussels.

species laws.

The boat's final destination was a marine yard in Bellingham. The boat was allowed to continue on to a marina, where it would be decontaminated by WDFW biological staff. The boat was decontaminated

and released to the owner on September 23. A final decision on whether the owner will be charged will depend on an investigation into the owner's knowledge of the contamination.

On September 28, 2010, Officer Brent Sherzinger responded

to a report of a 48' yacht stopped at the same Cle Elum Weigh Station. Once again, Commercial Vehicle Enforcement Officer Dale Kavanagh stopped the vehicle after he located what appeared to be Zebra mussels on the trim tabs and drive shafts. This boat was from Texas. WDFW Police Officer Bret Sherzinger responded and documented driver and owner information. The final destination for the vessel was Skyline Marina in Anacortes, Washington. On September 29, WDFW Officer Jeff Lee went to Skyline Marina to ensure off-load of the boat into the Marina's dry dock area. Officer Lee collected evidence and took photos in case the investigation warrants future charges. Again, the owner and truck driver are being cooperative. Once the vessel is decontaminated, it will be released.

Coming Up at the November 2010 Council Meeting

The next Council meeting will be held in Costa Mesa, California on November 3-9, 2010. The advance Briefing Book will be posted on the Council website in late October (www.pcouncil.org).

Groundfish

- Consider revisions to the biennial management process
- Update on implementation of Amendments 20 & 21 (catch shares & intersector allocation); scoping for trailing amendments
- Exempted fishing permits (adopt final)
- NMFS groundfish report
- Inseason adjustments

Salmon

- Preseason management schedule for 2011

- Amendment 16 (annual catch limits): review preliminary preferred alternative
- Update on Sacramento River fall Chinook overfishing report
- Mitchell Act hatchery draft environmental impact statement: finalize comments
- 2010 methodology review: adopt changes for 2011

Halibut

- Proposed changes 2011 regulations (adopt final)

Habitat and Ecosystem Management

- Informational session on ecosystem science
- Current habitat issues
- Informational session on deepwater corals

Coastal Pelagic Species

- NMFS report
- Sardine stock assessment and CPS management measures: adopt for 2011
- Terms of reference for stock assessment review panel and methodology reviews (adopt final)

Highly Migratory Species

- NMFS report
- Changes to routine HMS management measures for 2011-2012 (adopt final)
- Approve Council input to regional fishery management organizations

Other

- Washington State fishery enforcement report
- Appointments

Appointments Made to Advisory Bodies; Two Week Advance Notice Now Needed for Alternates


Following a decision at the September Council meeting, the Council will now require a two-week advance notice for designating alternates for advisory body positions.

At the Boise meeting, the Council appointed Phil Levin to a Northwest Fisheries Science

Center position on the Ecosystem Plan Development Team (replacing Dr. Mary Ruckelshaus), and appointed Heather Reed to the vacant second Washington Department of Fish and Wildlife position on the Groundfish Management Team.

In addition, the Council es-

tablished an ad hoc Mitchell Act Review Committee, consisting of seven Council members, to prepare comments on a National Marine Fisheries Service draft environmental impact statement on Columbia Basin hatchery operations and funding of Mitchell Act hatchery programs (see sto-

ry, page 7). The members of the committee are the Washington, Oregon, and Idaho State government Council members or their designees: Mr. Mark Cedergreen (Council Chair), Mr. Gordy Williams (Alaska), Mr. David Sones (Tribes), and Mr. Tim Roth (US Fish and Wildlife Service). 

Trawl rationalization, continued from page 2

Council began scoping for these trailing actions and prioritized four for initial consideration. At its November 2010 meeting, the Council will review public comment on options that should be considered and impacts that should be analyzed with respect to these issues. At that time the Council is scheduled to provide guidance on option development and a timetable for consideration of each of these issues.

The issues the Council identified for further consideration in November are 1) resubmission of its recommendation that the Amendment 21 intersector allocation action replace the allocations created

when the Council recommended the groundfish license limited entry system (Amendment 6, implemented in 1994); 2) cost recovery (how to set up a fee program to cover the costs of management, data collection and analysis, and enforcement activities); 3) safe harbors for the quota share control rule (exceptions to the control rule limiting how much quota share can be accumulated by a single entity, with exceptions for community fishing associations (CFAs), bycatch risk pools, and quota used as collateral for financing); and 4) severability of the mothership catcher-vessel endorsements and catch histories from the permits.


Finally, in November the Council will review historic data

on trawl bycatch of Pacific halibut in order to consider whether a change to the halibut bycatch allocation to the groundfish trawl fishery should become a trailing action. In addition, the Council may consider specifying a pass-through of the Adaptive Management Program quota pounds in the third year of the program. Other trailing actions may be considered in the future.

Public Comment and Scoping

Public comment on trailing actions should be submitted to the Council by the briefing book deadline for the November 2010 Council meeting.

Scoping meetings on community fishing associations will be held Monday, October 25, at

7 p.m. in Eureka, California; Wednesday, Oct 27, at 2 p.m. in Portland, Oregon; and Thursday, October 28, at 2 p.m. in Monterey, California. During the meetings, comment will be solicited on the control limit exception for CFAs as well as other CFA provisions that might be added to the trawl rationalization program. Comment is sought on both alternatives and impacts to consider. At its November 2010 meeting, the only Council will be scoping issues related to whether to provide CFAs with an exception to the control limit; however, other provisions for CFAs that are identified through these public hearings may be prioritized for later trailing action. 

Exempted fishing permits, continued from page 3


by on board observers from Pacific States Marine Fisheries Commission.

The results exceeded expectations. To date, the most constraining species, yelloweye rockfish, has yet to be encountered using this EFP gear. The other constraining species, canary rockfish, are being impact-

ed at rates well below that using common bottom gear. The EFP impact rate for canary rockfish is at 8% of yellowtail rockfish (the targeted species), by weight, and approximately 6% of all rockfish landed. The impact rate for canary to yellowtail was 113% by weight during the period 1993-1999 (ODFW) using traditional bottom gear when all depth access was open full season.

Participating anglers varied widely in expertise; angler selection was on a first-come, first-served basis. Fishing areas were selected based on known concentrations of yellowtail rockfish without regard to any other species; there was no effort to avoid known concentrations of canary or yelloweye rockfish. Some trips took place within a federally recognized

Yelloweye Rockfish Conservation Area.

A majority of participants indicated that they would participate in this fishery if it were put into regulation in both the charter and private sportboat level. The EFP participants intend to conduct this experiment for a full twelve months from the date of their 2010 EFP issuance. 


Inseason adjustments, continued from page 1

of 36° N. lat.), landings data through July 31, 2010 indicate that limited entry and open access daily trip limit fishery

removals for Conception Area fixed gear sablefish are higher than previous years. Without inseason action, the Council's Groundfish Management Team projected that catches would ex-

ceed the 2010 sablefish optimum yield for south of 36° N. lat. As such, the Council recommended that National Marine Fisheries Service adopt the following limits effective October 1, 2010

through the end of the year:

- Limited entry fixed gear: 2,800 lbs/week
- Open access fixed gear: 800 pounds per week not to exceed 1,600 lbs/month. 

Acronyms and Definitions

ABC	acceptable biological catch. The ABC is a scientific calculation of the sustainable harvest level of a fishery and is used to set the upper limit of the annual total allowable catch.	HAPC	habitat area of particular concern. A subset of essential fish habitat containing particularly sensitive or vulnerable habitats that serve an important ecological function, are particularly sensitive to human-induced environmental degradation, are particularly stressed by human development activities, or comprise a rare habitat type.
ACL	annual catch limit. An ACL is the level of annual catch of a stock or stock complex that, if met or exceeded, triggers accountability measures such as a seasonal closure or quota closure.	HMS	highly migratory species
CFA	community fishing association.	IATTC	Inter-American Tropical Tunas Commission
CPS	coastal pelagic species	IPHC	International Pacific Halibut Commission
DEIS	draft environmental impact statement	ISC10	International Scientific Committee for Tuna and Tuna-Like Species (2010 meeting)
EAS	Ecosystem Advisory Subpanel	MPA	marine protected area. A marine protected area is a "geographic area with discrete boundaries that has been designated to enhance the conservation of marine resources" (Ocean Studies Board). For example, a marine protected area might prohibit activities like oil and gas drilling, while allowing fishing.
EFH	essential fish habitat. Those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity.	MSA	Magnuson-Stevens Act
EFHRC	Essential Fish Habitat Review Committee (for groundfish)	NMFS	National Marine Fisheries Service.
EFMP	Ecosystem Fishery Management Plan	ODFW	Oregon Department of Fish and Wildlife
EFP	exempted fishing permit	RCA	Rockfish Conservation Area
EPDT	Ecosystem Plan Development Team	SSC	Scientific and Statistical Committee.
FDA	U.S. Food and Drug Administration	WDFW	Washington Department of Fish & Wildlife
FMP	fishery management plan. A plan, and its amendments, that contains measures for conserving and managing specific fisheries and fish stocks.		
FRAM	Fishery Regulation Assessment Model (for salmon)		
GM	genetically modified		

Legislation, continued from page 10

tion related to recreational and commercial fisheries management; establish state recreational fishing registry programs; deploy observers; preserve or restore coastal resources; redevelop deteriorating and underutilized working waterfronts and ports; fund research improvements in coastal and ocean observation technologies; fund research on fishery and marine mammal stock assessments; and other activities.

The U.S. House Subcommittee on Insular Affairs, Oceans, and Wildlife held a hearing on H.R. 5180 and H.R.4914 on July 27, 2010.

H.R.3534, the Consolidated Land, Energy, and

Aquatic Resources Act of 2010


This bill was introduced on September 8th, 2009 in the U.S. House of Representatives by Congressman Nick Rahall of West Virginia. H.R.3534 passed the U.S. House on July 31, 2010 and was introduced in the U.S. Senate for consideration on August 3, 2010.

H.R.3534 is a large bill intended to "provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior." Title

VI of the bill aims to improve coordination and planning among Federal agencies with authorities for ocean, coastal, and Great Lakes management, in part through Regional Coordination Councils (RCC). Each regional fishery management council would have one seat on their respective RCC, as would the executive director of the appropriate interstate marine fisheries commission.

S.3594, the Fishery Conservation Transition Act

S.3594 was introduced on July 15th, 2010 in the U.S. Senate by Senator Bill Nelson of Florida and was referred to the Committee on Commerce, Science, and Transportation. The bill would amend the Magnuson-Stevens Fishery Conservation and Management Act to

mitigate the economic impact of the transition to sustainable fisheries on fishing communities. The bill would require the Secretary to review fishery management plans that contain fisheries where retention of stocks is completely prohibited (due to overfishing) for an entire fishing season, and to determine whether the prohibition is sufficient to prevent or end overfishing for the stocks. If the Secretary determines that the prohibition is not sufficient to prevent or end the overfishing, the Secretary may authorize retention of fish that are not undergoing overfishing in that fishery, even though the discard mortality of the overfished stocks may be inconsistent with provisions on ending or preventing overfishing. 

Inseason Adjustments to Groundfish Fisheries (see story, page 1).

2-month period	RCA lines (fm)		2-month cumulative-poundage limits							
	shallow	deep	sable-fish	long-spine	short-spine	Dover sole	petrale sole	arrow-tooth	other flatfish	slope rockfish
N. of 40°10' N lat.										
Large/small footrope limits										
1	75	150	20,000	24,000	18,000	110,000	9,500	150,000	110,000	6,000
2	75	200	20,000	24,000	18,000	110,000	9,500	150,000	110,000	6,000
3	75	150/200	24,000	24,000	18,000	110,000	9,500	150,000	110,000	2,000
4	100	150/200	21,000	24,000	18,000	100,000	6,300	150,000	100,000	2,000
5	75	200	24,000	26,000	20,000	110,000	6,300	180,000	110,000	4,000
6	75	200-pco	24,000	26,000	20,000	110,000	6,300	180,000	110,000	4,000
Selective gear limits										
1	75	150	9,000	5,000	5,000	65,000	9,500	90,000	90,000	
2	75	200	9,000	5,000	5,000	65,000	9,500	90,000	60,000	
3	75	150/200	9,000	5,000	5,000	65,000	9,500	90,000	60,000	
4	100	150/200	9,000	5,000	5,000	65,000	6,300	90,000	60,000	
5	75	200	10,000	5,500	5,500	70,000	6,300	100,000	70,000	
6	75	200-pco	10,000	5,500	5,500	70,000	6,300	100,000	70,000	
38° - 40°10' N lat.										
1	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000
2	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000
3	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	15,000
4	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	15,000
5	100	150	24,000	26,000	20,000	110,000	6,300	12,000	110,000	15,000
6	100	150	24,000	26,000	20,000	110,000	6,300	12,000	110,000	15,000
S. of 38° N lat.										
1	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000
2	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000
3	100	150	22,000	24,000	18,000	110,000	9,500	10,000	110,000	55,000
4	100	150	21,000	24,000	18,000	100,000	6,300	10,000	100,000	55,000
5	100	150	24,000	26,000	20,000	110,000	6,300	12,000	110,000	55,000
6	100	150	24,000	26,000	20,000	110,000	6,300	12,000	110,000	55,000

Note: "200-pco" denotes the modified 200 fathoms seaward RCA with **petrale cutouts open**.

South of 40°10' N. latitude, the chilipepper rockfish trip limit for all trawl gears is 17,000 pounds per two-months.

November Briefing Book Deadlines

The next Council meeting will be held November 3-9, 2010, at the Hilton Orange County/Costa Mesa in Costa Mesa, California. Comments received by **11:59 p.m. on October 15** will be included in the briefing books mailed to Council members prior to the November meeting. Comments received by **11:59 p.m. on October 26** will be distributed to Council members at the onset of the November meeting. For more information on the briefing book, see <http://www.pcouncil.org/council-operations/council-meetings/current-meeting/>.

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.

SSC's Salmon Subcommittee, Salmon Technical Team, and Model Evaluation Workgroup Work Session

Purpose: To brief the Salmon Technical Team & SSC Salmon Subcommittee on various aspects of salmon modeling and management

Dates: October 19-20, 2010

Location: Hyatt Place Hotel Portland Airport

Contact: Chuck Tracy (chuck.tracy@noaa.gov)

Public Hearings on Groundfish Trawl Catch Share Program on Creation of Community Fishing Associations; Scoping on Trailing Actions

Purpose: To hear public comment on the control limit exception for community fishing associations (CFAs), and other CFA provisions that might be added to the trawl rationalization program.

Dates: October 25, 27, and 28

Location: Eureka, Portland, and Monterey (respectively)

Contact: Jim Seger (jim.seger@noaa.gov); also see <http://tinyurl.com/377hvtj>

Deadline for Quota Share applicants

Dates: November 1, 2010

Purpose: Applications for a quota shares permit, a mother ship permit, a mother ship/catcher vessel endorsement, or a catcher/processor endorsement, including pre-filled applications, must be completed and returned (postmarked or hand-delivered) to NOAA Fisheries by Nov. 1, 2010, at 5 p.m. Pacific daylight time.

For more information: <http://tinyurl.com/3yh63e5>

Pacific Fishery Management Council Meeting

Dates: November 3-9, 2010

Location: Hilton Orange County/Costa Mesa

Contact: Don McIsaac (donald.mcisaac@noaa.gov)

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Pacific Council News
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