

CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Pacific Fishery Management Council (Council) has been considering the need for additional protective measures for unexploited forage species, such as some herrings, smelts, silversides, Pacific sandlance, Pacific saury, and a host of mesopelagic species (myctophidae, bathylagidae, etc.). The Council has not yet determined that additional protections are warranted, but the Council and its Ecosystem Plan Development Team (EPDT), have conducted preliminary reviews of which species within the West Coast Exclusive Economic Zone could be considered unmanaged by either Federal or state processes.

In June 2011, the Council took action on the question of regulatory authority in the development of a new Fishery Ecosystem Plan (FEP). This decision point dealt with whether the Council's ecosystem plan would have regulatory components to address spatial management (cross-species MPAs, such as has occurred in the Channel Islands National Marine Sanctuary) or species (including forage species) not covered under the existing Fishery Management Plans (FMPs). The Council chose not to include a regulatory component initially, and moved to develop an ecosystem plan that is primarily advisory in nature with the potential for expanding the plan to include regulatory authority in the future. Further, the Council moved to continue to manage stocks and fisheries through existing Council-adopted FMPs; additional management measures for forage fish species, if any, would be considered through the Coastal Pelagic Species FMP, as the Council deems appropriate. However, the Council tasked the EPDT with developing a list of species that are not currently included in any FMP, that are not under State management, are not listed under the ESA, and which could be the target of future fishery exploitation.

In response, the EPDT provided a report to the Council in November 2011 (November 2011 Agenda Item H.2.a. Attachment 1, Appendix A, http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf) that was intended to help the Council to identify important unmanaged forage species, identify the potential for fisheries to develop on those species, and consider how protections for unmanaged species could be implemented. The Council discussed a variety of options and tasked the EPDT with exploring in greater detail the regulatory authorities and management mechanisms available to the Council (Agenda Item G.1.b, EPDT Report).

As a result of public comment regarding potential ambiguity in whether further protection is to be explored as a CSP FMP agenda item or within development of the FEP, and if or when such activity was scheduled, the Council scheduled this agenda item to clarify intent and process. This is an administrative matter and the Council will not be taking any fishery management or regulatory action under this agenda item. At this meeting, the Council is tasked with reviewing the EPDT report, which details four general alternatives on the potential protection or regulation of unfished species, and providing guidance on the need for future Council action. The Council will likely consider its overall workload as reviewed under Agenda Item G.7 when determining the most appropriate course of action on this matter.

Council Action:

- 1. Provide Guidance on Mechanisms for Potential Future Council Management, if Appropriate.**

Reference Materials:

1. Agenda Item G.1.b, EPDT Report.
2. Agenda Item G.1.c, Public Comment.

Agenda Order:

- a. Agenda Item Overview
 - b. Reports and Comments of Advisory Bodies and Management Entities
 - c. Public Comment
 - d. **Council Action:** Provide Guidance on Mechanisms for Potential Future Council Management, if Appropriate
- Mike Burner

PFMC

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ECOSYSTEM PLAN DEVELOPMENT TEAM REPORT ON AUTHORITIES TO PROTECT
UNFISHED SPECIES FROM FUTURE DIRECTED FISHERIES

In November 2011, and again in April 2012, the Council requested that the Ecosystem Plan Development Team (EPDT) provide the Council with a report describing and analyzing the various possible regulatory authorities or mechanisms available to prohibit fishing for, or otherwise protect unfished species. The EPDT discussed this issue at its April 12, 2012 meeting in Seattle, WA. At that meeting, the EPDT identified eight different options for using authorities to partially or wholly restricting fishing for unfished species. Those authorities may be divided into four major categories:

(A) Existing tools available to the Council – using the Federal List of Authorized Fisheries and Gear

Option 1: Recommend that NMFS Update and Revise the Federal List of Fisheries and Gear permitted within the PFMC management area, the U.S. Exclusive Economic Zone (EEZ) off the coasts of Washington, Oregon, and California

Option 2: Recommend that NMFS Update and Revise the Federal List of Fisheries and Gear permitted within the PFMC management area, the U.S. EEZ off the coasts of Washington, Oregon, and California. **ALSO**, describe in the Fishery Ecosystem Plan (FEP) the standards that the Council would use in assessing whether a proposed new fishery could compromise its conservation and management measures within the West Coast EEZ

(B) Using FMP amendments to add species to fishery management plans (FMPs)

Option 3: Use FMP amendment process to add new fishery management unit (FMU) species to one of the Council's current FMPs

Option 4: Use FMP amendment process to add new ecosystem component (EC) species to one of the Council's current FMPs

Option 5: Use FMP amendment process to identify potential adverse effects on EFH as those that might result in the loss of certain prey of FMP species

(C) Developing a new Ecosystem FMP

Option 6: Shift ongoing FEP development process to an Ecosystem FMP development process.

(D) Authorities available to entities outside of or ancillary to the Council process

Option 7: Consult with the five West Coast National Marine Sanctuaries to assess whether the sanctuaries would consider prohibiting harvest of unfished fish species under National Marine Sanctuary Act authority.

Option 8: Consult with the three West Coast states to assess their willingness to use state processes to: restrict or prohibit fishing for unfished species by state license holders; restrict or prohibit the landings of forage fish into the states, or the processing of landings into certain products (e.g., reduction to fish meal.)

Table 2, at the end of this document, provides the general scope of the Council and NOAA review and regulatory processes needed to implement these options.

(A) EXISTING REGULATORY TOOLS AVAILABLE TO THE COUNCIL TO REGULATE UNFISHED SPECIES

Options 1 and 2 in this section do not require amending an existing FMP, nor do they require the initiation of a new FMP. Both options are available to the Council under its existing authorities.

Option 1: *Recommend that NMFS Update and Revise the Federal List of Fisheries and Gear permitted within the PFMC management area, the U.S. EEZ off the coasts of Washington, Oregon, and California.*

Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) at §305(a), the Secretary of Commerce (via NMFS) is required to maintain a list of all fisheries and fishing gear under the authority of each Council. No person or vessel is permitted to “employ fishing gear or engage in a fishery not included on such list without giving 90 days advance written notice to the appropriate Council...” The list of fisheries essentially prohibits anyone from developing a new fishery without first providing a review opportunity to the appropriate Council. Fisheries not on the list are not prohibited altogether, but Councils may use the 90-day period to comment on, develop a regulatory plan for, or recommend that NMFS prohibit the proposed fishery as appropriate.

The federal list of allowable fisheries and gear is found in Federal regulations at 50 CFR 600.725(v). The list for the West Coast EEZ has not been amended since 1999 and is fairly liberal, naming not only those fisheries that were in place at the list’s creation, but also providing generally for unspecified recreational fisheries (spear, trap, handline, pot, hook and line, rod and reel, hand harvest gears) and unspecified commercial fisheries (trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear). The list does not in itself regulate any fishery or supersede any other federal, state, or tribal regulations that otherwise prohibit or constrain participation in any of the fisheries on the list.

A person wishing to begin a new fishery that is not listed in 50 CFR 600.725 must first notify the relevant fishery management council or its Director. If the council or its Director receives a complete notification, then “a signed return receipt for the notice serves as adequate evidence of the date that the notification was received by the appropriate Council or the Director, in the case of Atlantic highly migratory species, and establishes the beginning of the 90-day notification period, unless required information in the notification is incomplete” (50 CFR 600.747(c)(2)(i)). Under 50 CFR 600.747(c)(2), the 90-day notification period will be delayed if a complete notification is not received. Complete notification must include:

- (A) Name, address, and telephone number of the person submitting the notification.
- (B) Description of the gear.
- (C) The fishery or fisheries in which the gear is or will be used.
- (D) A diagram and/or photograph of the gear, as well as any specifications and dimensions necessary to define the gear.
- (E) The season(s) in which the gear will be fished.
- (F) The area(s) in which the gear will be fished.
- (G) The anticipated bycatch species associated with the gear, including protected species, such as marine mammals, sea turtles, sea birds, or species listed as endangered or threatened under the ESA.
- (H) How the gear will be deployed and fished, including the portions of the marine environment where the gear will be deployed (surface, midwater, and bottom).

If the notification is complete and the Council finds that the use of the new gear or participation in a new fishery “would not compromise the effectiveness of conservation and management efforts, it shall: (1) Recommend to the [applicable] Regional Administrator that the list [of authorized fisheries and gear] be

amended; (2) Provide rationale and supporting analysis, as necessary, for proper consideration of the proposed amendment; and (3) provide a draft proposed rule for notifying the public of the proposed addition with a request for comment” (50 CFR 600.747(c)(3)(B)).

If the notification is complete and the Council finds that “the proposed gear or fishery will be detrimental to conservation and management efforts, it will recommend to the RA [Regional Administrator] that the authorized list of fisheries and gear not be amended, that a proposed rule not be published, give reasons for its recommendation of a disapproval, and may request NMFS to publish emergency or interim regulations, and begin preparation of an FMP or amendment to an FMP, if appropriate” (50 CFR 600.747(c)(3)(C)). After considering the notification and Council's recommendation, “NMFS will decide whether to publish a proposed rule. If information on the new gear or fishery being considered indicates it is likely that it will compromise conservation and management efforts under the Magnuson-Stevens Act, and no additional new information is likely to be gained from a public comment period, then a proposed rule will not be published and NMFS will notify the appropriate Council. In such an instance, NMFS will publish emergency or interim regulations to prohibit or restrict use of the gear or participation in the fishery” (50 CFR 600.747(c)(3)(D)).

In summary, introducing a new fishery to an EEZ is essentially a multi-step decision-making process: the interested party first notifies the Council of an intent to fish and provides supporting evidence for the anticipated effects of the fishery; the Council assesses that evidence and decides whether to support or prevent the initiation of the fishery, and makes recommendations to that effect to NMFS; NMFS assesses the evidence and the Council's recommendations and decides whether to formalize the Council's recommendation via federal regulation.

Option 2: Recommend that NMFS Update and Revise the Federal List of Fisheries and Gear permitted within the PFM management area, the U.S. EEZ off the coasts of Washington, Oregon, and California. ALSO, describe in the FEP the standards that the Council would use in assessing whether the likelihood that a proposed new fishery could compromise its conservation and management measures within the West Coast EEZ.

Under this option, the Council would recommend that NMFS update and revise the list of fisheries and gear, and would also use the FEP to describe its priorities for reviewing notifications of any new fisheries. This option would provide unfished species with an additional layer of protection by establishing a record of the issues that the Council intends to consider when reviewing a potential new fishery for whether it could compromise the Council's conservation and management measures. This option would also inform potential applicants of the standards and guidelines under which the Council would consider new fisheries. FEP language to limit fisheries expansion should be linked to MSA and regulatory requirements. For example, text similar to the following could be included in the FEP at Chapter 4, *Uncertainties of Environmental and Human-Induced Impacts to the Marine Environment*:

Pursuant to Title II of the MSA, there is no allowable level of foreign fishing for species currently unfished within the U.S. West Coast EEZ. Fishing vessels and fish processors of the U.S. have the capacity to harvest and process up to and beyond the level of optimum yield of all species subject to PFM FMPs.

U.S. citizens wishing to initiate new fisheries for West Coast EEZ species that are not subject to PFM FMPs, nor explicitly permitted by the list of fisheries described in the MSA at 16 U.S.C. §1855 and in federal regulations at 50 CFR 600.725(v), are urged to approach the Council with an application for an Exempted Fishing Permit (EFP,) accompanied by a science plan for that EFP fishery, describing the data to be collected by the EFP fishery and the likely analyses needed to assess the potential effects of

converting the fishery to an FMP over the long-term. EFP fishery data and analyses should, at a minimum, assess: the amount and type of bycatch species associated with the EFP gear, including protected species, such as marine mammals, sea turtles, sea birds, or species listed as endangered or threatened under the ESA; how the gear will be deployed and fished, and its potential effects on EFH, including the portions of the marine environment where the gear will be deployed (surface, midwater, and bottom). The Council and its advisory bodies will review the results of the EFP to assess whether the information provided is adequate to determine the potential effects of the fishery on the Council's conservation and management measures. Depending on the quality of information received, and on the potential effects of the fishery on the Council's conservation and management measures, the Council will either reissue the EFP, or discontinue the EFP and initiate development of an FMP or FMP amendment process to either prohibit the new fishery from the EEZ, or introduce the new fishery to the EEZ.

U.S. citizens wishing to bypass the EFP process to initiate new fisheries for West Coast EEZ species that are not subject to PFMF FMPs, nor explicitly permitted by the list of fisheries described in the MSA at 16 U.S.C. §1855 and in federal regulations at 50 CFR 600.725, may do so by following the Council notification process described at 50 CFR 600.747. However, that notification is required to be reviewed by the Council and NMFS for the potential effects of new fisheries on the Council's conservation and management measures for, at a minimum, FMP species, protected species, and for the habitat of managed and protected species. A review conducted in the absence of the scientific data that could be provided by an EFP would be necessarily precautionary.

Whether introduced via the EFP process, or via the notification process at 50 CFR 600.747, the Council would view new fisheries as having the potential to affect its conservation and management measures if those fisheries had an effect on:

- Any Council-managed species;
- Species that are the prey of any: Council-managed species, marine mammal species, seabird species, sea turtle species, or other species or stock listed as threatened or endangered under the Endangered Species Act;
- Habitat that is identified as EFH or otherwise protected within one of the Council's FMPs, critical habitat identified or protected under the ESA, or habitat managed or protected by state or tribal fishery or habitat management programs;
- Species that are subject to state or tribal management within 0-3 miles offshore of Washington, Oregon, or California;
- Species that migrate beyond the U.S. EEZ.

Under Options 1 and 2, the list of authorized West Coast EEZ fisheries and gear would be amended and updated through the federal rulemaking process. Table 1 provides the current list of authorized fisheries and gear under 50 CFR 600.725(v) for the U.S. West Coast EEZ, with suggested removals shown in ~~strikeout text~~, and suggested revisions shown in *italic text*.

Table 1: Authorized West Coast EEZ Fisheries and Gear	
Fishery	Authorized gear types
1. Washington, Oregon, and California Salmon Fisheries (FMP):	
A. Salmon set gillnet fishery—Commercial fishery	A. Gillnet
B. Salmon hook and line fishery—Coastwide	B. Hook and line (**Federal definition for “Hook and line” gear is broad enough to include the array of horizontal and vertical, and stationary and mobile hook and line gear used in West Coast commercial

Table 1: Authorized West Coast EEZ Fisheries and Gear	
Fishery	Authorized gear types
	and recreational fisheries: “one or more hooks attached to one or more lines (can include a troll.)”)
C. Trawl fishery East of Cape Flattery (**Fraser Panel fisheries**)	C. Trawl Gillnet, purse seine, reef net, hook and line
D. Recreational fishery	D. Rod and reel Hook and line
2. West Coast Groundfish Fisheries (FMP):	
A. Pacific coast groundfish trawl Commercial fishery	A. Trawl, Hook and line, pot, trap, gillnet
B. Set gillnet fishery	B. Gillnet
C. Groundfish longline and setline fishery	C. Longline
D. Groundfish handline and hook and line fishery	D. Handline, hook and line
E. Groundfish pot and trap fishery	E. Pot, trap
F. Recreational fishery	F. Rod and reel, handline, spear, hook and line
3. Northern Anchovy Fishery Coastal Pelagic Species (FMP)	Purse seine, drum seine, lampara net
4. Angel Shark, White Croaker, California Halibut, White Sea Bass, Pacific Mackerel Large-Mesh Set Net Fishery (Non-FMP)	Gillnet
5. Thresher Shark and Swordfish Drift Gillnet Fishery (Non-FMP)	Gillnet
5. Highly Migratory Species (FMP)	Gillnet, hook and line, troll, harpoon, purse seine
6. Pacific Shrimp and Prawn Fishery (Non-FMP):	
A. Pot and trap fishery	A. Pot, trap
B. Trawl fishery	B. Trawl
7. Lobster and Rock Crab Pot and Trap Fishery (Non-FMP)	Pot, trap
8. Pacific Halibut Fishery (Non-FMP):	
A. Longline and setline fishery Commercial	Longline
B. Hook and line fishery Recreational	Hook and line
9. California Halibut Trawl and Trammel Net Fishery	Trawl, trammel net
10. Shark and Bonito Longline and Setline Fishery (Non-FMP)	Longline
11. Dungeness Crab Pot and Trap Fishery (Non-FMP)	Pot, trap
12. Hagfish Pot and Trap Fishery (Non-FMP)	Pot, trap
13. Pacific Albacore and Other Tuna Hook and line Fishery (Non-FMP)	Hook and line
14. Pacific Swordfish Harpoon Fishery (Non-FMP)	Harpoon
15. Pacific Scallop Dredge Fishery (Non-FMP)	Dredge
16. Pacific Yellowfin, Skipjack Tuna, Purse Seine Fishery (Non-FMP)	Purse seine
17. Market Squid Fishery (Non-FMP)	Purse seine, dip net
18. Pacific Sardine, Pacific Mackerel, Pacific Saury, Pacific Bonito, and Jack Mackerel Purse Seine Fishery (Non-FMP)	Purse seine
19. Finfish and Shellfish Live Trap, Hook-and-line, and Handline Fishery (Non-FMP)	Trap, handline, hook and line
20. Recreational Fishery (Non-FMP)	Spear, trap, handline, pot, hook and line, rod and reel, hand harvest
21. Commercial Fishery (Non-FMP)	Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear

(B) USING FMP AMENDMENTS TO ADD SPECIES TO FMPs AS FMU OR EC SPECIES, OR AS EFH

Options 3, 4, and 5 all address amending one or more of the Council's FMPs, to be accompanied by the FMP amendment process and analysis required by the MSA and other applicable laws. Although any of these options could be exercised for one of the Council's four FMPs, the Council might also consider a comprehensive amendment, in the style of the South Atlantic and other fishery management councils. The South Atlantic Fishery Management Council (SAFMC) uses its FEP to discuss issues that simultaneously affect species within all or several of its FMPs, and then develops a comprehensive amendment from those FEP-based discussions to simultaneously revise the appropriate sections of its different FMPs. For example, if the Council wished to use Option 3 to add new FMU species to an FMP, yet the species to be added did not all fit appropriately into the same FMP, a comprehensive amendment process would allow the Council to add new species to different FMPs through the same discussion and analysis process, and through a combined rulemaking process to address each of the relevant FMPs.

Federal regulations at 50 CFR §600.310(d) explain, "MSA §302(a)(2) requires that an FMP contain, among other things, a description of the species of fish involved in the fishery. The relevant Council determines which specific target stocks and/or non-target stocks to include in the fishery... [A] Council may, but is not required to, use an 'ecosystem component (EC)' species classification. As a default, all stocks in an FMP are considered to be 'in the fishery,' unless they are identified as EC species through an FMP amendment process." For those species for which it has been determined that management measures are necessary, Option 3 deals with those species classified as "in the fishery" and Option 4 describes the process for those species able to be classified as EC species.

Option 3: Use FMP amendment process to add new FMU species to one of the Council's current FMPs.

Under the MSA, the term "fishery" means: "(A) one or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and (B) any fishing for such stocks."

Federal regulations at 50 CFR 600.10 define the term "fishery management unit" to mean: "a fishery or that portion of a fishery identified in an FMP relevant to the FMP's management objectives. The choice of an FMU depends on the focus of the FMP's objectives, and may be organized around biological, geographic, economic, technical, social, or ecological perspectives."

Fish stocks that are classified as FMU species are considered to be in the fishery, whether as target or non-target species. Federal regulations at 50 CFR 600.310(d)(3) and (4) provide the following definitions for "target stocks" and "non-target species," both of which are considered FMU species:

"Target stocks" are stocks that fishers seek to catch for sale or personal use, including "economic discards" as defined under Magnuson-Stevens Act section 3(9).

"Non-target species" and *"non-target stocks"* are fish caught incidentally during the pursuit of target stocks in a fishery, including "regulatory discards" as defined under Magnuson-Stevens Act section 3(38). They may or may not be retained for sale or personal use. Non-target species may be included in a fishery and, if so, they should be identified at the stock level. Some non-target species may be identified in an FMP as ecosystem component (EC) species or stocks.

After the MSA's 2007 reauthorization, the Council developed FMP amendments for all of its FMPs to address the 2009 revisions to the National Standard 1 Guidelines at 50 CFR 600.310, including Amendment 13 to its CPS FMP. Among other issues, Amendment 13 to the CPS FMP explicitly

considered whether to continue to classify krill, an unfished and non-target species, as an FMU species, or whether to classify it as an EC species. The Council recommended, and NMFS approved, continuing to classify krill as a species that is “in the fishery,” citing as rationale language from the preamble to the final rule implementing National Standard 1 guidelines (74 FR 3178, January 16, 2009.)

“If a stock contains one of the ‘in the fishery’ characteristics, then it belongs ‘in the fishery’, regardless of the management tools that will be applied to it (e.g., prohibition, bag limits, quotas, seasons, etc.). Also, if the intent is to prohibit directed fishing and retention throughout the exclusive economic zone (EEZ) for which a Council has jurisdiction, then the stock would, most likely, be identified in an FMP as ‘in the fishery’ rather than as an ecosystem component of one particular FMP.”

The Council has experience with the process of prohibiting (e.g. Amendment 12 to move krill into the CPS FMP) or significantly restricting (e.g. shortbelly rockfish) fisheries for FMU species. Adding a new FMU species to an FMP requires an FMP amendment process that would include the development of MSA-required harvest and habitat reference points for the new FMU species.

Option 4: *Use FMP amendment process to add new EC species to one (or more) of the Council’s current FMPs.*

At 50 CFR 600.310(d)(5), federal regulations provide details on classifying species as EC species, saying that those species should:

- (A) Be a non-target species or non-target stock;
- (B) Not be determined to be subject to overfishing, approaching overfished, or overfished;
- (C) Not likely to become subject to overfishing or overfished, according to the best available information, in the absence of conservation and management measures; and
- (D) Not generally be retained for sale or personal use.

Those same regulations provide further guidance, stating “Occasional retention of [a] species would not, in and of itself, preclude consideration of the species under the EC classification . . . EC species may be identified at the species or stock level, and may be grouped into complexes. EC species may, but are not required to, be included in an FMP or FMP amendment for any of the following reasons: For data collection purposes; for ecosystem considerations related to specification of OY for the associated fishery; as considerations in the development of conservation and management measures for the associated fishery; and/or to address other ecosystem issues. While EC species are not considered to be ‘in the fishery,’ a Council should consider measures for the fishery to minimize bycatch and bycatch mortality of EC species consistent with National Standard 9, and to protect their associated role in the ecosystem. EC species do not require specification of reference points but should be monitored to the extent that any new pertinent scientific information becomes available (e.g., catch trends, vulnerability, etc.) to determine changes in their status or their vulnerability to the fishery. If necessary, they should be reclassified as ‘in the fishery’.”

The Council has addressed EC species designations in its FMP amendment processes to implement the 2007 MSA requirements for annual catch limits (ACLs) and accountability measures (AMs) for FMP species. Among other things, Amendment 13 to the CPS FMP added Pacific herring (*Clupea pallasii*) and jacksmelt (*Atherinopsis californiensis*) to the FMP and classified them as EC species with the intent of monitoring the catch of those species and report landings in the annual Stock Assessment and Fishery Evaluation report. The EA for Amendment 13 explains that the Council’s primary rationale for adding these species as EC species was to monitor and minimize bycatch mortality of non-target species. Similarly, Amendment 2 to the HMS FMP reclassified bigeye thresher shark (*Alopias superciliosus*) and

pelagic thresher shark (*A. pelagicus*,) which were previously FMU species, as EC species. Only minor levels of West Coast commercial and recreational catch have been reported for these species since the FMP was implemented, although the frequency of their appearance within the CCE tends to increase during El Niño warming periods. Similar to the use of the EC species category in the CPS FMP, bigeye and pelagic thresher shark were designated as EC species to monitor their catch levels over time for periodic assessments whether these species need to be considered in the fishery. Neither the Salmon nor Groundfish FMPs have any designated EC species. For those FMPs, there were no species that both met the National Standard 1 EC classification requirements and which the Council felt were acceptable to remove from the harvest parameter-setting requirements for FMU species.

The Council's approach to classifying EC species in its FMPs is consistent with how other fishery management councils have approached EC classifications. Most councils have either not designated EC species, or have designated EC species that have close taxonomic relations to FMU species. For example, the North Pacific Fishery Management Council (NPFMC) has classified several scallop species as EC species within its Scallop FMP, via Amendment 13 to that plan. As with the Pacific Council's CPS and HMS FMPs, the EC species in the Scallop FMP will be monitored to ensure that they remain untargeted and to ensure that any incidental catch that may occur does not affect the sustainability of the stocks.¹ The SAFMC recently completed a Comprehensive Annual Catch Limit Amendment that simultaneously amended several of the FMPs to address a variety of issues, including amending the South Atlantic Snapper-Grouper FMP to classify six snapper-grouper species as EC species. The SAFMC's EC species classification process assessed its list of FMP species against federal regulations for designating EC species at 50 CFR §600.310(d)(5), seeking species that are not targeted, not subject to overfishing, or likely to be subject to overfishing in the absence of conservation and management measures, and not generally retained for sale or personal use. Similar to the NPFMC's Scallop FMP, fishing for Snapper-Grouper EC species is not expressly prohibited. Any future landings will be monitored for their effect on the stocks and to determine whether the EC species need to be re-classified as target species.²

In two notable cases, the NPFMC has classified large groups of EC species that do not have close taxonomic associations with FMU species. In 1998, the NPFMC first defined forage fish species categories within Amendment 36 to its FMP for Groundfish of the Bering Sea and Aleutian Islands and Amendment 39 to its FMP for Groundfish of the Gulf of Alaska. The NPFMC chose its groups of forage fish species based on data from the groundfish trawl fisheries, where lower trophic level species were occurring as minimal bycatch. The FMPs prohibited directed fishing for the forage species categories and restricted the fisheries to minimal levels of bycatch for these species.

The NPFMC Groundfish FMPs were updated via more recent amendments to comply with new requirements to establish annual catch limits and comply with National Standard 1 guidelines (Amendments 95 and 96 for the Bering Sea and Aleutian Islands, and Amendment 87 for the Gulf of Alaska FMPs). The FMPs now separate the "species or species groups [that] are likely to be taken in the groundfish fishery" into three categories: target species, prohibited species, forage fish species, with the latter two categories together representing the EC species of the FMPs. For illustration purposes, a portion of Section 3.1.2 of the Gulf of Alaska Groundfish FMP is excerpted here:

¹ North Pacific Fishery Management Council. September 2011. Environmental Assessment for Proposed Amendment 13 to the Fishery Management Plan for the Scallop Fishery off Alaska. (<http://www.fakr.noaa.gov/sustainablefisheries/amds/13/amd13ea0911.pdf>)

² South Atlantic Fishery Management Council. October 2011. Comprehensive Annual Catch Limit (ACL) Amendment for the South Atlantic Region. (<http://www.safmc.net/LinkClick.aspx?fileticket=OLK4OjG54Vs%3d&tabid=415>)

1. *In the Fishery:*
 - a) *Target species* – are those species that support a single species or mixed species target fishery, are commercially important, and for which a sufficient data base exists that allows each to be managed on its own biological merits. Accordingly, a specific total allowable catch (TAC) is established annually for each target species or species assemblage. Catch of each species must be recorded and reported. This category includes walleye pollock, Pacific cod, sablefish, shallow and deep water flatfish, rex sole, flathead sole, arrowtooth flounder, Pacific ocean perch, shortraker/rougheye rockfish, northern rockfish, “other slope” rockfish, pelagic shelf rockfish, demersal shelf rockfish, thornyhead rockfish, Atka mackerel, squid, sculpin, sharks, octopus, and skates.
2. *Ecosystem Component:*
 - a) *Prohibited Species* – are those species and species groups the catch of which must be avoided while fishing for groundfish, and which must be immediately returned to sea with a minimum of injury except when their retention is authorized by other applicable law (see also Prohibited Species Donation Program described in Section 3.6.1.1. Groundfish species and species groups under the FMP for which the quotas have been achieved shall be treated in the same manner as prohibited species.
 - b) *Forage fish species* – are those species listed in Table 3-1, which are a critical food source for many marine mammal, seabird and fish species. The forage fish species category is established to allow for the management of these species in a manner that prevents the development of a commercial directed fishery for forage fish. Management measures for this species category will be specified in regulations and may include such measures as prohibitions on directed fishing, limitations on allowable bycatch retention amounts, or limitations on the sale, barter, trade or any other commercial exchange, as well as the processing of forage fish in a commercial processing facility.³

The species within both of the NPFMC Groundfish FMPs’ forage fish species categories are:

- Osmeridae family (eulachon, capelin, and other smelts)
- Myctophidae family (lanternfishes)
- Bathylagidae family (deep-sea smelts)
- Ammodytidae family (Pacific sand lance)
- Trichodontidae family (Pacific sand fish)
- Pholidae family (gunnels)
- Stichaeidae family (pricklebacks, warbonnets, eelblennys, cockscombs, and shannys)
- Gonostomatidae family (bristlemouths, lightfishes, and anglemouths)
- Order Euphausiacea (krill)

The NPFMC does not establish annual harvest limits for its forage fish species and both FMPs state that there is insufficient information to provide EFH descriptions for forage fish species. Under federal regulations at 50 CFR 679.20(i)(3): “directed fishing for forage fish is prohibited within the Bering Sea, Aleutian Islands, and Gulf of Alaska; the sale, barter, trade, or processing of forage fish is prohibited except as fishmeal; and, retained catch of forage fish not exceeding maximum retainable bycatch amounts set in Federal regulations at 50 CFR 679, Table 10 may be processed into fishmeal for sale, barter, or trade.” NMFS’s Alaska Fisheries Science Center reports on the life histories of and data available on the FMP forage fish species, but does not have adequate data to conduct stock assessments for these species groups.⁴

³ North Pacific Fishery Management Council. December 2011. Fishery Management Plan for Groundfish in the Gulf of Alaska. (<http://www.fakr.noaa.gov/npfmc/PDFdocuments/fmp/GOA/GOA.pdf>.)

⁴ Ormseth, O. A. December 2011. Forage fishes in the Gulf of Alaska. In: NPFMC Gulf of Alaska Stock Assessment and Fishery Evaluation Report (<http://www.afsc.noaa.gov/REFM/docs/2011/GOAforage.pdf>). Ormseth, O.A., L.

For the NPFMC, the link between its groups of forage fish species and its Groundfish FMPs was that these forage fish species were being taken at minimal bycatch levels within their groundfish fisheries. To develop a similar list of forage fish as EC species for one or more of its FMPs, the Pacific Council might request that NMFS and the states review catch and landings data to assess which forage fish species or species groups might reasonably be considered bycatch within West Coast fisheries. Although EC species do not necessarily need to be bycatch species, there does need to be some nexus between an EC species or species group and the FMP that is used to regulate that species or species group. Assessing the need to minimize bycatch of EC species is one of the key reasons fishery management councils give for designating an EC species, but as described above, Federal regulations provide other potential reasons for identifying a species as an EC species.

In addition to its classification of previously FMU forage fish species of the Bering Sea, Aleutian Islands, and Gulf of Alaska as EC species within its Groundfish FMPs, the NPFMC also designated three broad categories of species as EC species within its Arctic FMP:⁵

- All finfish other than Arctic cod and saffron cod;
- All marine invertebrates other than snow crab;
- All other forms of marine animals and plant life.

The Arctic FMP designates Arctic cod, saffron cod, and snow crab as its FMU species, and the FMP's implementing regulations set OYs for these species at zero metric tons.⁶ The effect of the Arctic FMP is to prohibit all non-subsistence commercial fishing for species under the Council's authority, until and unless the best available scientific information indicates that such fishing could meet the FMPs precautionary and ecosystem-based management principles. The Arctic FMP also expressly prohibits commercial fishing for forage fish within the Arctic Management Area, with "forage fish" defined as "prey for other marine ecosystem fauna including fish, birds, and marine mammals."

While the Arctic FMP's use of the EC species designation is intriguing, the fishing and fisheries management history of the CCE is notably different from that of the U.S. Arctic EEZ, which has only recently been subject to significant enough declines in summer sea ice cover to warrant concerns about the potential development of commercial fisheries. The CCE has a long history of commercial, recreational, and subsistence fisheries, and information about CCE marine life is relatively data-rich compared to that for the U.S. Arctic EEZ. For these reasons, the Arctic FMP's approach to EC species is probably not as informative an example as the NPFMC's groundfish FMPs of how the EC species designation might be used for CCE fisheries.

Option 5: Use FMP amendment process to identify potential adverse effects on EFH as those that might result in the loss of certain prey of FMP species.

Under Federal regulations to implement the MSA's requirements for EFH at 50 CFR 600.815(a)(7),

Connors, M. Guttormsen, and J. Vollenweider. December 2008. Forage Fishes in the Gulf of Alaska. *In*: NPFMC Gulf of Alaska Stock Assessment and Fishery Evaluation Report (<http://www.afsc.noaa.gov/refm/docs/2008/GOAforage.pdf>).

⁵ North Pacific Fishery Management Council. August 2009. Fishery Management Plan for Fish Resources of the Arctic Management Area. (<http://www.fakr.noaa.gov/npfmc/PDFdocuments/fmp/Arctic/ArcticFMP.pdf>)

⁶ The Arctic FMP does not apply to Pacific salmon and Pacific halibut, both of which are regulated under different authorities.

“Loss of prey may be an adverse effect on EFH and managed species because the presence of prey makes waters and substrate function as feeding habitat, and the definition of EFH includes waters and substrate necessary to fish for feeding. Therefore, actions that reduce the availability of a major prey species, either through direct harm or capture, or through adverse impacts to the prey species' habitat that are known to cause a reduction in the population of the prey species, may be considered adverse effects on EFH if such actions reduce the quality of EFH. FMPs should list the major prey species for the species in the fishery management unit and discuss the location of prey species' habitat. Adverse effects on prey species and their habitats may result from fishing and non-fishing activities.” In other words, the prey themselves are not considered habitat, but are considered a component of EFH, similar to temperature, water quality, or sediment type. Prey species are considered a component of EFH because the loss of prey species within EFH may affect the ability of a managed species to use that EFH as feeding habitat – just as, for example, significant shifts in water quality may affect the ability of a managed species to use an EFH area as feeding habitat.

Under 50 CFR 600.815(a)(2)(iv)(C), options for managing the adverse effects from fishing on EFH include setting “. . . limits on the take of prey species.” One of the difficulties in relying solely on the EFH regulations to prohibit fishing for currently unfished species is that, while Federal regulations require Councils to act to “prevent, mitigate, or minimize any adverse effects from fishing, to the extent practicable,” Councils are only *required* to do so “if there is evidence that a fishing activity may adversely affect EFH in a manner that is more than minimal and not temporary in nature, based on [evaluations under MSA]” 50 CFR 600.815(a)(2)(ii). Councils may take precautionary actions, but such actions would be better supported in the record if the accompanying analysis could establish the likelihood of an adverse effect that would be either more than minimal, not temporary in nature, or both. To use Option 5, the Council would, at a minimum, need to clearly identify:

- The particular species or species groups intended for protection from future fisheries evidence of their roles as prey of species already within an FMP;
- How some future fishery on the currently unfished species could adversely affect EFH, with attention to how that potential future fishery could have an effect that is more than minimal, not temporary in nature, or meet both of those qualifications.

Depending on the availability of food habits data for Council-managed species, many lower trophic level CCE species could probably be identified as the prey of one or more FMP species. It may be difficult, however, to support the assertion that a future fishery on an unfished prey species is imminently likely, and that the effects of that fishery on FMU species would be more than minimal and not temporary in nature. If a new fishery were to emerge in the EEZ for a currently unfished species, that fishery would still be subject to all of the restrictions of the MSA. The question might then be: If a new fishery emerges for a currently unfished prey species, would allowing harvest of that prey species at its OY level affect current FMU species in a manner that is more than minimal and/or not temporary in nature?

Assuming the required scientific information could be developed for the two points, above, prohibitions for fishing on prey species could be developed through the FMP amendment and implementation process. Unfished prey species would be identified as components of EFH in one or more FMPs via FMP amendment, and implementing regulations for the FMP amendment(s) could include prohibitions on harvest of the identified prey species. The EPDT has reviewed other fishery management council processes nationwide, and has not found any council using EFH-based prohibitions on the take of unfished, unmanaged prey species.

Note on Combining Options 4 & 5: Alone, both Options 4 and 5 are weaker than Option 3, regulating fisheries for a species or species group through bringing that species or species group into an FMU. However, the rationale for regulating an unfished species or species group would be strengthened if that

species or species group could both: be identified as the prey of a current FMU species, and meet the requirements for classification as an EC species. The FMP amendment and regulatory implementation process would still follow that described for Option 4, but would have the additional scientific support and rationale provided by identifying the protected species as prey (as would be necessary for Option 5).

(C) DEVELOPING A NEW FMP

Option 6: *Shift ongoing FEP development process to an Ecosystem FMP development process.*

In June 2011, the Council decided to move forward with an advisory FEP, with the option for expanding that FEP to include future regulatory authority. The 2004 HMS FMP is the Council's most recently-developed new FMP. Should the Council wish to add a new Ecosystem FMP, much of the background discussion done to date for the FEP could also be used as background material for an Ecosystem FMP. At 16 U.S.C. 1853, the MSA details 15 required and 13 discretionary provisions for FMPs. Required FMP provisions are reproduced here:

CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853

(a) REQUIRED PROVISIONS.—Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall—

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are—

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify—

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, charter fishing, and fish processing in the fishery, including, but not limited to, information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, economic information necessary to meet the requirements of this Act, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting

because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and analyze the likely effects, if any, including the cumulative conservation, economic, and social impacts, of the conservation and management measures on, and possible mitigation measures for—

(A) participants in the fisheries and fishing communities affected by the plan or amendment;

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants; and

(C) the safety of human life at sea, including whether and to what extent such measures may affect the safety of participants in the fishery;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority—

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery, including its economic impact, and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors;

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate, taking into consideration the economic impact of the harvest restrictions or recovery benefits on the fishery participants in each sector, any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery and;

(15) establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability.

Since 2009, the Western Pacific Fishery Management Council (WPFMC) has managed its fisheries through FEPs that meet the MSA requirements for FMPs and manage fisheries with MSA-based regulatory authority. The WPFMC's FEPs reflect that council's efforts to reorganize its FMPs from its prior species-focused documents that applied to its geographically diverse areas of responsibility. Its

FEPs are place-based documents that are geographically-focused, yet diverse in the array of species and fisheries they manage. The Ecosystem FMP envisioned in this option would not be analogous to the WPFMC's FEPs, since the FMP of this option would not manage any active fisheries.

As discussed under Option 4, the NPFMC's Arctic FMP was essentially created for the purpose of preventing the unchecked growth of commercial fisheries within the recently-opened U.S. Arctic EEZ. That FMP uses three species that are commercially taken in other ecosystems as its anchoring FMU species, and then asserts management over all forms of marine animals and plant life not otherwise managed as FMU species, or through international management processes (salmon and Pacific halibut). If the Pacific Council wished to develop an Ecosystem FMP, it would need anchoring species data-rich and plausibly fishable enough to meet the MSAs required provisions for FMPs.

(D) AUTHORITIES AVAILABLE TO ENTITIES OUTSIDE OF OR ANCILLARY TO THE COUNCIL PROCESS

***Option 7:** Consult with the five West Coast National Marine Sanctuaries to assess whether the sanctuaries would consider prohibiting harvest of unfished fish species under the National Marine Sanctuary Act authority.*

There are five national marine sanctuaries off the U.S. West Coast, authorized and managed under the National Marine Sanctuaries Act (NMSA): Olympic Coast, Cordell Bank, Gulf of the Farallones, Monterey Bay, and Channel Islands National Marine Sanctuaries. The Council, NMFS and the West Coast sanctuaries have collaborated in the past to meet fishery management and sanctuary objectives by developing regulations to restrict or prohibit fishing activities within sanctuary waters in ways that meet the mandates of both the MSA and the NMSA – such as in designating groundfish EFH conservation areas within sanctuary boundaries or the ban of krill harvest in the West Coast EEZ.

If NOAA were to prohibit the future development of fisheries for currently unfished fish species within sanctuary boundaries, West Coast sanctuaries would do so in the context of the NMSA and authority to regulate and manage fishing activity, the terms of designation for a sanctuary, and the sanctuary management plans and review processes. Established NOAA protocols describe how NOAA administers the regulation of fishing in national marine sanctuaries⁷. These protocols consider fishing regulations under the MSA and NMSA, and the importance of having all relevant parties involved in the process. Such parties typically include Office of National Marine Sanctuaries, Sanctuary Advisory Councils, NMFS, Regional Fishery Management Councils (i.e. PFMF), federally recognized Indian Tribes, states, other federal agencies, and interested parties. The Office of National Marine Sanctuaries has the authority to issue general regulations for each sanctuary and the sanctuary system as a whole. These regulations can, among other things, specify the types of activities that can and cannot occur within a sanctuary (16 U.S.C. 1439).

Section 304(a)(5) (16 U.S.C 1434) of NMSA provides authority to issue fishing regulations as may be necessary to protect the resources and qualities for which individual sanctuaries were designated. Certain fishing activities could be regulated, if those regulations were determined necessary to protect sanctuary resources or qualities. The NMSA has specific requirements as to how any sanctuary fishing regulations are to be developed. Specifically, the NMSA requires NOAA to provide the relevant fishery management councils the opportunity to prepare draft sanctuary fishing regulations. If the fishery management council takes the opportunity to prepare draft regulations, it is to use the MSA's national standards (16 U.S.C.

⁷ NOAA's Regulation of Fishing in National Marine Sanctuaries. July 2008.
http://sanctuaries.noaa.gov/library/national/fishing_071708.pdf

1851) as guidance to the extent that those standards are consistent and compatible with the goals and objectives of the sanctuary.

Furthermore, NMSA section 304(a)(4) (16 U.S.C 1434) describes the designation process for each sanctuary, for which NOAA lists the activities that may be subject to regulation in the designation document and issues regulations addressing what activities will be regulated. Both the list of activities subject to regulation, as well as the regulations themselves can be amended as long as NOAA follows the legal and administrative processes (e.g., the NMSA, National Environmental Policy Act and Administrative Procedure Act) required. For any activity not included in a sanctuary's terms of designation, NOAA can amend the terms of designation, but must follow the same procedures by which the original designation was made. Those procedures include consulting with relevant federal and state agencies, and Congress, and providing opportunity for the public to give input. As indicated above, in cases where fishing is added to a sanctuary's terms of designation (as an activity subject to regulation), NOAA must also provide the relevant fishery management council the opportunity to draft such sanctuary fishing regulations.

In most cases of fishing regulations in West Coast sanctuaries, NOAA has used the MSA to meet its goals and objectives. In the case where fishing regulations have been promulgated under the NMSA, the Office of National Marine Sanctuaries has done so under the prescribed process of NMSA Section 304(a)(5). In the Channel Islands National Marine Sanctuary, for example, NOAA determined that the MSA did not have the specificity or record to regulate all fisheries within specific marine zones under Amendment 19 of the Groundfish FMP. Therefore, NOAA used NMSA authority to restrict or prohibit fishing activity in the water column within a network of Channel Islands National Marine Sanctuary marine protected areas. In doing so, NOAA amended the sanctuary's terms of designation to regulate fishing, but only within the newly designated MPAs.

If the sanctuaries were willing to address protection of unmanaged species under NMSA authorities, the financial burden of addressing the issue would be significantly reduced for the Council itself. For the states of Washington and California, the treaty tribes, and NOAA, however, many of the same resources that would be used to address unmanaged species management within the Council process would have to be dedicated to a sanctuary process. Several West Coast sanctuaries could consider addressing this issue for the Council during the revisions of their sanctuary management plans. The four California sanctuaries are scheduled for revision beginning in 2013. Olympic Coast National Marine Sanctuary recently finalized the revision of their management plan in 2011 and is not scheduled for a revision until 2016.

Option 8: Consult with the three West Coast states to assess their willingness to use state processes to: restrict or prohibit fishing for unfished species by state license holders; restrict or prohibit the landings of unfished fish into the states, or the processing of landings into certain products (e.g., reduction to fish meal).

The states hold broad authority to manage fish and wildlife by regulating areas and activities that fall under their jurisdiction. For marine fisheries, this jurisdiction typically extends to state waters, to the fishing activities of vessels and residents of the state, and to activities occurring within the state, including the landing, delivery, transport, and processing of fish.

State authority can be used to place a wide range of conditions on the time, place, and manner of fishing and fishing-related activities. These conditions can range from outright prohibitions on the harvest of certain species and use of specific fishing gears to more targeted limits on incidental catch and on the permissible uses of fish (e.g., human use vs. animal feed). Depending on the specific issue, the authority to enact new rules may rely with the state's legislative body, fish and wildlife/game commission, or state

fisheries management agency. For the issues considered here, authority could likely be addressed at the commission or agency level, although state legislatures could also step in and make new fisheries laws.

Addressing a coastwide issue through three state processes could have advantages and disadvantages. The main advantage is that states could address a particular issue in a manner that is largely consistent without being wholly uniform in approach. A potential disadvantage would be that three different processes would have to be engaged and those processes could end up with inconsistent results. Inconsistency in rules among the states may risk placing states at a disadvantage to one another by directing the benefits of a sustainable fishing opportunity to a particular state. At the same time, the states often issue state-specific rules in response to regulations issued through the Council process. On matters involving Federal management, state rules can be more restrictive yet cannot directly conflict with Federal rules. It would also be difficult for state rules to affect fishing activities that occur only in the EEZ and where fish are delivered to another state or country. Such activities may not be common and would seem unlikely to sustain large scale harvests, yet they are not unprecedented. Vessels do move between the U.S. West Coast and Alaska, and between waters off Canada, Mexico, and distant countries.

In general, fishing activities in Washington are prohibited unless authorized by rule. Oregon has taken the opposite approach and fishing activities must be explicitly regulated. Assessing what can and cannot be fished in Oregon would therefore require an assessment of what has already been prohibited. In Washington, that assessment would involve looking at the scope of fishing activities that are currently authorized. In California, recreational fisheries are prohibited unless authorized, however, commercial fisheries are allowed unless specifically regulated or prohibited. Assessments similar to those described for Washington or Oregon would also be needed to evaluate the possibility of a new fishery. Specifics for each state follow below.

Washington

The discussion that follows provides a general overview of Washington's laws and regulations governing commercial fishing. A specific assessment of the circumstances presented by a particular fishing activity, either proposed or existing, would be needed to determine whether or not that activity is allowable under current law. However, a general assessment of the issue explored in this report suggests that new fisheries of the type focused on in this document could not start and or deliver into Washington without changes to current state regulations.

Of note, Washington's coast is home to a number of Native American tribes with treaty-reserved fishing rights. Four tribes have treaty rights to fish in their usual and accustomed fishing areas off of Washington's Pacific coast: the Makah Nation, the Quileute Indian Tribe, the Hoh Indian Tribe, and the Quinault Indian Nation. The state and the tribes engage in co-management of shared fisheries in the states, yet the tribes manage their own fishing activities and the rules of the state do not generally apply to those activities. The treaty tribes could therefore, theoretically speaking, conduct a fishery for a species that the state chose to not otherwise allow. However, the state and the tribes are largely consistent as to the species fished and the manner in which they are fished for existing fisheries. It is almost certain that the state and the tribes would engage in a thorough consultation with one another before starting up new fisheries.

As to state fisheries, the most likely change that would be needed to start a new fishery would be the classification of the species of interest as a "food fish." If the species of interest were already classified as a food fish, then it is likely that current rules would limit any significant expansion of harvest on that species.

WDFW consists of the Director, responsible for operation and management of the agency, and the Washington Fish and Wildlife Commission (WFWC), which has the authority to set fisheries policy for the state, including the authority to classify species as food fish.⁸ The list of species currently classified as food fish is found in regulation and includes a number of species that are typically named as forage fish.⁹

By state rule, it is illegal to take fish from the Pacific Ocean “except at the times, places and in the manners and for the species, quantities, sizes or sexes” authorized in regulation.¹⁰ The statutory definition of fish applies this rule to all fin fish whether classified or not.¹¹ For fish classified as food fish, state rules also prohibit their possession in areas under state jurisdiction unless that possession is otherwise provided for by state or federal law.¹² Under state law, a license or permit is needed to engage in commercial fishing and to deliver and purchase fish in the state.¹³ Regulations describe the allowable fishing gears the “time, place, and manner” in which they can be used.¹⁴

Washington’s legislature establishes commercial fishery licenses and grants the Director authority to “determine the species of food fish that may be taken” with those licenses, as well as “the gear that may be used . . . , and the areas or waters in which the licenses may be used.”¹⁵ If the Legislature establishes a license “for a particular species, gear, geographical area, or combination thereof,” then it is not permissible to use “a more general fishery license . . . to take food fish in that fishery.”¹⁶ In light of these provisions, WDFW would need to examine a new proposal for fishing activity against the current set of licenses and their time, place, and manner rules to determine whether it is permissible without a change to current rules.

Specific to forage fish, the WFWC has had a policy in place to guide their harvest since 1998.¹⁷ Under that policy, it is “unlawful to fail to immediately return to the water, unharmed, all species of fish other than herring, anchovy, candlefish, shad, and sardine taken in operation of purse seine, lampara, dip bag net, or hand net gears.”¹⁸ The regulations place various time, area, and gear limitations on the harvest for those species named in that provision. Again, to permit a new fishery under state law for other species that might be considered as forage fish or otherwise be of concern to the Council, the WFWC would likely need to first classify the species as a food fish and then go through a process to determine the appropriate rules on time, place, and manner of fishing.

For situations not covered by current rules, WDFW would look to the emerging commercial fishery process established by statute and regulation.¹⁹ This process can be applied at the Director’s discretion for species newly classified as food fish by the WFWC; or, for species that are already classified and are proposed to be fished in new areas, with new gears or methods, or at new levels of effort.

⁸ RCW 77.12.047(1)(h).

⁹ WAC 220-12-010.

¹⁰ WAC 220-20-010(1).

¹¹ RCW 77.08.010(17).

¹² WAC 220-20-010(2).

¹³ RCW 77.65.010

¹⁴ See Chapter 220-16 WAC

¹⁵ RCW 77.65.200(2). The list of current commercial fishing licenses is given at RCW 77.65.200(1).

¹⁶ RCW 77.65.200(2).

¹⁷ WFWC Policy C-3012: <http://wdfw.wa.gov/commission/policies/c3012.html>.

¹⁸ WAC 220-44-020.

¹⁹ RCW 77.65.400 and Chapter 220-88 WAC.

Rules issued by the WFWC or directly by the Director follow procedures established by the state's Administrative Procedures Act.²⁰ Rules that require approval by the WFWC must also mesh with the WFWC's schedule and priorities. From the time a rule pre-proposal is issued, it typically takes 4 to 6 months to issue the final rule and for the rule to become effective. The WFWC and Director also have the authority to issue emergency rules that can remain in effect for 120 days.

Oregon

Oregon's Food Fish Management Policy, established by the state's Legislature, is intended to provide for the optimum economic, commercial, recreational, and aesthetic benefits for present and future generations of the citizens of the state.²¹ This policy includes the following broad goals:

- Maintain all species of food fish at optimum levels and prevent the extinction of any indigenous species.
- Develop and manage the lands and waters of this state to optimize the production, utilization and public enjoyment of food fish.
- Permit an optimum and equitable utilization of available food fish.
- Develop and maintain access to the lands and waters and the food fish resources thereon.
- Regulate food fish populations and the utilization and public enjoyment of food fish in a compatible manner with other uses of the lands and waters and provides optimum commercial and public recreational benefits.
- Preserve the economic contribution of the sport and commercial fishing industries, consistent with sound food fish management practices.
- Develop and implement a program for optimizing the return of Oregon food fish for Oregon's recreational and commercial fisheries.

The Oregon Fish and Wildlife Commission (OFWC) formulates general state programs and policies for management and conservation of fish and wildlife resources.²² The Legislature also granted the OFWC authority to adopt regulations for seasons, methods and limits for recreational and commercial take and sale as well as other restrictions and procedures for taking, possessing or selling food fish, with the exception of oysters, which are regulated by the Oregon Department of Agriculture.

OFWC adopts permanent rules (Oregon Administrative Rules, OARs) through a formal process that includes public notice of the intent for rulemaking, an economic analysis, and public review and comment. The OFWC delegates the authority to adopt temporary rules to the Director of ODFW. Temporary rules may be considered for various reasons, including the achievement of quotas, optimum yields, harvest limits or harvest guidelines, and to conform to federal regulations. Temporary regulations can be adopted, filed and in effect within a single business day, but in practice, 72 hours public notice is usually provided. A temporary rule approved by the Director is ratified by the OFWC at its next meeting. Once adopted, temporary regulations are in effect for up to 180 days. For federal fisheries regulations, the state may adopt rules that concur with federal regulations that are more conservative.

Again, Oregon fisheries are generally open, unless closed or otherwise restricted by regulation. A commercial license is required to commercially take, land, process, buy or sell an ocean food fish species. In addition to federal license limitation programs for some FMP species, Oregon limits participation in ten state fisheries: sardine, salmon troll, Dungeness crab (ocean), pink shrimp (trawl,) black rockfish/blue

²⁰ For more information on Washington's rulemaking process and timeline see:

<http://wdfw.wa.gov/about/regulations/> & <http://www.ora.wa.gov/regulatory/rulemaking.asp>.

²¹ Oregon Revised Statute (ORS) 506.109.

²² ORS 496.112 through ORS 496.118.

rockfish/ nearshore fish, scallop, sea urchin, bay clams (diving,) roe-herring, and brine shrimp.²³ In addition, statutory authority authorizes the department to require a permit to harvest animals living intertidally on the bottom.²⁴ Conditions on the permit may restrict time, place, manner or other factors related to commercial fishing, landing, and processing. Fisheries for species not explicitly covered under state or federal fisheries regulations and which are not a species living intertidally on the bottom must comply with gear and general closed area requirements for ocean foodfish species, but are otherwise not restricted in the time, place or amounts harvested, landed, processed, or sold.

California

The California Legislature mandated a proactive approach to managing and regulating new or developing fisheries in 1999 as part of the implementation of the Marine Life Management Act (MLMA²⁵). However, it did not prohibit development of new fisheries; the MLMA recognized the need to be more precautionary in allowing existing fisheries to expand, or to encourage the initiation and growth of new fisheries that would be sustainable from the onset. One significant tenet of the MLMA was to transfer primary management authority for the state's marine fisheries from the Legislature to the Fish and Game Commission (CFGC). This change has been very important for the state's commercial fisheries.

In 2000, the CFGC developed its own emerging fisheries policy based on the mandates in the MLMA. The CFGC Policy on Emerging Fisheries specifies that the Director of the California Department of Fish and Game (CDFG) shall make a determination as to whether a fishery is "emerging" by considering whether there has been:

an actual increase in landings of the species in question; an increase in the number of applications for experimental gear permits received by the Commission for this fishery; an increase in the amount or efficiency of the gear used in the fishery; or any evidence that the existing regulations are not sufficient to insure a stable, sustainable fishery.

The MLMA also mandates that the growth of sustainable fisheries be encouraged. The MLMA and the CFGC policy lay out general guidelines for allowing new fisheries to develop with appropriate constraints and safeguards determined by the information available on that species and associated fisheries. These "emerging fisheries" would be identified by the CDFG Director, and are distinguished from "established" fisheries. "Established fisheries²⁶" were defined as those in existence prior to 1999 as evidenced by one or more of the following characteristics: a restricted access program, management under a federal FMP, established annual population estimates and catch quotas, the regulations considered at least biennially by the CFGC, or at least two regulations govern the fishery (e.g., seasons, gear, amount, time, area restrictions).

Prior to the Director's determination of an emerging fishery, the CFGC may authorize take under an experimental permit program intended to gain information on the fishery. The CFGC may grant experimental gear permits upon request in such circumstances²⁷, which provides that "*the Commission shall encourage the development of new types of commercial fishing gear and new methods of using existing commercial fishing gear*" by approving experimental gear permits subject to conditions that the CFGC prescribes. Experimental gear permits, which are only one year in term, may not be authorized for

²³ ORS 508.775 through ORS 508.960.

²⁴ ORS 508.116.

²⁵ Fish and Game Code (FGC) 7090

²⁶ FGC 7090(b)

²⁷ FGC 8606

more than four consecutive years. After that time, the CFGC must either decide to allow a fishery and adopt regulations for its management or shut it down.

Under the emerging fishery status, CDFG closely monitors the fishery's progress and the CFGC can make regulations that remain in effect for 12 months or the time needed to adopt a FMP, whichever is shorter. Management measures that could be initiated by the CFGC could include restricting landings, time, area, gear, or access or establishing permit fees. The CFGC can also impose fees used for cost recovery of department management and research for the fishery. As with other mandates under the MLMA, sustainable fishery development would be accomplished in conjunction with public involvement and collaborative research throughout the process.

Actions to sustainably manage the fishery are developed by CDFG and recommended to the CFGC who adopts appropriate management measures after public discussion. These measures will be in effect until a FMP can be completed. The MLMA Master Plan contains a list of fisheries in the queue for FMP development; a newly proposed fishery would be ranked according to its need and the information available on the species (e.g. the magnitude of the fishery and any concerns about the resource status). In most cases, there is limited knowledge, if any, on essential life history characteristics or stock status to inform proposed management measures. Management measures adopted by the CFGC may be revisited in subsequent years to evaluate their progress and effectiveness. When an FMP is developed, the FMP would include a three-year evaluation period and a research plan that includes objectives and methods for evaluating the fishery.

California recently determined two fisheries to be emerging fisheries, based on public desire to initiate a new fishery (Tanner crab) or changes in the prosecution of an existing, low-level fishery (Kellet's whelk). However, the approach and process for developing new management measures for each fishery were different due to the distinct characteristics of each fishery. When developing appropriate factors for limiting each fishery so it would be sustainable, the CFGC and CDFG considered the existing scope and potential for each fishery, any resource concerns, available essential fishery information, and then weighed the benefits and costs (e.g., monetary and CDFG or CFGC resources) of various management measures against the gain from those measures to allow an expanding albeit sustainable fishery.

Tanner crab fishery: The grooved Tanner crab (*Chionoecetes tanneri*) is a leggy, deep sea crab related to the southern California sheep crab, Alaskan snow crab and true Tanner crab. The impetus for development of this fishery began in the late 1990s when existing regulations did not provide for the larger traps that would be needed to catch Tanner crabs. So, the fishery was prohibited until the completion of an experimental fishery and then subsequent approval of management measures adopted by the CFGC.

- A few experimental permits were authorized by the CFGC with the requirements of industry-funded on board observers for biological data collection (2001 through 2004). [Other experimental permits were requested during this time, but denied.]
- On-board observer data collected from the experimental fishery, as well as information provided in the operator's trap logbooks, formed the basis for analysis and development of the proposed management strategies.
- In 2005, due to the success of the experimental Tanner crab fishery in 2003 and 2004, the CDFG determined that the Tanner crab fishery resource off California satisfied the requirements of Fish and Game Code §7090 as an emerging fishery.
- Following that determination, the CFGC adopted regulations for the sustainable development of a small to moderate-scale commercial Tanner crab trap fishery in deep water off the coast of California. New regulations included: a \$10,000 permit fee, trap specifications, limits on trap

number, trip limits, mandatory observers (to obtain biological information) for the first 60 days following the commencement of the season, a seasonal catch limit (2 million pounds), a male-only fishery, and a size limit.

While a full restricted access program was not developed for this fishery, the high permit fee is expected to limit future entrants and expansion of the fishery.

Kellet's Whelk fishery: A fishery for Kellet's whelk (*Kelletia kelletii*) was also recently designated as one of the state's emerging fisheries. For many years, a low level fishery for Kellet's whelk existed as an incidental component of the commercial trap fisheries for rock crabs and lobster; in addition they were also prey for commercial and recreational divers. However, there were indications that the fishery was becoming more targeted than incidental, and take and participation were increasing. The limited life history information available indicated that this species is slow growing, long-lived and forms spawning and egg-laying aggregations making it vulnerable to over-exploitation.

Growing concern surrounding the unmanaged, low-level fishery for Kellet's whelk was discussed by the CFGC Marine Resources Committee several times over two years. In addition, the CDFG completed a status report on the species that recommended interim precautionary regulations be implemented until a stock assessment could be completed.²⁸ The recent designation of southern rock crab trap permits as transferable was seen as a relatively inexpensive point of entry for new participants wishing to retain Kellet's whelk caught incidentally in crab traps. There was concern that new participants, coupled with more targeted effort and possible expanding markets would result in increased, unsustainable levels of harvest of Kellet's whelk. Consistent with the state's emerging fisheries policies, the CDFG recommended, and the CFGC designated, Kellet's whelk as an emerging fishery on April 7, 2011. In addition, the CFGC directed the CDFG to develop regulations that would manage sustainable take in the fishery according to the MLMA.

As the CDFG and CFGC considered appropriate management measures for Kellet's whelk, the low value and small scale of the fishery were drivers to develop reasonable measures that would match CDFG's ability and resources to actually manage the fishery. Management measures that were considered but rejected included a whelk permit, a size limit, depth limits, gear restriction (no take by diving), defining incidental as a percent of the target species, cumulative trip limits and logbooks. Because this was a relatively small fishery, many of these measures were beyond the scope of effective management due to limited CDFG resources.

Summer spawning aggregations were targeted by divers taking Kellet's whelk and limiting effort during spawning was one proposed management option. The CFGC adopted a recreational and commercial seasonal spawning closure and a new 100,000 Total Allowable Catch in 2011, which was about 60 percent of recent landings. CDFG will be monitoring the fishery and its progress, however, CDFG has not developed a biological sampling program for this fishery nor are there immediate plans for an assessment or FMP development.

Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
<i>Option</i>	<i>Council & NMFS (or other) Processes</i>	<i>Effect on Fishing for Unmanaged Fish Species</i>
Status Quo	N/A	None – open to persons/vessels meeting the requirements of the List of Fisheries and with the capital to develop a new fishery and markets for harvested products. No new fisheries could start within the EEZ without notification to the Council under 50 CFR 600.725 and 50 CFR 600.747.
Option 1: Recommend updating List of Fisheries and Gear	<p><i>1st Council meeting:</i> send current List and potential changes out for review by states, tribes, advisory bodies, and public.</p> <p><i>2nd Council meeting:</i> adopt recommendations for revisions to List and forward to NMFS.</p> <p><i>1st Federal Register Notice:</i> NMFS publishes Council recommendations as proposed rule to revise 50 CFR 600.725(v).</p> <p><i>2nd Federal Register Notice:</i> To be published if NMFS partially or fully approves the Council’s recommendations as a final rule to revise 50 CFR 600.725(v).</p>	Open to persons/vessels meeting the updated and more restrictive List of Fisheries and with the capital to develop a new fishery and markets for harvested products. No new fisheries could start within the EEZ without notification to the Council under 50 CFR 600.725 and 50 CFR 600.747.
Option 2: Recommend updating List of Fisheries and Gear. Also, set standards for new West Coast fisheries within FEP	<p><i>1st Council meeting:</i> send current List and potential changes out for review by states, tribes, advisory bodies, and public. Assign EPDT to develop draft FEP language to set standards for new West Coast fisheries within the FEP, or send the language within this report out for public review.</p> <p><i>2nd Council meeting:</i> adopt recommendations for revisions to List and forward to NMFS. Refine FEP language during Council discussion process, taking into account comments of advisory bodies and the public.</p> <p><i>3rd Council meeting:</i> Finalize FEP language on standards for new West Coast fisheries.</p> <p><i>NMFS review Federal Register Notice process:</i> Same as for Option 1.</p>	Open to persons/vessels meeting the updated and more restrictive List of Fisheries and with the capital to develop a new fishery and markets for harvested products. No new fisheries could start within the EEZ without notification to the Council under 50 CFR 600.725 and 50 CFR 600.747. FEP would set standards for the Council’s standards for reviewing a new fishery for its potential effects on Council conservation and management measures.

Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
<i>Option</i>	<i>Council & NMFS (or other) Processes</i>	<i>Effect on Fishing for Unmanaged Fish Species</i>
Option 3: Add new FMU species to existing FMP(s)	<p><i>1st Council meeting:</i> assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new FMU species to applicable FMP(s).</p> <p><i>2nd Council meeting:</i> adopt process and schedule for draft FMP amendment(s), review list of potential species to be added to FMP(s). Review availability of scientific data and analyses needed to develop MSA-required harvest and habitat reference points for the new FMU species.</p> <p><i>3rd Council meeting:</i> Review recommendations of SSC and other advisory bodies on MSA-required harvest and habitat reference points for the new FMU species. Develop draft FMP amendatory language to be sent out for public review.</p> <p><i>4th Council meeting:</i> Review and either adopt FMP amendatory language (which would include MSA-required harvest and habitat reference points,) or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a <i>5th Council meeting</i> will be needed to finalize Council recommendations to NMFS.</p> <p><i>1st Federal Register Notice:</i> NMFS publishes a Notice of Availability for an FMP amendment for the appropriate FMP(s).</p> <p><i>2nd Federal Register Notice:</i> NMFS publishes Council recommendations as proposed rule.</p> <p><i>3rd Federal Register Notice:</i> NMFS will publish a final rule if it partially or fully approves the Council's recommendations to amend the FMP(s) and Federal regulations.</p>	Depending on Council's recommendations and NMFS review and approval/disapproval process, future fishing for named FMU species would be restricted or prohibited.
Option 4: Add new EC species to	<i>1st Council meeting:</i> assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new EC species	Depending on Council's recommendations and NMFS review and approval/disapproval

Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.

Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
existing FMP(s)	<p>to applicable FMP(s).</p> <p><i>2nd Council meeting:</i> adopt process and schedule for draft FMP amendment(s), review list of potential species to be added to FMP(s). Review EC species definition parameters at 50 CFR 600.310 to assess whether species to be added to the FMP meet those parameters.</p> <p><i>3rd Council meeting:</i> Review recommendations of SSC and other advisory bodies on list of EC species and their compatibility with EC species parameters at 50 CFR 600.310. Develop draft FMP amendatory language to be sent out for public review.</p> <p><i>4th Council meeting:</i> Review and either adopt FMP amendatory language or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a <i>5th Council meeting</i> will be needed to finalize Council recommendations to NMFS.</p> <p><i>NMFS review Federal Register Notice process:</i> Same as for Option 3.</p>	process, future directed fishing for named EC species would be restricted or prohibited.
Option 5: Identify potential adverse effects on EFH through loss of prey species	<p><i>1st Council meeting:</i> assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to review and revise EFH provisions within applicable FMP(s).</p> <p><i>2nd Council meeting:</i> adopt process and schedule for draft FMP amendment(s), review lists of prey species of FMP species to develop a draft list of those prey species that, if fisheries were to develop on those prey species, the loss of those prey species' biomass if managed within MSA parameters would be more than minimal and not temporary in nature.</p> <p><i>3rd Council meeting:</i> Review recommendations of SSC and other advisory bodies on list of prey species and their applicability to review parameters at 50 CFR 600.815. Develop draft FMP amendatory language to be sent out</p>	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named prey species would be restricted or prohibited.

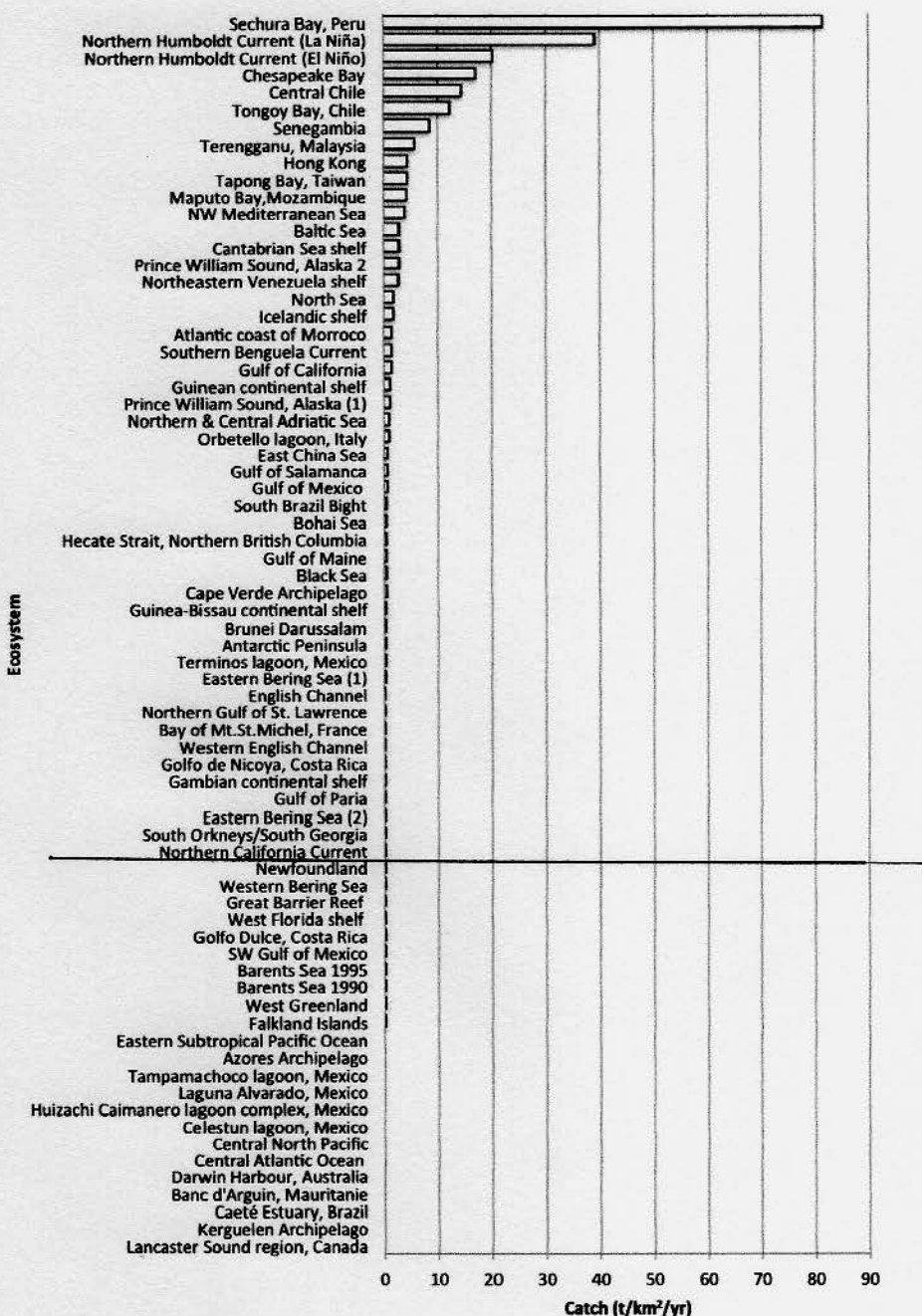
Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
<i>Option</i>	<i>Council & NMFS (or other) Processes</i>	<i>Effect on Fishing for Unmanaged Fish Species</i>
	<p>for public review.</p> <p><i>4th Council meeting:</i> Review and either adopt FMP amendatory language or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a <i>5th Council meeting</i> will be needed to finalize Council recommendations to NMFS.</p> <p><i>NMFS review Federal Register Notice process:</i> Same as for Option 3.</p>	
Option 6: Develop new Ecosystem FMP	<p><i>1st Council meeting:</i> assign EPDT and EAS to convert the FEP development process into an EFMP development process. Provide guidance on potential lists of species that could serve as FMU species within an EFMP. Assign Council staff to assess long-term budget implications of adding a fifth FMP and attendant permanent advisory bodies.</p> <p><i>2nd Council meeting:</i> adopt process and schedule for EFMP development. Review availability of scientific data and analyses needed to develop MSA-required harvest and habitat reference points for the new FMU species. Review EC species definition parameters at 50 CFR 600.310 to assess whether any species to be added to the FMP meet those parameters.</p> <p><i>3rd Council meeting:</i> Review recommendations of SSC and other advisory bodies on MSA-required harvest and habitat reference points for the new FMU species and on list of EC species and their compatibility with EC species parameters at 50 CFR 600.310. Develop draft FMP language to be sent out for public review.</p> <p><i>4th Council meeting:</i> Review and either adopt Ecosystem FMP or revise and send out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a <i>5th Council meeting</i> will be needed to finalize Council recommendations to NMFS.</p>	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.

Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
<i>Option</i>	<i>Council & NMFS (or other) Processes</i>	<i>Effect on Fishing for Unmanaged Fish Species</i>
	NMFS review Federal Register Notice process: Same as for Option 3, although NMFS may need to publish an initial Advance Notice of Proposed Rulemaking prior to Council's Ecosystem FMP development process.	
Option 7: Request that Sanctuaries consider prohibiting unfished fish harvest	Initially, Council would send a letter of request to the five West Coast sanctuaries, suggesting that they initiate processes to consider restricting or prohibiting fishing for unfished species within their boundaries. Follow-up on the issue would include one or more Council meetings for each of the sanctuaries that takes up the issue. NOS and NMFS would collaborate on any rulemaking process emerging from Sanctuary discussions. That process would likely include at least a proposed and final rule, possibly preceded by Advance Notice of Proposed Rulemaking.	Depending on Sanctuary review and recommendation processes, directed fishing for named species would be restricted or prohibited within the boundaries of one or more West Coast national marine sanctuaries.
Option 8: Request that the three coastal states consider prohibiting unfished fish harvest, landing, or processing	Each state has a process for issuing time, place, and manner rules for fisheries. The states also have authority to regulate the landing, processing, and transport of fish. The authority to issue rules relevant to the issue most likely lies with the states' Fish and Wildlife/Game Commissions. Each Commission sets its own agenda and follows a rulemaking process similar to that of the Council. Whether a new rule would be needed or not to address fishing a currently unfished species would depend on an assessment of the specifics against the current rules in each state. More detail on each state is given in the main document.	Various conditions on harvest and landing of fish could be placed on the residents and vessels of each state, ranging from outright prohibition to limits on how fish can be used (e.g., human use). Three different processes have the potential to result in three different outcomes depending on the policy preferences of each state's Commission.

APPENDIX E: Supplementary Figures and Tables

Figure E5.1

Forage Fish Catch Across all Ecopath Models by Volume.



COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON
CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED
FORAGE SPECIES

The Coastal Pelagic Species Advisory Subpanel (CPSAS) has reviewed numerous items regarding unmanaged forage species, including the Ecosystem Plan Development Team (EPDT) report on authorities for further protection of unfished species (Agenda Item G.1.b, EPDT Report) and Appendix A of the Draft Fishery Ecosystem Plan (November 2011 Briefing Book Agenda Item H.2.a, Attachment 1). We also considered extensive public comment on this issue and reviewed earlier Council discussion and its preliminary recommendation to consider any potential management of unfished forage species through the CPS Fishery Management Plan (CPS), if needed and appropriate.

The CPSAS notes the Council has been considering this issue for a number of years. We compliment the EPDT for compiling a list of lower trophic level (LTL) forage species (Appendix A of November 2011 Briefing Book Agenda Item H.2.a, Attachment 1) as well as outlining a variety of existing authority options for consideration.

The CPSAS acknowledges the importance of conserving lower trophic level “forage” stocks due to their contribution to ecosystem function. We support healthy ecosystems.

CPSAS have considered at length, how to address unfished forage stocks.

Given the importance of forage fish species to the California Current Ecosystem, the CPSAS is supportive of requiring scientific evaluation before allowing development of targeted commercial fishing for the unmanaged stocks listed. While it is evident that protections may be warranted, the magnitude and timeframe for action requires consideration. Therefore the CPSAS would like to draw the Council’s attention to the following points when evaluating the regulatory authorities outlined by the EPDT:

- The “unmanaged forage fish” species listed in Appendix A (November 2011 Briefing Book Agenda Item H.2.a, Attachment 1) are not part of any current CPS fishery.
- There is no known interest within the industry to develop fisheries for these species.
- Given the magnitude of resources required to establish a new fishery to utilize these species, coupled with the current economic climate, and absence of data on these stocks, it is highly unlikely that industrial fishing operations will develop for the unmanaged forage species in the near term.

The CPSAS would also like to point out that the EPDT reported in Appendix A (H.2.a, Attachment 1, Nov. 2011) “...*there is not a high level of unmanaged standing biomass for LTL species that could become subject to fisheries...*”

After reviewing the EPDT Report, we believe the most efficient and balanced approach to protect these forage fish species is to adopt Option 2 – revise the Federal List of Fisheries and Gear to clarify existing fisheries, and describe in the Fishery Ecosystem Plan, the standards that the Council would use to assess a new fishery.

This option provides multiple benefits, including:

- It establishes a management framework (e.g. prohibition and/or exempted fishing permit [EFP] requirements) for future fisheries before they are initiated to govern management of ALL new fisheries, not simply forage fish.
- It provides the most efficient use of Council resources.

We call Council attention to a statistic found in Appendix E. of the Lenfest Report. Dr. Richard Parrish reports that, according to Figure E5.1, the Northern California Current (CC) fish catch across all Ecopath models by volume totals only two percent of the total forage pool (fished and unfished stocks combined). That leaves 98 percent of the CC forage pool in the ocean for other marine life.

The CPSAS recommends that any species proposed for management is evaluated by the Scientific and Statistical Committee and relevant advisory bodies. In conclusion, the CPSAS respectfully asks the Council to adopt Option 2.

PFMC
06/23/12

COASTAL PELAGIC SPECIES MANAGEMENT TEAM REPORT ON CONSIDERATION OF
FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Coastal Pelagic Species Management Team (CPSMT) recognizes there is presently limited evidence that any major new fishery for unmanaged forage species will soon develop, but one could in the future. To follow precautionary fishery management, the Council should have the tools to deal with any new fishery on unmanaged forage species. The CPSMT reviewed Agenda Item G.1.b, Ecosystem Plan Development (EPDT) team report on authorities to protect unfished species from future directed fisheries and offers the following comments.

The current Federal List of Fisheries and Gear permitted within the Council management area has not been updated since 1999, and as currently written, broadly allows development of new fisheries without notification. If the Council wishes to take action, the CPSMT recommends Option 2 in Agenda Item G.1.b. Under Option 2, the National Marine Fisheries Service (NMFS) will update and revise the Federal List of Fisheries and Gear permitted within the Council management area, the US Exclusive Economic Zone (EEZ) off the coasts of WA, OR, and CA. Option 2 also includes a provision to include a description in the Fishery Ecosystem Plan (FEP) of the standards that the Council would use in assessing whether a proposed new fishery could compromise its conservation and management measures within the West Coast EEZ. The effectiveness of Option 2 depends on NMFS and the Council acting in a timely manner to protect unmanaged forage species.

Further, the CPSMT believes that if a species is identified to be of concern and ecosystem/management needs identified, the Council can take action using existing Council management processes. This includes amending, creating, and altering Fishery Management Plans, such as Options 3-6.

If the Council accepts an option besides Option 2 to address unfished forage species or adds species/tasks to any FMP or any management team, the CPSMT recommends that the Council provide specific timelines and guidelines to address these fisheries issues.

ECOSYSTEM ADVISORY SUBPANEL REPORT ON THE CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Ecosystem Advisory Subpanel (EAS) reviewed the report of the Ecosystem Plan Development Team (EPDT) on this matter (Agenda Item G.1.b, EPDT Report). The EAS spent considerable time discussing the preferred options and objectives of its members and listening to public testimony, and offers the following perspectives and recommendations.

The EAS would first like to express to the Council the following three overarching consensus findings on the matter.

- A. The EAS recommends an ecosystem-based approach to forage species and their role in the food web, particularly their role in support of established fisheries.
- B. The EAS agrees on the need to assure that potential exploitation of currently unfished forage species does not imperil existing target species.
- C. EAS members differ on their perspectives on the probability of future exploitation of currently unfished forage species and therefore, our views vary about the degree of protection desirable and about the merits and costs of additional study and management.

While recognizing differences in EAS perspectives, the EAS agreed upon the following objectives regarding unmanaged forage species:

1. Exclude unmanaged forage species from commercial exploitation or expanded utilization until such time that sufficient information exists on their status and their ecological value as prey, with a particular emphasis on not adversely affecting the population status of currently exploited species.
2. Provide management flexibility to respond to new information on forage species status. Develop criteria or a process for addressing future interest in fishery development that does not preclude future viable harvest on a currently unmanaged stock or stocks.
3. Provide a mechanism for the collection of data across appropriate temporal and spatial scales to inform management of forage species. Develop a focused approach that cost-effectively targets information gathering and management attention where it will be most valuable.
4. Treat currently unmanaged forage stocks as a hedge or buffer against natural variability and fishing and non-fishing impacts on forage stocks to maximize the likelihood of a sufficient forage base in the system.
5. Forage policy needs to be crafted carefully so as to be protective of the forage base without being overly prescriptive regarding the management of existing fisheries.

Based in part on these consensus findings and to meet all of the objectives identified by the EAS, the EAS recommends the following options as a package for further management consideration.

Working from Agenda Item G.1.b, EPDT Report:

- **Option 1** – Recommend that the National Marine Fisheries Service (NMFS) update and revise the Federal List of Fisheries and Gear permitted in the West Coast Exclusive Economic Zone. **Rationale** – The list is in need of updating for a variety of reasons and would provide a notification requirement for new fisheries if revised, but it alone would

not sufficiently exclude unmanaged forage species from commercial exploitation or expanded utilization.

- **Option 3** – Use a Fishery Management Plan (FMP) amendment process to add new Fishery Management Unit (FMU) species to one or more of the Council’s current FMPs. **Rationale** – Adding FMU species to an FMP provides the clearest long-term option to achieve harvest prohibition on currently unmanaged species.
- **Option 4** – Use an FMP amendment process to add new Ecosystem Component (EC) species to one or more of the Council’s current FMPs. **Rationale** – Similar to Option 3 in providing a mechanism to prevent exploitation of unmanaged forage species while allowing the flexibility to consider the EC designation as appropriate. The EC designation has the potential to reduce the management burden.
- **Include provisions for an Exempted Fishing Permit process.** **Rationale** – Provides a mechanism for limited experimental harvest of unmanaged forage or EC species for the purpose of improving information and/or contributing to a data base on forage stocks and potential future sustainable harvest opportunities.
- **Use the Fishery Ecosystem Plan (FEP) to identify and prioritize research needs** and provide recommendations to address data gaps with respect to forage fish, consistent with the Council’s statement of purpose and need for the FEP. **Rationale** – Provides a nexus between the FEP and Council forage policy and helps to encourage increased research on the ecology of the California Current Ecosystem.

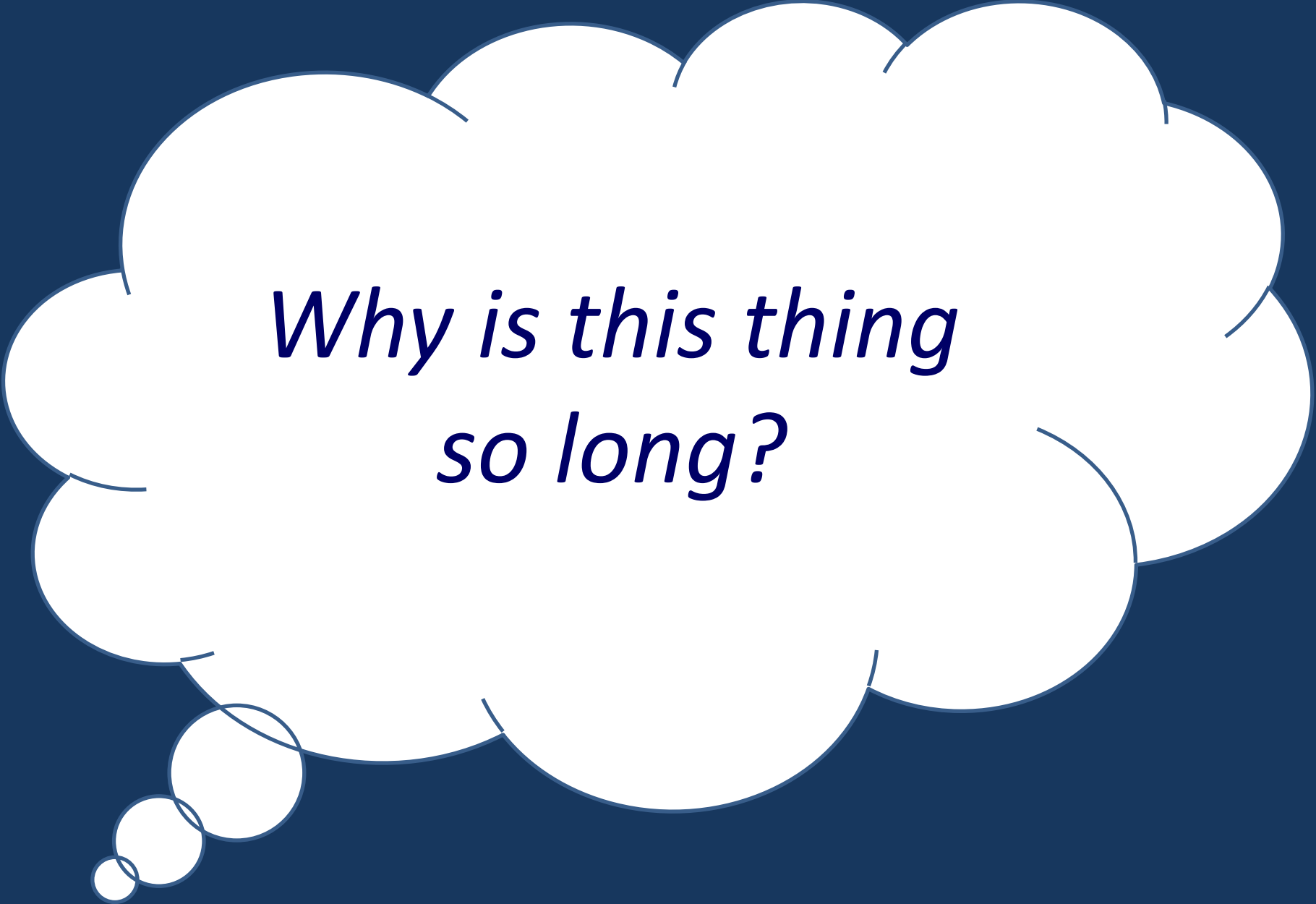
PFMC
06/23/12

Ecosystem Plan Development Team Options for Protecting Unmanaged Species

EPDT Presentation for
G.1.b., Attachment 1

June 23, 2012

“...report back to the Council
on the various possible
regulatory authorities or
mechanisms available to
prohibit fishing for, or
otherwise protect, unfished
species.”



*Why is this thing
so long?*

(A) Stuff you can do now

(B) Stuff you can do with FMP
amendments

(C) Doing the Ecosystem FMP

(D) Asking others if they'd do stuff

(A) Existing Authorities

Option 1:

§ 600.725	50 CFR Ch. VI (10–1–11 Edition)
Fishery	Authorized gear types
D. Pelagic species purse seine fishery	D. Purse seine
E. Recreational fishery	E. Bandit gear, handline, rod and reel, spear.
Gulf of Mexico Spiny Lobster Fishery (FMP)	
A. Commercial fishery	A. Trap, pot, dip net, bully net, hoop net, trawl, snare, hand harvest.
C. Recreational fishery	C. Dip net, bully net, pot, trap, snare, hand harvest.
6. Stone Crab Fishery (FMP)	
A. Trap and pot fishery	A. Trap, pot
B. Recreational fishery	B. Trap, pot, hand harvest.
7. Blue Crab Fishery (Non-FMP)	C. Trap, pot
8. Golden Crab Fishery (Non-FMP)	C. Trap, pot
9. Mullet Fishery (Non-FMP)	
A. Trawl fishery	A. Trawl
B. Gillnet fishery	B. Gillnet
C. Pair trawl fishery	C. Pair trawl
D. Cast net fishery	D. Cast net
E. Recreational fishery	E. Bandit gear, handline, rod and reel, spear, cast net.
10. Inshore Coastal Gillnet Fishery (Non-FMP)	Gillnet
11. Octopus Fishery (Non-FMP)	Trap, pot
12. Marine Life Aquarium Fishery (Non-FMP)	Dip net, slup, gun, barrier net, drop net, allowable chemical, trap, pot, trawl.
13. Coastal Herring Trawl Fishery (Non-FMP)	Trawl
14. Butterfish Trawl Fishery (Non-FMP)	Trawl
15. Gulf of Mexico Groundfish (Non-FMP)	
A. Commercial fishery	A. Trawl, purse seine, gillnet.
B. Recreational fishery	B. Hook and line, rod and reel, spear.
16. Gulf of Mexico Menhaden Purse Seine Fishery (Non-FMP)	Purse seine
17. Sardine Purse Seine Fishery (Non-FMP)	Purse seine
18. Oyster Fishery (Non-FMP)	Dredge, longline
19. Commercial Fishery (Non-FMP)	Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, lampers net, spear.
20. Recreational Fishery (Non-FMP)	Bandit gear, handline, rod and reel, spear, bully net, gillnet, dip net, longline, powerhead, seine, slup gun, trap, trawl, harpoon, cast net, hoop net, hook and line, hand harvest.
V. Caribbean Fishery Management Council	
1. Caribbean Spiny Lobster Fishery (FMP)	
A. Trap/pot fishery	A. Trap/pot
B. Dip net fishery	B. Dip net
C. Hand harvest fishery	C. Hand harvest, snare.
D. Recreational fishery	D. Dip net, trap, pot.
2. Caribbean Reef Fish Fishery (FMP)	
A. Longline/hook and line fishery	A. Longline, hook and line.
B. Trap/pot fishery	B. Trap, pot
C. Recreational fishery	C. Dip net, handline, rod and reel, slup gun, spear.
D. Other commercial fishery	D. Spear.
3. Coral and Reef Resources Fishery (FMP)	
A. Commercial fishery	A. Dip net, slup gun.
B. Recreational fishery	B. Dip net, slup gun, hand harvest.
4. Queen Conch Fishery (FMP)	
A. Commercial fishery	A. Hand harvest.
B. Recreational fishery	B. Hand harvest.
5. Caribbean Pelagic Fishery (Non-FMP)	
A. Pelagic drift gillnet fishery	A. Gillnet.
B. Pelagic longline/hook and line fishery	B. Longline/hook and line.
C. Recreational fishery	C. Spear, handline, longline, rod and reel.
6. Commercial Fishery (Non-FMP)	Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear.
7. Recreational Fishery (Non-FMP)	Rod and reel, hook and line, spear, powerhead, handline, hand harvest, cast net.
VI. Pacific Fishery Management Council	
1. Washington, Oregon, and California Salmon Fisheries (FMP)	
A. Salmon set gillnet fishery	A. Gillnet.
B. Salmon hook and line fishery	B. Hook and line.
C. Trawl fishery	C. Trawl.
2. West Coast Groundfish Fisheries (FMP)	
A. Pacific groundfish trawl fishery	A. Trawl.
B. Set gillnet fishery	B. Gillnet.

(A) Existing Authorities

Option 1:

Dear PFMC:

I will be fishing
for myctophids in
three months.

Sincerely Yours,
Joe Schmoe

(A) Existing Authorities, cont'd

Option 2:

§ 600.725 50 CFR Ch. VI (10-1-11 Edition)

Fishery	Authorized gear types
D. Pelagic species purse seine fishery	D. Purse seine
E. Recreational fishery	E. Bandit gear, handline, rod and reel, spear
Gulf of Mexico Spiny Lobster Fishery (FMP)	A. Trap, pot, dip net, bully net, hoop net, trawl, snare, hand harvest
A. Commercial fishery	C. Dip net, bully net, pot, trap, snare, hand harvest
C. Recreational fishery	A. Trap, pot
6. Stone Crab Fishery (FMP)	B. Trap, pot, hand harvest
A. Trap and pot fishery	Trap, pot
B. Recreational fishery	A. Trawl
7. Blue Crab Fishery (Non-FMP)	B. Gillnet
8. Golden Crab Fishery (Non-FMP)	C. Pair trawl
9. Mullet Fishery (Non-FMP)	D. Cast net
A. Trawl fishery	E. Bandit gear, handline, rod and reel, spear, cast net
B. Gillnet fishery	Gillnet
C. Pair trawl fishery	Trap, pot
D. Cast net fishery	Dip net, slup gun, banner net, drop net, allowable
E. Recreational fishery	Shoreline, trap, pot, trawl
10. Inshore Coastal Gulf Fishery (Non-FMP)	Trawl
11. Octopus Fishery (Non-FMP)	A. Trawl, purse seine, gillnet
12. Marine Life Aquarium Fishery (Non-FMP)	B. Hook and line, rod and reel, spear
13. Coastal Herring Trawl Fishery (Non-FMP)	Purse seine
14. Butterfish Trawl Fishery (Non-FMP)	Purse seine
15. Gulf of Mexico Groundfish (Non-FMP)	Drift gill, hook and line, longline, handline, rod and reel, bandit gear, cast net, lampara net, spear
A. Commercial fishery	Bandit gear, handline, rod and reel, spear, bully net, gillnet, dip net, longline, powerhead, seine, slup gun, trap, trawl, herring, cast net, hoop net, hook and line, hand harvest
B. Recreational fishery	
Gulf of Mexico Menhaden Purse Seine Fishery (Non-FMP)	
17. Sandline Purse Seine Fishery (Non-FMP)	
18. Oyster Fishery (Non-FMP)	
19. Commercial Fishery (Non-FMP)	
20. Recreational Fishery (Non-FMP)	

V. Caribbean Fishery Management Council

1. Caribbean Spiny Lobster Fishery (FMP)	A. Trap/pot
B. Dip net fishery	B. Dip net
C. Hand harvest fishery	C. Hand harvest, snare
D. Recreational fishery	D. Dip net, trap, pot
2. Caribbean Reef Fish Fishery (FMP)	A. Longline, hook and line
B. Trap/pot fishery	B. Trap, pot
C. Recreational fishery	C. Dip net, handline, rod and reel, slup gun, spear
D. Other commercial fishery	D. Spear
3. Coral and Reef Resources Fishery (FMP)	A. Dip net, slup gun
A. Commercial fishery	B. Dip net, slup gun, hand harvest
B. Recreational fishery	
4. Queen Conch Fishery (FMP)	A. Hand harvest
A. Commercial fishery	B. Hand harvest
B. Recreational fishery	
5. Caribbean Pelagic Fishery (Non-FMP)	A. Gillnet
A. Pelagic drift gillnet fishery	B. Longline/hook and line
B. Pelagic longline/hook and line fishery	C. Spear, handline, longline, rod and reel
C. Recreational fishery	Trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, spear
6. Commercial Fishery (Non-FMP)	Rod and reel, hook and line, spear, powerhead, handline, hand harvest, cast net
7. Recreational Fishery (Non-FMP)	

VI. Pacific Fishery Management Council

1. Washington, Oregon, and California Salmon Fisheries (FMP)	A. Gillnet
A. Salmon and gillnet fishery	B. Hook and line
B. Salmon hook and line fishery	C. Trawl
C. Trawl fishery	D. Rod and reel
D. Recreational fishery	
2. West Coast Groundfish Fisheries (FMP)	A. Trawl
A. Pacific groundfish bowl fishery	B. Gillnet
B. Sea gillnet fishery	

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Agenda Item H.1., Attachment 1
Draft FEP
June 2012

PACIFIC COAST FISHERY ECOSYSTEM PLAN

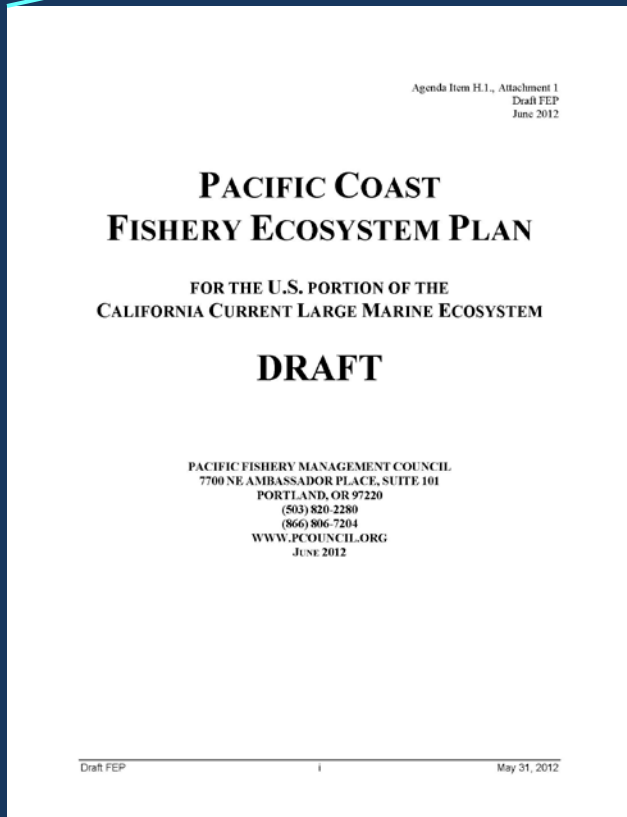
FOR THE U.S. PORTION OF THE
CALIFORNIA CURRENT LARGE MARINE ECOSYSTEM

DRAFT

PACIFIC FISHERY MANAGEMENT COUNCIL
7700 NE AMBASSADOR PLACE, SUITE 101
PORTLAND, OR 97220
(503) 820-2280
(866) 806-7204
WWW.PCOUNCIL.ORG
JUNE 2012

(A) Existing Authorities, cont'd

Option 2:



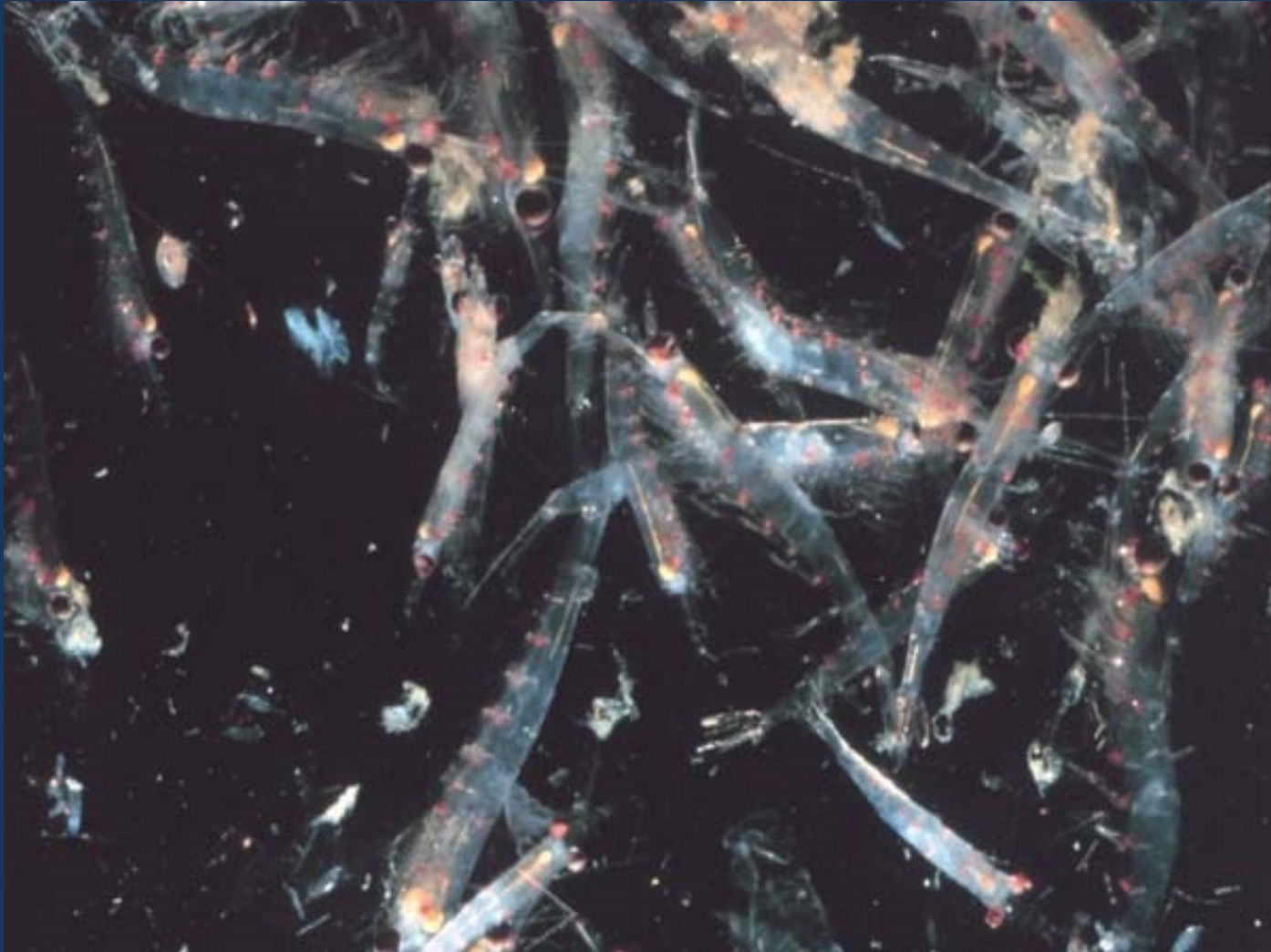
Chapter 4 to include:

-- EFP process for
proposed new fisheries

-- standards for assessing
“detrimental to Council
conservation &
management measures”

(B) Using FMP Amendments

Option 3: add new FMU species



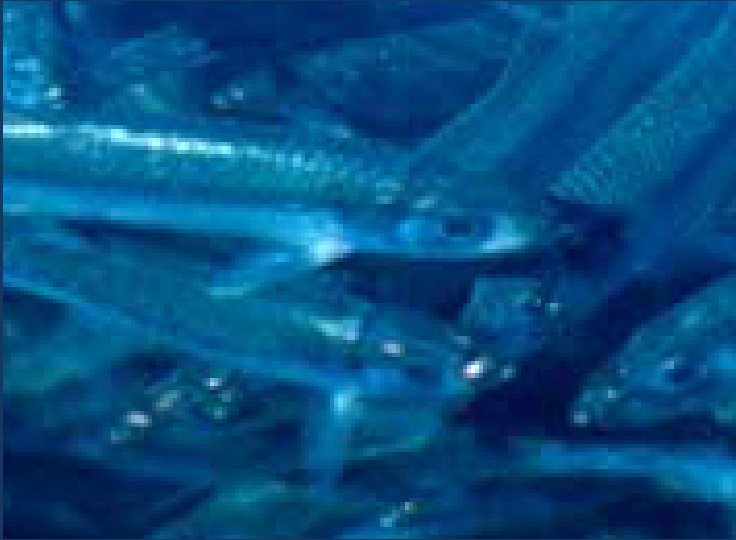
(B) Using FMP Amendments

Option 3: add new FMU species

“fishery” means: “(A) one or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and (B) any fishing for such stocks.”

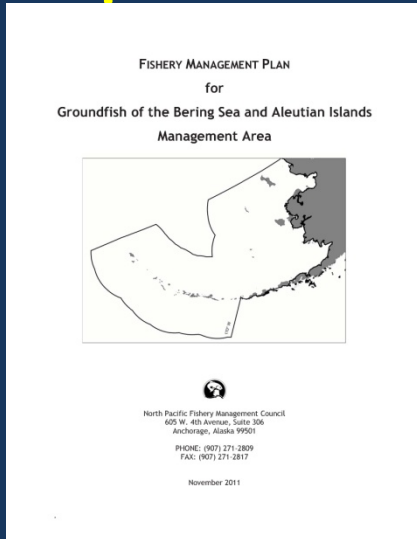
(B) Using FMP Amendments, cont'd

Option 4: add new EC species

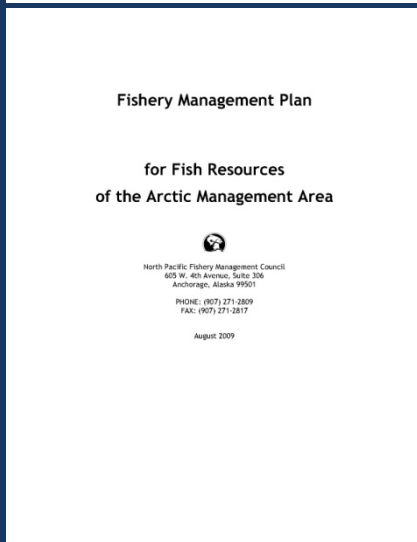


(B) Using FMP Amendments, cont'd

Option 4: add new EC species



EC = forage fish species
groups (known bycatch)



EC = everything within the
EEZ that is *not*: salmon,
halibut, Arctic cod, saffron
cod, snow crab

(B) Using FMP Amendments, cont'd

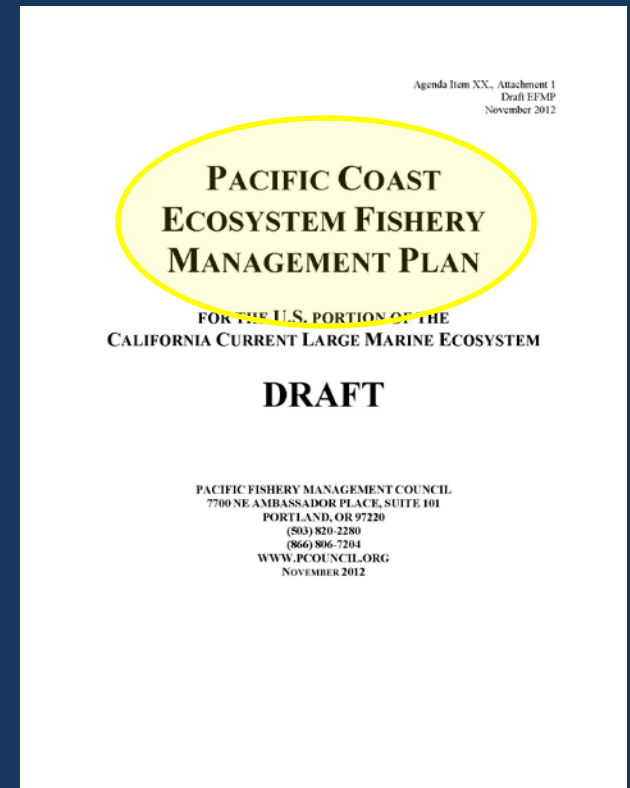
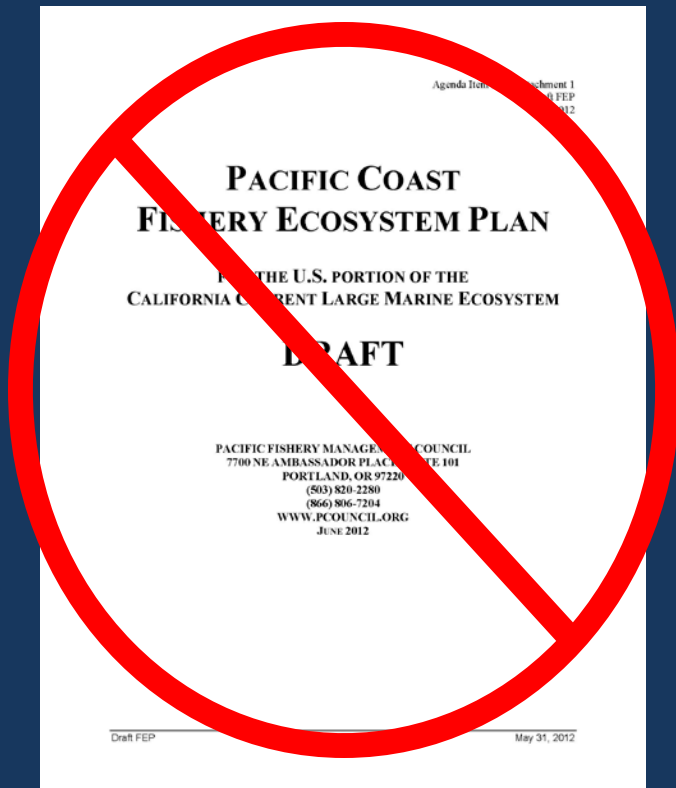
Option 5: prey as component of EFH





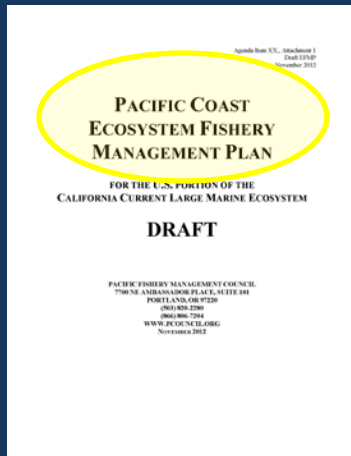
(C) Develop Ecosystem FMP

Option 6:

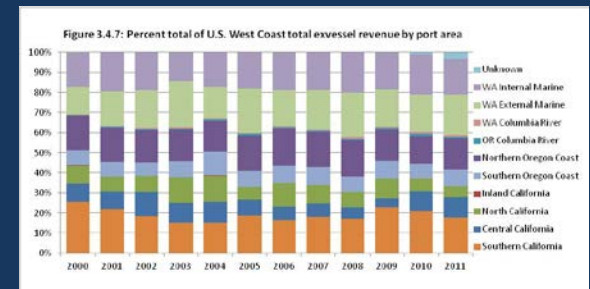
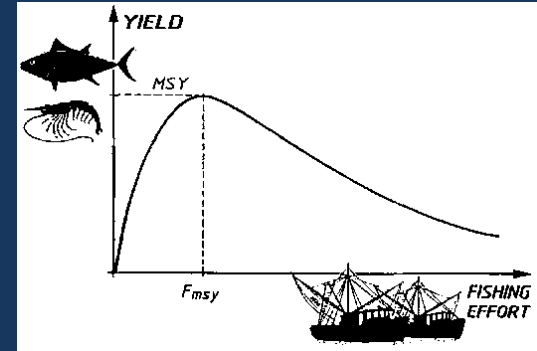
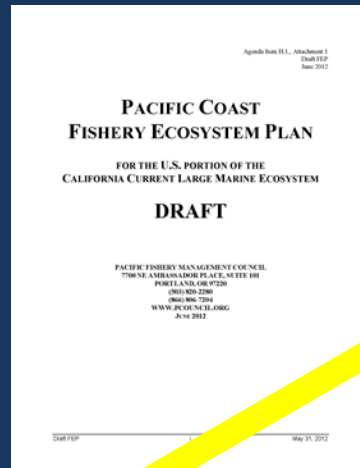


(C) Develop Ecosystem FMP

Option 6:



=



etc.

National Marine Sanctuaries of the West Coast

Ocean Acidification Action Plan

Dave Lott WCR, Ed Bowlby OCNMS, Dan Howard CBNMS, Kelley Higgason GFNMS, Karen Grimmer MBNMS, Laura Francis CINMS, Linda Krop CINMS SAC, Richard Feely PMEL, Libby Jewett OAR

August 5, 2011

(D) Authorities outside PFMC process

Option 8:



Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
Status Quo	N/A	None – open to persons/vessels meeting the requirements of the List of Fisheries and with the capital to develop a new fishery and markets for harvested products. No new fisheries could start within the EEZ without notification to the Council under 50 CFR 600.725 and 50 CFR 600.747.
Option 1: Recommend updating List of Fisheries and Gear	1 st Council meeting: send current List and potential changes out for review by states, tribes, advisory bodies, and public.	Open to persons/vessels meeting the updated and more restrictive List of Fisheries and with the capital to develop a new fishery and markets for harvested products. No new fisheries could start within the EEZ without notification to the Council under 50 CFR 600.725 and 50 CFR 600.747.
	2 nd Council meeting: adopt recommendations for revisions to List and forward to NMFS.	
	1 st Federal Register Notice: NMFS publishes Council recommendations as proposed rule to revise 50 CFR 600.725(v).	
	2 nd Federal Register Notice: To be published if NMFS approves the Council's recommendations as a final rule 600.725(v).	
Option 2: Recommend updating List of Fisheries and Gear. Also, set standards for new West Coast fisheries within FEP	1 st Council meeting: send current List and potential changes by states, tribes, advisory bodies, and public. Assign FEP language to set standards for new West Coast FEP, or send the language within this report out for public review.	
	2 nd Council meeting: adopt recommendations for revisions to List and forward to NMFS. Refine FEP language during Council taking into account comments of advisory bodies and the public.	
	3 rd Council meeting: Finalize FEP language on standard Coast fisheries.	
	NMFS reviews Federal Register Notice process: Same as for Option 3.	

Table 2: Options, Meeting and Notice Processes that be auxiliary to Council/NMFS processes described below.	
Option	Council & NMFS (or other) Processes
Option 3: Add new FMP species to existing FMP(s)	1 st Council meeting: assign process and schedule for new FMP(s) to applicable FMP(s).
	2 nd Council meeting: adopt amendment(s), review

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Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
Option 7: Request that Sanctuaries consider prohibiting unfished fish harvest	NMFS review Federal Register Notice process: Same as for Option 3. Although NMFS may need to publish an initial Advance Rulemaking prior to Council's Ecosystem FMP development. Initially, Council would send a letter of request to the states, suggesting that they initiate processes to consider prohibiting fishing for unfished species within their borders. The letter would include one or more Council meeting dates on the issue would include one or more Council meeting dates on the issue would include one or more Council meeting dates on the issue.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EC species would be restricted or prohibited.
	NOS and NMFS would collaborate on any rulemaking from Sanctuary discussions. That process would likely proceed and final rule, possibly preceded by Advance Rulemaking.	
Option 8: Request that the three coastal states consider prohibiting unfished fish harvest, landing, or processing	Each state has a process for issuing time, place, and manner rules. The states also have authority to regulate the and transport of fish. The authority to issue rules relevant to the issue most likely lies with the states' Fish and Wildlife/Game Commissions. Each Commission sets its own agenda and follows a rulemaking process similar to that of the Council. Whether a new rule would be needed or not to address fishing a currently unfished species would depend on an assessment of the specifics against the current rules in each state. More detail on each state is given in the main document.	vessels of each state, ranging from outright prohibition to limits on how fish can be used (e.g., human use). Three different processes have the potential to result in three different outcomes depending on the policy preferences of each state's Commission.

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Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
Option 3: Add new FMU species to existing FMP(s)	1 st Council meeting: assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new FMU species to applicable FMP(s).	Depending on Council's recommendations and NMFS review and approval/disapproval process, future fishing for named FMU species would be restricted or prohibited.
	2 nd Council meeting: adopt process and schedule for draft FMP amendment(s), review list of potential species to be added to FMP(s). Review availability of scientific data and analyses needed to develop MSA-required harvest and habitat reference points for new FMU species.	
	3 rd Council meeting: Review recommendations of SSC and other advisory bodies on MSA-required harvest and habitat reference points for the new FMU species. Develop draft FMP amendment language to be sent out for public review.	
Option 4: Add new EC species to	4 th Council meeting: Review and either adopt FMP amendatory language (which would include MSA-required harvest and habitat reference points.) or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a 5 th Council meeting will be needed to finalize Council recommendations to NMFS.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EC species would be restricted or prohibited.
	1 st Federal Register Notice: NMFS publishes a Notice of Availability for an FMP amendment for the appropriate FMP(s).	
	2 nd Federal Register Notice: NMFS publishes Council recommendations as proposed rule.	
Option 5: Identify potential adverse effects on EFH through loss of prey species	3 rd Federal Register Notice: NMFS will publish a final rule if it partially or fully approves the Council's recommendations to amend the FMP(s) and Federal regulations.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EC species would be restricted or prohibited.
	1 st Council meeting: assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new EC species	

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Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
Option 6: Develop new Ecosystem FMP	for public review.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	4 th Council meeting: Review and either adopt FMP amendatory language or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a 5 th Council meeting will be needed to finalize Council recommendations to NMFS.	
	NMFS review Federal Register Notice process: Same as for Option 3.	
Option 7: Request that Sanctuaries consider prohibiting unfished fish harvest	1 st Council meeting: assign EPDT and EAS to convert the FEP development process into an EFMP development process. Provide guidance on potential lists of species that could serve as FMU species within an EFMP. Assign Council staff to assess long-term budget implications of adding a fifth FMP and attendant permanent advisory bodies.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	2 nd Council meeting: adopt process and schedule for draft FMP amendment(s), review lists of potential species to be added to FMP(s). Review availability of scientific data and analyses needed to develop MSA-required harvest and habitat reference points for new FMU species.	
	3 rd Council meeting: Review recommendations of SSC and other advisory bodies on MSA-required harvest and habitat reference points for the new FMU species. Develop draft FMP amendment language to be sent out for public review.	
Option 8: Request that the three coastal states consider prohibiting unfished fish harvest, landing, or processing	4 th Council meeting: Review and either adopt FMP amendatory language (which would include MSA-required harvest and habitat reference points.) or revise and send language out for an additional round of review and comment by advisory bodies and the public. If an additional round of review and comment is needed, a 5 th Council meeting will be needed to finalize Council recommendations to NMFS.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	1 st Federal Register Notice: NMFS publishes a Notice of Availability for an FMP amendment for the appropriate FMP(s).	
	2 nd Federal Register Notice: NMFS publishes Council recommendations as proposed rule.	
Option 9: Identify potential adverse effects on EFH through loss of prey species	3 rd Federal Register Notice: NMFS will publish a final rule if it partially or fully approves the Council's recommendations to amend the FMP(s) and Federal regulations.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	1 st Council meeting: assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new EC species	
	2 nd Council meeting: adopt process and schedule for draft FMP amendment(s), review lists of prey species of FMP species to develop a draft list of those prey species that, if fisheries were to develop on those prey species, the loss of those prey species' biomass if managed within MSA parameters would be more than minimal and not temporary in nature.	
Option 10: Identify potential adverse effects on EFH through loss of prey species	3 rd Council meeting: Review recommendations of SSC and other advisory bodies on list of prey species and their applicability to review parameters at 50 CFR 600.815. Develop draft FMP amendatory language to be sent out	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	NMFS review Federal Register Notice process: Same as for Option 3.	
	1 st Council meeting: assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to review and revise EFH provisions within applicable FMP(s).	

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Table 2: Options, Meeting and Notice Processes, and Effects (Does NOT include National Environmental Policy Act processes, which would be auxiliary to Council/NMFS processes described below.)		
Option	Council & NMFS (or other) Processes	Effect on Fishing for Unmanaged Fish Species
Option 11: Identify potential adverse effects on EFH through loss of prey species	for EFMP development, needed to develop MSA-the new FMU species. FR 600.310 to assess those parameters.	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	If SSC and other advisory reference points for the new compatibility with EC draft FMP language to be	
	system FMP or revise and comment by advisory bodies and comment is needed, a Council recommendations to	
Option 12: Identify potential adverse effects on EFH through loss of prey species	1 st Council meeting: assign relevant teams and advisory bodies to develop a process and schedule for draft FMP amendment(s) to add new EC species	Depending on Council's recommendations and NMFS review and approval/disapproval process, future directed fishing for named EFMP species would be restricted or prohibited.
	2 nd Council meeting: adopt process and schedule for draft FMP amendment(s), review lists of prey species of FMP species to develop a draft list of those prey species that, if fisheries were to develop on those prey species, the loss of those prey species' biomass if managed within MSA parameters would be more than minimal and not temporary in nature.	
	3 rd Council meeting: Review recommendations of SSC and other advisory bodies on list of prey species and their applicability to review parameters at 50 CFR 600.815. Develop draft FMP amendatory language to be sent out	

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For those images where sources are not shown directly on image, all are courtesy of the U.S. National Oceanic and Atmospheric Administration, except:

Slide 11: Jacksmelt; California Department of Fish and Game. Pelagic thresher shark; Hawai'i Department of Land and Natural Resources.

Slide 16: Fish stock assessment cartoon; U.N. Food and Agriculture Organization.

Slide 18: Washington state seal; Washington Secretary of State. Oregon state seal; Oregon Secretary of State. California state seal; California State Library.

Slide 20: SamTrans (San Mateo County Transit District) bus; California Partners for Advanced Transportation Technology.

GROUNDFISH ADVISORY SUBPANEL REPORT ON CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

Mr. Mike Burner briefed the Groundfish Advisory Subpanel (GAP) about the issues under consideration for this agenda item. The GAP believes the Pacific Fishery Management Council (Council) has a demonstrated record of precautionary management across the portfolio of Council-managed fisheries. The GAP recommends precaution also be applied to currently unmanaged forage species, but stresses the need to balance any work on this issue against ongoing issues of higher priority.

The GAP discussed the range of options available to the Council – from no action to an explicit prohibition on development of new fisheries for currently unmanaged forage species. The GAP finds no compelling reason for an outright prohibition at this time. However, given the Council's precautionary approach and the broad call for the Council to act, the GAP believes it would be inappropriate to take no action.

Therefore, the GAP recommends further development of option 4 in the Ecosystem Plan Development Team (Ecosystem Team) report, Agenda Item G.1.b, EPDT Report: "Option 4: Use FMP amendment process to add new EC [Ecosystem Component] species to one (or more) of the Council's current FMPs." This approach should provide a vehicle to protect currently unmanaged forage species. Specifically, categorizing these species as EC species within current FMPs should provide the Council a mechanism to regulate fishing for these species in response to development of a targeted fishery.

The GAP does not support adding currently unmanaged forage species to the Fishery Ecosystem Plan currently under development. The Council and its advisory bodies were explicit and unanimous in directing development of an informational document to broaden and strengthen Council decision-making across all fisheries. The Ecosystem Team appears to be making steady progress on this important task, and these efforts should not be undermined.

Finally, any work on currently unmanaged forage species must be balanced against the already fully subscribed Council workload. The GAP believes this issue is a lower priority.

GROUNDFISH MANAGEMENT TEAM REPORT ON CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Groundfish Management Team (GMT) reviewed the Ecosystem Plan Development Team (EPDT) report, [Agenda Item G.1.b, EPDT Report](#), and public comment on this item. We would also like to thank Mr. Mike Burner for presenting an overview of those options to the GMT and Groundfish Advisory Subpanel (GAP). If the Council wishes to prohibit or otherwise discourage fisheries for forage fish species, unless specifically authorized, the options presented by the EPDT do a good job of covering the range of available avenues. Given that the Council chose last June not to make the Ecosystem Plan regulatory in nature unless the existing fishery management plans (FMPs) prove inadequate ([June 2011 PFMC Minutes](#)), we think that there are options available that meet that general guidance. We have the following comments for Council consideration.

As part of our analysis to better align the groundfish FMP with the recently revised National Standard 1 (NS1) guidelines, we are in the process of determining which species may be included as ecosystem component (EC) species. We also continue to promote standardization of EC species under the Ecosystem Plan ([Agenda Item H.1.b, Supplemental GMT Report, June 2011](#)). Should the Council wish to designate species that could be considered forage fish and are not otherwise listed as “in the fishery” under any FMP, they might consider EC designation under the various FMPs as part of the ongoing efforts to align with NS1 guidelines. This would not prohibit harvest of any of the forage species, but would require an FMP amendment to set appropriate harvest levels and management measures, should any of those species change from being ECs to “in the fishery”. However, we note that this would likely require some coordinating role by the EPDT to ensure that all species for which fisheries might develop, and which are also important ECs, were covered by the various FMPs.

Updating the list of fisheries might also prevent the development of fisheries without a more affirmative role by the Council and National Marine Fisheries Service (NMFS). The EPDT has provided a suggested revision to that list as a starting point. The GMT agrees with updating the list, but recommends that the proposed revisions be reviewed by the appropriate advisory bodies prior to adopting any revisions. The broad provisions for “Recreational (non-FMP)” or “Commercial (non-FMP)” fisheries would have to be removed to make this provision effective at securing affirmation by the Council and NMFS prior to fishery development.

Use of authorities outside the Council process or NMFS purview may have some merit, but need to be considered carefully. We have heard that all three West Coast states as well as British Columbia and Alaska have prohibitions on the type of reduction/meal fisheries that forage fish fishery prohibitions are targeted at addressing, but we have not been able to verify the respective applicable laws or exact jurisdictions to confirm that is the case—particularly out into Federal waters or for species that might fall under Council FMPs. We also note that there does not appear to be an analysis of yet that responds to the Council’s guidance to, “Develop a list of species that are not currently included in any FMP, that are not under State management, are not listed under the ESA, or are species that could be the target of future fishery exploitation.” Such

an analysis would help inform whether there are species that would need to be managed using outside authorities or processes.

Use of National Marine Sanctuary authority appears patchy in its effectiveness and is anathema to one of the original purposes of establishing a broader ecosystem plan, namely to prevent confusion or inconsistencies between Sanctuary authority and NMFS fisheries management authority expressly authorized under the Magnuson Stevens Act.

Finally, while we are not submitting a statement under Agenda Item H.1 on development of the Ecosystem Plan, we are generally supportive of providing a description of the standards that the Council would use in assessing the likelihood that a proposed new fishery could compromise the Council's West Coast conservation and management measures in that Ecosystem Plan. As such, the GMT continues to support using the Ecosystem Plan as a strategic, non-regulatory vehicle for improving fisheries management across FMPs unless specific ecosystem policy goals are identified.

PFMC
06/23/12

HABITAT COMMITTEE REPORT ON CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Habitat Committee (HC) discussed protection of currently unmanaged forage species. The HC believes the Council should act proactively to protect forage fish that are not already under a fishery management plan before there is pressure to create a fishery for these species, especially given that there is already a large market for aquaculture feed and fish oil, and in light of the 2011 federal aquaculture policies that encourage the development and advancement of aquaculture in the U.S. Many Council-managed species, such as salmon and groundfish, rely on these unmanaged fish as forage.

The HC also believes it is important to choose a management option that minimizes the long-term workload for the Council while providing the Council with robust tools to provide adequate protection for these species.

If the Council can develop the rationale to put an expanded list of forage species under the coastal pelagic species (CPS) fishery management plan (FMP), then the CPS FMP could be an appropriate way to manage these species; as was done with the Council's prohibition on fishing for krill. However, some species might more appropriately be defined as forage for other FMP fisheries, or may interact with the gear in those fisheries. Therefore, an omnibus amendment that addresses forage species across multiple FMPs is another option to consider.

PFMC
06/20/12

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON
CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY
UNMANAGED FORAGE SPECIES

The members of the Highly Migratory Species Advisory Subpanel (HMSAS) (including the commercial, charter, recreational, public, and environmental representatives) want to bring to the Council's attention that their constituents have a substantial and vital interest in both the subject matter and the development of advice from the Ecosystem Advisory Subpanel, the Ecosystem Plan Development Team, the Coastal Pelagic Species Advisory Subpanel, and the Coastal Pelagic Management Team in the specific area of FORAGE SPECIES, both managed and unmanaged. The interest of the aforementioned sectors of the fisheries is the need for live bait to conduct their fisheries.

The HMSAS asks the Council to consider some mechanism by which a member of the HMSAS can liaison with one or more of these subpanels and management teams in order to cooperate in the development of any management measures recommended to the Council. The HMSAS has a designated member who can fill this role; however, there are various administrative matters, such as covering that member's expenses, which will be increased by the necessity to attend more Council meeting days as well as subpanel and management team meetings.

Additionally, the HMSAS requests the Council to assure there are sufficient resources made available so that there are enough conference-telephone or "go-to-meeting" computer resources in order to allow those members of the HMSAS to conference in to meetings of the above-listed subpanels and management team meetings. Also the HMSAS requests that arrangements be made to provide them with the briefing book materials from the listed entities in advance of Council meetings.

PFGC
06/21/12

United States Senate
WASHINGTON, DC 20510

Agenda Item G.1.b
Supplemental Senate Letter
June 2012

June 8, 2012

Chairman Dan Wolford
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220

Dear Chairman Wolford and Council Members:

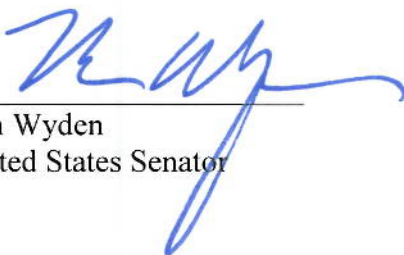
We are encouraged the Pacific Fishery Management Council will consider the next step in protecting currently unfished forage species at this month's meeting. By starting the process, the Council continues to show the visionary leadership we will need to keep fisheries a vital economic engine for our state and other coastal states. We ask that you continue to ensure the Council hears from all constituencies as it begins the process of defining how best to protect a vibrant Pacific marine ecosystem.

The Council is to be commended for taking a proactive approach in recognizing the ecosystem contribution of forage species, which transfer energy from primary producers like phytoplankton and zooplankton to marine life higher on the food chain. Predators that depend on an abundance of forage fish include albacore tuna, salmon and groundfish, which, in turn support high-value fisheries that are so important to our coastal economies.

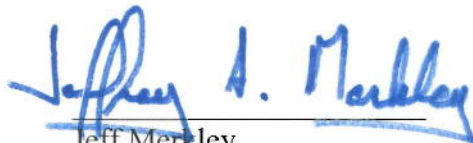
A new report from the Lenfest Forage Fish Task Force found that it is more economically valuable to leave forage fish in the water than to harvest them due to the reliance of commercially valuable species such as salmon, tuna and cod on forage fish. The report further recommends caution before initiating new fisheries on forage species given the limited knowledge currently available on these species. While the Magnuson-Stevens Fishery Conservation and Management Act, the primary law governing our nation's fishery resources, encourages the domestic development of fisheries, we note that it also provides flexibility for regional councils to act with precaution, especially when it comes to sustaining existing fisheries over the long term and maintaining ecosystem health.

Thank you for your time and for your commitment to a healthy and durable Pacific marine environment for generations to come.

Sincerely,



Ron Wyden
United States Senator



Jeff Merkley
United States Senator



Native Fish Society

221 Molalla Ave., Suite 100

Oregon City, OR 97045

503-496-0807

bmbakke@gmail.com

Conserving biological diversity of native fish and protecting wild populations

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

RE: Proposed quota expansion on forage fish fisheries

Dear Mr. Wolford:

The Native Fish Society is a regional conservation organization concerned about the health, abundance and biological diversity of native fish ecosystems. Forage fish are native wild populations of animals that require thoughtful management based on scientific information, monitoring and evaluation. The expansion of fishery quotas for so-called forage fish has an impact upon the entire ocean ecosystem and can impact freshwater aquatic and terrestrial environments affecting mammals, birds and other species of fish that rely upon those fish for food, growth, reproductive success and survival. For example, wild native salmonids, many of which are now listed as federal protected species, are dependent upon a healthy and productive ecosystem that is food rich and abundant.

The Native Fish Society recommends that the PFMC not expand forage fish fisheries and quotas and use the precautionary principle in allocating quotas for forage fish.

There are numerous scientific and policy statements supporting the protection of forage fish to benefit productive and viable ocean and freshwater ecosystems. I have provided a few of these statements below for reference.

ISAB Comment

“Food web structure and processes associated with them determine how system components act collectively – sometimes synergistically – to underpin the resilience and productivity of the larger ecosystem. Further, when a predator impacts its prey, the influence can extend well beyond the prey, reverberating throughout the entire food web as a “cascading trophic interaction.” (ISAB 2011)

WDFW Comment

“It shall be the policy of the department to maintain healthy populations of forage fish species and individual stocks of forage fish while assuring the integrity of the ecosystem and habitat upon which marine resources depend. If insufficient information exists or the condition of the resource is poor, a conservative approach to fisheries will be taken. Fishery management plans will consider the role of forage fish in the marine ecosystem and the need to supply sufficient quantities of forage fish for ecosystem needs. A precautionary approach to resource management shall be utilized. The department shall consider the best scientific information available.” (WDFW 1998)

A recent report called “Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs.” estimates that forage fish worldwide generate \$5.6 billion as direct catch, but contribute more than double that - \$11.3 billion – by serving as food for other commercially important fish. The Lenfest Forage Fish Task Force is available <http://www.oceanconservationscience.org/foragefish/>

Based on these and other scientific and policy statements, the Native Fish Society supports the efforts of the PFMC to implement a management plan for forage fisheries that maintain the ecosystem services they provide.

References:

Independent Scientific Advisory Board (ISAB). 2011. Columbia River Food Webs: Developing a Broader Scientific Foundation for Fish and Wildlife Restoration. Document ISAB 2011-1.

Washington Department of Fish and Wildlife (WDFW). 1998. Forage Fish Management Policy, Fish and Wildlife Commission Policy Decision.

Sincerely,

A handwritten signature in cursive script that reads "Bill M. Bakke". The signature is written in dark ink and includes a long horizontal flourish at the end.

Bill Bakke

RECEIVED

MAY 15 2012

PFMC

Pacific Fishery Management Council May 10, 2012

Dan Wolford, Chairman

7700 NE Ambassador Place, Suite 101

Portland, Oregon 97220-1384

RE: Proposed quota expansion of forage fish

Dear Mr. Wolford,

I believe forage fish need to be protected from overharvest. We have been spending millions to protect salmon and bring them off the endangered species list. Let salmon have something to eat once their numbers increase. My understanding is recent surveys of forage fish show their numbers dangerously low. Allowing more commercial fisheries could make them extinct. This would have repercussions up and down the food chain. Please help us manage our fisheries.

Sincerely,



Roger Urbaniak

Member Puget Sound Hatchery Action Advisory Group, Puget Sound Anglers, F.I.S.H., Advisor Western Fisheries Research Lab, Permit, install, operate six remote salmon incubator sites Lake Washington, Master Docent Issaquah Hatchery.



May 21, 2012

RE: Public Input for June 24 Pacific Fishery Management Council Meeting

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

The Friends of the San Juans has worked for over 33 years to defend natural spaces and wildlife that define Puget Sound. Recognizing the value of forage species such as herring, sand lance, and surf smelt as crucial components of a rich and productive marine food web, we have worked to conserve the spawning habitat on which these species depend.

Over 700,000 visitors come to the San Juan Islands to enjoy fishing and crabbing and watch our wildlife that depend on our regions rich and productive ecosystem. These visitors expect to see birds, salmon, and orca in the wild. Preserving forage fish species is vital to our tourist based economy. These visitors contribute over \$51 million annually to our economy. In addition over 600 jobs are created to support our recreational tourism based economy.

Forage fish are critical to supporting the Chinook salmon which are the primary food of the totemic southern resident Orca. These species (salmon and orcas) are the backbone of our economy and cultural icons for our county as well as the tribes in the US and British Columbia. The seven tribes with Usual and Accustomed Fishing Rights in the San Juans alone depend on forage fish to feed their salmon fisheries.

With only 16,000 residents in San Juans County, we ask our residents and visitors to be good stewards our natural resources. Now, we ask the Council to do its part, by protecting non-managed forage species such as sand lance by incorporating them into an existing fishery management plan.

PO Box 1344 Friday Harbor, WA 98250 Ph: 360-378-2319 Fax: 360-378-2324 www.sanjuans.org
Protecting the San Juans, preserving our quality of life

We note that our own state's Forage Fish Management Plan, adopted in 1998, prioritizes forage fish in state waters for its value to the marine ecosystem with catch considered only on a secondary basis. We are concerned that non-managed forage species are vulnerable to new fisheries in federal waters because of growing worldwide demand to convert wild-caught forage fish into secondary uses such as feeding farmed fish. The council's draft fishery ecosystem plan highlights this threat, pointing out that the "spectacular growth" of the global aquaculture industry – and its need for wild-caught forage as feed – is likely to make the market more attractive for lower-trophic-level species that aren't currently being fished on the Pacific coast.

A landmark report from the Lenfest Forage Fish Task Force, *Little Fish, Big Impact*, concluded that forage fish is worth twice as much in the water as it is in the net solely because of the commercial value it adds to predators like tuna, salmon and cod. This is a conservative estimate, because it does not include the value of recreational fishing, birding, or whale-watching.

In addition, the Lenfest scientists recommended that when we have little information about a forage species, we should not allow a new fishery to operate.

We encourage the Council to set aside non-managed forage species now, before a new fishery emerges. This would be a tangible step toward protecting a vibrant and durable marine environment of the Pacific Northwest coast and consistent with the Council's interest in moving toward ecosystem-based approach to management.

Sincerely,



George Lawson, Board President



Stephanie Buffum Field, Executive Director

South Coast Tours LLC

27436 Hunter Creek rd. Gold Beach, OR 97444
www.southcoasttours.net
541 373-0487



South Coast Tours LLC

Dear Chair Wolford and Council Members:

I am writing today to urge the council to consider the small, but so very important baitfish. As you know these little fish are vitally important to the more iconic fish that so many northwest anglers spend millions of dollars chasing in our amazing waterways. In the northwest we have dedicated a significant amount of resources to the protection and rebuilding of our Salmon and Steelhead stocks. Watershed councils, conservation groups, agencies and others have spent a vast amount of time and energy working on these highly popular and resilient heritage fish. Sometimes I'm amazed that we still have fishing opportunity considering how much habitat loss and depletion these fish have endured.

Knowing that we have lost habitat and understanding the current pressure on the stocks I worry that further removal of the base of their diet may be the final straw for these truly amazing fish. We can only make it harder for them for so long before they finally succumb to the pressures and we lose them forever.

As a kayak fishing and wildlife viewing business on the southern Oregon coast, I ask the council to consider a ban on any new forage fish fisheries until we truly grasp their importance in the whole ocean food web. If any new baitfish fishery were to be proposed, I hope the council would seek an ecosystem based approach to look deep into the issue to see if there is really a need for this new fishery and how this new fishery might impact the rest of the food chain as well as the many businesses and livelihoods that depend on healthy ocean ecosystems.

Please look carefully at the importance of the little guy in the ocean and please employ the precautionary principle and ecosystem-based management when addressing potential forage fish exploitation. We all don't want to end up like other places in the world (or even here in the U.S.) where one fishery after another collapses until there is little left but puny fish. So let's do the right thing and stick up for the little guy.

Thank you for your efforts,

Dave Lacey
Owner: South Coast Tours LLC

May 22, 2012

Pacific Fishery Management Council

Dear Management Council,

I write to you today asking for your support and leadership in emphasizing the conservation of forage fish as the key to a healthy ocean that benefits all of us on the Pacific coast. In light of increasing demands on our oceans and emerging science about the fragility and importance of forage fish, we need to ensure we leave enough in the ocean for marine life before we remove them as feed for fish farms, poultry and livestock.

I appreciate that the council has agreed to develop a fishery ecosystem plan. That plan should start by informing and guiding the protection of forage fish as the critical link in a productive and resilient marine ecosystem -- which will also protect the coastal fishing communities that depend on the ocean. The plan should include a process for making sure the needs of predators are met in all of the council's actions. In addition, I urge you to proactively prevent new fisheries on unmanaged forage species by incorporating them into a council management plan as quickly as possible.

Sincerely,

Mrs. Huron Wright-campbell
6115 Springford Drive G-22
Harrisburg, PA 17111-4973

May 22, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

The Oregon Chapter of the American Cetacean Society (ACS) urges the Council to protect forage fish species that are not currently managed. ACS is a 501(c)(3) organization concerned with the welfare, protection, and safety of whales, dolphins, and porpoises (collectively known as 'cetaceans') and the ocean and riverine habitats in which they live. We accomplish our goals through developing public education initiatives, funding research projects, and implementing conservation actions aimed at protecting cetaceans in their natural environments.

Cetaceans enchant us with their grace, intelligence, and beauty, and have an exceptional ability to inspire people and serve as ambassadors for marine conservation. And yet these magnificent creatures face more threats today than ever before- from entanglement in marine debris and fishing gear, ship strikes, noise pollution, climate change, ocean acidification, contaminants, loss of habitat and whaling.

We need a balanced and productive food web to ensure the long term health and productivity of our oceans. The Pacific Coast offers some of the best whale watching in the world. However, whales and other cetaceans require a significant amount of forage to survive. For instance, the average humpback whale eats up to one and a half tons (1,361 kg) of food per day. If forage stocks are depleted, we will inevitably see a decline in cetacean populations as their food becomes scarcer. We ask the council to halt the development of new fisheries targeting unregulated forage species until we can account for their importance as prey to cetaceans and other marine life.

Sincerely,

Joy Primrose
President, Oregon Chapter American Cetacean Society
Certified Marine Naturalist
marine_lover4ever@yahoo.co
(541) 517-8754



Coastal Conservation Association

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May 24, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Chairman Wolford and Council Members,

The Washington and Oregon chapters of Coastal Conservation Association respectfully urge the Council to immediately move forward with protecting non-managed forage species as soon as possible and we are encouraged that the Council has agreed to address this issue at your June meeting. We ask that you follow through by incorporating forage species that aren't currently being targeted into a management plan.

As we have stated previously, the Council's own draft fishery ecosystem plan suggests that the market for currently unfished lower-trophic-level species is likely to grow more attractive because of the "spectacular growth" of the global aquaculture industry. It's only a matter of time before non-managed forage fish become the target of the same type high-volume, low-value fisheries that characterize the market for many coastal pelagic species (CPS) on the West Coast. [i]: "CPS finfish landed by the roundhaul fleet (fishing primarily with purse seine or lampara nets) are sold as relatively high volume/low value products (e.g., Pacific mackerel canned for pet food, Pacific sardine frozen and shipped to Australia to feed penned tuna, and northern anchovy as bait or tuna feed)," according to the Council's 2011 status assessment of Coastal Pelagic Species.

We are concerned that the decline of the West Coast sardine population, exacerbated by fishing pressure, will raise the likelihood of fisheries shifting toward non-managed forage fish. The Council has a long list of low-trophic-level species that are all vulnerable to new fisheries developing with no regulations or restrictions of any kind. If sardines continue their decline or even collapse – as suggested in the recent paper^[ii] by Zwolinski and Demer – the industry will quickly shift to other forage species. That's why we believe it's urgent for the Council to act to protect non-managed forage species as soon as possible.

Many important prey species are vulnerable without the science or management in place to ensure that fishing does not harm dependent predators. As an organization representing over 10,000 Pacific Northwest residents who have a stake in protecting a well-functioning marine food web, we ask the Council to take this first tangible step toward prioritizing West Coast forage fish for their role as food for salmon, other fish, seabirds and marine mammals.

Recently, a new landmark analysis by the Lenfest Forage Fish Task Force^[iii] – which includes 13 preeminent scientists from around the world -- highlighted the fact that forage fish already accounts for over one-third of the world's annual harvest of marine fish. The report noted

that pressure is rising to extract vast quantities of wild-caught forage fish from marine ecosystems, mainly for secondary uses as feed for livestock, poultry and farmed fish. The scientists concluded that forage fish are worth twice as much in the water as they are in the net solely because of the value they add to commercial fisheries like albacore tuna, salmon and cod. This is a conservative estimate, because it does not account for their value to recreational fisheries for similar species, or eco-tourism activities such as birding and whale-watching.

Notably, the Lenfest scientists recommended that no new fishery should be allowed to begin on forage species with little or no information about their population, dependency of predators, or foraging patterns. Such is the case with non-managed forage species along the West Coast. The State of Washington's forage fish management plan^[iv] emphasizes caution when it comes to protecting forage species in state territorial waters. The following statement is taken directly from that management plan, "Most management plans emphasize yield (or catch) as a major goal. This plan emphasizes the role of forage fish in the ecosystem and considers catch on a secondary basis. The availability of forage fish to provide a source of food for salmon, other fish, marine birds and marine mammals will be a primary consideration. To achieve this, potential catch will be foregone if needed." The plan places the priority on the overriding ecological value of forage species to salmon and other upper-trophic animals as the primary consideration, with catch considered only on a secondary basis. It also encourages a precautionary approach when the agency is faced with a decision and a lack of information. We also believe a cautionary approach is appropriate since we know that once a new fishery emerges, and investments are made, the industry will have a built-in incentive to maximize the harvest.

Our members have dedicated countless volunteer hours to restore salmon and steelhead to West Coast rivers and streams, and the region has expended billions of dollars restoring these and other marine fish populations. We ask for the Council to act with foresight to do its part to help sustain a resilient and healthy marine ecosystem for generations to come.

Sincerely,

Ed Wickersham

Ed Wickersham, Chair, CCA Washington Government Relations Committee

Bruce Polley

Bruce Polley, Chair, CCA Oregon Government Relations Committee

^[i] Status of the Coastal Pelagic Species Fishery, Stock Assessment and Fishery Evaluation. Pacific Fishery Management Council. June 2011.

^[ii] Zwolinski, J.P., and D. Demer. 2012. "A cold oceanographic regime with high exploitation rates in the Northeast Pacific forecasts a collapse of the sardine stock." Proceedings of the National Academy of Sciences.

^[iii] Pikitch, E., et al., 2012. Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs. Lenfest Ocean Program. Washington, DC. 108 pp.

^[iv] Forage Fish Management Plan. Adopted by the Washington Fish and Wildlife Commission on Jan. 24, 1998.

May 25, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384



Dear Chairman Wolford and Council Members:

The Northwest Guides & Anglers Association's (NWGAA) mission is to protect, enhance, and promote healthy sport fisheries and the ecosystems they depend on in the Pacific Northwest. NWGAA was formed to address issues in the Northwest, including the Columbia River, that limit the capability of fully prosecuted sport fisheries.

We support conservation measures that are backed by credible science with fair public and professional input. We write today urging the Pacific Fishery Management Council to suspend the expansion of fisheries on unexploited forage stocks until an ecosystem-based approach can be implemented that conserves the prey base for all marine life including tuna, salmon, marine mammals and sea birds. This is a sensible action that is backed by scientists, fishermen and conservation groups alike.

The Pacific Northwest is still a relatively untapped resource as a sport-fishing destination. We can make the Northwest a destination location for sport anglers worldwide. With catch and release fisheries a recent trend, the Northwest has some very under-marketed opportunities available for tapping. However, without an adequate food supply in the ocean, we will not be able to catch many of the fish we love. Lack of forage fish has been linked to diminished salmon and steelhead runs and smaller fish size, neither of which is good for business for the hundreds of fishing guides on the Pacific Coast and Oregon's Rivers.

NWGAA strongly encourages the Council to consider the needs of sport fish when setting catch limits for forage fisheries and to set aside currently unmanaged forage populations as prey in the ocean. Thank you for the opportunity to comment on this important issue. We look forward to participating throughout this process.

Sincerely,

Bob Rees
President
Northwest Guides & Anglers Association

May 25, 2012

Pacific Fishery Management Council

Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384



Dear Chairman Wolford and Council Members:

I write today urging the Pacific Fishery Management Council to suspend the expansion of fisheries on unexploited forage stocks until an ecosystem-based approach can be implemented that conserves the prey base for all marine life including tuna, salmon, marine mammals and sea birds.

I am a native Oregonian and have been fishing Oregon's rivers and the Pacific Ocean since 1978. As a fisherman and fishing guide, I make my living obsessing over salmon, steelhead, and sturgeon. My business depends on a healthy and vibrant ocean ecosystem that supports an adequate prey base.

Ocean conditions, including lack of forage, are the biggest non-human factor in salmon numbers. Researchers analyzed stomach contents of important predator species and discovered that small forage fish comprised 80 percent of the diet of albacore tuna on the Pacific coast. The same study revealed that forage fish account for nearly half of the diet of adult salmon in the ocean. As young salmon leave the Columbia River, thick schools of forage also serve as an alternative source of prey for predatory fish, seabirds and marine mammals. And yet, forage species are under immense pressure.

The rise in demand for protein out of the ocean has resulted in forage fish taken for pennies on the pound, processed into fishmeal or shipped overseas to feed pen-raised tuna. These are not high value uses of a valuable resource. The recent Lenfest Forage Fish Task Force Report highlighted this fact, finding that forage species are worth twice as much in the water as support to other commercial fisheries than as a direct harvest product. For the sake of all our Pacific fisheries, we must recognize the increasing threat to forage species and take a precautionary approach to managing prey in the ocean.

I urge the Council to ensure healthy fisheries for my daughter and future generations by setting aside unmanaged forage species and accounting for the needs of salmon and other marine life when setting catch limits for managed forage species.

Sincerely,

Bob Rees
The Guide's Forecast
& Bob Rees' Fishing Guide Service



A PROJECT OF THE NATIONAL COALITION FOR MARINE CONSERVATION (NCMC)

May 28, 2012

Dr. Donald McIsaac
Executive Director
Pacific Fishery Management Council
7700 Northeast Ambassador Place, Suite 101
Portland, OR 97220

RE: Agenda Item G.1 – Consideration of Further Protection of Currently Unmanaged Forage Species

Dear Dr. McIsaac,

The National Coalition for Marine Conservation (NCMC), founded by fishermen in 1973, is dedicated to keeping the oceans wild to preserve fishing opportunities for the future. We promote a broad, ecosystems approach to fisheries management that reflects our expanding circle of concern for all marine life and the future of fishing. Our **Wild Oceans** programs emphasize conserving the ocean's top predators - the big billfish, swordfish, tunas and sharks – while preserving healthy ocean food webs and critical habitats essential to the survival of all fish, marine mammals and seabirds.

We strongly support the Pacific Fishery Management Council as it explores ways to give protection to unmanaged forage species. **We recommend that a list of unmanaged forage species be developed by the Ecosystem Plan Development Team, through the Fishery Ecosystem Plan, for approval by the council. We further recommend that the council add these species to the CPS FMP, either as part of the management unit or as ecosystem component species, and prohibit fishing for them.**

The forage base of the California Current is essential to the health and productivity of the ecosystem overall as well as to important commercial and recreational fisheries that target the many fish (tuna and salmon among them) that feed on lower trophic level (LTL) species. Several important forage species – sardine, mackerel and squid – are actively managed by the council or the State of California. Others are unmanaged and/or currently not the target of

directed fisheries but could be in the near future. Pressures on limited ocean resources are increasing as our population grows. Ocean aquaculture is making unprecedented demands for aqua-feeds made from prey fish. Unexploited species will be sought and targeted to meet these demands. That's been the history of fishing and it will be the future.

Harvest of prey species competes directly with the needs of wild predators and associated fisheries. A new report by the Lenfest Forage Fish Task Force is only the most recent such report to urge a more cautious and conservative approach to managing forage fish, noting that LTL species, including those in the California Current, are worth twice as much left in the water as prey for commercially-valuable species as they are to the fisheries that harvest them directly.¹ The benefits of protecting forage fish are far greater when taking into account their enormous value to associated recreational fisheries and to the non-consumptive (*e.g.*, bird-watching, whale watching) and non-use benefits (*e.g.*, protecting the health of marine ecosystems).

It is critical that the council take regulatory action now to postpone development of any new fisheries for unmanaged forage species until they can be managed in a manner consistent with the council's ecosystem goals and policies as established in its new Fishery Ecosystem Plan. This precautionary approach is a hallmark of ecosystem-based fishery management. The NMFS Ecosystem Principles Advisory Panel (on which I served) advised that Fishery Ecosystem Plans should consider "management actions with respect to all living marine resources, managed or not." (emphasis added) The EPAP called for shifting the burden of proof to prohibit the development of new fisheries for so-called "under-utilized species" when the effects on associated species or the ecosystem are poorly known.²

The NCMC urges the council to consider protection for unmanaged forage species in this context. The council is not taking this action simply to conserve the individual species *per se* – although precaution demands that we do – but rather in order to preserve the health of the overall forage base. The council should bear in mind that it is currently re-evaluating the harvest guidelines in its Coastal Pelagic Species Fishery Management Plan to better account for predator needs and ecological sustainability and that it is developing a new Fishery Ecosystem Plan that will feature indices of ecosystem health, including forage species abundance and productivity. (The 4th National SSC Workshop, October 2011, noting that some FMPs feature species-specific cutoffs or thresholds, recommended that establishing an overall forage base biomass threshold was more important to serving ecosystem needs.³)

The Fishery Ecosystem Plan is the appropriate place to identify unmanaged forage species in need of protection (as it has begun to do with the working list of forage species

¹ Pikitch, E., Boersma, P.D., Boyd, I.L., Conover, D.O., Cury, P., Essington, T., Heppell, S.S., Houde, E.D., Mangel, M., Pauly, D., Plagányi, É., Sainsbury, K., and Steneck, R.S. 2012. Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs. Lenfest Ocean Program. Washington, DC.

² Ecosystem-Based Fishery Management. 1999. A Report to Congress by the Ecosystem Principles Advisory Panel. National Marine Fisheries Service/NOAA. p. 19.

³ Seagraves, R. and K. Collins (editors). 2012. Fourth National Meeting of the Regional Fishery Management Council's Scientific and Statistical Committees. Report of a National SSC Workshop on Scientific Advice on Ecosystem and Social Science Considerations in U.S. Federal Fishery Management. Mid-Atlantic Fishery Management Council, Williamsburg, VA. p. 80.

contained in the draft FEP), while it develops an index for assessing the status of the west coast forage base. The CPS FMP is the appropriate place to take interim regulatory action to prevent new fisheries for these species – as the council did previously with krill - until such time as all forage fisheries can be conserved and managed consistent with the council's goals and policies established through the FEP.

Sincerely,

A handwritten signature in blue ink that reads "Ken Hinman". The signature is fluid and cursive, with the first name "Ken" and last name "Hinman" clearly distinguishable.

Ken Hinman
President



Port Orford Ocean Resource Team

PO Box 679
351 W 6th Street
Port Orford, OR97465
P: 541.332.0627
F: 541.332.1170
info@oceanresourceteam.org
oceanresourceteam.org

May 28, 2012

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Mr. Wolford:

Our organization combines science, education, conservation, and local knowledge to help our community continue to access healthy, local fisheries. We believe that with proper management and conservation strategies there is a future in fishing at Port Orford and look forward to our children and grandchildren following in our footsteps.

I am writing to you today to express my concern about maintaining abundant forage fish populations. Forage fish play a critical role in sustaining a vibrant Pacific Ocean and make up the cornerstone of ocean food webs. Forage fish are vital to well-functioning marine ecosystems. I am pleased that the Council will consider unmanaged forage species protection at the June Council meeting. I urge the Council to take action to ensure that forage fish are adequately protected so that they continue to provide essential food for the marine life we catch, eat and watch at Port Orford.

Our commercial fisheries depend on you taking action to adequately protect forage fish. Thank you for your attention to this important issue.

Sincerely,

A handwritten signature in black ink that reads "Leesa Cobb".

Leesa Cobb
Executive Director

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

May 29, 2012

Dear Pacific Fishery Management Council Chairperson Dan Wolford,

I am writing to support the protection of forage species—the foundation of the marine food web. Healthy and abundant populations of forage species like smelts and sandlance are critical to the sustainability of wild fish, marine mammals, and seabirds, and the recovery of key fish populations like Chinook salmon, yelloweye rockfish, sablefish, and white seabass.

"Our duty to the whole, including to the unborn generations, bids us to restrain an unprincipled present-day minority from wasting the heritage of these unborn generations. The movement for the conservation of wildlife and the larger movement for the conservation of all our natural resources are essentially democratic in spirit, purpose and method."

-- Theodore Roosevelt

Specifically, I urge the Pacific Fishery Management Council to prevent the development of new fisheries for forage fish, and at its June meeting initiate a process to amend the Council's Fishery Management Plans to protect forage fish and ensure we have a healthy ocean food web.

"As we peer into society's future, we—you and I, and our government—must avoid the impulse to live only for today, plundering for our own ease and convenience the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow."

-- Dwight D. Eisenhower

Most forage fish catch is not consumed directly as human food, but is sold to global aquaculture and agriculture markets where these fish are turned into fishmeal and feed. With the rapidly increasing demand for fishmeal and fish feeds to support the growing global aquaculture industry, there will be increasing commercial pressures to develop and expand fisheries for forage fish. Yet we know forage fish are actually worth more in the ocean, where they can fulfill their crucial ecological role as prey for whales, seabirds and other fish, than when they are harvested directly. Importantly, when populations of forage fish decline, the predators that depend on them also decline.

"Every man who appreciates the majesty and beauty of the wilderness and of wild life, should strike hands with the farsighted men who wish to preserve our material resources, in the effort to keep our forests and our game beasts, game-birds, and game-fish—indeed, all the living creatures of prairie and woodland and seashore—from wanton destruction. Above all, we should realize that the effort toward this end is essentially a democratic movement."

-- Theodore Roosevelt

Healthy fisheries and oceans depend on vibrant and diverse populations of forage species. These small schooling fish and invertebrates are clearly the foundation for the ocean food web and ought to be protected for both their ecological and economic importance. I strongly urge your leadership to ensure we have abundant and healthy populations of forage species. Please take the precautionary and proactive action of preventing the development of new fisheries for forage fish.

"A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."

-- Aldo Leopold

Thank you for your consideration of my comments. Please do NOT add my name to your mailing list. I will learn about future developments on this issue from other sources.

Sincerely,
Christopher Lish
Olema, CA



May 29, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Agenda item: G.1.c.

Dear Chairman Wolford and Council Members:

We write today to urge the Pacific Fishery Management Council (hereafter 'the Council') to amend its fishery management plans to suspend the expansion of fisheries on unexploited forage stocks until an ecosystem-based management approach can be implemented that conserves the prey base for all marine life including tuna, salmon, marine mammals and seabirds. In addition, we write to express concern about the management of the ESA-listed eulachon and the proposed expansion of current forage fish fishery quotas. Finally, we urge the Council to protect those forage species in the ocean that are not currently managed, and ask the PPMC to analyze the effects of managed fisheries on these important prey species and on their seabird predators. As a group, seabirds are now recognized as the most endangered birds in the world.¹ Commercial fisheries, through direct competition for prey species and mortality on fishing gear, are a principal sea-based threat to seabirds.

The Audubon Society's mission in Oregon is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity. Along with the Audubon Chapters below and our 13,000 members, we are devoted to the conservation of Oregon's last remaining wild places. Our members volunteer on a range of activities working to protect and restore Oregon's diverse habitats critical to bird populations, in the hopes that we may pass along this natural heritage to our children and grandchildren. Our first articles of incorporation written in the early 1900's reflect this sentiment, "to use any and all lawful means for the protection of the wild birds and animals for the State of Oregon and elsewhere." We have taken this task very seriously over the years.

Oregon is an amazing place for birds. Nearly 500 bird species use Oregon for some part of their life cycle. Our state ranks 5th in the nation for bird diversity. However, many of our native bird species are in trouble. Nearly 25% of species found in Oregon are suffering long term declines and 11% of the species found in Oregon are either already critically imperiled or likely to become critically imperiled in the near future.

¹ Birdlife Conservation International (2012) 22:1-34.

Oregon has 97 designated Important Bird Areas (IBAs) that are overseen by the Audubon Society of Portland. Recognized internationally, these IBAs were selected for their outstanding habitat value and the critical roles they play in hosting birds for breeding, migrating, or over-wintering. One third of Oregon's IBAs are situated on Oregon's coast in rocky headlands, wetlands and estuaries – habitats that are key to many seabirds.

Audubon's Coastal IBA Program includes the Ten Mile Creek Sanctuaries, located at the heart of a recently designated Globally Significant IBA for the ESA-listed seabird, the Marbled Murrelet. The Sanctuaries are nestled between Cummins Creek and Rock Creek Wilderness, and the IBA encompasses approximately 100,000 acres from north of the Yachats River to south of Heceta Head. Additionally, this IBA, as you may be aware, includes the lower reaches of Ten Mile Creek, which are designated Critical Habitat for ESA- listed eulachon, a preferred prey species for the Marbled Murrelet and many other top marine predators.

Regarding eulachon, we are concerned that NMFS has failed to identify and designate Critical Habitat in all eulachon key habitats including rivers, estuaries, and ocean waters. We support the gear modification efforts and bycatch reduction measures in the Pink Shrimp fishery, and hope these efforts will reduce the incidental take of this threatened forage fish. Current estimates show the fishery took over a million threatened eulachon in 2010 alone.² We urge the Council and NMFS to work with the States to incorporate a robust observer program to assess the effectiveness of these measures. Additionally, state managers should consider adaptive management actions such as time-area closures, and the adoption of an overall hard cap on the amount of eulachon bycatch that can be taken.

The expansion of fishery quotas for forage fish impacts the entire California Current Large Marine Ecosystem and in turn ripples through freshwater aquatic and terrestrial habitats as well, affecting mammals, birds, salmon and other species of fish that rely upon forage fish for food, growth, reproductive success and survival. A recent report titled "Global Seabird Response to Forage Fish Depletion: One-Third for the Birds" estimates that we must keep one-third of the maximum prey biomass in the ocean in order to maintain seabird productivity³. Using a comprehensive global database, the report quantified the effect of fluctuations in food abundance on seabird breeding success. The report identified the one-third threshold below which seabirds experience consistently reduced and more variable productivity. This response was common to all seven ecosystems and 14 bird species examined within the Atlantic, Pacific, and Southern Oceans. This provides an indicator of the minimal forage fish biomass needed to sustain seabird productivity over the long term. Current minimum stock sized thresholds for

² Al-Humaidhi, A.W. 1, M.A. Bellman 2, J. Jannot 2, and J. Majewski 2. 2012. Observed and estimated total bycatch of green sturgeon and Pacific eulachon in 2002-2010 U.S. west coast fisheries. West Coast Groundfish Observer Program. National Marine Fisheries Service, NWFSC, 2725 Montlake Blvd E., Seattle, WA 98112.

³ Science Magazine, 23 December 2011: 1703-1706.

Pacific sardine and mackerel and far below this threshold and risk ecosystem-wide impacts should the populations be fished down to these current thresholds.

We are aware of the growing worldwide demand to harvest and convert vast quantities of forage fish into feed for farmed fish, pigs, other livestock, and domestic cats. The Council noted in its draft ecosystem plan in November that the incentive for targeting new species of lower-trophic-level fish is likely to grow more attractive due to the spectacular growth of the global aquaculture industry. The Audubon Society agrees with this finding and believes that the harvest management should not be driven by market demands, but rather err in favor of conservation and recovery of forage fish and the health of the Californian Current Large Marine Ecosystem.

It is important to note that forage fish provide far more value in their role in the ecosystem than they do as secondary products⁴. The fate of top predators such as seabirds, salmon, and marine mammals is directly linked to that of forage fish. Hence, we urge the Council to hold off authorizing any new fisheries targeting forage species, and also to refrain from expanding any existing forage fish fisheries such as the proposed quota increase for Pacific sardine off the west coast, until the science is in place to manage both the prey fish and the predators that depend on them.

Ever since 1996, when the Magnuson-Stevens Fisheries Management Act was reauthorized as the Sustainable Fisheries Act, the intent to implement a new era of ecosystem management in our ocean-based fisheries has been clear. The precautionary approach is a fundamental tenant of ecosystem management. Aldo Leopold said it best, "If the biota, in the course of eons, has built something we like but do not understand, then who but a fool would discard seemingly useless parts? To keep every cog and wheel is the first precaution of intelligent tinkering."

The Audubon Society strongly recommends that the Council take the precautionary and proactive step of halting the development of new fisheries for forage fish until and when an ecosystem-based fisheries management plan has been implemented that can demonstrate that new fisheries can be managed without ecosystem impacts. Because the integrity of the California Current Large Marine Ecosystem and the health of top predators (such as seabirds, salmon, and marine mammals) are at stake, such an ecosystem-based approach must be guided by the precautionary principle. Until such time, the Council must focus management on recovery and conservation, with robust monitoring and conservative quota allocation for existing forage fish fisheries, such as West Coast sardines and the recovery of ESA-listed eulachon.

Thank you for your work on the Council and your efforts to protect both forage fish species and the ecosystem to which they belong. We look forward to providing further input as this process continues.

⁴ Pikitch, et al., (2012). *Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs*. Lenfest Ocean Program. Washington, D.C., 108 pp.

Sincerely,

Meryl Redisch
Executive Director
Audubon Society of Portland

Alex Maksymowicz
President - Rogue Valley Audubon Society

Diana Wales
President- Umpqua Valley Audubon Society

Debra Schlenoff
Conservation Chair - Lane County Audubon Society

Eric Clough
President – Cape Arago Audubon Society

Ann Vileisis
President – Kalmiopsis Audubon Society

David Harrison
Conservation Chair – Salem Audubon Society

Will Wright, Jim Fairchild
Co-Chairs Conservation Committee
Corvallis Audubon Society



3025 Angus Dr. SE, Tenino, WA 98589

May 29, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members:

I am enthusiastically supportive of PFMC's consideration of protecting currently unmanaged forage species during your June meeting. This wise step is a strong indication of the visionary leadership required to establish and maintain a healthy ecosystem and economy. Please assure that the Council hears from all constituencies as it commences this particular process.

Our Conservation Society represents the interests of our fishermen and others vitally interested in the sustainability of our environment and our economy. I applaud the Council for taking a proactive approach in recognizing the far-reaching importance of forage species to our overall ecosystem. Simply stated, without feed, the salmon, the ground fish and ultimately all life that depends on a healthy ecosystem will suffer.

We are well aware of the Lenfest Forage Fish Task Force study, which calculated that forage fish are twice as valuable left in the water as they are harvested. However, we do not believe this equates to all out closures of all fisheries. That important report recommends caution before initiating new fisheries on forage species given the limited knowledge currently available on these species. While the nation's primary law governing fishery resources, the Magnuson-Stevens Act, encourages the domestic development of fisheries, it also provides flexibility for regional councils to act with caution when sustaining existing fisheries. I wish to also acknowledge that the Constitutionally-defined "supreme law of the land," the (Indian) treaties, cannot be affected in any way without the mutual consent of the treaty tribes. It has been my experience that as long as these treaty rights are not challenged, the tribes have positively proved to be true to their long-standing legacies as outstanding managers who strongly support sustainability in their management practices.

There is a dire need for more, and better, cooperative and truly collaborative science dedicated to the measurement of forage fish biomass—science that supports the objective of truly sustainable recreational and commercial fisheries of currently managed stocks where they can safely occur. Such fisheries are, in fact, a desirable outcome of good management.

I thank you for your time and commitment to this important issue. It is efforts such as this which will help guarantee a healthy ecosystem and economy for many generations to come.

Sincerely,

Steve Robinson
Vice President
Steelhead and Salmon Conservation Society



TU Celebrates 50 Years of Protecting Cold, Clean, Fishable Water.

Oregon Council Trout Unlimited

May 30, 2012
Pacific Fishery Management Council
Dan, Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, OR 97220-1384

Dear Chairman Wolford and Council members-

The Oregon Council Trout Unlimited represents the members of our organization within Oregon. Trout Unlimited is a cold water non-profit conservation organization dedicated to a non-partisan approach to promote clean and free flowing rivers, teaching children about responsible stewardship and bringing scientific expertise to bear on problems such as pollution, habitat loss and climate change. Trout Unlimited members work hard to protect freshwater habitat for steelhead and salmon, but restoring these iconic species depends to a great degree on ocean conditions-including an abundance of forage fish.

That's why the Oregon Council TU urges the Council to step up protection of low-trophic level species along the West Coast, starting by incorporating currently non-managed forage fish into an existing fishery management plan.

Forage fish are the key transfer agent between planktons and the bottom of the food web and upper-trophic predators such as salmon and steelhead. The Oregon Council TU is concerned about rising global demand to convert vast quantities of wild-caught forage fish for secondary purposes such as feeding livestock, poultry and farmed fish. We note the Council's own draft fishery ecosystem plan highlights the threat of new fisheries developing because of the continuing growth of the global aquaculture industry and its need to extract large volumes of marine forage fish as food for pen-raised tuna and farmed salmon. We believe the Council should prioritize marine forage fish for its ecological importance to a healthy and resilient marine food web off the Pacific coast.

Oregon Trout Unlimited urges the Council to set aside non-managed forage fish now, before a new fishery emerges, in order to ensure that we leave enough prey in the ocean to sustain healthy runs of salmon and steelhead.

Sincerely,

Tom Wolf, Chair
Oregon Council Trout Unlimited

May 31, 2012

Mr. Dan Wolford, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, #101
Portland, OR 97220

RE: Agenda Item G.1 – Consideration of Forage Fish Management Issues

Chairman Wolford and Council Members,

We are writing to request that the Pacific Fishery Management Council (Council) take action at its upcoming June meeting under Agenda Item G.1.d to advance, in a concrete and meaningful way, the protection of currently unmanaged and non-targeted forage species. As a first step, the Council should vote to establish a management objective of protecting these species, which are critical to maintaining a healthy ecosystem and sustainable fisheries. In addition, the Council should formally initiate a public process to implement the chosen management objective.

Because the status quo policy for unmanaged forage species allows for unregulated and therefore unsustainable directed fishing, the Council should adopt an objective of preventing, through Fishery Management Plan (FMP) level regulations, new fisheries from developing on these stocks until sufficient scientific knowledge is available to manage an ecologically sustainable fishery. Taking action now to establish this management objective will facilitate the process of identifying and initiating the appropriate management vehicle.

The Justification and Need to Protect Unmanaged Forage Species

Changing the burden of proof

Ecosystem-based fishery management (EBFM) and its scientific underpinnings have been extensively reviewed and vetted within the Magnuson-Stevens Act context, with implications for management becoming clearer as the discussion and the scientific foundation evolves.

As early as 1998, the Ecosystem Principles Advisory Panel (EPAP), convened by the National Marine Fisheries Service at the request of Congress, produced a report which found that EBFM “will contribute to the stability of employment and economic activity in the fishing industry and to the protection of marine biodiversity on which fisheries depend.”¹ Since that time, the body of knowledge on EBFM has grown along with calls from government, scientists, fisheries managers and the fishing industry itself, lauding its merits and advocating its implementation. For example,

¹ National Marine Fisheries Service (NMFS). 1999. *Ecosystem-Based Fishery Management. A Report to Congress by the Ecosystem Principles Advisory Panel*. United States Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, Silver Springs, Maryland.

in 2005 the Pacific States Marine Fisheries Commission convened a panel of scientists to identify a process to help Regional Councils “move forward in incremental ways, from the existing management approaches that generally consider ecosystem interactions in an implicit and often peripheral way, to a management system that, over time, would incorporate explicit EBFM considerations into the fishery assessments themselves.”²

Commonly found in much of the literature on the subject of EBFM is the recognition that while a lack of scientific knowledge is a barrier to full implementation, there are certain first steps and actions that can be taken under our current management framework and understanding of ecosystem science. According to the EPAP report and others, chief among those is to reverse the burden of proof on the development of new fisheries.³

The modus operandi for fisheries management should change from the traditional mode of restricting fishing activity only after it has demonstrated an unacceptable impact, to a future mode of only allowing fishing activity that can be reasonably expected to operate without unacceptable impacts.

For economically and ecologically critical forage species that support a healthy California Current ecosystem and all the benefits that we derive from it, the need to take this first step is even more paramount.

Protecting the food web

Taking a proactive approach that preserves ecosystem function by protecting forage species is another widely recognized and important component of EBFM, and one that has been a proven success in terms of implementation and outcomes. For example, the states of Washington and Alaska have both implemented Forage Fish Management Plans that recognize and prioritize the role of forage species as prey in the ecosystem and restrict directed harvest accordingly.⁴ In particular, the Alaska Board of Fisheries finds that “abundant populations of forage fish are necessary to sustain healthy populations of commercially important species of salmon, groundfish, halibut, and shellfish.”⁵ Other examples of specific federal FMP level protections for forage species are discussed below in Table 2.

Preservation of the marine food web is also explicitly listed in the goals and objectives section of both the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands (BSAI) Groundfish

² Pacific States Marine Fisheries Commission (PSMFC). 2005. *Strengthening Scientific Input and Ecosystem-Based Fishery Management for the Pacific and North Pacific Fishery Management Councils*. Suggestions from a panel discussion. July 19-20, 2005. Seattle, Washington.

³ See EPAP Report, Mangel, M. et al. 1996. Principles for the conservation of wild living resources. *Ecological Applications* 6(2):338-362., Sissenwine, M. P. 1987. Councils, NMFS, and the Law. Pages 203-204 in: R. Stroud (ed.) *Recreational Fisheries* (11). Sport Fishing Institute. Washington, D. C., Dayton, P. K. 1998. Reversals of the burden of proof in fisheries management. *Science* 279:821-822.

⁴ Bargmann, Greg. (1998) Forage Fish Management Plan. A plan for managing the forage fish resources and fisheries of Washington. Washington Department of Fish and Wildlife. Olympia, WA.

⁵ Alaska Board of Fisheries. 1999. 5 AAC 39.212. Forage Fish Management Plan

FMPs. These FMPs further specify that one general action to be taken under that objective is to “continue to protect the integrity of the food web through limits on harvest of forage species.”⁶

It is important to note that actions to protect the marine food web through the conservation of forage species have been undertaken with support from the commercial fishing industry. For example, a report commissioned in 2007 by the Marine Conservation Alliance, an organization of commercial fishing industry groups, finds that one of the 13 best practices for EBFM is to manage and protect food webs. A specific action included under this practice is “a ban on new fisheries for most forage species, designed to avoid potential depletion of prey needed by fish, seabirds and marine mammals.”⁷ Furthermore, in a public letter to the North Pacific Fishery Management Council (NPFMC), the Alaska Groundfish Data Bank states that “[H]arvesting both predators and prey is akin to burning a candle at both ends.”⁸

The best available science supports forage conservation

In the last year alone we have seen three seminal scientific reports highlighting the importance of conserving forage species. A study released in July 2011 by Smith et al. demonstrated that fishing on forage species can have significant negative impacts on marine ecosystems and in particular commercial and recreationally valuable species.⁹ These findings held true for the California Current ecosystem and the study went on to recommend management reference points and exploitation rates for existing forage fisheries that are twice as conservative as the traditional maximum sustainable yield approach.

In November 2011 a study was published by Cury et al. that found when forage fish biomass falls below one third of the maximum historical biomass, seabird populations respond by producing fewer chicks.¹⁰ Most surprising here is that the predator response was consistent across ecosystems and seabird species. Of importance to resource managers is that this study provides a threshold of minimum forage species biomass needed to sustain seabird populations and productivity over the long term.

In April 2012, the Lenfest Forage Fish Task Force, a group of 13 preeminent scientists from around the globe, released a report providing practical, science-based recommendations for the management of forage species, given their critical role in marine ecosystems and the need to transition toward an ecosystem-based approach to fisheries management. For data poor forage species, the Task Force recommends that no new fisheries be initiated until sufficient information is available to manage an ecologically sustainable fishery.¹¹ According to the Task

⁶ NPFMC. 2011. Gulf of Alaska Groundfish FMP & Bering Sea and Aleutian Island Groundfish FMP. Available at: <http://www.fakr.noaa.gov/npfmc/>

⁷ Warren, Brad. 2007. *Sea Change: Ecological Progress in U.S. Fishery Management*. A report jointly commissioned by the Marine Conservation Alliance and the Institute for Social and Economic Research and the University of Alaska Anchorage. July, 24, 2007.

⁸ See Alaska Groundfish Data Bank letter to NPFMC. April 9, 1997. Available at: http://www.pewenvironment.org/uploadedFiles/PEG/Publications/Other_Resource/Alaska%20Groundfish%20Data%20Bank%20Testimonial.PDF

⁹ Smith ADM et al 2011. Impacts of Fishing Low-Trophic Level Species on Marine Ecosystems. *Science* 333 (6046): 1147-50, 26 August 2011 (published online July 21, 2011); available at www.sciencexpress.org.

¹⁰ Cury, P.M. et al. 2011. “Global Seabird Response to Forage Fish Depletion – One Third for the Birds.” *Science* 334:1703-06

¹¹ Pikitch, E., et al. 2012. *Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs*. Lenfest Ocean Program. Washington, DC. 108 pp.

Force, information needed to manage a sustainable forage fishery includes population status and trends, environmental drivers, identification of dependent predators and their status, and foraging patterns. Most, if not all, of the unmanaged species on the list of California Current Ecosystem forage species drafted by the Ecosystem Plan Development Team (EPDT)¹² do not meet these information criteria and thus according to Lenfest recommendations, should not become the target of new commercial fisheries.

Status quo policy is inadequate

The status quo policy under which new fisheries can proceed in the absence of a FMP is inadequate. As we have previously noted for the Council, the Council's List of Allowable Fisheries (List) includes a broad Non-FMP Category which currently allows new fisheries on unmanaged species to start up without Council approval.¹³ Furthermore, even if the List were updated to eliminate this catch-all authorization and exclude specific species or gear types, new fisheries would still be able to proceed after notification and a 90-day waiting period unless the Council successfully petitions the National Marine Fisheries Service to take a 6 month emergency regulatory action, and even then an FMP or FMP amendment would still need to be initiated to extend the emergency action another 6 months and implement permanent regulations.

The Council has an opportunity at this time to further establish itself as a leader in the transition towards ecosystem-based fishery management. It can take action now to manage fisheries for the long-term health of the ecosystem, or maintain the status quo under which it can only react to new and potentially harmful fisheries as they develop. We urge the Council to take the former course.

Demand is rising for new forage fisheries

The Council's own draft Fishery Ecosystem Plan (FEP) includes a market analysis which shows that, based upon their value in global commodity markets, many of the unmanaged forage species in the California Current Ecosystem could become the target of future fisheries. In particular, the analysis finds that:

Demand for LTL species in the production of fishmeal has mainly been driven by the spectacular growth of global aquaculture, which is expected to continue into the foreseeable future... Given limited potential for increased fishmeal production from traditional LTL species prices for fishmeal and fish oil will continue to rise. This makes the prospect for fisheries developing on the minor LTL species all that more attractive, as higher fishmeal prices are sure to translate into higher exvessel prices for the raw ingredients.¹⁴

¹² PFMC 2011. Draft Pacific Fishery Ecosystem Plan, Appendix A. Available at http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf

¹³ See Pew Environment Group letter to PFMC. March 23, 2012. Available at: http://www.pcouncil.org/wp-content/uploads/H5c_SUP_PC2_APR2012BB.pdf

¹⁴ PFMC 2011. Draft Pacific Fishery Ecosystem Plan, Appendix A. Available at http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf

As can be seen from this analysis, protecting unmanaged forage species is not just a philosophical or theoretical discussion about idealistic management scenarios. There is demonstrated potential for new fisheries to emerge on these species, with market pressures coming from non-consumptive uses such as fishmeal and fish oil. In fact, many of the unmanaged forage species off the West Coast are fished at industrial levels in other ecosystems.¹⁵ This potential, in combination with what we know about the ecological importance of these species to well-functioning marine ecosystems, constitutes a management vacuum that must be filled.

Protecting forage species has broad public support

To date the Council has received over 19,000 individual pieces of correspondence from engaged members of the public, urging it to take action to protect forage species for the sake of a healthy ecosystem, sustainable fisheries and vibrant coastal communities. Over 110 licensed commercial fishermen and women on the West Coast have written to the Council, urging it to prevent new fisheries from developing on forage species until adequate science is available. Additionally, a diverse list of both commercial and recreational fishing organizations have advocated for the Council to implement needed forage protections, including a reversal on the burden of proof for new forage fisheries. The regional fishery management council process encourages public participation, and we hope that this strong show of public support for protecting unmanaged forage species is helpful as the Council continues its deliberation on how best to proceed.

Council Action and Guidance to Date

The importance of forage species is not a new issue for fisheries management and forage conservation has been the impetus for previous federal actions (see Table 2 below), including the 2006 prohibition on krill fishing in the West Coast Exclusive Economic Zone (EEZ). In 2010, during the development of Amendment 13 to the Coastal Pelagic Species (CPS) FMP, there were requests from the public that the Council use that amendment as an opportunity to protect unmanaged forage species by including them in the CPS FMP as ecosystem component species with corresponding conservation and management measures. However, the Council chose not to take that opportunity and there were indications that an Ecosystem FMP would be a more appropriate vehicle for addressing non-FMP forage species.¹⁶

During the Council's deliberation on EBFM in June 2011, we testified in favor of adopting an Ecosystem FMP with the regulatory authority to establish protections for unmanaged forage species. However, as the Council did not take that opportunity to establish a regulatory Ecosystem FMP we were pleased that the Council nevertheless advanced the forage issue by directing the EPDT to develop a list of unmanaged species that could potentially be the target of a new fishery. It was our understanding that the purpose of this list was to identify forage species currently unmanaged in the West Coast EEZ that may warrant further protections.

¹⁵ *Ibid* p. 31

¹⁶ PPMC. 2010. Amendment 13 to the Coastal Pelagic Species Fishery Management Plan. Draft Preliminary Alternative and Analyses. Available at: http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_NS1_GUIDE_CPS_MARCH_2010_BB.pdf

In November 2011, the Council was presented with a list of California Current forage species with corresponding management status and an analysis of the potential for new fisheries to develop on unmanaged forage species.¹⁷ Upon receiving this information the Council requested further analysis of the need and mechanisms for expanding protective measures for forage species.¹⁸

In response to the Council's November guidance, the EPDT conducted work sessions in January and April 2012 whose purpose included further analysis of the need and mechanisms for expanding protective measures for unexploited forage species.¹⁹ We participated in both of these work sessions in addition to conducting our own analysis of the available regulatory pathways and concluded that:

- The justification for protecting unmanaged forage species is clear and compelling.
- Protections for unmanaged forage species must be housed in a regulatory FMP.
- There is ample precedent for successful FMP-level preclusions of new forage fisheries

The Council's record on this issue includes an identified and discrete set of unmanaged forage species and a market analysis showing those species to be the potential target of future fisheries.²⁰ Given what we know about the critical ecological and economic importance of forage species, the accurate and comprehensive information in the Council's record clearly demonstrates the need to protect these species from unregulated fishing in the absence of sufficient scientific knowledge.

Potential Mechanisms for Protecting Unmanaged Forage Species

Through our own analysis and our participation in the EPDT work sessions, several broad approaches to protecting unmanaged forage species have risen to the surface:

Table 1

Mechanism	Description	Pros	Cons
A. Bring unmanaged forage species into the Coastal Pelagic Species FMP	<p>*Designate unmanaged forage species as Ecosystem Component Species (ECS). ECS would not be classified as "in the fishery."</p> <p>*Adopt management measures for ECS to prohibit directed fishing.</p> <p>*Group species by highest taxonomic order for ease of management.</p>	<p>*Precedent exists for NMFS approvability. (NPFMC, Krill)</p> <p>*Council can establish criteria for developing a new fishery.</p> <p>*Satisfies stated Council member preference for reversing burden of proof on new fisheries.</p> <p>*Council can manage these species before other, less appropriate entities.</p> <p>*Most closely in line with Council guidance from June 2011.</p>	<p>*Position of CPS Management Team is unclear, having expressed that additional forage protection should be in a regulatory EFMP, that the EFMP should not be regulatory, and that species should be managed under the "appropriate" species FMP.</p> <p>*Workload, budget and urgency concerns from NMFS.</p>

¹⁷ PFMC 2011. Draft Pacific Fishery Ecosystem Plan, Appendix A. Available at http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf

¹⁸ PFMC 2011. November Decision Document. Page 5. Available at <http://www.pcouncil.org/wp-content/uploads/1111decisions.pdf>

¹⁹ PFMC 2011. Ecosystem Plan Development Team Work Session Announcement. Available at http://www.pcouncil.org/2011/12/17770/epdt_conf_call/

²⁰ PFMC 2011. Draft Pacific Fishery Ecosystem Plan, Appendix A. Available at http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf

Mechanism	Description	Pros	Cons
B. Bring unmanaged forage species into respective FMPs	<ul style="list-style-type: none"> *Break up unmanaged forage species into groupings or complexes according to Council's existing FMPs. *Designate as ECS in each respective FMP, with associated management measures. 	<ul style="list-style-type: none"> * Some Council members have expressed that forage species are best managed under primary FMPs in which they are encountered as bycatch. 	<ul style="list-style-type: none"> *Would require multiple FMP amendments or an omnibus amendment. *Council members have expressed preference to limit action to schooling pelagics which fit most within CPS. * May lead to disparate approaches by different management teams.
C. Develop a "hybrid" Fishery Ecosystem Plan (FEP)	<ul style="list-style-type: none"> *FEP would be largely advisory, with limited regulatory authority only over unmanaged, non-FMP forage species. *Unmanaged forage species could either become management unit species or ECS; with corresponding management measures. 	<ul style="list-style-type: none"> *Continuity of work with EPDT retaining primary responsibility for development of FEP and corresponding management measures. *May best allow for consideration of new forage protections in the context of ecosystem role of LTL species. 	<ul style="list-style-type: none"> *Unclear whether the Council can authorize even limited regulatory authority in an FEP, or if so, whether it can specifically limit regulatory authority to unmanaged forage species. *Unclear whether forage species would be "in the fishery" or ECS. *EPDT workload concerns if forage protection and broader EBFM work are both retained. *Uncertain timeline and future for FEP development.
D. Expand FEP into an Ecosystem Fishery Management Plan (EFMP)	<ul style="list-style-type: none"> *Full-scale EFMP with regulatory authority over non-FMP species and cross-FMP issues. *Abandon FEP and begin new process to develop an EFMP. *Require scoping, NEPA, public comment, etc. 	<ul style="list-style-type: none"> *May best allow for the development of forage protections within an ecosystem-wide context rather than a particular FMP. 	<ul style="list-style-type: none"> *Inconsistent with Council decision from June 2011. * Would require beginning again with new FMP development. *Uncertain timeline and future for EFMP development.
E. Refine MSA "List of Allowable Fisheries"	<ul style="list-style-type: none"> *Currently, non-FMP species are open to unmanaged fishing with no notice to or approval by the Council. *Removing non-FMP species category would mean that a prospective fisherman would only need to provide notice to the Council and then proceed with fishing after 90 days unless the Council has taken emergency action. 	<ul style="list-style-type: none"> *Provides ancillary benefits from process of examining and updating list to reflect current state of Council-managed fisheries. 	<ul style="list-style-type: none"> *Limits opportunity for public participation. *No explicit and established process for removing fisheries, species or gear from the list. *Even if the "non FMP" category was removed or modified, the Council would still need to take emergency action to block a new forage fishery within 90 days of notification. *Such action would be a petition for Emergency Action by the Secretary of Commerce, therefore approval is not assured. *Emergency action could only last a maximum of 360 days, dependent on initiation of an

Mechanism	Description	Pros	Cons
E. Refine MSA “List of Allowable Fisheries			FMP or FMP amendment. Thus an FMP action is ultimately required no matter what. *Because the Council is now aware of the potential for new forage fisheries, any proposed new fishery is not “unforeseen” and this may weaken any eventual Council petition.

Why CPS FMP Provides the Best Option for Protecting Unmanaged Forage Species

CPS FMP is the Council preferred option

To date the issue of protecting unmanaged forage species has been tasked to the EPDT, as protection of the food web and the conservation of forage species is a broadly recognized goal of ecosystem-based fishery management.²¹ However, the Council’s motion under the Ecosystem-Based Management agenda item in June 2011 stated:

“Additional management measures for forage fish species, if any, would be considered through the Coastal Pelagic Species (CPS) FMP, as the Council deems appropriate.”²²

While we agree that the justification and reasoning for protecting forage species is ecosystem-based, the Council’s Fishery Ecosystem Plan (FEP) is an inappropriate vehicle because without regulatory authority it lacks the ability to enact conservation and management measures. Furthermore, the timeline for establishing a fully developed FEP remains unclear and is inconsistent with the need to take action now, before capital is invested in developing new fisheries. For this reason, among others, we support establishing protections for unmanaged forage species within the CPS FMP, at least until such time as the FEP or an Ecosystem FMP becomes a viable option. In addition, there are likely significant benefits to existing CPS fisheries that will result from a preclusion on new fisheries on the unmanaged forage base. As there is a finite pool of high-quality forage biomass to support fisheries and predators, preserving the overall forage base and diversity will ensure that increased predation pressure does not shift to the managed stocks if a currently unmanaged species is depleted by a new, unregulated fishery.

Providing adequate forage is a goal of the CPS FMP

The Goals and Objective section of the CPS FMP includes the following goal/objective:

6. Provide adequate forage for dependent species.²³

²¹ For example see: 1) Amendments 36 and 39 to the GOA and BSAI Groundfish FMPs. [Fed Reg 63, No 51, March 17, 1998](#). 2) PFMC 2008. [Amendment 12](#) to the [CPS FMP](#). 3) PFMC 1998. [CPS FMP](#), Goals and Objectives, Page1-4.

²² [June PFMC Meeting, Motion 20, #3](#) (Agenda Item H.1.d, Page 48)

While this goal/objective of the CPS FMP applies to the managed and monitored species currently “in the fishery,” it is consistent with the reasoning and justification for protecting unmanaged forage species. All of the species in the CPS FMP are forage species in that they are preyed upon by a wide variety of marine life. The fact that this FMP is the only one managed by the PFMF with an associated forage objective makes it the most appropriate of all the regulatory plans for including additional forage species as Ecosystem Components.

CPS FMP was created to manage for “Future Fishery Expansion”

Establishing a proactive and precautionary policy for currently non-targeted forage species is consistent with one of the Council’s primary reasons for creating the Coastal Pelagic Species (CPS) Fishery Management Plan in the first place - the need to proactively manage for future fishery expansion:

An important advantage in implementing an FMP with limited entry at this time is that future increases in capacity of the CPS fishery could be managed before problems arise.....It is likely that the CPS fishery will become overcapitalized faster than management authorities can react if sardine, or other CPS, increase in abundance or markets develop. Experience with the CPS and other fisheries indicate that the process of developing fishery management programs is slower than the rate at which a fishery can become overcapitalized. There is substantial excess capacity in the groundfish, herring and salmon fisheries (including the factory trawler fleet), for example, that could enter the CPS fishery in a matter of months if markets develop.²⁴

While the reasoning above excerpted from Amendment 8 to the Northern Anchovy FMP primarily addressed the species in the CPS fishery, it should also hold for the species in Appendix A of the Draft FEP, as similar market forces and geographic overlap would attract future fishery expansion. In particular and as noted in the Draft FEP, increasing demand from the rapidly growing global aquaculture industry²⁵ will continue to exert pressure to develop new forage fisheries.

Examples of Federal Forage Protections Enacted Elsewhere

It is important to keep in mind that protecting and conserving forage species in federal waters, and in particular those forage species that are not being fished, has been done before in several instances using differing approaches. All have been demonstrated successes, and they include innovative approaches that have shown that the burden of proof can be successfully reversed.

²³ PFMF. 1998. Coastal Pelagic Species FMP. Page1-4. Available at: <http://www.pcouncil.org/wp-content/uploads/a8fmp.pdf>

²⁴ PFMF. 1998. Coastal Pelagic Species FMP Amendment 8, Appendix B, p. B-3.

²⁵FAO (2011) State of World Fisheries and Aquaculture. Fisheries and Aquaculture Department. Food and Agriculture Organization of the United Nations. Rome, Italy.

Table 2

	NPFMC Arctic FMP	NPFMC GOA/BSAI Groundfish FMP	PFMC Coastal Pelagic Species FMP
General Description	FMP approved in 2009 whose primary purpose was to preclude new commercial fisheries in the Arctic Management Area, including for forage species, unless and until robust information was available and deemed sufficient to approve a new fishery	Twin FMP amendments (BSAI Groundfish FMP Am 36 and GOA Groundfish FMP Am 39) were originally approved in 1998 to prevent the development of directed commercial fisheries for forage species. Subsequent amendments enacted in 2011 to designate forage and prohibited species as Ecosystem Component Species (ECS).	FMP Amendment (Am 12) initiated in 2004 for the purpose of developing a formal prohibition on directed krill fisheries, and approved in 2009. Am 12 revised the CPS FMP to prohibit commercial fishing for all species of krill in the West Coast EEZ.
What specific management measures were enacted to protect unmanaged forage fish?	Commercial fishing on forage fish species was prohibited in the Arctic Management Area unless and until sufficient scientific information is available.	Prohibited directed fishing for select forage species at all times in Federal waters of the BSAI and GOA. Maximum Retainable Bycatch (MRB) allowance of 2% by weight of the retained groundfish on any given trip.	Implemented regulations stating that vessels in all EEZ fisheries may not “fish for, target, harvest or land” krill species.
Were the forage stocks designated as Management Unit Species (MUS) in the action?	No, forage stocks were not included in the MUS designation. Instead, three species (Arctic cod, Saffron cod, and Snow crab) were included in the MUS with <i>de minimis</i> OY’s.	No. Only “Target Stocks” were included in the MUS designation and forage stocks may not be targeted under the Alaska Groundfish FMP’s	Yes. Krill species are included in the list of MUS in the CPS FMP.
Were the forage stocks designated as “In the Fishery” (SIF) in the action?	No. Forage stocks are in the Ecosystem Component category, not in the fishery.	No. All forage stocks are either Prohibited Species or are in the Ecosystem Component category, and are thus not in the fishery.	Yes. Krill species are in the fishery under the CPS FMP.
Were the forage stocks designated as Prohibited Species (PS) in the action?	No. PS is a designation used in NPFMC fisheries for species encountered during commercial fishing. Since the Arctic FMP prohibits all commercial fishing, the designation is technically not used, even though fishing for forage stocks is prohibited	No. PS is a designation used in these FMP’s for some ECS encountered during commercial groundfish fishing, (i.e. salmon, crab, Pacific herring). While this action effectively prohibited directed fishing on the forage complex, the PS designation only applies to Pacific herring.	Not exactly. Krill species are considered “Prohibited Harvest Species” (PHS), a new designation created under Am 12 to describe species which may not be taken by any gear or fishery in the US EEZ, whereas PS may not be retained by CPS fishery participants, but are legally harvested under other FMP’s.
Were the forage stocks designated as ECS in the action?	Yes.	Yes. The 2010 update and reaffirmation of the forage fishery preclusion designated the forage complex as ECS.	No. While the CPS FMP does designate some forage stocks as ECS, the Krill species are not ECS.
Were forage stocks grouped into stock complexes in the action?	Yes. The ECS in the Arctic FMP include all “finfish,” “marine invertebrates,” and “other forms of marine animals and plant life” other than the three MUS.	Yes. The original action and the 2010 update group the forage stocks into nine (9) taxonomic families and include all species within those families.	Yes. Am 12 grouped the forage stocks in question at the taxonomic order level by protecting “all species of euphausiids that occur in the EEZ off the West Coast.”

Application of Examples to Current Situation

For the current consideration of implementing protections for unmanaged forage species in the West Coast EEZ, useful parallels can be drawn from the actions in both the GOA/BSAI Groundfish FMPs and the Arctic FMP.

- 1) The preclusion on directed fishing for forage species in the GOA/BSAI Groundfish FMPs was successfully implemented in an area where large-scale commercial long-line and trawl fisheries were being prosecuted. For this reason, the prohibition on directed fishing included a maximum retainable bycatch allowance of two percent, meaning that vessels fishing for other species in the region could retain a quantity of forage species up to two percent of the round-weight of the targeted species. In the West Coast EEZ, where groundfish fisheries are currently being prosecuted, action taken by the Council to protect unmanaged forage species should include a similar bycatch allowance so that existing fisheries are not unduly and negatively impacted.
- 2) For Arctic fish resources, the Arctic FMP “provides management measures to prohibit commercial fishing until information is available to support sustainable management of any future authorized fishery.”²⁶ The reason for adopting similar management measures for unmanaged forage species in the West Coast EEZ is to maintain the role they play in the California Current ecosystem and protect them from unregulated harvest unless and until information is available to support ecologically sustainable management of any future fishery.
- 3) The Arctic FMP has three management unit species with *de minimus* optimum yields (Arctic cod, saffron cod and snow crab) and designates all other species in the Arctic EEZ as ecosystem component species, including forage species. See the Table below:

Table 3-3 Target Species and Ecosystem Component Species.			
	Finfish	Invertebrates	Other Marine Life*
Target Species	Arctic cod and saffron cod	Snow crab (<i>C. opilio</i>)	
Ecosystem Component Species	All finfish other than Arctic cod, saffron cod	All marine invertebrates other than snow crab (<i>C. opilio</i>)	All other forms of marine animals and plant life
*other than finfish, invertebrates, marine mammals, and birds			
3.4.1 Forage fish species			
Commercial fishing on forage fish species is prohibited in the Arctic Management Area. Forage fish are prey for other marine ecosystem fauna including fish, birds, and marine mammals. Forage fish species other than the target species are included in the “Ecosystem Component Species” category.			

Similarly, the Council should designate the list of unmanaged forage species from Appendix A of the draft FEP as ecosystem component species in the CPS FMP, enabling it to enact appropriate conservation and management measures as identified above in #1.

- 4) To accommodate the potential for future fisheries, the Arctic FMP provides a process by which a species can be moved from the ecosystem component category into the actively

²⁶ NPFMC. 2009. Arctic FMP. Page ES-4. Available at: <http://www.fakr.noaa.gov/npfmc/PDFdocuments/fmp/Arctic/ArcticFMP.pdf>

managed category. Similarly, the Council can provide a process and criteria by which a CPS FMP ecosystem component species can be moved into the actively managed category if it wishes to consider authorizing a sustainable fishery on that stock.

5) While ecosystem component species are exempt from status determination criteria, they can have conservation and management measures enacted for them, even though they are not technically “in the fishery.”²⁷ Similar to the Arctic FMP, whose management measures prohibit commercial fishing until information is available to support sustainable management of any future authorized fishery, and consistent with section 303(b)(12) of the Magnuson-Stevens Act, the Pacific Council should adopt management measures to prohibit commercial fishing for or directed harvest of ecosystem component species.²⁸

Conclusion

The status-quo policy for unmanaged forage species does not adequately ensure protection of the marine environment upon which our valuable fisheries depend. Given what we know about their critical ecological and economic importance, action is needed to protect them from unregulated new fisheries that would otherwise take place in the absence of adequate scientific information. In order to ensure the ecological role that unmanaged forage species play, permanent protections for them must be housed in an FMP with the regulatory authority to enact conservation and management measures. That is the only way to bring these unmanaged forage species into the Council’s jurisdiction, thereby ensuring that before any new fisheries begin, the appropriate science is conducted to make certain that any such fishery could be sustainable and not harm the marine ecosystem or other valuable fisheries.

The need to manage for future fishery expansion calls for proactive measures. The Council and its advisory bodies, along with state and federal agency staff have the knowledge and expertise necessary to develop a comprehensive suite of alternate management options from which the Council can choose. What they currently lack is clear direction from the Council that it wishes to protect this critical subset of forage species. Now is the time to take action and establish that direction, and to formally initiate a public process.

Thank you again for the opportunity to participate in this public process and share our concerns regarding ecosystem-based management and the protection of the California Current forage base. We look forward to working with the Council and all stakeholders to maintain healthy oceans and sustainable fisheries.

Sincerely,



Steve Marx
Senior Associate
Pew Environment Group
smarx@pewtrust.org

²⁷ NOAA/NMFS. 2011. Annual Catch Limits and National Standard 1 Q & A’s. Available at: http://www.nmfs.noaa.gov/msa2007/docs/acl_faq_may27_2011.pdf

²⁸ (See [74 FR 11 at 3186](#), and [Arctic FMP Environmental Assessment](#), Appendix VI - NMFS letter to NPFMC)

May 31, 2012

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Agenda Item G.1. Protection of Unmanaged Forage Species

Dear Chairman Wolford and members of the Council:

The conservation and management of forage species has received increasing national and international attention in recent years given the crucial ecological role of these small schooling fish and invertebrates in marine ecosystems. The recent Lenfest Forage Fish Task Force report underscores this with the key findings that forage fish are highly ecologically and economically valuable as prey, and that when forage fish populations decline, so do dependent marine predators like salmon and humpback whales.¹ A management action recommended by the Task Force, and the focus of this letter, is that no new fisheries should be allowed to operate on forage fish where there is limited information on the stock dynamics of these species, their status, trends, or the dependencies of their predators.²

We are therefore pleased that the Pacific Fishery Management Council's ongoing discussions of forage species conservation will focus at this June meeting on initiating management action to protect currently unmanaged forage species. The global demand for forage fish in agriculture, aquaculture, and other industries will give rise to increasing pressures on wild forage fish stocks. Species not currently the target of commercial fisheries may become economical and exploited to supply these growing industries. We request that the PFMC act now, to stay ahead of this curve, by immediately adopting a clear objective and initiating an amendment process to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP) at this meeting to incorporate those forage species not already in another Federal FMP into the CPS FMP. Further, we ask that directed commercial fisheries be prohibited from developing on these species unless and until an ecosystem plan is completed and appropriate management benchmarks are in place that would allow a sustainable fishery to commence without adversely impacting the functional role these species provide as prey to other marine life.

Background

As you know, the Council took unanimous action in 2006 to prohibit directed fishing for krill off the U.S. West Coast through an amendment to the CPS FMP. This action followed state prohibitions on fishing and landing krill in California, Oregon and Washington. The proposal was originally presented to the Council by the National Marine Sanctuaries who were interested in preventing fishing for krill in sanctuary waters. In November 2004, the Council chose from a

¹ Pikitch, E., Boersma, P.D., Boyd, I.L., Conover, D.O., Cury, P., Essington, T., Heppell, S.S., Houde, E.D., Mangel, M., Pauly, D., Plagányi, É., Sainsbury, K., and Steneck, R.S. 2012. Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs. Lenfest Ocean Program. Washington, DC. 108 pp.

² See attached three-tiered precautionary approach to the management of forage fish developed by the Lenfest Forage Fish Task Force.

range of regulatory options, and voted to prepare an FMP amendment to the CPS FMP with the objective of managing krill in a way that protected it from any developing fisheries throughout the West Coast EEZ. Following preparation of an Environmental Assessment and public review, the Council and NMFS made a final decision in 2006 with interest in

*preserving key trophic relationships between fished and unfished elements of the food web in order to maintain the integrity of the ecosystem and to minimize the risk of irreversible adverse impacts on managed fish stocks and other living marine resources from adverse impacts.*³

At this time, several Council members wondered why the focus was only on krill, as there are many other important and unmanaged forage species that should also be protected in a similar fashion. This fact was not lost on many people and hence, for the same reasons the krill prohibition was put in place, there has been a growing call over the past few years to identify and protect all of the unmanaged forage species in the California Current ecosystem.

Other examples of forage fish protection

In 1998 the NPFMC amended the Bering Sea/ Aleutian Islands and Gulf of Alaska Groundfish FMPs to prohibit directed fishing for forage fish.⁴ The action created a forage fish category in both FMPs, including nine taxonomic groups: the families *Osmeridae* (eulachon, capelin, and other smelts), *Myctophidae* (lanternfishes), *Bathylagidae* (deep-sea smelts), *Ammodytidae* (Pacific sand lance), *Trichodontidae* (Pacific sandfish), *Pholidae* (gunnells), *Stichaeidae* (pricklebacks, warbonnets, eelblennys, cockscombs and shannys), *Gonostomatidae* (bristlemouths, lightfishes, and anglemouths), and the Order *Euphausiacea* (krill). As stated in the Federal Register notice implementing this action:

*The intended effect of this action is to prevent the development of a commercial directed fishery for forage fish, which are a critical food source for many marine mammal, seabird, and fish species. This action is necessary to conserve and manage the forage fish resource off Alaska and to further the goals and objectives of the FMPs.*⁵

The NPFMC then built on this action in 2009 to protect all forage species from commercial fishing as part of its Arctic Fishery Management Plan. The Arctic FMP states:

*Commercial fishing on forage fish species is prohibited in the Arctic Management Area. Forage fish are prey for other marine ecosystem fauna including fish, birds, and marine mammals. Forage fish species other than the target species are included in the “Ecosystem Component Species” category.*⁶

³ PFMC 2008. Management of Krill as an Essential Component of the California Current Ecosystem. Amendment 12 to the Coastal Pelagic Species Fishery Management Plan. Environmental Assessment. February 2008, at page 1.

⁴ Amendment 36 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and Amendment 39 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs).

⁵ Federal Register, Vol. 63, No. 51, Tuesday, March 17, 1998, page 13,009.

⁶ NPFMC. August 2009. Arctic FMP at 17.

In 2010 the NPFMC moved all forage fish to the Ecosystem Component species category and retained the prohibition on directed harvest for these species.⁷

A growing global aquaculture industry

As your Ecosystem Plan Development Team has emphasized, global finfish and shrimp aquaculture are increasing faster than any other food sector, and this industry is dependent on feeds derived from wild-caught forage fish (i.e., lower trophic level species). As stated in the PFMC Draft Ecosystem Plan:

*Demand for LTL [lower trophic level] species in the production of fishmeal has mainly been driven by the spectacular growth of global aquaculture, which is expected to continue into the foreseeable future (Tacon and Metian 2008, Shamshak and Anderson 2008, Herrick et al. 2009). The production of many aquaculture species depends on LTL species fisheries to supply the raw ingredients in today's aquafeeds. In the recent boom in capture-based aquaculture, demand has increased for whole live/fresh/frozen LTL species for pen fattening aquaculture operations (Zertuche-Gonzales et al. 2008)... Given limited potential for increased fishmeal production from traditional LTL species prices for fishmeal and fish oil will continue to rise (Figure A5). This makes the prospect for fisheries developing on the minor LTL species all that more attractive, as higher fishmeal prices are sure to translate into higher exvessel prices for the raw ingredients.*⁸

It is only a matter of time before the ever-increasing demand for fish meal and fish oil from the rapidly growing global aquaculture industry increases the price of these raw materials, hence making any species from which these products can be extracted economically viable, even if they do not appear viable today. We can only postulate whether this will be next year or decades from now. Already, we are aware of international efforts to develop fisheries for some of the same forage species that are currently unmanaged off the U.S. West Coast (e.g., myctophids, saury, etc.). Prohibiting forage fish fisheries from developing before they start is much easier politically and economically than closing fisheries after capital investments are made. Such a prohibition also provides clarity to parties interested in potentially developing such fisheries. Therefore, no species should be excluded from a list of species for which fisheries could potentially develop.

Adopt a clear objective

Given the extensive work by the Council and its advisory bodies to date, we feel strongly that at this meeting, the PFMC must clearly articulate its intent to protect currently unmanaged forage species from new fisheries. While doing so does not lock the Council into any 'final action' a clear objective or statement of intent is necessary to guide development of the analyses and

⁷ NPFMC. 2010. Amendment 96 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and Amendment 87 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to Comply with Annual Catch Limit Requirements. Environmental Assessment. September 2010

⁸ PFMC Agenda Item H.2.a Attachment 1. November 2011. Draft Fishery Ecosystem Plan, page 32.

process needed to get the Council and the agency to a final action. We recommend that the Council adopt the following objective:

In order to protect the critical ecological role of forage species in the California Current Ecosystem, and their role as prey for other managed fisheries, the Council intends to prohibit the directed commercial harvest of currently unmanaged forage species.

Furthermore, we continue to be supportive of an ‘unless and until’ clause that would allow for future fisheries where there is sufficient information to demonstrate that any such fishing for these forage species could be conducted without harming the health of the marine ecosystem, impact dependent predators, or economically impact other fisheries whose target species rely on these forage species. Any such fishery must of course, have all required status determination criteria and highly conservative catch limits like the three tiered approach outlined by the Lenfest Forage Fish Task Force (attached).

Adopt and initiate a clear path forward through an FMP amendment

There is an obvious reason why the NPFMC and the PFMC chose to protect forage fish/ krill through Fishery Management Plan amendments. This is the only clear course of action that gives the Councils direct management and regulatory authority for these species. The species must be in an FMP either as species that are ‘in the fishery’ or as ‘ecosystem component’ with management measures for the Council and NMFS to have the ability to manage and protect them. If a forage species is not in an FMP, the Council simply does not have authority to manage or protect them from directed harvest.

Ideally, as many have suggested in the past, the Council would add the currently unmanaged species into an Ecosystem FMP with regulatory authority. However, since the Council chose not to pursue this path in June 2011, there is not currently an Ecosystem FMP in which to add these species. Therefore, the Council would need to establish an Ecosystem FMP with regulatory authority. We continue to believe that ultimately such an Ecosystem FMP is warranted and eventually would be the appropriate FMP from which to promulgate regulations to protect forage species. However, this should not prevent the protection of forage species now through an amendment to one of the Council’s four existing FMPs.

The PFMC has set the precedent of protecting a key forage group - krill - in the Coastal Pelagic Species FMP. One of the stated goals of the CPS FMP is to “[p]rovide adequate forage for dependent species” (CPS FMP Section 1.6, Goals and Objectives) and this goal is unique to this FMP. What is more, in June 2011 the PFMC passed a motion on the development of the Fishery Ecosystem Plan that stated that “additional management measures for forage fish species, if any, would be considered through the Coastal Pelagic Species FMP, as the Council deems appropriate.”⁹

Given the goal of the CPS FMP, the Council’s previous motion, and the need to have clear management authority for these forage species, we support amending the CPS FMP to add currently unmanaged forage species with the expressed intent of prohibiting directed commercial

⁹ PFMC. June 2011 Voting Log. Council Motion #20

harvest for them. When the Council does adopt an Ecosystem FMP with regulatory authority, we will support moving forage species management into this FMP.

Regarding the question of whether these unfished forage species would be management unit species or Ecosystem Component species (as defined in the National Standard One guidelines), we would be open to either approach, but we suggest that establishing them as EC species with a prohibition on directed commercial catch would allow the Council to achieve the desired objectives while minimizing the staff burden associated with adding new species to the Council's jurisdiction. In addition, we would hope that any such regulations or authority would not conflict with or supersede management currently in place by state fishery managers.

Amending the 'list of allowable fisheries' would not adequately protect forage fish

The National Marine Fisheries Service list of authorized fisheries does not provide a viable option to restricting the development of new fisheries targeting forage species. This list of authorized fisheries is compiled and managed pursuant to Section 305(a) of the Magnuson-Stevens Fishery Conservation and Management Act ("Magnuson Act"). Section 305 states that within 180 days of the publication of the authorized fisheries list, "no person or vessel may employ fishing gear or engage in a fishery not included on such list without giving 90 days advance written notice to the appropriate Council."¹⁰

Hence this provision does not prohibit participation in unlisted fisheries or use of new gear. It only requires that a person give notice and allow the Council and NMFS an opportunity to approve the new fishery or gear use before engaging in it. If an applicant has given proper notice of his or her intent to use a new gear or fish in an unlisted fishery, and the Council or NMFS does not act within the 90-day waiting period, the applicant may go ahead and use the new gear or participate in the new fishery.¹¹ In other words, absent some affirmative action by the Council and NMFS, the default assumption is that the new fishery or gear use may proceed.

The PFMC expressly rejected this approach in 2004 when considering management alternatives for krill. We similarly believe that the list would not be an effective mechanism for implementing a prohibition on new fisheries for forage species because, among other reasons, there is no explicit process for removing fisheries from the list, and it is not clear that the Council could do so in absence of an FMP amendment prohibiting that fishery. Furthermore, even if the list were amended in a way that clearly removed new forage species from the realm of authorized fisheries, further regulatory action would likely be needed to implement the prohibition. If the fishery is simply removed from the list but the prohibition is not enacted in regulation, an interested party need only give the Council and NMFS notice and wait 90 days before engaging in that new fishery. The Council would then have to amend the relevant FMP in order to make the ban permanent and prevent further attempts at opening the new fishery. Therefore, amending the list of fisheries without adding forage species to an FMP simply would not adequately accomplish the objective of prohibiting the directed harvest of currently unmanaged forage species.

¹⁰ 16 U.S.C. § 1855(a)(3).

¹¹ 64 Fed. Reg. 4030, 4033 (Jan. 27, 1999) ("Unless specifically prohibited by rulemaking, the individual who has served notice may use a gear in an existing fishery or may participate in a new fishery after the 90-day waiting period.")

Working list of currently unmanaged forage species

There have been several efforts to compile lists of important forage species of the California Current ecosystem. These include the list identified in the partial Draft Environmental Assessment for Amendment 13 to the CPS FMP,¹² forage species already protected by the North Pacific Fishery Management Council,¹³ the list Oceana provided to the Council at its November 2011 meeting, the list submitted by the Pew Environment Group to the Council at the September 2011 meeting, and the list in the Council's November 2011 draft Fishery Ecosystem Plan.¹⁴ Also relevant are several key data sources including: a NOAA Tech Memo elucidating diet guilds,¹⁵ California Current ecosystem models,¹⁶ and specific diet studies on seabirds, marine mammals, and key fish species. At this June meeting the Council certainly does not need come up with the definitive list of currently unmanaged forage species as such details will be worked out during the FMP amendment process, but doing so could offer additional guidance to help further the analyses and process.

Based on the lists and analysis already prepared by the EPDT and others, we support analysis of the following species/ groups, which are not currently managed in any PFMC federal FMP and are not currently the target of any commercial fisheries off the West Coast. The Council may also wish to remove shortbelly rockfish (*Sebastes jordani*) from the groundfish FMP and include it with this forage fish category, consistent with recent Council actions preventing directed fishing on this key forage species.

¹² PFMC 2010. Amendment 13 to the CPS FMP, Partial Draft EA. Agenda Item F.2.a, Attachment 1. June 2010, at 17.

¹³ NMFS 1998. Final Environmental Assessment and Regulatory Impact Review for Amendment 36 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and Amendment 39 to the Fishery Management Plan for Groundfish of the Gulf of Alaska to Create and Manage a Forage Fish Species Category. National Marine Fisheries Service, Juneau, Alaska. 1998.

¹⁴ PFMC. November 2011. Pacific Coast Draft Fishery Ecosystem Plan. Agenda Item H.2.a Attachment 1, at 29.

¹⁵ Dufault, A.M., K. Marshall, and I.C. Kaplan. 2009. A synthesis of diets and trophic overlap of marine species in the California Current. U.S. Dept. Commer., NOAA Tech. Memo. NMFS-NWFSC-103, 81 p.

¹⁶ Field, J.C., Francis, R.C., and Aydin, K. 2006. Top-down modeling and bottom-up dynamics: Linking a fisheries-based ecosystem model with climate hypotheses in the Northern California Current. *Progress in Oceanography* 68:238-270. AND, for example: Samhouri, J.F., Levin, P.S., and Harvey, C.J. 2009. Quantitative Evaluation of Marine Ecosystem Indicator Performance Using Food Web Models. *Ecosystems* 12:1283-1298. AND Horne, P.J., I.C. Kaplan, K.N. Marshall, P.S. Levin, C.J. Harvey, A.J. Hermann, and E.A. Fulton. 2010. Design and parameterization of a spatially explicit ecosystem model of the central California Current. U.S. Dept. Commer., NOAA Tech. Memo. NMFS-NWFSC-104, 140 p.

Table. Suggested unmanaged forage species for analysis.

Round and thread herrings	<i>Etrumeus teres</i> and <i>Opisthonema libertate</i>
American shad	<i>Alosa sapidissima</i>
Mesopelagic fishes	Myctophidae, Bathylagidae, Paralepididae, Gonosomatidae; 100s of species in California Current
Pacific sandlance	<i>Ammodytes hexapterus</i>
Pacific saury	<i>Cololabis saira</i>
Silversides	Atherinopsidae; includes grunion, jacksmelt, topsmelt, perhaps 3-5 other rare spp.
Osmerid smelts	Osmeridae; includes eulachon, capelin, surf smelt, whitebait smelt, night smelt and other species
Pacific tomcod	<i>Microgadus proximus</i>
Small croakers	(<i>Sciaenidae</i>) e.g. white croaker and queenfish (excluding white sea bass and corbina)
Pelagic squids	boreal clubhook squid, <i>Onychoteuthis borealijaponica</i> , neon flying squid, <i>Ommastrephes bartramii</i>
Pricklebacks	Stichaeidae
Gunnels	Pholididae
Kelpfish	Clinidae
Sculpins	Cottidae
Surfperches	Embiotocidae
Midshipman	<i>Porichthys</i> spp.
Pacific anchoveta	<i>Centengraulis mysticetus</i>

Ultimately, while there has been ongoing discussion about ecosystem-based management within the Council process, this action would be a tangible step to an ecosystem approach to fisheries. This action would not adversely affect any existing stakeholder and much of the background work has already been completed. Given the threats to these forage species identified by the Ecosystem Plan Development Team, preemptive action is warranted now to protect the food supply for existing Council-managed species and other important predators in the California Current. We hope you will move this issue forward on the path indicated by the June 2011 Council motion by initiating this proposed CPS FMP amendment at the June 2012 Council meeting and adopting a clear objective. We appreciate your time and focus on this important matter.

Sincerely,








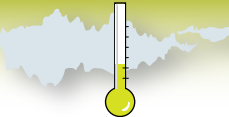





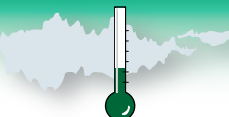



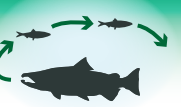


Ben Enticknap
Pacific Project Manager, Oceana

Enclosure: pages from Lenfest Forage Fish Task Force, little fish BIG IMPACT (Pikitch et al. 2012).

A three-tiered precautionary approach to the management of forage fish developed by the Lenfest Forage Fish Task Force

(See Chapters 6 and 7 in the report for additional details)

INFORMATION TIER <small>Based on information needed to project fisheries impacts on forage fish and on the predators that feed on them.</small>	KNOWLEDGE OF . . . Forage fish stock dynamics and fisheries			Status, trends, dependencies of predators			RECOMMENDED MANAGEMENT ACTION
	Population status, trends	Environmental drivers	Monitoring, enforcement	Identification of dependent predators	Status of predators	Foraging patterns	
LOW	 <p>Limited information on abundance, status, and trends such that there is little certainty about stock status, in particular as to whether the stock is above minimum biomass levels.</p>	 <p>Environmental drivers have not been examined sufficiently to enable precise predictions of forage fish production dynamics.</p>	 <p>Fishery monitoring and enforcement is not sufficient to ascertain whether catches are within specified limits.</p>	 <p>Dependent predators have not been identified on the basis of empirical evidence from the relevant ecosystem.</p>	 <p>Insufficient evidence to judge the status and trends of predators either known or likely to be dependent upon forage fish.</p>	 <p>Spatial patterns of foraging are not known.</p>	RECOMMENDED MANAGEMENT ACTION <ul style="list-style-type: none">No new fisheries should be allowed to operate.Severely restrict existing forage fisheries so that depletion from fisheries is no more than 20% of unfished population (B_0).Implement precautionary spatial closures to protect against localized depletion of forage fish, and to protect potential foraging areas of land-based predators.Initiate data gathering to reach intermediate tier.
INTER-MEDIATE	 <p>Population abundance, status, and trends are monitored, so that catch control rules are likely to result in population levels within specified biological limits.</p>	 <p>Putative environmental drivers of forage fish productivity are identified, providing some ability to predict production dynamics and account for them in the harvest control rule.</p>	 <p>There is some monitoring and enforcement of fisheries so that catches are likely to be within specified limits.</p>	 <p>Dependent predators have been identified so that effects of forage fish on their abundance can be predicted on the basis of food web models or the PREP equation.</p>	 <p>Population status and trends of dependent predators are monitored but with considerable uncertainty.</p>	 <p>Spatial patterns of foraging are known and sufficient to support predictions about the effects of localized depletion.</p>	RECOMMENDED MANAGEMENT ACTION <ul style="list-style-type: none">Apply the “Predator Response to Exploitation of Prey” (PREP) equation, or use data or models specific to the ecosystem, to assess the impacts of forage fish depletion on dependent species (using 95% confidence interval).Apply a “hockey stick” harvest control rule with minimum biomass (B_{LIM}) $\geq 40\%$ B_0 and fishing (F) not to exceed 50% of the natural mortality rate or 50% of the level that achieves MSY (F_{MSY}).Increase B_{LIM} and decrease F when the ecosystem contains highly dependent predators or when precision of diet dependencies is low.Use spatial management to protect predators likely to be adversely affected by localized depletion.
HIGH	 <p>Population abundance, status, and trends are known sufficiently precisely and with sufficient lead time to adjust fishing levels according to a harvest control rule, resulting in a high likelihood of achieving management goals.</p>	 <p>Environmental drivers of forage fish productivity are well known and are accounted for in the harvest control rule.</p>	 <p>High ability to monitor and enforce fisheries regulations at-sea and/or dockside so that catches are highly likely to be within specified limits.</p>	 <p>The functional responses of dependent predators to forage fish abundance are well defined based on empirical evidence so that effects of fishing can be determined with a high degree of certainty. Models reflect what is known from the field and are tested and modified with new information.</p>	 <p>The population status and trends of dependent predators are measured with high certainty and at frequent intervals.</p>	 <p>Localized forage fish requirements of dependent predators can be estimated with high precision, so that effects of localized depletion on dependent predators are well described.</p>	RECOMMENDED MANAGEMENT ACTION <ul style="list-style-type: none">The harvest strategy must include an upper limit to F and a lower limit below which targeted fishing ceases (B_{LIM}), and F should be reduced as B_{LIM} approached.The harvest strategy must include precautionary buffers that account for limits on the ability to predict fisheries and food web dynamics.The harvest strategy must—by independent, realistic, quantitative testing—be shown to achieve the Dependent Predator Performance Criterion, protect the forage fish stock from impaired reproduction, and allow it to recover through periods of natural fluctuation in productivity.In any case, lower biomass limits should not be less than 30% B_0, and the maximum fishing rate should not exceed 75% F_{MSY} or 75% of natural mortality.Apply spatial management to account for localized depletion effects on spatially constrained predators.

May 31, 2012

Mr. Dan Wolford
Pacific Fishery Management Council, Chair
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RE: Protect Currently Unmanaged Forage Species (Agenda Item G.1)

Dear Chairman Wolford and Council Members:

We the below signed 6,431 residents of California, Idaho, Oregon, and Washington are writing to support the protection of forage species--the foundation of the marine food web. Healthy and abundant populations of forage species like smelts and sandlance are critical to the sustainability of wild fish, marine mammals, and seabirds, and the recovery of key fish populations like Chinook salmon, yelloweye rockfish, sablefish, and white seabass.

Specifically, we urge the Pacific Fishery Management Council to prevent the development of new fisheries for forage fish, and at its June meeting initiate a process to amend the Council's Fishery Management Plans to protect forage fish and ensure we have a healthy ocean food web.

Most forage fish catch is not consumed directly as human food, but is sold to global aquaculture and agriculture markets where these fish are turned into fishmeal and feed. With the rapidly increasing demand for fishmeal and fish feeds to support the growing global aquaculture industry, there will be increasing commercial pressures to develop and expand fisheries for forage fish. Yet we know forage fish are actually worth more in the ocean, where they can fulfill their crucial ecological role as prey for whales, seabirds and other fish, than when they are harvested directly. Importantly, when populations of forage fish decline, the predators that depend on them also decline.

Healthy fisheries and oceans depend on vibrant and diverse populations of forage species. These small schooling fish and invertebrates are clearly the foundation for the ocean food web and ought to be protected for both their ecological and economic importance. We strongly urge your leadership to ensure we have abundant and healthy populations of forage species. Please take the precautionary and proactive action of preventing the development of new fisheries for forage fish.

Sincerely,

<i>First Name</i>	<i>Last Name</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>First Name</i>	<i>Last Name</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>	<i>First Name</i>	<i>Last Name</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Caroline	Ferguson	Stanford	CA	94305	Geraldine	Atos	Malibu	CA	90265	Dyana	King	San Francisco	CA	94107
Eileen	Karzen	Los Angeles	CA	90064	Rachel	Clarkroberts	Riverbank	CA	95367	E	Carrico	Los Angeles	CA	90029
Sean	Curtice	San Diego	CA	92109	Lani	Hink	Vineburg	CA	95487	Vicki	Prince	Ukiah	CA	95482
Melanie	Gonzalez	West Covina	CA	91792	Deborah	Mott	Pasadena	CA	91104	Daniel	Btuno	La Jolla	CA	92037
Tracey	Tomtene	Vancouver	CA	90210	Ron	Sermenta	San Jose	CA	95119	Kelly	Christoffersen	Long Beach	CA	90808
Gwen	Huus-Henriksen	San Rafael	CA	94901	Scott	Smith	Oakland	CA	94609	Jay	Brewer	Westlake Village	CA	91362
Deborah	Sanchez	Hayward	CA	94544	Dana	Linder	San Jose	CA	95123	Nadeen	Nissley	Sherman Oaks	CA	91403
Rev. Edward	Salm	Los Angeles	CA	90026	Andrea	Bonnett	Altadena	CA	91001	Jamie	Weber	Anaheim	CA	92807
Ann	Gilbert	Los Angeles	CA	90025	Lynda	Johnson	Glendale	CA	91207	Courtney	Leblanc	Sacramento	CA	95818
Karen	Miller	Crestline	CA	92325	Emma	Pangelinan	South Pasadena	CA	91030	flynn	coleman	berkeley	CA	94709
Christine		El Cajon	CA	92020	DVM	Sharon Sprouse	San Diego	CA	92129	Stacey	McDonald	Thousand Oaks	CA	91361
Chaitanya	Diwadkar	Hayward	CA	94545	DE and RM	Salmon	Vallejo	CA	94590	Alexis Wray	Negele Miller	Santa Monica	CA	90404
Laura	Richman	Fountain Valley	CA	92708	Arthur	Alenik	Capistrano	CA	92624	Gabriel	Sheets	Merced	CA	95341
Lacey	Kammerer	Fresno	CA	93720			Beach			Eric	Ward	Encinitas	CA	92024
Jennifer	Niles	Moorpark	CA	93021	Dorian	Sarris	San Francisco	CA	94111	Noah	Youngelson	Venice	CA	90291
Irma	Guevara	Huntington Beach	CA	92648	Barbara	Boros	Santa Barbara	CA	93105	Aurea	Walker	Los Angeles	CA	90004
					Debbie	Gardinier	Santa Ana	CA	92704	john	fabris	Orinda	CA	94563
Kristen	Olafson	Sierra Madre	CA	91024	Brenda	Larson	Oakland	CA	94609	Teresa	Haller	Orangevale	CA	95662
Janet	Maker	Los Angeles	CA	90024	Kim	Stribling	Scotts valley	CA	95066	Ray	Bustos	Fullerton	CA	92832
Claudia	Wornum	Oakland	CA	94605	Joanna	Ramos	Los Angeles	CA	90029	Susan	Goldberg	Glendale	CA	91202
Jackie	Thompson	Shingle Springs	CA	95682	Lael	Jackson	Del Mar	CA	92014	Barnali	Ghosh	Berkeley	CA	94709
Ginette	Bariteau	San Diego	CA	92102	Ilona	Bray	Oakland	CA	94618	Sheedy	Dehdashti	Del mar	CA	92014
Sondra	Hunter	cazadero	CA	95421	Donna	Miller	N. Hollywood	CA	91605	Mary	Gorman	Fremont	CA	94536
Sharon	Heath	Los Angeles	CA	90048	Marshall	Brengle	Campbell	CA	95008	Elyse	Ashton	West Hollywood	CA	90069
Chris	Ashton	San Diego	CA	92119	Shelly	LaPointe	Carlsbad	CA	92009	Heather	Clough	ventura	CA	93003
Tom	Sanchez	Los Angeles	CA	90031	Mary	Learn	niagara falls	CA	90215	Marcia	Winchester	bonsall	CA	92003
Shannon	Hickey	Davis	CA	95616	Thomas	Hamock	Los Angeles	CA	90068	Elizabeth	Grainger	Claremont	CA	91711

Mr. Dan Wolford
May 31, 2012
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Tina	Grice	Corona	CA	92880	John Dominic	Bridwell	San Leandro	CA	94577	Marva Ann	Johnson	Rancho	CA	91730
Shiu	Hung	Menlo Park	CA	94025	Christopher	Schwind	santa cruz	CA	95060			Cucamonga		
Julie	Swan	Oceanside	CA	92054	Stephen	Holman	Los Angeles	CA	90042	Patrick	Russell	Oakland	CA	94618
Nancy	Simon	Santa Barbara	CA	93101	Gary	Raymond	Thousand Oaks	CA	91360	Dee	Warenycia	Roseville	CA	95661
Sharon	Taylor	Yucaipa	CA	92399	Zachary	Rosenfeld	Riverside	CA	92506	Jane	Merkel	Eureka	CA	95503
anne	erikson	santa barbara	CA	93109	Janet	Kennington	Los Angeles	CA	90077	Monique	Mancilla	Ventura	CA	93001
Alon	Williams	Los Angeles	CA	90036	Gerald	Alston	Oakland	CA	94602	Rich	Panther	Bodega Bay CA	CA	94923
Andrea		Laguna Hills	CA	92653	Katherine	Roberts	San Francisco	CA	94117	Craig	Kleber	Los Angeles	CA	90049
Jay	Rutherfordale	Sacramento	CA	95826	Barbara	Oman	Carmel	CA	93922	Carol	Howard	Oakland	CA	94606
Holly	Bookwalter	San Diego	CA	92106	Christie	Agovino	beverly hills	CA	90212	Wyatt	Workman	Glendale	CA	91201
Mary	Schilder	Santa Rosa	CA	95404	Dannys	Cody	Benicia	CA	94510	John	Sutton	Sacramento	CA	95820
Linda Grace	Frost	Half Moon Bay	CA	94019	Tim	Vila	Burbank	CA	91506	Klaus	Obermeyer	Santa Monica	CA	90405
Susan	Jones	Los Osos	CA	93402	Jon	Holstein	San Diego	CA	92107	Rich	Moser	Santa Barbara	CA	93109
Jeff	Brown	felton	CA	95018	Judith	Lawrence	San Diego	CA	92126	Maurice	Kemp	Los Angeles	CA	90004
Bert	Greenberg	san jose	CA	95135	Laura	Wynkoop	San Dimas	CA	91773	Kathleen	Masser	Los Angeles	CA	90731
Sanyu	Nagenda	Santa Monica	CA	90404	Gary	Leo	Fairfax	CA	94930	rochelle	palermo	alhambra	CA	91803
Marilyn	Vittone	San Pedro	CA	90732	Stefan	Hajek	Los Angeles	CA	90049	Lyle	Workman	Glendale	CA	91201
Gloria	Towers	Oceanside	CA	92057	Edward	Costello	Santa Monica	CA	90402	Celena	Parish	Carson	CA	90745
Heather	Pennington	San Francisco	CA	94110	Diana	Kliche	long beach	CA	90804	Susan	Rautine	Pacific Grove	CA	93950
Daniel	Streeter	Los Angeles	CA	90004	Steve	Hanlon	Los Angeles	CA	90049	Susan	Allen	Livermore	CA	94551
Andrew	Lee	South San	CA	94080	Joan	Egan	Aptos	CA	95003	Marianne	Brucker	Santa Rosa	CA	95409
		Francisco			Brandon	Chavez	Los Angeles	CA	90066	Shawn	Phillips	san francisco	CA	94131
Bryce	Verdier	Mountain View	CA	94043	William	Eichinger	San Francisco	CA	94114	Heather	Rasnick	Bell Canyon	CA	91307
Donald	Best	capitola	CA	95010	Marc	Gross	los angeles	CA	90064	Karen	Steele	Eureka	CA	95503
Diane		San Jose	CA	95135	John	O'Brien	Tujunga	CA	91042	Rick	Larson	culver city	CA	90232
Daniel	Wilkinson	Long Beach	CA	90808	J	Seely	Newport Beach	CA	92663	Claire	Date	Playa Del Rey	CA	90294
Diana	Kamibayashi	Venice	CA	90291	Jane	Biggins	ukiah	CA	95482	Alfred	Cellier	Rancho Palos	CA	90275
Candice	Rogers	Pasadena	CA	91101	Noelle	Royer	Hermosa Beach	CA	90254			Verdes		
Geraldine	May	Santa Margarita	CA	93453	Patricia	Murphy	Simi Valley	CA	93065	Joan	Marks	Tehachapi	CA	93561
Kiku	Bartschi	Santa Barbara	CA	93111	Roseanne	Hovey	San Diego	CA	92117	Gerda	van Rijn	Oude Tonge	CA	92345
Danielle	Cohen	Marina del Rey	CA	90292	Jinky	Ponciano	culver city	CA	90230	Wesley	Leonard	Spring Valley	CA	91977
and	Denison	Long Beach	CA	90805	M	McArthur	Santa Cruz	CA	95062	Jane	Barton	San Pedro	CA	90731
Jessie	Root	Oceanside	CA	92058	Pamela	San Miguel	Santa Cruz	CA	95061	Regina	Leeds	North	CA	91602
CK	Jasiorkowski	Goleta	CA	93117	laura	carmona-	ventura	CA	93001			Hollywood		
Mahesh	Jayasinghe	redwood city	CA	94061						Marie	Herring	Simi Valley	CA	93065
Susan	Watts	Riverside	CA	92506	Clare	Shomer	Los Angeles	CA	90005	stoney	hooker	SAN DIEGO	CA	92121
Polly	Dallas	Citrus Heights	CA	95610	Eugene		Sierra Madre	CA	91024	Jill	Davine	Culver City	CA	90232
Patricia	Christen	Oakland	CA	94602	Serene	Edwards	Carlsbad	CA	92010	Jeannine	Lafon	Indian Wells	CA	92210
Jessica	krick	pasadena	CA	91104	Janet	Page	Granite Bay	CA	95746	Martha	Wright	Mountain View	CA	94040
Stephanie	Dunning	long beach	CA	90806	Carol	Becker	Sherman Oaks	CA	91423	Kathleen	Love	Clearlake	CA	95422
Erin	Sueychara	Torrance	CA	90504	Anthony	Hall	Topanga	CA	90290	William	Nolan	Browns Valley	CA	95918
S	Andregg	Emeryville	CA	94608	D	Rhew	Los Angeles	CA	90095	john	roberts	Oakland	CA	94605
Jeremy	Spencer	Pacificia	CA	94044	Torunn	Sivesind	Lafayette	CA	94549	Gina	Carollo	San Diego	CA	92103
Keaven	Van Lom	Truckee	CA	96160	Kathryn	McBride	Pasadena	CA	91107	Lisa	Montague	Long Beach	CA	90815
Lisa	Simon	Sausalito	CA	94965	Jessica	Anderson	VISTA	CA	92084	Susan	Himes-Powers	San Francisco	CA	94122
Elizabeth	Shafer	Huntington	CA	92646	Christina	Rackohn	Calabasas	CA	91302	nicolette	Resmo	Palm Desert	CA	92255
		Beach			Melissa	Rundle	Los Angeles	CA	90069	Jacqueline	Obrien	san rafael	CA	94901
Ray		Covina	CA	91723	Carol	Banever	los angeles	CA	90046	Christine	Tobey	San Angeles	CA	90036
Robert	Dorenstreich	San Francisco	CA	94109	Joanne	Miller	Irvine	CA	92603	Julia	Calamandrei	Los Angeles	CA	90065
Shannon	Dietterick	Venice	CA	90291	Margaret	Fish	Boonville	CA	95415	Margaret	Robinett	San Jose	CA	95117
Steve	Eklund	Salinas	CA	93901	Douglas	McCormick	Trabuco Canyon	CA	92679	Christine				
Alix	Deyling	Solana Beach	CA	92075	Alice	Labay	Benicia	CA	94510	Heather	Hall	Los Angeles	CA	90026
Mary	Quimby	Monterey Park	CA	91754	Greg	Maier	Concord	CA	94521	Corina	Duran-Chavez	Concord	CA	94519
Teresa	Silva	Fremont	CA	94536	Richard	Schwartz	Berkeley	CA	94707	Clara	Levy	Los Angeles	CA	90035
Marilyn	Shepherd	Trinidad	CA	95570	Twyla	Meyer	Pomona	CA	91767	Sharon	Green	la puente	CA	91747
Rachel	Cellinese	los angeles	CA	90039	Beverly	Magid	Sherman Oaks	CA	91423	Venessa	Komocar	Stevenson Ranch	CA	91381
Alan	Kirschbaum	Burbank	CA	91506	Natalie	Torre	Beverly Hills	CA	90211	Roy	Gates	Fresno	CA	93727
Maureen	Walsh	Redondo Beach	CA	90277	Tina	Rustman	Los Angeles	CA	90067	Sharon		Big Bear City	CA	92314
Kelsey	Baker	Santa Clara	CA	95053	Carole	Ness-Lira	Big Bear Lake	CA	92315	Michelle	Farro	Santa Ana	CA	92707
Dolores	Saar	San Diego	CA	92120	sheila	woodson	altadena	CA	91003	Avni	Shah	los angeles	CA	90007
Joy	Thompson	San Marcos	CA	92069	Jennifer	Godman	Alameda	CA	94501	Larry	Penland	Redding	CA	96001
Danielle	Cohen	marina del rey	CA	90292	Rose	Elizabeth	Los Angeles	CA	90036	Amy	Campbell	Belair	CA	90210
Ken	Knabb	Berkeley	CA	94701	Emily	Feingold	Oakland	CA	94608	Ram	Duriseti	Menlo Park	CA	94025
Carole	Loo	San Francisco	CA	94134	Adolfo		San Diego	CA	92110	Tom	Nash	Rohnert Park	CA	94928
Samantha	Grossman	Laguna Hills	CA	92653	Chris	Grundstrom	san francisco	CA	94110	A	Wallach	Santa Monica	CA	90402
Joan	Boorstein	LOS ANGELES	CA	90036	Marsha	Jarvis	Pinole	CA	94564	Linda	Schmid	Sunnyvale	CA	94087
Kristin	Johnson	Los Angeles	CA	90046	John	Kohler	Agoura Hills	CA	91301	Rachel	Muntz	Fullerton	CA	92831
john	marzich	arroyo grande	CA	93420	Dendrobia	Kohl	Stockton	CA	94009	Jake	Schwartz	Petaluma	CA	94562
terry	goss	san francisco	CA	94122	Lee	Eisenberg	Monterey	CA	93940	James	Huey	Newport Beach	CA	92660
Ellen	Jordan	Orange	CA	92868	martin	horcasitas	alta loma	CA	91737	Denise	Pavlat	Cotati	CA	94931
Ami	Okada	Palo Alto	CA	94301	Lynne	Lerner	Van Nuys	CA	91406	Joanna	Morgan	Santa Barbara	CA	93109
Kim	Proctor	Monrovia	CA	91016	Ellen	Tubbs	Sacramento	CA	95864	Joan	O'Waski	Oakland	CA	94602
Henry	Rosenfeld	Riverside	CA	92506	Jane	Halsey	San Francisco	CA	94109	Brian	McReilly	Los Angeles	CA	90065
Fred	A	Santa Monica	CA	90405	Christine	Brazis	san Francisco	CA	94110	Susan	Cadman	Oceanside	CA	92057
Mark	Graski	Fullerton	CA	92833	scott	love	los angeles	CA	90024	Robert	Gantt	Port Hueneme	CA	93041
Terri	Fulton	Costa Mesa	CA	92626	Don	Powers	Marina del Rey	CA	90292	Beverly	Graf	shingle springs	CA	95682
Debra	Greenberg	Chatsworth	CA	91311	Julia	Earl	Larkspur	CA	94939	Linda	Brosh	Novato	CA	94947
Daniel A	Swanson	Carmelita bay	CA	96140	Shannon	Wise	Chicago Park	CA	95712	Ri	Patel	Huntington	CA	92646
Les	Smith	Los Angeles	CA	90212	Timothy	Miller	Los Angeles	CA	90066			Beach		
Mike	Di Ricco	los angeles	CA	90038	MARIBEL	LEON	SAN	CA	94122	Kevin		Hayward	CA	94541
Desiree	Kisselburg	Los Angeles	CA	90025			FRANCISCO			Bev	Lipson	San Francisco	CA	94104
Dana	Fredsti	San Francisco	CA	94116	Nancy	Edmonson	San Francisco	CA	94132	Kathleen	Helmer	Woodland Hills	CA	91367
Holly	Auman	Riverside	CA	92504	Timathea	Workman	Glendale	CA	91201	Galloway	Allbright	Los Angeles	CA	90027
Melinda	Hillegass	Truckee	CA	96161	Ava	Torre-Bueno	San Diego	CA	92105	Regina	Phillips	Winnetka	CA	91306
Terran	Bayer	San Diego	CA	92126	Sharon	Dunning	Rocin	CA	95677	Ford	Greene	San Anselmo	CA	94960
Philip	le roux	Aliso Viejo	CA	92653	Robert	Hall	San Francisco	CA	94117	Thomas	Clark	Los Angeles	CA	90004
Ryan	Davis	Burbank	CA	91502	Robin	Winfield	Monterey	CA	93940	Terry	O'Shea	Danville	CA	94526
Richard	Razo	Camarillo	CA	93012	Anne	McCarthy	Bishop	CA	93514	Farid Mark	Watson	Berkeley	CA	94705
Cheryl	Letson	Fresno	CA	93704	tim	brady	Huntington	CA	92646	Jan	Harrell	El Cajon	CA	92020
Katie	lindsay	San Francisco	CA	94108			Beach			Lisa	Toliver	San Diego	CA	92127
Kimberly	Krupinski	Sherman Oaks	CA	91403	Tiziana	Gallone	naples	CA	92037	Rhonda	Church	Orange	CA	92869
Amy	Trujillo	lemon grove	CA	91945	Kathleen	Pierson	Sherman Oaks	CA	91403	Chris	House	Playa del Rey	CA	90293
LJ	Dean	Solana Beach	CA	92075	Ranko	Balog	Irvine	CA	92603	Michael	Henderson	Huntington	CA	92649
Hailey	Yeager	los angeles	CA	90049	Linda	Spanski	Oceanside	CA	92054			Beach		

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Chris	Egle	Redlands	CA	92373	Celeste	Hong	L.A.	CA	90027	Brenda	Sanders	Danville	CA	94506
Cindy		Costa Mesa	CA	92627	Ann		Oakland	CA	94609	Bob	Mosher	Sonoma	CA	95476
Chelsea	Madison	Oakland	CA	94619	Emily	McLaren	Livermore	CA	94550	Tracey	Oakland	Los Angeles	CA	90034
Jerami	Prendiville	Santa Rosa	CA	93012	Mark	Swoiskin	Mill Valley	CA	94941	Keturu	Stein	Santa Cruz	CA	95065
		Valley			Jodi	Frediani	Santa Cruz	CA	95060	Jean	Cheesman	Santa Barbara	CA	93103
Russell	Lichter	Black Point	CA	94945	Andres	Valencia	Mecca	CA	92254	B	Lerner	San Jose	CA	95125
Wendy	Scott	Ceres	CA	95307	Neal	King	Oakland	CA	94610	Mary	Ferguson	Altadena	CA	91001
Katherine	Lewis	Alameda	CA	94501	Charles	Richmond	Costa Mesa	CA	92627	Debi	Archuleta	Union City	CA	94587
Arlene	Drucker	san diego	CA	92121	Heather	Christy	San Francisco	CA	94114	Abigail	Bates	Los Angeles	CA	90064
Madelaine	Dierkes	Santa Ana	CA	92706	Doran	Leitzell	San Diego	CA	92101	Erik	Husoe	San Juan	CA	92675
Kortney	Lillestrand	laguna beach	CA	92651	james	sharcot	San Diego	CA	92117			Capistrano		
Nick	Marling	elk grove	CA	95624	Alexander	Woolery	San Rafael	CA	94903	Kathleen	Stutz	Elmira	CA	95625
M	Shepley	Sacramento	CA	95822	mirna	alcalay	Santa Monica	CA	90405	Kathy	leigh	Northridge	CA	91325
Janet	Elder	Sunnyvale	CA	94087	Susan	Heggstad	Sacramento	CA	95818	Julia	Ball	Palo Alto	CA	94306
Jim	Petkiewicz	San Jose	CA	95125	Tom	Porter	Los Angeles	CA	90028	Regina	Lee	Los Angeles	CA	90025
Michelle	Harris	San Clemente	CA	92673	Barbara	Gates	Berkeley	CA	94710	Karen	Simmons	North	CA	91601
Astrid	Preston	Santa Monica	CA	90403	Marissa	Moritz	Whittier	CA	90604			Hollywood		
Alex	Vollmer	San Rafael	CA	94901	Mohammad	Nazihi	Oakland	CA	94609	MichaelEric	Lerner	San Jose	CA	95125
Gabriela	Sosa	Hollywood	CA	90027	Khalil					Brent	Harris	San Rafael	CA	94901
Alice	Hossfeld	Imperial Beach	CA	91932	Laura	Jones-Bedel	San Diego	CA	92116	Jinx	Hydeman	Trabuco Canyon	CA	92679
Marion	Morris	Santa Cruz	CA	95062	Michelle	L	San Francisco	CA	94112	Ellen	Hecht	Albany	CA	94706
Ron	Koblin	Montrose	CA	91021	Chris	Breaker	grass valley	CA	95945	Paul	Rossilli	Sherman Oaks	CA	91403
Jim	Melli	San Diego	CA	92114	John	Johnston	napa	CA	94558	Kathryn	Carey	Yucaipa	CA	92399
Dawn	Anderson	carmel	CA	93922	Howard	Eisenberg	San Mateo	CA	94402	Joyce	Harrington	Santa Cruz	CA	95062
Valerie	Cordy	Los Angeles	CA	90036	David	Spero	Novato	CA	94947	Selva	nagarajan	Torrance	CA	90505
Ian	Sutherland	Petaluma	CA	94952	Kimberly	Kolpin	Huntington	CA	92649	Keith	Koster	Canyon Country	CA	91351
Morgan	Coffey	Santa Barbara	CA	93108			Beach			Gloria	Bradford	San Diego	CA	92111
Catherine	Valentine	San Francisco	CA	94127	Kelley	Dawdy	Torrance	CA	90505	Ashley	Meehan	Buellton	CA	93427
Daniel	Barros	Sunnyvale	CA	94087	Scott	Russell	Santa Rosa	CA	95407	Lee	Eames	Long Beach	CA	90815
Russell	Purcey	Rancho	CA	91730	Martha	Johnson	Concord	CA	94521	Wendy	Pratt	Redondo Beach	CA	90277
		Cucamonga			Jonathan	Roussel	Berkeley	CA	94703	John	Suttman	Ventura	CA	93001
Katharine	Flebotte	Hyampom	CA	96046	rick	nobles	pleasanton	CA	94566	anne	kenney	hayward	CA	94541
Kristin	Riggs	Sacramento	CA	95819	Kristen	Beinke	Santa Barbara	CA	93109	Anett	Eichler	Portola	CA	96122
Rebecca	Glazer	Mill Valley	CA	94941	Elizabeth	Kiely	Winnetka	CA	91306	Alexandre	Kaluzhski	San Diego	CA	92128
Erik	Schnabel	San Francisco	CA	94103	John	Seeley	Newport Beach	CA	92663	Gary	Beckerman	Santa Ynez	CA	93460
Carol	Ferreira	Irvine	CA	92602	Sudi	McCollum	Glendale	CA	91206	Douglas	McGruter	Ojai	CA	93023
Mallory	Miller	Oceanside	CA	92056	H Gabriel	Larios	Whittier	CA	90602	Jennifer	Pardini	Fremont	CA	94538
Jessica	Rosa-Robinson	elk grove	CA	95624	Michael	Allen	South San	CA	94080	Therese	Ryan	Palmdale	CA	93550
Mike	Jones	West Hills	CA	91307			Francisco			Rachel	Wolf	Santa Cruz	CA	95060
Charles	Warner	Fontana	CA	92337	Vincent	Weis	sacramento	CA	95822	Terry	Church	Petaluma	CA	94952
Fiona	Holden	Redwood City	CA	94065	Carolyn	Scarr	Berkeley	CA	94702	CIEL	YOGIS	San Francisco	CA	94116
Pam	Witherspoon	San Rafael	CA	94903	wendilyn	emrys	van nuyes	CA	91409	Pamela	Magathan	Los Angeles	CA	90068
Andres	Jaramillo	North	CA	91606	Elaine	Carlin	Pacific Palisades	CA	90272	Laura	Lee and Simon	Walnut Creek	CA	94598
		Hollywood			Chelsea	Lin	Los Angeles	CA	90066	Bill	Struven	Long Beach	CA	90803
Catherine	Thrush	San Jose	CA	95124	Joshua	Humbert	Ross	CA	94957	Susan	Jones	Santa Maria	CA	93456
Kristine	Dove	Indian Wells	CA	92210	christopher	Pratt	petaluma	CA	94952	Barbara	Adolph	San Ramon	CA	94583
Gilbert	Gonzalez	Irvine	CA	92649	James		Vista	CA	92084	Paul	Leonard	Mill Valley	CA	94941
Jnan	Blau	San Luis Obispo	CA	93401	Nancy	Brown	San Bruno	CA	94066	Marrisha	Abbot	Boulder Creek	CA	95006
I	Zevos	Los Angeles	CA	90029	Daniel	Tiarks	Los Angeles	CA	90046	Audrey	Steidl	San Diego	CA	92116
Ron	Oster	San Diego	CA	92104	ken	Mowrey	santa cruz	CA	95061	Patricia	White	Oakland	CA	94606
Chris	Freytag	Nipomo	CA	93444	Mark	Rudningen	Citrus Heights	CA	95621	Anne	Urrutia	Daly City	CA	94015
Penny	Potter	Santa Cruz	CA	95062	Ron	Weinberg	Burbank	CA	91501	Anne	Gross	Modesto	CA	95351
Chris	Jones	Alameda	CA	94501	Lauren	Rodriguez	sherman oaks	CA	91411	Leno	Sislin	Los Angeles	CA	90039
Steven	Ganter	Santa Barbara	CA	93101	Aixa	Fielder	Los Angeles	CA	90016	Caryn	Graves	Berkeley	CA	94702
Leslie	Homan	Alta Loma	CA	91701	Todd	Smith	Los Angeles	CA	90039	Marc	Mantione	Livermore	CA	94551
Deborah	Myers	Vacaville	CA	95688	Kacie	Shelton	Pasadena	CA	91101	Patricia	Silver	Berkeley	CA	94707
Connie	Martinez	Villa Park	CA	92861	Pamela	Idol	Rocklin	CA	95765	Jack	Kelly	Reseda	CA	91335
Karen	Henriksen	Lakeside	CA	92040	Rifka	Hirsch	Huntington	CA	92648	Sherry	Macias	Sacramento	CA	95825
Jay	Young	Windsor	CA	95492			Beach			Pamela	Wylie	Monrovia	CA	91016
Michael	Traa	San Diego	CA	92169	John	Zediker	Garden Grove	CA	92843	Lynne	Kastner	Winnetka	CA	91306
Jamie	Silva	Pacific Grove	CA	93950	Donna	Shepherd	San Luis Obispo	CA	93401	Julie	Slater	West Hollywood	CA	90046
Jo	Young	Culver City	CA	90230	Deborah	Frankel	Pacific Palisades	CA	90272	James	Ring	Indio	CA	92201
Cynthia	Hernandez	Ukiah	CA	95482	Bitsa	Burger	Novato	CA	94948	j	delaware	Los Angeles	CA	90046
Nola	Chavez	El Cerrito	CA	94530	John	Langevin	Running Springs	CA	92382	Nancy	Petranto	Novato	CA	94949
amy	anderson	hesperia	CA	92345	Loren	Jones	San Francisco	CA	94127	Brad	Moss	Sebastopol	CA	95472
Linda	McCalister	Vacaville	CA	95687	Maryam	Kamali	Belmont	CA	94002	ron	zil	West Hollywood	CA	90046
Marylucia	Arace	Fullerton	CA	92835	June	Green	Belmont	CA	94002	Janice	Ross	Atherton	CA	94027
Shawn		santa rosa	CA	95404	Marian	Lotz	Grass VALLEY	CA	95945	Suzanne	Wilson	Santa Cruz	CA	95060
Jeff	Dutcher	Ventura	CA	93001	Francisco	Montes	Ventura	CA	93003	Mitch	Dalition	san francisco	CA	94117
Margaret	Petkiewicz	San Jose	CA	95125	Paula	Hoppe	Santa Monica	CA	90404	Jo	Scheiner	Petaluma	CA	94954
Julian	Yerena Jr	Parlier	CA	93648	Jan	Davidson	Oakhurst	CA	93644	Pamela		Palo Alto	CA	94306
Phyllis	Vliet	La Mirada	CA	90638	Gayle	Kirma	Redondo Beach	CA	90277	Pete	Childs	rancho mirage	CA	92270
Linda	Hunt	North	CA	91601	Robert	Medici	Hollywood	CA	90028	Site-Maker		La Crescenta	CA	91214
		Hollywood			Sheila	Desmond	Cameron Park	CA	95682	Rita	Nolan	San Francisco	CA	94122
Karen	Morss	Redwood City	CA	94062	David	Barrymore	Shingletown	CA	96088	Fillip	Caps	Santa Cruz	CA	95065
Donna	Clark	Alhambra	CA	91803	Magesh	Jayapandian	San Jose	CA	95136	Darin	Hieb	FOLSOM	CA	95630
Colette	Cabral	Carmichael	CA	95608	Rupica	Crowder	Altadena	CA	91001	Karen	Ornelas	San Pedro	CA	90731
Patricia	Trandal	El Cajon	CA	92021	Susan	Thompson	Pacific	CA	94044	John	Walton	santa rosa	CA	95403
Shelia	Auzenne	San Francisco	CA	94124	marcia	breslin-cantillana	oakland	CA	94618	Lyzette	Bonaparte	Cypress	CA	90630
Henry	Schlinger	Burbank	CA	91501	Kathleen	Devaney	Solvang	CA	93464	Heather	Brawley	Los Angeles	CA	90036
Chris	Still	Santa Barbara	CA	93101	Phil	Reser	Chico	CA	95926	Orpha	Wilson	redondo beach	CA	90278
Steven	Sugarman	Malibu	CA	90265	Siddharth	Mehrotra	Camarillo	CA	93010	renee	schofield	san anselmo	CA	94960
Terry	Badger	paso robles	CA	93446	Michael	Garity	Nevada City	CA	95959	A	Davis	Burbank	CA	91506
Michael	Sterling	Huntington	CA	92646	Jeri	Pollock-Leite	ALTADENA	CA	91001	Amara	Siva	Oceanside	CA	92057
		Beach			Barbara	Mendenhall	Sacramento	CA	95818	Michael	Joo	Torrance	CA	90504
Seth	Weiner	Culver City	CA	90230	Robert	McCombs	Arcata	CA	95518	Karen	Daves	Simi Valley	CA	93063
megan	williams	topanga	CA	90290	Diane	Hill	Berkeley	CA	94703	Alicia	Salazar	Los Angeles	CA	90063
carol	illis	Albion	CA	95410	Marcina	Motter	Encinitas	CA	92024	Elizabeth	Zenker	arcata	CA	95521
Antoinette	Boutros	Los Angeles	CA	90042	Connie	Stomper	Santa Monica	CA	90404	Kevin	Branstetter	Applegate	CA	95703
Janet	Bindas	Walnut Creek	CA	94598	Keleigh	Dietsch	Cameron Park	CA	95682	Donna	Anderson	Westchester	CA	90045
Steve	Loe	Yucaipa	CA	92399	Kelly	Erwin	Palm Springs	CA	92264	Keith	Morris	Los Angeles	CA	90027
Sonya	Walters	San Rafael	CA	94915	Hans	Huang	San Francisco	CA	94112	Karen	Pope	PALM	CA	92264
Katharine	Ruthroff	Eldridge	CA	95431	Cheryl	Tiburzi	Loomis	CA	95650			SPRINGS		
Pavel	Skaldin	San Francisco	CA	94133	Yvette		Martinez	CA	94553	Kelly	Kramre	GARDEN	CA	92840

Virginia	Roberts	GROVE		Bob	Atwood	Redding	CA	96003	Chirawat	Chotikasupasera	Newhall	CA	91321
Veeero	Derkarabetian	El Dorado Hills	CA	michael	callan	yucca valley	CA	92284		nee			
john	contos	Los Angeles	CA	Kenneth	Shrum	Pleasant Hill	CA	94523	Kevin	Guthrie	Palo Alto	CA	94306
Susan	Seger	la palma	CA	Harry	Mello	San Francisco	CA	94116	Diane	Bolman	Novato, CA	CA	94949
Alan	Rosa	Newport Beach	CA	Mark	Harwood	Van Nuys	CA	91401			94949		
Bruce	Burness	Gilroy	CA	Vanna	Pichel	Half Moon Bay	CA	94019	Cherie	Connick	Crescent City	CA	95531
Simone	Klein	Pasadena	CA	Jorgen	Ramstead	los angeles	CA	90026	Judith	Smith	Oakland	CA	94601
Marianne	Mantoon	Santa Monica	CA	Danielle	Cambier	San Francisco	CA	94131	Kathleen	Tarlow	Modesto	CA	95350
Judith	Winston	Pasadena	CA	Gail	Roberts	Jamul	CA	91935	Karen	Mosser	Ceres	CA	95307
Tara	Cisneros	santa monica	CA	Ann	Bykerk-	Chico	CA	95928	JENNIFER	LEWIS	Pasadena	CA	91106
Gypsy	Powers	Sherman Oaks	CA		Kauffman				Arleah	Madamba	Chula Vista	CA	91911
Paula	Lancaster	Santa Cruz	CA	Susan	Martin	Oakland	CA	94611	Michael	Mills	San Francisco	CA	94115
Cheryl	Knecht	Fresno	CA	T	McCranie	Irvine	CA	92603	jackie	guardado	Alameda	CA	94501
Mohan	G	Riverside	CA	Travis	Thumm	San Francisco	CA	94102	Thomas	Slosson	Simi Valley	CA	93065
Brent	Mitchell	Mountain View	CA	Keefe	Nghe	Ventura	CA	93004	Bonnie	Burkart	Corte Madera	CA	94925
Julie	Weinhouse	Carlsbad	CA	Margot	Zuckerman	manHATTAN	CA	90266	Jim	Curland	Moss Landing	CA	95039
Ricci	Pineau	Simi Valley	CA			BEACH			John	Dotta	Santa Rosa	CA	95404
Carol	Gurunathan	Santa Cruz	CA	Jana	Lane	Oakland	CA	94619	jessica	bodner	ventura	CA	93003
Jennifer	Bator	Mountain View	CA	Marsha	Malone	Chino	CA	91710	Karen	Moro	Grover Beach	CA	93433
Bridgett	Heinly	San Francisco	CA	Joan	Andersson	Topanga	CA	90290	K	Siwek	Santa Ana	CA	92705
Galen	Abbott	San diego	CA	J		daly city	CA	94015	Barbara	Scheinman	Mission Viejo	CA	92691
Mohan	Gurunathan	San Francisco	CA	Carey	Hauser	n. hollywood	CA	91606	Edwin	Aiken	Sunnyvale	CA	94087
Geoff	Shester	Mountain View	CA	roisin	cassidy	burlingame	CA	94010	Bill	Britton	Livermore	CA	94550
Dan	Perdios	Marina	CA	Megan	Crawford	Rancho Palos	CA	90275	Walter	Stauss	Aptos	CA	95003
Steven	Frey	Palm Springs	CA			Verdes			Darvin	Boyd	Unit J	CA	91316
Tetsuo		Palm Springs	CA	Chet	Zar	Monrovia	CA	91016	Anita	Bradford	Torrance	CA	90504
Frank	Freitas	Ramona	CA	Karin	de Jong	BREDA	CA	90210	James	Syfers	Sonoma	CA	95476
Jacki	Apple	Moraga	CA	William	Crane	CHATSWORTH	CA	90210	Nancy	Oliver	Sonoma	CA	95476
Sandy	Williams	Los Angeles	CA	Amber	Aguilera	ANAHEIM	CA	91311	Petrine	Mitchum	Los Angeles	CA	90039
Phillip	Cripps	Covina	CA	mitch	vanbourg	Berkeley	CA	92804	Jim	Haynie	Santa Ynez	CA	93460
Rose	Carnell	Cathedral City	CA	candy	jennings	San Diego	CA	94708	Deirdre	Williams	Malibu	CA	90265
Katie	Cruce	Vallejo	CA	victoria	brown	Long Beach	CA	90815	Michael	Badeaux	Truckee	CA	96162
Simone	Butler	Santa Barbara	CA	Lisa	Harms	San Brdo	CA	93427	Nico	Hartikainen	Cardiff	CA	92007
Geert	Vancompennolle	San Francisco	CA	Al	schmitt	San Francisco	CA	94110	Jerry	Peavy	Los Angeles	CA	90027
Juana	Castanheira	San Diego	CA	Jim	Showalter	West Hills	CA	91307	Larry	Rosenberg	Chico	CA	95926
Kaye	Kirkwood	Fremont	CA			SAN	CA	94127	Nowell	Karten	Tahoe City	CA	96145
CLS	George F.	San Francisco	CA	Dion	Neutra	FRANCISCO			Marian	Derby	Santa Monica	CA	90403
	Klipfel II	Santa Clarita	CA	Jeff	Zittrain	Los Angeles	CA	90039	Paul	Smith	Davis	CA	95616
		Cathedral City	CA	Hilary	Stamper	Berkeley	CA	94702	Robin	Van Tassell	Oakland	CA	94619
Daniel	Better	L.A.	CA	Jon	Andersen-Miller	Half Moon Bay	CA	94019	Karen	Carrington	San Rafael	CA	94903
Ika	Irsan	Thousand Oaks	CA	Aimee	Kurachi	CULVER CITY	CA	90232	Joe	Coakley	Oakland	CA	94610
Candace	Rocha	Los Angeles	CA	Mark	Freeman	Chatsworth	CA	91311	Stanley	Peterson	Dublin	CA	94568
Karl	Koessel	Blue Lake	CA	Darcy	Vasudev	San Diego	CA	92117	Lisa	Krausz	Tiburon	CA	94588
Jessica	Sanhex	San Francisco	CA	Laurie	Gorman	San Francisco	CA	92117	Beth	Stein	Los Banos	CA	93635
Linda	Hirst	San Diego	CA	VR	Wallace	Visalia	CA	94110	Vonnie	lams	Tiburon	CA	94920
Marie	Henley	Winters	CA	Pamela	Mcdonald	Whittier	CA	90602	Ashley	Nee	Los Angeles	CA	90066
Eve	Norman	apptos	CA	Chris	Brinsley	Laguna Beach	CA	92651	diane	olson	Poway	CA	92064
Judith	Hoaglund	Oakland	CA	Michele	Mattingly	Los Angeles	CA	91602	Mark	Debasitis	San Francisco	CA	94118
Careena	Chase	Los Angeles	CA	Penny	Bly	La Mesa	CA	91942	Paul	Pieper	santa monica	CA	90403
Terra	Smiddy	Santa Rosa	CA	Brett	Dennison	San Jose	CA	95123	Robyn	Magness	San Jose	CA	95123
cindy	tejeda	Idyllwild	CA	betty	Murphy	San Diego	CA	92130	John	Wiesner	Altadena	CA	91001
Jeff	Fromberg	Irvine	CA	Lynn		Garden Grove	CA	92840	Iris	Lubitz	San Francisco	CA	94117
Robert	Bruno	los angeles	CA	Vicki	Leeds	long beach	CA	90802	Sara	White	El Cerrito	CA	94530
Alys	Hay	Los Angeles	CA	Ann	Rennacker	Van Nuys	CA	91405	David	Blattel	long beach	CA	90803
Danielle	Payton	Hollister	CA	Geoff	Wilson	Pt. Reyes Station	CA	94956	Elizabeth	Gulick	Huntington	CA	92649
Christopher	Adler	Cupertino	CA	Dina	Ritola	beverly hills	CA	90212			beach		
tonya	ivey	novato	CA	Candy	Rocha	Costa Mesa	CA	92627	NANCY	SCHLEGEL	Carmel Valley	CA	93924
Barbara	Hill	san diego	CA	Anne	Dugaw	San Francisco	CA	94122	Leanne	Friedman	Davis	CA	95616
EITHNE	CUNNINGHAM	GRASS VALLEY	CA	Carlos	OSF	Oakland	CA	94602	Jon	Bleyer	San Diego	CA	92107
		Sacramento	CA	randall	potts	Malibu	CA	90265	Rhonda	Walker	Carlsbad	CA	92010
Margaret	DeMott	Marina	CA	Vanessa	Boland	beverly hills	CA	90212	Miri	Osborne	San Jose	CA	95127
Cory	Kuhn	san diego	CA	Anna	Bellin	Glendale	CA	91201	Tobias	Indman EdD	Valley Village	CA	91607
Peter	Lorraine	Etobicoke	CA	CJ	Flyn	Huntington	CA	92648	Pec	Mark	San Jose	CA	95129
Lorraine	Gregg	Altadena	CA	Alexis	Martin	Beach	CA	92867	Paul	Paul	Simi Valley	CA	93065
Kelly	Oliver	Salinas	CA			Orange	CA	92867	Brian	John	Lake View	CA	91342
Marilyn	Wise	Bakersfield	CA			San Diego	CA	92126	Iris	Sara	Terrace		
lore	gold	los angeles	CA	Mitra	Fiuzat	Menlo Park	CA	94025	David	David	Los Angeles	CA	90027
Joseph	Boone	San Luis Obispo	CA	Sean	Hlavac	Arcueil	CA	94110	Elizabeth	Gulick	Castro Valley	CA	94546
Madeline	Jensen	Anaheim	CA	JoAnne	Lothhouse	Stockton	CA	95207			Mountain View	CA	94040
Monica	wood	Calabasas	CA	JoAnne	Lothhouse	Saratoga	CA	94947	Robyn	Judith	Moreno Valley	CA	92557
Lorane	Dick	San Dimas	CA	JoAnne	Lothhouse	Blue Jay	CA	92317	Armando	Armando	Topanga	CA	90290
Kimberly	Morse	Poway	CA	Chianis	Chianis				Kristina	Susan	North	CA	91605
Deborah	Hirsch	Palm Springs	CA	Margaret	Curtis	Mountain View	CA	94040	Annie	Dale	Hollywood		
Greg	Fisch	San Diego	CA	Jennifer	Murillo	Porterville	CA	93257	Dale	Matlock	Marina	CA	93933
Pamela	Kelly	Long Beach	CA	Marcia	Flannery	oakland	CA	94609	Karen	Chinn	Los Gatos	CA	95032
Natalie	Cook	San Francisco	CA	Christian	Rocklein	Paradise	CA	95969	Anita	Watkins	campbell	CA	95008
Graham	Berry	los angeles	CA	William	Braginsky	Benicia	CA	94510	Mark	Crane	Pasadena	CA	91101
richard	Robinson	manhattan Beach	CA	Brian	Smalley	Oakland	CA	94605	Jamie	Falgoust	Portola Valley	CA	94028
monica	romero	san francisco	CA	Ann	Bein	Los Angeles	CA	90064	Linda	Espino	santa rosa	CA	95405
Cheryl	Braginsky	Half Moon Bay	CA	Kurt	Kosbab	Irvine	CA	92614	Janet	Miller	Santa Cruz	CA	95065
Joseph	Griffo	burbank	CA	rick	maguire	moreno valley	CA	92553	John	Pham	Cloverdale	CA	95425
e Zuniga		santa monica	CA	Ron	Dudek	Carlsbad	CA	92009	Thomas	Bassett	Oakland	CA	94611
Pamela	Adams	Laguna Beach	CA	brenda	tuttle	Santa Cruz	CA	95060	Carol	Childerley	Pacificia	CA	94044
Jan	Richman	Oakland	CA	Gretchen	Irion	Redwood City	CA	94061	Sally	Barron	Elk Grove	CA	95758
Karla	shelton	Santa Barbara	CA	Kathy	Klusky	Rancho Cordova	CA	95670	George	Kauffman	shingle springs	CA	95682
Duncan	Dow	San Francisco	CA	Pete	Hart	Santa Cruz	CA	95062	Rick	O'Bryan	San Diego	CA	92101
Lisabette	Brinkman	Santa Barbara	CA	Kate	Brandt	Los Angeles	CA	90027	James	Bockerstette	Sherman Oaks	CA	91423
Greg	Movsesyan	mckinleyville	CA	Timothy	Tolbert	los gatos	CA	95032	Jordon	Krain	Encinitas	CA	92024
Gloria	Grcia	long beach	CA	Grace	Moore	Claremont	CA	91711	Deb	Escoto	Walnut Creek	CA	94596
Arlene	Zimmer	Rancho Palos	CA	Larry	Roberts	Stockton	CA	95207			Santa Barbara	CA	93101
		Verdes									Laguna Beach	CA	92651
		fontana	CA								Fresno	CA	93720
		Berkeley	CA								los angeles	CA	90066
											San Diego	CA	92106
											Los Angeles	CA	90034
											Riverside	CA	92504

Jillana	Laufer	studio city	CA	91604	Kirstin	Emershaw	Costa Mesa	CA	92627	Wally	Longshore	Riverside	CA	92501
Jordan	Gascon	San Diego	CA	92103	Doris	Levy	Culver City	CA	90232	Char	Laughon	montara	CA	94037
Dave	Chase	san diego	CA	92109	AtMarcux	Vinicius	Beverly Hills	CA	90210	Monica	Wiesener	Calabasas	CA	91302
andrew	pierce	san francisco	CA	94122	Susan	Livingstone	Mount Hamilton	CA	95140	Alexander	Ayzenband	los angeles	CA	90029
Ashley	Hillard	Los Angeles	CA	90025	T. K.	Williams	Mariposa	CA	95338	George	Steinitz	Campo	CA	91906
Therese	Steinlauf	Marina del Rey	CA	90292	Vivian	Ehresman	Chatsworth	CA	91311	Anna	Borsey	Los Angeles	CA	12012
katie	johnstone	st. clair shores	CA	92234	Junko	Card	Exeter	CA	93221	BRIANA	HURLEY	Downey	CA	90240
Sara	MacKusick	Berkeley	CA	94703	Tim	Warner	Los Angeles	CA	90039	Tanya	Phillips	Carlsbad	CA	92009
Brian	Baltin	Long Beach	CA	90802	Todd	Snyder	San Francisco	CA	94115	Paula	Purviance	Granite Bay	CA	95746
Christi	Johnson	LOS ANGELES	CA	90026	Allyn	Lee	Alamo	CA	94507	Robyn	Rosenwald	Cotati	CA	94931
David	Faubion	Thousand Oaks	CA	91362	jacob	kessel	oakland	CA	94608	Ingez	Rameau	Santa Monica	CA	90405
Kim	Worrell	Pacific Grove	CA	93950	Polly	Strahan	Berkeley	CA	94702	Bonnie	MacRaith	Arcata	CA	95521
J	Iam	Forestville	CA	95436	Suzy	Brady	Marina del Rey	CA	90292	Stephen	Rosenblum	Palo Alto	CA	94301
Stephen	Bohac	Twain Harte	CA	95383	Beverly	Suminski	Castro Valley	CA	94546	Annick		san diego	CA	92109
Krista	McKee	San Jose	CA	95148	Eddy	Robey	Sherman Oaks	CA	91401	Kim	La Chance	Redondo Beach	CA	90278
Kristine	schultz	Terra Bella	CA	93270	marea	neesham	Orange	CA	92867	John	Ferguson	Berkeley	CA	94707
Carolyn	Borst	Oceanside	CA	92058	Emily	Anderson	San Francisco	CA	94114	Roxanne	Braithwaite	Venice	CA	90291
Thomas	Luparello	Rohnert Park	CA	94928	Matt	Lunn	Petaluma	CA	94952	Pamela	Lustley	Murrieta	CA	92562
C	Price	Palo Alto	CA	94306	Charles	Jonaitis	Los Angeles	CA	90046	Rae	Gustafson	Mill Valley	CA	94941
john	Thies	san rafael	CA	94903	Lindsey	Cuneo	Stockton	CA	95204	Klaudia	Englund	Thousand Oaks	CA	91360
Darren	R. Swift	Westminster	CA	92683	Steve	Morris	Los Angeles	CA	90036	David	Ward	Redlands	CA	92375
Susan	Saunders	Los Angeles	CA	90036	Erin		sherman oaks	CA	91403	Ashley	Osinski	Foothill Ranch	CA	92610
Jon	longsworth	Aptos	CA	95001	Christian	Sousa	Santa Cruz	CA	95060	Sharon	Zelman	Tarzana	CA	91356
Cindy	Oliver	aptos	CA	95003	Martha	Shogren	Sebastopol	CA	95472	Jean	Andrews	Santa Cruz	CA	95060
Clayton	Verbinski	La Canada	CA	91012	nancy	nolan	San Clemente	CA	92672	Patricia	Cross	San Jose	CA	95117
		Flintridge			Thanh	Nguyen	San Diego	CA	92129	Rich	Smith	Los Angeles	CA	90066
Bonnie	Jay	Santa Monica	CA	90405	Tulsi	Milliken	Encinitas	CA	92023	Irene	Kraus	Mission Viejo	CA	92692
Lisa	Butterfield	Eureka	CA	95501	Lori	Kegler	San Pedro	CA	90731	Rachelle	Caruso	Davis	CA	95618
Julia	Bonfiglio	San Mateo	CA	94402	Debra	Cunningham	Encinitas	CA	92024	Candace	Sauve	Oxnard	CA	93030
David	Marinsik	Santa rosa	CA	95401	Howell	Johnson	San Leandro	CA	94578	Vance	Jason	Livermore	CA	94551
jocelyn	sosa	bell	CA	90201	Tami	Armitage	STUDIO CITY	CA	91604	Mark	Askren	Riverside	CA	92504
David	Walker	Santa Maria	CA	93458	Virginia	Mariposa	Santa Barbara	CA	93110	Eron	Zehavi	Hermosa Beach	CA	90254
Linda	Russell	Santa Rosa	CA	95402	Jamie	Lowry	Hermosa Beach	CA	90254	Dave	Thibodeau	San Rafael	CA	94901
Allison	Moffett	Brea	CA	92821	Flurry	Dowe	San Diego	CA	92111	Diane	McLaughlin	Culver City	CA	90230
Heather	Fadden	Laytonville	CA	95454	Cindy	Powell	Newport Beach	CA	92661	Gary	Bradley	santa barbara	CA	93101
Robert	Reese	san diego	CA	92123	Jeffrey	Nichols	Orange	CA	92869	Polly	O'Malley	Los Angeles	CA	90025
Jenni	Kerteston	Santa Barbara	CA	93110	Robin	Lara	Sacramento	CA	95815	Chris	Anderson	Lafayette	CA	94549
samuel	Rosenfeld	pasadena	CA	91105	Barbara	Macdonald	Woodacre	CA	94973	Bernadette	Foti	Paso Robles	CA	93446
Anne	Becker	Saratoga	CA	95070	Robert	Bausch	Belmont	CA	94002	Philip	Winkels	laytonville	CA	95454
R	Frederick	Joshua Tree	CA	92252	Shelley	Butler	West Hills	CA	91304	Sheila	Silan	Somerset	CA	95684
Rose	Coldenhoff	Citrus Heights	CA	95621	MichA'le	Monico	San Francisco	CA	94117	Gina	Maslow	Venice	CA	90291
Ande	Spencer	Redlands	CA	92373	Deborah	Santone	San Ramon	CA	94583	Rolf	Pedersen	Oakland	CA	94602
Earla	Kirkwood	Oakland	CA	94619	Anne	Sotelo	Los Angeles	CA	90066	Amy	Freemire	San Francisco	CA	94131
Marianne	Duke	San Francisco	CA	94118	Aaron	Magerus	San Luis Obispo	CA	93405	Nancy	Dick	Richmond	CA	94804
Stacy	Grubb	Long Beach	CA	90807	Patricia	goff	Valley Village	CA	91607	William	Rowe	Santa Cruz	CA	95060
Dee	Hutton	Santa Cruz	CA	95062	Beverly	Hale	Vista	CA	92084	Lucy	Vega	Artesia	CA	90701
Diane	Stasser	Boulder Creek	CA	95006	Nancy	Webb	Cayucos	CA	93430	Janae		Murrieta	CA	92564
barbara	Bowman	Ojai	CA	93023	Joslyn	Baxter	San Francisco	CA	94131	Paul	Ramos	Solvang	CA	93463
Ariel	Walden	Los Angeles	CA	90028	D	Cervantes	Bellflower	CA	90706	Jeff	Landau	Westlake Village	CA	91361
Julie	Amato	Studio City	CA	91604	Christian	Heinold	Oakland	CA	94612	Pierce	Flynn	Carlsbad	CA	92009
Ron	Cwang	Beverly Hills	CA	90210	Andrew	Wilson	San Diego	CA	92130	Nadine		Laguna Beach	CA	92651
Susan	Robinson	Los Angeles	CA	90068	Leonard	Stevens	San Rafael	CA	94901	Kira	W	Fairfield	CA	94533
gayla	Reiter	Benicia	CA	94510	Michelle	Palladine	palm springs	CA	92262	Matt	Powers	Coarsegold	CA	93614
Jeffrey	Long	Santa Cruz	CA	95065	Douglas	Poore	Vacaville	CA	95688	Danielle	Giormandi	Pacific Palisades	CA	90272
P	Murphy	Marina del Rey	CA	90292	Tracey	Pence	Los Angeles	CA	90046	Simeon	Flick	San Diego	CA	92104
Jeff	Hall	Santa Cruz	CA	95062	Tracy	Ely	Soquel	CA	95073	Jim	Bell	San Diego	CA	92107
Kathryn	Turconi	Rohnert Park	CA	94928	Kurt	Heintz	Brisbane	CA	94005	Karen	Berger	Montrose	CA	91020
Catherine	George	Napa	CA	94559	Tatiana	Marshall	San Francisco	CA	94110	Michele	Sandersen	Walnut Creek	CA	94595
Peta	Brendel	Salinas	CA	93906	Lorraine	Schaeffer	topanga	CA	90290	Shann and	Ritchie	Santa Cruz	CA	95062
Sarah	Brown	Santa Barbara	CA	93108	ANN	WHITE	Eureka	CA	95501	Dennis				
Laura	Divenere	Los Angeles	CA	90014	Jennifer	Bass	venice	CA	90291	Tia	Triplet	Los Angeles	CA	90066
regina	favaroto	pasadena	CA	91103	Jessica	Paulat	Lodi	CA	95240	GABRIELLE	JAMES	LAKEWOOD	CA	90712
Katherine	Kenney	Valley Villag	CA	91607	alex	ben	venice	CA	90291	Kirsten	Burt	Oakland	CA	94610
David	Raleigh	San Luis Obispo	CA	93401	Deidre	Brookman	Cypress	CA	90630	Sandra	Childs	Miranda	CA	95553
Stacy	Saunders	Los Angeles	CA	90066	Sharon	Bushman	Los Angeles	CA	90066	Scotti	Butler	Vallejo	CA	94590
Vic	Selten	Palm Springs	CA	92264	Alberto	Ramon	El Sobrante	CA	94803	Glenn	Tannous	Glendale	CA	91205
Ed	Starr	Santee	CA	92071	David	Bowman	San Francisco	CA	94117	John	Sutton	Los Angeles	CA	90077
Stefanie	Gandolfi	Oakland	CA	94605	Teri	McKown	Sacramento	CA	95821	Jon	Spitz	Laytonville	CA	95454
Ashlie	Norman	Chino Hills	CA	91709	Patricia	Webber	Coronado	CA	92118	Ellen	Segal	Toluca Lake	CA	91602
Kheiri	Gandi	Glendale	CA	91205	Christine	Janus	Long Beach	CA	90803	Donna	Sams	San Diego	CA	92110
Jeffery	Garcia	Mendocino	CA	95460	Beverly	Poncía	Lower Lake	CA	95457	Heather	Reed	Felton	CA	95018
Diane	Reed	Richmond	CA	94804	Peter	Navarro	Pacoima	CA	91331	Barbara	Pixley	Penn Valley	CA	95946
Jen	Willis	Santa Barbara	CA	93110	Kathleen	Mullen-Ley	San Diego	CA	92107	zorine	rnaldi	Santa Monica	CA	90405
Susan	Kurcz-Easom	Pittsburg	CA	94565	Brenda	Fies	Sherman Oaks	CA	91423	Jasmine	Dawson	Willits	CA	95490
Jo	Forkish	Sunnyvale	CA	94087	Kelly	Coleman	Long Beach	CA	90807	Nicole	Caputo	petrolia	CA	95558
Francisco	Hulse	San Francisco	CA	94110	Veronica	Tucker	Santa Monica	CA	90405	Jean-Yves	LOPEZ	Nice	CA	60000
Rob	Seltzer	Malibu	CA	90265	Yuliya	Krikunova	Chico	CA	95973	Lee	Baldwin	Norwalk	CA	90650
Russell	Weisz	Santa Cruz	CA	95060	Brenda	Haig	Long Beach	CA	90803	Naresh	Monthimar	Sunnyvale	CA	94087
Patricia	Wilson	Spreckels	CA	93962	Amanda	Martin	Sherman Oaks	CA	91423	Ian		Kirkwood	CA	95646
chris		Kensington	CA	94707	Susan	Jones	Santa Maria	CA	93456	Rebecca	Gitlin	San Francisco	CA	94110
Rami	Schandall	Aptos	CA	95003	Kay	Djordjevich	Meno Park	CA	94025	Helen	Hanna	Sacramento	CA	95864
Lola	Bice	san francisco	CA	94131	James	Monroe	Concord	CA	94521	Alp	Sendil	Pacific	CA	94044
Kelly	Solomon	San Diego	CA	92138	Donald	Reinberg	Mill Valley	CA	94941	Efuan	Simms	Los Angeles	CA	90061
Gerald	Spotts	San Francisco	CA	94117	Yoko	Senesac	Torrance	CA	90504	Robert	Goings	Springville	CA	93265
Kurt	Schwenk	Pasadena	CA	91105	Misti	Reif	San Francisco	CA	94118	Sheila	Bouchard	West Hills	CA	91304
Douglas	Dyakon	Los Angeles	CA	90046	Spencer	Adams	LOS ANGELES	CA	90034	Alp	Sendil	Pacific	CA	94044
Karen	Brant	San Francisco	CA	94117	Owen	Derby	San Leandro	CA	94577	Julie	Loupe	Malibu	CA	90265
Nancy	Sharmer	Fresno	CA	93726	Michal	Lynch	Santa Barbara	CA	93111	Josephine	Coatsworth	Berkeley	CA	94705
Kathy		studio city	CA	91604	Chris	Dawson	Los Angeles	CA	90045	Carrie	Avritt	San Francisco	CA	94122
Dawn	Hill	McKinleyville	CA	95519	Julie	Lyons	Elk Grove	CA	95624	J	Blaisdell	La Canada	CA	91011
Stephen	Julich	Berkeley	CA	94705	J	Kerr	Thousand Oaks	CA	91360	Dinah	Fuentes	San Rafael	CA	94901
Abbie	Sloan	San Diego	CA	92106	Julie	Goldberg	Los Angeles	CA	90064	Georgette	Victor	Kenwood	CA	95452
Ryan	Green	Simi Valley	CA	93065	Jenny	Ho	South San	CA	94080	Kelly	Hairgrove	Santee	CA	92071
Dotti	King	San Jose	CA	95128			Francisco			Susan	Toy	Sherman Oaks	CA	91401

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Marina		los angeles	CA	90069	Bruce	Bowser	Bolinas,	CA	94924	Geoffrey	Collins	Garden Grove	CA	92845
Karen		Beverly Hills	CA	90210	Katherine	Monahan	Oakland	CA	94611	Elizabeth	Stephens	Ontario	CA	90210
Catherine	Sowell	Sonoma	CA	95476	Kelly	Dennehy	San Francisco	CA	94107	Cedar	Johnson	felton	CA	95018
Joe	Mueller	fairfax	CA	94930	Floyd	O'Brien	Stockton	CA	95204	Beth	Stephens	Ontario	CA	90210
JoAnn	Reed	Vallejo	CA	94591	Hector	Garcia	Los Angeles	CA	90005	Matthew	Clark	Tarzana	CA	91356
Heather	Ankrom	Wilmington	CA	90744	Katherine	Palmer-Collins	Oakland	CA	94611	lise	hartill	VAN NUYS	CA	91406
Jennifer	Bird	Los Angeles	CA	90039	Kelly	Etheridge	Lakewood	CA	90712	Deborah	Goncalves	Los Angeles	CA	90069
Susan	Hathaway	Pico Rivera	CA	90660	Marco	Aguilera	Carlsbad	CA	92008	Bobby	Garlough	San Diego	CA	92117
Scott	Marcano	Toluca Lake	CA	91602	Nicole		san francisco	CA	94110	Thomas	Pick	Los Angeles	CA	90018
Tina	Overland	Encinitas	CA	92024	Timothy	Hoang	Riverside	CA	92507	Jorge	Lobo	San Diego	CA	92108
Jose Ricardo	Bondoc	San Francisco	CA	94132	Richard	Santivong	Monterey Park	CA	91754	Heather	Christie	Redlands	CA	92373
Catherine	Sturgeon	Los Angeles	CA	90066	Thomas	Richman	Los Angeles	CA	90051	Barbara	Renton	Berkeley	CA	94707
Luciana	Meinking	Santa Clara	CA	95050	Luis	Agcaoili	pleasanton	CA	94588	Linda	Luther	El Segundo	CA	90245
susan	RUDNICKI	manhattan beach	CA	90266	A	Morris	San Francisco	CA	94122	Gary	Lapid	Mountain View	CA	94043
Roy	Vanderleelie	Joshua Tree	CA	92252	Pam	Reagor	Irvine	CA	92604	chad	ferrin	Los Angeles	CA	90039
Chris	Chambers	Rancho Palos Verdes	CA	90275	Rebecca	Nunez	Los Angeles	CA	90057	Colene	Riffo	Valencia	CA	91354
					Megan	Chawner	PACIFIC GROVE	CA	93950	Dale	Riehart	san francisco	CA	94107
										Holly	Still	Menlo Park	CA	94025
Tony		Del Mar	CA	92014						Kathy	Compagno	Napa	CA	94559
Susan		Merced	CA	95340	Michael and	Clarke	Salida	CA	95368	Timothy	Dobbins	San Francisco	CA	94117
Heidi	Bowman	Calabasas	CA	91302	Jeanine					Mae	Stadler	Greenbrae	CA	94904
Nancy	Gingrich	Sebastopol	CA	95472	Rachel	Clee	San Francisco	CA	94122	Neil	Brody	sherman oaks	CA	91403
Mary	Lane	Fresno	CA	93711	Cat	Reyes	Laguna Niguel	CA	92677	Barry	Finnegan	Los Angeles	CA	90046
Esther	Arizmendi	los angeles	CA	90083	Gayl	del Pero	san mateo	CA	94403	Robert	Hutchinson	Woodland Hills	CA	91367
Sylvia	Schroll	Berkeley	CA	94704	Jane	Eitel	Sierra Madre	CA	91024	Sara	Crummett	San Francisco	CA	94123
Nat	Childs	Miranda	CA	95553	Jacqueline	Jensen	Santa Monica	CA	90402	Steve	Fowler	san francisco	CA	94110
Nancy	Jenkins	madera	CA	93637	Natalie	Alexander	Irvine	CA	92620	Gilda	Fusilier	Sacramento	CA	95831
Mary	Moose	san francisco	CA	94133	Annette	Slikker	Martinez	CA	94553	bryce	stolar	Huntington	CA	92648
Kylie	De La O	Murrieta	CA	92562	Leslie	Dean	Mountain View	CA	94040			Beach		
Ellen	Glen Knight	Glen Ellen	CA	95442	Matthew	Iribarne	San Francisco	CA	94118			Oakland	CA	94609
Ryan	Brennan	San Rafael	CA	94901	nilu	vakilian	san diego	CA	92130	erin	crawford	San Francisco	CA	94117
Jan	Kelley	STUDIO CITY	CA	91604	Glenda	Green	San Francisco	CA	94117	Angela	Orozco	San Francisco	CA	94117
Michael	White	Long Beach	CA	90805	Ron	Melin	Torrance	CA	90503	Scott	Turner	Sebastopol	CA	95472
Chris	Figueroa	Chino Hills	CA	91709	Bill	Van Iden	San Francisco	CA	94121	Marcia	Murphy	Ojai	CA	93023
Lydia	Hailu	Palo Alto	CA	94304	Nancy	Goldberg	Los Angeles	CA	90066	Nancy	Arbuckle	Redwood City	CA	94061
Pat	Weaver	Redway	CA	95560	chelsea	edwards	Lakewood	CA	90713	linda	b.	pasadena	CA	91107
Lisa	Salgado	Torrance	CA	90503	David	Holier	Crestline	CA	92325	G	Muramoto	torrance	CA	90503
Helen	Li	Modesto	CA	95355	Janice	Austin	Temecula	CA	92591	Theresa	Dooley	Mill Valley	CA	94941
Nathan	Vogel	san francisco	CA	94171	Bruce	Scotton	Larkspur	CA	94939	Mary	Nelsen	Albany	CA	94706
Damiana	Hook	Los Angeles	CA	90027	Frank	Hill	North	CA	91601	Carl	Reid	Los Angeles	CA	90034
Carole	Dadurka	San Clemente	CA	92673			Hollywood			Vicki	Leidner	san francisco	CA	94110
George	Ross	Woodbridge	CA	95258	Nina	Diamante	Los Angeles	CA	90048	James	Barnes	Hemet	CA	92543
Elizabeth	Drewry	Mountain View	CA	94043	Michele	Krupinski	Chula Vista	CA	91910	Michael	Treece	San Francisco	CA	94122
Tod	Bensen	Woodside	CA	94062	Claire	Flewitt	San Lorenzo	CA	94580	Gerry	Collins	Murrieta	CA	92563
Andrea	Costello	Los Angeles	CA	90029	Rena	Lewis	Ojai	CA	93023	Lori	Santos	Chicago	CA	91607
William	McGill	Manhattan	CA	90266	Deirdre	Brownell	burbank	CA	91504	Neila	Lee	Sherman Oaks	CA	91403
		Beach			GE	Stinson	culver city	CA	90232	Julie	Brown	beverly hills	CA	90212
Nancy		Santa Maria	CA	93455	Shari	Riffe	Pleasant Hill	CA	94523	Christine	Swenning	richmond	CA	94805
Karen	toyohara	La Mesa	CA	91941	Amy	Kastner-Drown	Tujunga	CA	91042	Prof	Delevoryas	San Jose	CA	95124
Ioana	Hagiu	Rancho Santa Margarita	CA	92688	Carolyn		Willits	CA	95490	David	Davies	Beverly Hills	CA	90212
					Lorie	Lease	Cotati	CA	94931	Palova	Valenti	Burlingame	CA	94010
Rachel	Pinto	Los Angeles	CA	90027	Barbara	Helgesen	Foster City	CA	94404	Karen	Bien	CLOVIS	CA	93612
James	Haig	San Rafael	CA	94901	Sharon	McCormick	Los Angeles	CA	90025	Donya	Drummond	Oakland	CA	94610
Yvette	Fallandy	Santa Rosa	CA	95404	Beverly	Farr	Goleta	CA	93117	Isis	Brenner-Ward	Ukiah	CA	95482
Tawnie	Johnson	Bakersfield	CA	93309	carolina	Adler	Studio City	CA	91602	MN	Dye	Thousand Oaks	CA	91360
Kimberly	Phillips	Huntington Beach	CA	92648	Susan	Jansen	Bel Air	CA	90077	Nadege	Baer	los angeles	CA	90065
					Erick	Vasquez	South San Francisco	CA	94080	Dorothea	Stephan	Winzer	CA	94577
Jacques	Couture	Lafayette	CA	94549						Vicki	Perizzolo	Riverside	CA	92507
Remi	Broviak	Chino Hills	CA	91709	Clay	Mantley	Sherman Oaks	CA	91423	Heather		San Diego	CA	92109
Court	Arning	San Jose	CA	95164	Ron	Hartleben	Port Hueneme	CA	93041	Virginia	Holmes	Menlo Park	CA	94025
Rose	Braz	San Francisco	CA	94110	Coral	Allenby	Gardena	CA	90249	Jaona	Dean	Buellton	CA	93427
Jeff	Landau	Simi Valley	CA	93065	Karen	linarez	Carmichael	CA	95608	Richard	Henderson	San Anselmo	CA	94960
Yuka	Persico	Simi Valley	CA	93065	Diana		North	CA	91606	Claudia	Villierme	san francisco	CA	94117
Jill	Bittner	San Francisco	CA	94109			Hollywood			Raven	Dorantes	San Francisco	CA	94115
Charles	Binckley	Richmond	CA	94801	Shannon	Merrill	Santa Clara	CA	95050	Gary	Reese	San Clemente	CA	92673
Max	Delaney	fairfax	CA	94930	Linda	Palos	Chula Vista	CA	91911	Judie	Lincer	La Mesa	CA	91941
Leonard	Tremmel	San Francisco	CA	94115	Dennis	Earley	Laguna Niguel	CA	92677	Mark	Reback	Los Angeles	CA	90042
Tim		Wells	CA	92501	Jim	McCurdy	Long Beach	CA	90803	Travis	Trevathan	Simi Valley	CA	93065
Katrina	Kemnitzner	San Juan	CA	92675	Bryan	Bergstrand	Claremont	CA	91711	Thea	Spaanstra	Leeuwarden	CA	90263
		Capistrano			Heather	Else	Los Angeles	CA	90019	Bronwen	Larson	Loma Linda	CA	92354
Lisa	Cossettini	Playa del Rey	CA	90293	Gerald	Haslam	Pennrove	CA	94951	Patrice	R	santa barbara	CA	93101
Fatah	Ghaemi	san diego	CA	92130	Louis	Fox	Berkeley	CA	94702	Elizabeth	Czyzewski	Los Angeles	CA	90026
Alvina	Tse	Chino hills	CA	91709	Josi	Chow	Los Angeles	CA	90046	Peter	Ourusoff	Sebastopol	CA	95472
Andrew	Abodeely	San Diego	CA	92108	Nuri	Pierce	La Mesa	CA	91941	mario		new orleans	CA	94521
Victor	Carmichael	Pacific	CA	94044	Kathy	Jessen	oakland	CA	94609	Susanne	Madden	Playa del Rey	CA	90293
Faith	Gawryluk	Yucca Valley	CA	92284	Linda	Sanders	San Diego	CA	92123	Michael	Moeller	Long Beach	CA	90804
Barbara	Garcia	El Portal	CA	95318	Cassandra	Dudum	Napa	CA	94558	Fred	Marschner	Walnut Creek	CA	94596
Mark	Weinberger	San Francisco	CA	94121	Marguerite	Shuster	Sierra Madre	CA	91024	Ivy	Moya	Berkeley	CA	94705
Andrea	Potocny	Encinitas	CA	92024	Sharyn	White	richmond	CA	94806	Rogers	Turrentine	Oceanside	CA	92054
Cathy		agoura	CA	91301	Christina	Babst	W. Hollywood	CA	90069	Jim	Maguire	Moreno Valley	CA	92553
Andrea	Lieberman	Los Angeles	CA	90066	Gregg	Sparkman	Oakland	CA	94608	Brittany	Greenberg	tiburon	CA	94920
Terry	Zwigoff	San Francisco	CA	94110	Maxine	Lewis	oakland	CA	94609	William	Castle	Loomis	CA	95650
Susi	Higgins	Glendale	CA	91203	Ursula	Bond	Santa Barbara	CA	93108	Marie	DiMassa	Long Beach	CA	90807
Margrit	Spear	Jamul	CA	91935	Dave	Alexander	bellflower	CA	90706	Anne	Montagna	Los Gatos	CA	95030
Dede	Moya	Torrance	CA	90501	mary	sherwood	los angeles	CA	90046	Donna	Jensen	Playa Vista	CA	90094
Peg	Bradley	Riverside	CA	92506	Martin	henderson	Goleta	CA	93117	Stephanie	Green	Long Beach	CA	90807
Marina	Cardenas	Montebello	CA	90640	Diana	Cho	Tracy	CA	95377	Sheila	Wyse	sherman oaks	CA	91403
Paul	Babbini	Santa Rosa	CA	95401	Jessica	Harrison	San Francisco	CA	94110	Kimberly	Posin	Encino	CA	91316
Leela	McDowell	Berkeley	CA	94704	Renee	Gardner	Costa mesa	CA	92627	Hoe	Poh	Benicia	CA	94510
Gina	Felicetta	Bakman Ave.	CA	91602	Fiona	Priskich	Darlington	CA	90210	Alice	Polesky	San Francisco	CA	94107
Pierre	Barrieu	Redondo Beach	CA	90277	Barbara	Sullivan	San Rafael	CA	94901	Sidney	Scott	carmel	CA	93921
Daphne	Yee	Sacramento	CA	95818	David	Mischel	San Francisco	CA	94117	Lauren	Godla	Davis	CA	95616
phyllis	drummond	brentwood	CA	94513	JAMI	TOLPIN	Sherman oaks	CA	91403	Maggie	Wineburgh-Freed	Los Angeles	CA	90041
Johanna	Kee	Greenbrae	CA	94904	esmeralda	Garcia	san rafael	CA	94901					
Richard	Wightman	Arcadia	CA	91006	Courtney	Nouh	Valencia	CA	91355	Matthew	Carlstrom	Oaland	CA	94609

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Jeffrey	Hurwitz	San Francisco	CA	94121	Michael	Souza	San Diego	CA	92108	Pratibha	Guha	Los Angeles	CA	90048
Susan	Piercy	San Diego	CA	92122	Katherine	Bleyker	Culver City	CA	90230	Erin	O'Hara	Westminster	CA	92683
susan	Odonnell	Novato	CA	94949	Carole	Gathman	novato	CA	94949	Emily	Taylor	Los Angeles	CA	90034
Cassandra	Wright	burbank	CA	91505	Larry	Schlessinger	San Francisco	CA	94118	Tabitha	W.	Chatsworth	CA	91311
Lindsey	Bradford	Downey	CA	90241	Ben	Hoselton	San Luis Obispo	CA	93405	melissa	polick	mill valley	CA	94941
Leonie	Barnes	Santa Rosa	CA	95403	Michael	Harrington	Granite Bay	CA	95746	Sally	Higman	Palos Verdes	CA	90274
Mary	Rogan	Inglewood	CA	90302	Bill	Swisher	Valley Center	CA	92082			Estates		
Martha	Carrington	Santa Cruz	CA	95062	susan	cline-risk	Van Nuys	CA	91401	chris	long	alameda	CA	94501
Dan	Kuklo	Berkeley	CA	94705	vicki	caplan	van nuys	CA	91401	Mark	Carroll	San Diego	CA	92106
Dina	Capra	Ventura	CA	93001	Rollin	Blanton	Los Angeles	CA	90013	Robert	Miller	Aliso Viejo	CA	92656
Janet	Entee	Oak Park	CA	91377	Marla	Hoff	Modesto	CA	95350	T	F	Bakersfield	CA	93306
Lisa	Jensen	Santa Cruz	CA	95062	Rafael	Rodriguez	Long Beach	CA	90814	Julie	Brickell	Fullerton	CA	92832
Tamara	Matz	Los Angeles	CA	90016	Brigitte	Gibbs	San Diego	CA	92109	Charlene	Kerchevall	Oceanside	CA	92054
Joseph	Buhowsky	San Ramon	CA	94582	Seth	carr	signal hill	CA	90755	Alexandra	Lamb	Eureka	CA	95501
Meredith	Rose	Santa Monica	CA	90405	Gillian	Hurley	Encino	CA	91316	Samuel	Durkin	Fairfield	CA	94534
Sarah	Hafer	Sacramento	CA	95864	Shelly	Henderson	Sacramento	CA	95816	Robert	Saunders	Sacramento	CA	95821
Vanessa	Buchanan	Santa Cruz	CA	95060	Annie		Hesperia	CA	92345	Karen	West	Santa Ana	CA	92705
Zoe	Chapman	Whitethorn	CA	95589	Adrian	Hurley	Encino	CA	91316	Jen	Rios	San Jose	CA	95124
Deborah	Pierce	San Francisco	CA	94116	Kevin	Toney	Richmond	CA	94803	Mary	Finger	San Quentin	CA	94964
Ian	Marshall	South Pasadena	CA	91030	Ava	Thompson	Stockton	CA	95219	Audrey	Zorger	Laguna Hills	CA	92653
Robert	Boehme	Santa Clara	CA	95050	V	Sansone	Vallejo	CA	94591	Tim	Guisinger	Camarillo	CA	93010
Patricia	Cachopo	Santa Clara	CA	95050	Yen	Pham	El Monte	CA	91732	Eros	Christos	Los Angeles	CA	90034
matthew	whitehead	browns valley	CA	95918	Dorothy	Ray	Yermo	CA	92398	Zach	Glanz	Pinole	CA	94564
Thomas	Sebrrell	Alameda	CA	94501	Susan	e Doherty	San Francisco	CA	94121	Rochelle	Phillips	Mission Viejo	CA	92692
Erica	Molina	Los Angeles	CA	90038	Jere	Wilkinson	Cambria	CA	93428	Alsn	Gonzalez	long beach	CA	90815
Christina	Marx	Marina del Rey	CA	90295	Holly	Yokoyama	Alta Loma	CA	91737	Carole	Sipos	Marina del Rey	CA	90292
Denise	De Stefano	Los Angeles	CA	90025	Julie	Vandergrift	Fullerton	CA	92832	TERESA	SULLIVAN	Los Angeles	CA	90065
christine	gordon	carpinteria	CA	93013	Debra	Gley	Trabuco Canyon	CA	92679	Gun	Mabey	La Jolla	CA	92037
Kay	Osptial	Woodacre	CA	94973	Frances	Nowve	Berkeley	CA	94703	David	Brandon	Oakland	CA	94607
david	GOODYEAR	san francisco	CA	94117	Rosemary	Prem	San Francisco	CA	94131	Sharon	Torrisi	Hermosa Beach	CA	90254
Erica	Leiva	Concord	CA	94520	Katrina	Thomas	San Diego	CA	92117	Dodie	Shepard	Burbank	CA	91505
Michele	Monchatre	Pollock Pines	CA	95726	Frank	Letton	Whitethorn	CA	95589	Clare	Block	San Diego	CA	92109
Ken	Wilson	Petaluma	CA	94952	Kathy	Carroll	Oakland	CA	94611	terance	tashiro	los angeles	CA	90045
David	Sobel	Mill Valley	CA	94941	Wendy	Wiley	Santa Ana	CA	92705	Lukasz	Lempart	Sunnyvale	CA	94085
James E		Oakland	CA	94606	Molly	Huddleston	Santa Rosa	CA	95402	Israel	Light	Santa Monica	CA	90405
Ken	Cooper	Walnut Creek	CA	94598	Dudley and	Campbell	Valley Glen	CA	91401	Gerrit	Woudstra	lemmer	CA	91126
Ann	Crosby	Santa Barbara	CA	93111	Candace					John	Bordeaux	Toluca Lake	CA	91602
Rebecca	Swanson	Mariposa	CA	95338	evelia	lopez	costa mesa	CA	92626	jackie	stephens	Sylmar	CA	91342
Carl	Burak	Venice	CA	90291	meghann	wenzel	Orange	CA	92865	Jayson	Yamaguchi	Los Angeles	CA	90012
Robert		Madera	CA	93637	Alice	Neuhausser	Manhattan	CA	90266	Leonard	Incristo	Palo Cedro	CA	96073
Roses	Prichard	Los Angeles	CA	90065			Beach			Marie	Kelly	Los Angeles	CA	90066
Linda	Hall	Fontana	CA	92335	Andrea	Zulliger	Los Gatos	CA	95033	Michelle	Mitchell	Claremont	CA	91711
Mary	Masters	San Pedro	CA	90731	David	Hellman	San Rafael	CA	94901	Peggy	Loe	Magalia	CA	95954
MJ	Firby	San Mateo	CA	94403	Rhona	Baum	Saratoga	CA	95070	Patricia	Alexander	Los Osos	CA	93402
Bo	Svensson	Santa Rosa	CA	95401	Thomas	Conroy	Manhattan	CA	90266	Aura	Walker	Culver City	CA	90230
Chrystal	Myrick	Cypress	CA	90630			Beach			Leslie	Browne	Amsterdam	CA	90403
Philip	Raider	Venice	CA	90291	Ruth		Menlo Park	CA	94025	Melissa	Hollands	Ladera Ranch	CA	92694
Denise	Skeeter	long beach	CA	90804	Susan	Porter	Pasadena	CA	91103	David	Miliotis	Encinitas	CA	92024
David	Newman	Burbank	CA	91506	Katherine	Smith	San Diego	CA	92103	alysoun	samson	Fairfield	CA	94534
Ingrid		Edmonton	CA	91001	Ken	Windrum	Los Angeles	CA	90020	Diana	Dring	Corte Madera	CA	94925
Kahlei	Light	Los Angeles	CA	90026	Richard	Sherman and	Berkeley	CA	94707	arijana	bagaric	beverly hills	CA	90210
Debbie	Notkin	Oakland	CA	94609		family				Lauren	Murdock	Santa Barbara	CA	93110
Margaret	Bond	Santa Rosa	CA	95403	Katherine	Westine	Oakland	CA	94618	Breanne	Fitzgerald	Salinas	CA	93906
Dana	Monroe	San Diego	CA	92104	sheryl	Lee	topanga	CA	90290	Vicky	Blank	Claremont	CA	91711
Nelvin	Gaba	Long Beach	CA	90804	Victoria	De Goff and	Berkeley	CA	94707	Phyllis	Triarsi	Covina	CA	91724
Michael	Spadoni	Rail Road Flat	CA	95248		family				Michael	Gallup	Chino	CA	91710
Arthur	Chan	Concord	CA	94518	Jeanne	Eigner	San Diego	CA	92122	Patricia		San Rafael	CA	94903
Debra	Temple	San Leandro	CA	94577	James	Nelson	Oroville	CA	95965	Lewis	Ellingham	San Francisco	CA	94114
Larry	Brown	Playa del Rey	CA	90293	Dana	Lubin	Valley Village	CA	91607	Barbara	Lintz	Pixley	CA	93256
Jud	Woodard	sutter creek	CA	95685	John	Ecklund	Thousand Oaks	CA	91360	Bob	Russell	Pleasant Hill	CA	94523
Joselynn	Burton	Santa Cruz	CA	95060	Cynthia	Meyer	Santa Rosa	CA	95405	Wesly	Moore	Los Angeles	CA	90041
James	Sams	San Diego	CA	92110	art	godinez	chino hills	CA	91709	Pat	Sturge	basingstoke	CA	93404
Jackie	Vescio	Simi Valley	CA	93065	Richard	Sanderell	San Francisco	CA	94110	Shannon	Hunter	San Jose	CA	95112
Jeannie	Lawrence	Santa Monica	CA	90404	Beverly	Day	Los Angeles	CA	90064	Carol	Lieberman	San Francisco	CA	94118
Isabella	Arzeno	Stanford	CA	94305	Cindi	Holloway	San Diego	CA	92128	Lisa	Jackson	Calabasas	CA	91302
Jerry	Hughes	San Diego	CA	92103	Gene	Golden	Laguna Niguel	CA	92677	Jaswinder	Kaur	San Mateo	CA	94403
Staci	Reeves	Carlsbad	CA	92009	Christa	Babst	W. Hollywood	CA	90069	Ty	Nunes	Castro Valley	CA	94546
Amanda	Oetzel	San Francisco	CA	94110	Wayne	Sheridan	san francisco	CA	94131	Candace	Hallmark	Belmont	CA	94002
Phillip	Schwartz	Ramona	CA	92065	Cathe	Dietrich	Berkeley	CA	94706	Richard	Kuhnla	Del Mar	CA	92014
Richard	whaley	Eureka	CA	95503	Joseph	Coppola	San Diego	CA	92104	David	Cronin	Orinda	CA	94563
Lily	Lau-Enright	Sacramento	CA	95819	Georgette	Korsen	San Clemente	CA	92672	Susan	Davenport	Simi Valley	CA	93063
Shirley	Ozenberger	El Cerrito	CA	94530	Mitchell	Diamond	Sunnyvale	CA	94086	Roshanee	lappe	REDONDO	CA	90278
Mike	Jackson	Redondo Beach	CA	90278	Gabriel	Lautaro	Oakland	CA	94609			BEACH		
Caryl	Benning	Mountain View	CA	94041	Barbara	Hosmer	Mission Viejo	CA	92691	Rene	Kahn	South Pasadena	CA	91030
Michelle	Rollens	Studio City	CA	91604	Aviva	Myers-Taylor	Los Angeles	CA	90036	Deborah	Walsh	Santa Cruz	CA	95062
Jason	Teichman	Chula Vista	CA	91915	Marlee	Bartman	Toronto	CA	90210	Carol	Patton	KENSINGTON	CA	94708
Matthew	Rail	Davis	CA	95618	Alexander	Engel	Studio City	CA	91604	Candice		Yorba Linda	CA	92886
Jac	Reid	Paso Robles	CA	93446	Wendy	Monterrosa	Covina	CA	91722	Barbara	Daniels	Newbury Park	CA	91320
Katharine	Saavedra	Los Angeles	CA	90024	Viola	Freeman	santa barbara	CA	93101	Kate	O'Connell	Berkeley	CA	94703
Mary	Zamagni	Valley Springs	CA	95252	Lee	Davis	Willits	CA	95490	Kathy	Flores	Mission Viejo	CA	92691
Candi	Ausman	Fremont	CA	94536	Helen D.	Grzeskowiak	Suisun City	CA	94585	Rhonda	Jessee	Glendale	CA	91205
Arleen	Slotnick	Los Angeles	CA	90034	Felicia	Chase	Encino	CA	91436	Michelle	Waters	los gatos	CA	95033
Patricia	Bode	Santa Rosa	CA	95409	Karter	Rud	Fresno	CA	93704	Connie	Dahl	Pleasanton	CA	94588
V	Bostock	Altadena	CA	91001	Sharon	Kyriakos	Cloverdale	CA	95425	Tammy	DeSanchez	Mission Viejo	CA	92690
Barbara	Inwald	San Rafael	CA	94903	Linda	Hogle	Sunnyvale	CA	94086	Themis	Glatman	Woodland Hills	CA	91367
Cari	Chenkin	Citrus Heights	CA	95610	Dennis	Smith	Davis	CA	95618	Sharon	Sparks	Placentia	CA	92870
Stephanie	Lehr	Newport Beach,	CA	92660	Helena	Freeman	Los Angeles	CA	90024	Kevin	Connelly	Berkeley	CA	94704
Brian	Normandin	Manhattan	CA	90266	Christina	Truong	Westminster	CA	92683	Glenn	Stewart	La Verne	CA	91750
		Beach			Jesse	Carton	oakland	CA	94609	Myrna	Britton	santa cruz	CA	95064
Wade	Holland	Inverness	CA	94937	Lynnettesanche	z	Covina	CA	91722	Brian	Stachowiak	Hollywood	CA	90068
Michael	Sarabia	stockton	CA	95207						saira	harris	oakland	CA	94610
may	moiseyev	Oakland	CA	94602	Rian	McMurtry	Davis	CA	95616	Scott	Herman	sacramento	CA	95826
M	Olson	Sunnyvale	CA	94086	Lisa	Dancel	San Bernardino	CA	92407	yvette	morlet	lynwood	CA	90262
marisa	Landsberg	manhattan Beach	CA	90266	David		Davis	CA	95616	Michael	Smith	Newbury Park	CA	91320

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Thomas	Nass	Pioneer	CA	95666	LI	Jiang	Redondo Beach	CA	90278	Julie	Whalen	Martinez	CA	94553
Carrie	Staton	Santa Cruz	CA	95060	e		Grass Valley	CA	95945	Lisa	Schloss	Los Angeles	CA	90039
Samantha	Steinel	Long Beach	CA	90802	Kurt	Breuninger	Irvine	CA	92614	Lillian	Alex	Laguna Woods	CA	92637
Angie	Williams	QUINCY	CA	95971	Lee		santa cruz	CA	95060	Michael	MacLafferty	Berkeley	CA	94703
william	covel	CA	95428	Thomas	Wargo		La Honda	CA	94020	Casey	Bodden	Citrus Heights	CA	95610
Ann-Marie	Murphy	San Francisco	CA	94122	Anthony	Burton	Sylmar	CA	91342	william	stout	montrose	CA	91020
Angela	Jones	novato	CA	94947	Helen	Pitton	Cambria	CA	93428	Heather	Gamberg	San Francisco	CA	94117
Angela	Sirnenis	Northridge	CA	91325	Maret	Ekner	Nynashamn	CA	93433	Melinda	McBride	Topanga	CA	90290
Greg	Boreham	La Canada	CA	91011	Lark	Levine	Malibu	CA	90265	Linda	Law	Carmel Valley	CA	93924
Carolyn	Lilly	San Diego	CA	92120	Stephen	Johnson	San Diego	CA	92117	Amanda	G.	Woodland	CA	95695
Andy	Carman	Santa Cruz	CA	95060	Irene	Kane	Oakland	CA	94602	Bruce	Morgan	Riverside	CA	92504
Isaac	Blacksin	San Francisco	CA	94121	Joseph	Hardin	santa monica	CA	90405	Marietta	Hayes	encino	CA	91436
Luke	Asbury	San	CA	93003	richard	ramirez	fullerton	CA	92831	Guy	Cargulia	san diego	CA	92128
		Buenaventura			Kelsey	Baker	Novato	CA	94945	Robert	Anger	Santa Monica	CA	90403
Janine	Stokes	RIVERSIDE	CA	92507	Jamie	Rosenblood	los angeles	CA	90049	David	Carter	Eureka	CA	95501
Shannon	McDiarmid	San Francisco	CA	94117	Paula	Hawkins	San Diego	CA	92104	Natalie	Kovacs	San Clemente	CA	92673
Reza	Karkouti	carlsbad	CA	92009	Richard	DeSantis	Palm Desert	CA	92260	Mary	Riblett	Culver City	CA	90230
Loren	Abbey	Roseville	CA	95661	catherine	eastman	Echo Park	CA	90026	Katherine	Buttling	San Marcos	CA	92069
Paul	Vesper	Berkeley	CA	94703	Eileen	Francisco	SAN MATEO	CA	94401	Dollie	Spinks	Concord	CA	94520
J	Gurdin	San Francisco	CA	94122	Tracey	Link	Solana Beach	CA	92075	Kevin	Slauson	alameda	CA	94501
cooper	reaves	berkeley	CA	94707	Anthony	Arata	San Mateo	CA	94401	April	Lancaster	La Habra	CA	90631
Astrid	Giese-Zimmer	Berkeley	CA	94705	Patrick	Kelly	Glendora	CA	91741	Gabriella	Forrester	Orange	CA	92869
Markie	Price	Los Angeles	CA	90069	Debbie		Mountain View	CA	94040	Karina	campbell	Rocklin	CA	95765
Elizabeth	Jackson	Elk Grove	CA	95624	Pat	Melody	upland	CA	91784	Linda	Whitley	San Mateo	CA	94403
Tracey	Kleber	Los Angeles	CA	90049	Reza	Azarmi	San Jose	CA	95112	Carol	sangster	malibu	CA	90265
Dennis	Allen	Santa Barbara	CA	93105	Amanda	G	Woodland	CA	95695	Brenda	Hattisburg	Oakland	CA	94621
Daniel	Herbst	San Mateo	CA	94401	Nena	Price	Glendale	CA	91203	Gayle	Hawes	Fresno	CA	93702
Joanne	Avilla	Benicia	CA	94510	Jennifer	Toth	Santa Clarita	CA	91350	Barbara	King	Los Angeles	CA	90029
Lisa	Lynch	Elk Grove	CA	95757	Dendy	Seaton	Long Beach	CA	90814	Margaret	Davies	Dana Point	CA	92629
Michael	Rienstra	Santa Cruz	CA	95060	Heather	Marie	Redondo Beach	CA	90277	Samuel	Mills	Grass Valley	CA	95945
Michael	Terry	Santa Monica	CA	90402	Jennifer	Martinez	San Jose	CA	95139	Pamela	Kafton	Sherman Oaks	CA	91423
Sandra	Huerta	hayward	CA	94541	Alberta	Mayo	Sierra Madre	CA	91024	Jeanne	Arthur	Topanga	CA	90290
Matthew	Valenti	San Francisco	CA	94121	Jerry	Oliver	Sylmar	CA	91342	Steven	Felsovanyi	Pescadero	CA	94060
Janet	Ball	Saratoga	CA	95070	Rosy	Morales	rancho palos	CA	90275	Rob	Cherwink	Sonoma	CA	95476
Lisa	Fredsti	Venice	CA	90291			verdes			Edith	Ogella	Santa Barbara	CA	93111
Pat	Blackwell-	Castro Valley	CA	94552	Christina	Power	Sonoma	CA	95476	Julie	Svendsen	Burbank	CA	91505
	Marchant				Michael	Dimattia	Encino	CA	91316	Julia	MacPete	San Diego	CA	92104
Marilyn	Levine	mountain view	CA	94040	Carl	Cartwright	Whittier	CA	90605	Eric	Steffen	Richmond	CA	94804
Hideka	Tokai	West Los	CA	90025	Cheryle	Steele	Whittier	CA	90604	Nancy	Charles	Santa Monica	CA	90404
		Angeles			Rick	Morales	rancho palos	CA	90275	K	Krupinski	LA	CA	90042
Francesca	Twohy-Haines	Chino Hills	CA	91709			verdes			Heather	Rhine	Tiburon	CA	94920
James	Provenzano	Los Angeles	CA	90049	Suzanne	Chun	Berkeley	CA	94710	R.M.	Carreon	Burbank	CA	91505
Alice	Kelly	Felton	CA	95018	Gail	Jarocki	Richmond	CA	94805	Aleta	Wallach	Santa Monica	CA	90402
Colleen	Floyd	San Diego	CA	92120	Barbara	Lowden	Cypress	CA	90630	Tim	Oben	Dublin	CA	94568
Jeffrey	DiLallo	La Mesa	CA	91942	Melissa	Kelley	Oceanside	CA	92054	Carol	Changus	La Jolla	CA	92037
Jack Preston	Marshall	Barstow	CA	92311	Paul	Jarocki	Richmond	CA	94805	Bayard	Kessler	Woodland Hills	CA	91364
Sara	Beauchene	Santa Cruz	CA	95062	William	Scott	Santa Rosa	CA	95404	Jonathan	Chu	Fremont	CA	94539
Greg	Branam	Thousand Oaks	CA	91362	Evan	Shamoon	Los Angeles	CA	90038	John	Gasperoni	berkeley	CA	94703
John	Griesgraber	Finley	CA	95435	Cara	Martin	Los Angeles	CA	90036	Teresa	Arieta	Mission Viejo	CA	92691
Sandra	Fox	fallbrook	CA	92028	Roxanne	Rankin	Rancho	CA	91739	Nino	Petroni	Hercules	CA	94547
Dana	Lauritsen	San Jose	CA	95120			Cucamonga			Kim	Bacon	San Diego	CA	92123
MP	Crosson	El Dorado Hills	CA	95762	Joan	Kramer	Los Angeles	CA	90026	Andrea	Wolf	Saint Helena	CA	94574
Karen	C	Venice	CA	90291	Susaan	Aram	Laguna Beach	CA	92651	Blaise	Brockman	Arcadia	CA	91007
Karen	Knowles	Walnut Creek	CA	94597	j	davis	San Francisco	CA	94102	BrendaLee	Riley	Long Beach	CA	90802
Pamela	Scott	Boulder Creek	CA	95006	Patricia	Baker	Laguna Hills	CA	92653	Donna	Lewis	Van Nuys	CA	91401
KATIE	HANSON	Eureka	CA	95501	Michele	Vinz	Oceanside	CA	92058	Sally	Abrams	san francisco	CA	94110
Michael	Stewart	Elk Grove	CA	95624	William	Messenger	Los Angeles	CA	90005	Roger	Harrell	Hermosa Beach	CA	90254
Henry	Weinberg	Santa Barbara	CA	93110	Kenyon	Donohew	Oceanside	CA	92056	Terri	Eddings	Burbank	CA	91506
Barbara	Walker	Escondido	CA	92026	Melanie	Henderson	Los Angeles	CA	90036	Pat	Tierney	Los Angeles	CA	90077
Nadereh	Ovanessoff	La Jolla	CA	92037	Amanda	Felt	Covina	CA	91722	Alice	May	Sonoma	CA	95476
Sarah	Lehrer-Graiwer	Los Angeles	CA	90027	Scott	Doyle	San Luis Obispo	CA	93401	Beatrice	Sylves	Moreno Valley	CA	92557
Sandi	Taylor	San Diego	CA	92104	Ki	Longfellow	Ross	CA	94957	MC	Hagerty	Carlsbad	CA	92013
Leslie	Nieves	Hayward	CA	94544	Joel		West Hollywood	CA	90048	Joyce	Johnson	Burbank	CA	91505
Carmen	Wyland	Encinitas	CA	92024	elizabeth	saveri	pasadena	CA	91104	Chris	Prinz	San Gabriel	CA	91775
April	Ewaskey	Long Beach	CA	90809	Carol	Saulsbury	Rio Dell	CA	95562	Gerald	Shaia	Sun Valley	CA	91352
Kate	Cassidy	London	CA	91910	wendy	King	Santa Cruz	CA	95060	Megan	Garrett	Sacramento	CA	95835
Teresa	Mims	Murrieta	CA	92563	Carol Anna	Lind	San Francisco	CA	94117	Ann Lynette	mayo	san clemente	CA	92672
David	Everett	Poway	CA	92064	Anitha	Kankar	Woodland Hills	CA	91367	Reidun	Carstens	LA	CA	90077
Sylvia	sebastopol	Los Angeles	CA	95473	Alison	Litton	Los Angeles	CA	90004	Eleanor	Cuevas	Sonoma	CA	95476
Ronald	Partridge	Simi Valley	CA	93063	Deborah	Giordano	Castro Valley	CA	94552	Thomas	Giles	Laguna Beach	CA	92651
Colleen	Kandus	Temecula	CA	92591	Kathleen	Presser	Panorama City	CA	91402	Laura	Brink	San Diego	CA	92104
Marita	Mayer	san anselmof	CA	94960	Bascom	Guffin	Davis	CA	95616	Kristen	Weiss	Oak Park	CA	91377
Susan		San Clemente	CA	92673	S	Steuer	San Francisco	CA	94110	Georgia	Kahn	Novato	CA	94947
Cecil	Davis	Santa Rosa	CA	95405	Lena	Francis	Sebastopol	CA	95472	Katherine	Cronin	San Francisco	CA	94131
Cynthia	Leeder	San Jose	CA	95124	John	Black	La Habra	CA	90631	Linda	Tabb	North Hills	CA	91343
Catherine	Curtis	Santa Monica	CA	90402			Heights			Kristen	Haynie	Woodland	CA	95695
Shari	Long	Sherman Oaks	CA	91423	Elizabeth	Ayala	San Mateo	CA	94402	Jennifer	Dunham	Chino	CA	91710
Tristan	Daily	Santa Ynez	CA	93460	Angeline	Bray	Venice	CA	90291	Monika	Grant	Mission Viejo	CA	92691
Lance	Lew	Mission Viejo	CA	92691	Miguel	Godinez	Los Angeles	CA	90049	William		Los Angeles	CA	90065
Jeff	Edeker	studio city	CA	91604	Lori	Rawlins	larkspur	CA	94977	Paul	Sinacore	Tujunga	CA	91042
Ian	Cannon	San Francisco	CA	94132	Renee	Kochevar	San Jose	CA	95132	Jose	Medina	Citrus Heights	CA	95610
Rod	Macdermott	Gridley	CA	95948	Jamila	Garrecht	Petaluma	CA	94952	Todd		Irvine	CA	92612
Laura	Zanic	Fullerton	CA	92833	Josephine	Polifroni	Danville	CA	94526	Lanier	Hines	SAN	CA	94159
Anthony	Montapert	ventura	CA	93004	Abigail	Zoline	Santa Cruz	CA	95060			FRANCISCO		
Chelsey	DiPasquale-	Monetary	CA	93940	Neil	Resico	San Lorenzo	CA	94580	Hera	Donaldo	Vallejo	CA	94591
	Hunton				Kim	King	Nevada City	CA	95959	Holly	Dowling	Pope Valley	CA	94567
Michelle	Maing	Los Angeles	CA	90024	Torah	Alabidi	RIVERSIDE	CA	92507	Vicky	Tsoi	santa monica	CA	90404
MaryHelen	Horeftis	San Diego	CA	92120	Margie	Middleton	San Diego	CA	92123	Marisa	Herrera	Chula Vista	CA	91911
Lonna	Richmond	muir beach	CA	94965	Betty and	Michelozzi	Aptos	CA	95003	Ann	Carr	Watsonville	CA	95076
Judith	Dupree	Pine Valley	CA	91962	Peter					Britgette	Garcia	Laguna Beach	CA	92651
Anita	Kreager	Chula Vista	CA	91910	Johanna	kovacs	Upper lake	CA	95485	Daniel	Nakaji	San Diego	CA	92122
Mishel	Fletcher	San Diego	CA	92117	Marcia	Terry	los angeles	CA	90041	Marcia	Sab LeWinter	San Francisco	CA	94115
Michael	Mitsuda	Fremont	CA	94555	Dale	Bleecher	Calistoga	CA	94515	J	Angell	Rescue	CA	95672
Cara	O'Neill	Calistoga	CA	94515	Prisca	Gloor	los angeles	CA	90066	Gerald	Alexander	Windsor	CA	95492

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Erin	Lynch	Los Angeles	CA	90049	Thomas	Carlino	San Jose	CA	95117	Theresa	Haines	Los Angeles	CA	90034
Holland	Elder	Oceanside	CA	92057	Barbara	Gregorio	san diego	CA	92101	blaise		capitola	CA	95010
Diana	Gillis	Tracy	CA	95376	Matthew	Palmer	Long Beach	CA	90808	Shannon	tilston	San francisco	CA	94117
Tanya	Stedman	Redding	CA	96001	Karl	mauzey	San Francisco	CA	94110	Dr. Mha	Khalsa	Los Angeles	CA	90035
Dorothy	Davies	San Francisco	CA	94114	Pat	Rybovich	San Francisco	CA	94123	Atma S				
Cynthia	Smith	Mission Viejo	CA	92691	Mary	Lee	Hollister	CA	95023	Lucia	Dahlstrand	Carmel	CA	92921
Mija	Gentes	Saratoga	CA	95070	Lynn	Averill	Landers	CA	92285	Terelle		Sacramento	CA	95833
Ashley	Lewis	San Francisco	CA	94110	Gail	Camhi	Novato	CA	94949	Richard	Sanchez	Colton	CA	92324
Chris	Withrow	Los Angeles	CA	90066	Michael	Frey	Santa Barbara	CA	93130	Samantha	Larsen	Los Angeles	CA	90028
Barbara	Root	McKinleyville	CA	95519	Kirsten	O'Brien	Redlands	CA	92373	Joan	Hardie	Aptos	CA	95003
Joan	Hebert	Menlo Park	CA	94025	Bruce	Kramer	Healdsburg	CA	95448	Valerie	Orner	San Mateo	CA	94403
Mary	Markus	Garden Grove	CA	92840	Jean	Thomas	los angeles	CA	90049	Dorothy	Fitzer	San Francisco	CA	94122
Julie	Owen	Davis	CA	95618	Steven	Berman	Berkeley	CA	94703	Victoria	Carpenter	Oakland	CA	94609
stephanie	fraissl	morgan hill	CA	95037	Donald	Kent	Rocklin	CA	95677	Rick	Schaffer	Costa Mesa	CA	92627
Linda	Taylor	San Pedro	CA	90731	james	baylie	long beach	CA	90806	Jonathan	Kroeker	Fremont	CA	94538
Christina	Venturacci	Irvine	CA	92602	Emil	Reisman	Los Angeles	CA	90035	David	Stassen	Los Angeles	CA	90036
Linda	Lyke	Los Angeles	CA	90065	Kat	Burgess	Santa Monica	CA	90404	Lyne	Harrington-	Sonoma	CA	95476
Wendy	Brunell	Winnetka	CA	91306	Scott	hooker	Chico	CA	95926		Bullock			
Maureen	Maher	N Hollywood	CA	91602	Joan	Barrymore	Shingletown	CA	96088	susan	schwarz	Nevada City	CA	95959
Cindy	Richardson	san diego	CA	92120	K	Coleman	Palm Springs	CA	92263	rachel	rodriguez	san francisco	CA	94108
Katherine	Burns	Los Angeles	CA	90036	Mijanou	Bauchau	Woodland Hills	CA	91367	Emiliano	Sanchez	Redwood City	CA	94061
Anne	Tuddenham	El Cerrito	CA	94530	Rebecca	Frey	Santa Rosa	CA	95401	Monica	DuClaud	San Francisco	CA	94107
Wendy	Wein	Sacramento	CA	95831	Lucia	Massarella	Redding	CA	96003	Aaron		Aliso Viejo	CA	92656
Kathryn	Burns	Buena Park	CA	90620	Dawn	Peterson	Santa Rosa	CA	95403	Jacki	Hileman	Hesperia	CA	92345
Joanna	Rindt	Ridgecrest	CA	93555	james	hartman	eureka	CA	95501	Pat	Turney	Hayward	CA	94542
Diana	Goodman	San Francisco	CA	94116	Chris	Ro	Berkeley	CA	94706	Norma		anaheim	CA	92805
Kimberly	Hall	Los Angeles	CA	90064	Carl	Eriksen	La Palma	CA	90623	Kiera	Hebert	Apple Valley	CA	92308
Peter	Botto	stockton	CA	95204	tom	Stampalia	Los Angeles	CA	90036	Sheila	Gholson	palo alto	CA	94306
Jaime	Nahman	Topanga	CA	90290	Steven	Brown	Yreka	CA	96097	Daniel	Moore	Berkeley	CA	94705
Roberto	Rubio	el centro	CA	92243	Roberta	Newman	Mill Valley	CA	94941	monique	herrera	Los Angeles	CA	90026
Helen	Tirben	Fairfield	CA	94534	Samuel	Hergenrather	Sebastopol	CA	95472	Tim	Gemmill	San Francisco	CA	94109
Deanna		Los Angeles	CA	90039	joe and mary	volpe	ventura	CA	93002	John	Carr	Brea	CA	92821
Mark	Edgren	Berkeley	CA	94708	Sharon	Silva	Santa Rosa	CA	95407	AGNES	SZEBELLEDY	Pasadena	CA	91103
Deloma	Couch	La Mesa	CA	91942	Billy	Arcila	Pasadena	CA	91106	Chris	Lopes	Alemeda	CA	94501
Roxana	Maracineanu	Encino	CA	91316	Ted	Porter	north hollywood	CA	91601	Elizabeth	Karan	Oakland	CA	94609
Signe	Ross-Villemaire	Santa Rosa	CA	95404	Anita	Thomason	Culver City	CA	90230	Diana	Knowland	Rosamond	CA	93560
Lisa	Gee	La Crescenta	CA	91224	April	House	Playa del Rey	CA	90293	Jeffrey		San Francisco	CA	94131
Matt	Thomas	Huntington	CA	92646	Kathleen	Lanctot	Scotts Valley	CA	95066	Scottie	Singer	Hemet	CA	92545
		Beach			Krista	Rusling	burlington	CA	90210	Lane	Smith	Daly City	CA	94015
Christine	Kroger	Stockton	CA	95204	Nina	Waloewandja	Irvine	CA	92617	Cynthia	Fernandez	Point Richmond	CA	94801
Andrea	Kaufman	Guerneville	CA	95446	Debbie	Verdugo	San Clemente	CA	92672	Ashley	Harris	Mammoth Lakes	CA	93546
Doorae	Shin	Los Angeles	CA	90019	Vero		san Francisco	CA	94104	darynne	jessler	valley village	CA	91607
christina	Aulson	Campbell	CA	95008	Judith	Anshin	Sacramento	CA	95822	Daniel	Janice	San Diego	CA	92111
William	Webster	Danville	CA	94526	Susan	LeClair	Campbell	CA	95008	Dana	Mantle	Los Gatos	CA	95032
Mark	Escajeda	Lafayette	CA	94549	Michelle	Cornell	Fresno	CA	93705	melanie	shepherd	Manhattan	CA	90266
Andreya	Marks	Santa Barbara	CA	93105	Jered	Cargman	Los Angeles	CA	90077			Beach		
Richard	Patenaude	Hayward	CA	94541	Richard	Wilson	Oceanside	CA	92054	Maurine	Juarez	West covina	CA	91791
Sherry	LaMaison	Palos Verdes	CA	90274	Karen	Donaldson	Grass Valley	CA	95945	John	Edman	sunnyvale	CA	94087
Dianita	Canizalez	Santee	CA	92071	Diane	Lofshult	encinitas	CA	92024	Christina	Hawthorne	San Jose	CA	95125
Marty	MacMillan	Sebastopol	CA	95472	Carmen	Iniguez	Los Angeles	CA	90036	Julie	Skille	Studio City	CA	91604
Susan	Valentino	Concord	CA	94521	Lenore	Sheridan	San Jose	CA	95134	MICHELLE	HARDWICK	ENCINITAS	CA	92024
Gerald	Orcholski	Pasadena	CA	91104	Joyce	Denne	Monterey	CA	93940	Bruce	McGraw	San Diego	CA	92103
Diana	Rogers	Stockton	CA	95212	Elinor	Vega	Hesperia	CA	92345	Sue	Aby	Lakeport	CA	95453
chris	hay	Los Angeles	CA	90210	Barbara	Nuckols	Palo Alto	CA	94303	Pat	LeCourt	Santa Cruz	CA	95060
jenn	Rosenberg	San Francisco	CA	94117	Ken	Reid	Panorama City	CA	91402	Helene	Whitson	Berkeley	CA	94709
Sherry	Marsh	Oceanside	CA	92056	Walter	Kleine	Oakland	CA	94608	Dorothy	Mason	Alameda	CA	94501
annika	millier	Mill Valley	CA	94941	Walter	Kleine	Oakland	CA	94608	Barbara	Ferguson	Davos	CA	95618
Marlana	Ogawa	fairfield	CA	94534	Rosemary	Balistreri	South San	CA	94080	Scott	Adams	Roseville	CA	95747
Damon	Brown	Los Angeles	CA	90016			Francisco			Ida Jane	Dal Pino	Corte Madera	CA	94925
Jeff	Fylling	Costa Mesa	CA	92627	Paula	Carrier	san diego	CA	92101	Pamela	Conley	Cazadero	CA	95421
Charles	N	Berkeley	CA	94720	James	Noordyk	San Diego	CA	92109	paula	thompson	san diego	CA	92116
mary	williams	Albion	CA	95410	Amber	Valletta	los angeles	CA	90046	Joseph	Schwartz	Glendale	CA	91208
David	patinella	los angeles	CA	90042	Andrea	Iaderosa	Los Angeles	CA	90027	Trent	Miller	san francisco	CA	94103
Janis & Mike	Booth	Ontario	CA	92114	Virginia	Hahn	Fremont	CA	94536	Ashley	Aegerter	Oceanside	CA	92056
George	Lewis	Los Osos	CA	93402	Jamie	Zazow	Santa Monica	CA	90405	Jason	Bowman	Sacramento	CA	95823
Rebecca	Barker	Lake Elsinore	CA	92531	Mary	Steele	Laguna Niguel	CA	92677	Alberto		la verne	CA	91750
Maria	Badiei	Los Angeles	CA	90025	Amy	Veloz	Van Nuys	CA	91406	Rosina	Wilson	san rafael	CA	94903
Mary	Shanley	Escondido	CA	92029	Erica	Roth	oceanside	CA	92057	Pamela		Cotati	CA	94931
Michelle	Davis	Vacaville	CA	95688	Ardythe	Tyszk	Riverside	CA	92507	Richard	Mayer	Santa Rosa	CA	95404
David	Wilensky	emeryville	CA	94608	Sara	Brandon	San Francisco	CA	94121	Val	Escobar	poway	CA	92064
Greg	Semancik	Ontario	CA	91764	Alan	Sanders	Fairfax	CA	94978	Jane	Vinson	Walnut Creek	CA	94595
Deborah	Eiseman	Santa Barbara	CA	93105	Tommy	Bacorn	los angeles	CA	90008	PD	Minn	northridge	CA	91326
North	Marques	Roseville	CA	95661	Geraldine	Card-Derr	exeter	CA	93221	Kayo		Oakland	CA	94609
Jenine	Davison	Lockwood	CA	93932	Kyra	Rice	Oakland	CA	94611	Rayna	Mare	Huntington	CA	92647
Diana	schmidt	Fallbrook	CA	92028	James	Nagy	Highland	CA	92346			Beach		
Margaret	Buck	San Clemente	CA	92672	susan	Hales	Berkeley	CA	94704	Helena	Krolikowski	San Fernando	CA	91340
chris	thomas	manhattan beach	CA	90266	Janine	Daynes	Anaheim	CA	92804	Boyer	August	Hayward	CA	94541
allison	glennon	Malibu	CA	90265	Tom	Holloman	Orange	CA	92867	Stephanie	Parreira	Petaluma	CA	94954
Gustavo	Sandoval	San Mateo	CA	94403	William	Koseluk	Lompoc	CA	93436	Melody	Gomes	ceres	CA	95307
Nina	Sherman	San Francisco	CA	94118	Mary	Massey	Lincoln	CA	95648	Peter	Sardellitto	Santa Cruz	CA	95064
Tawni		San Francisco	CA	94121	Rich	martini	San Francisco	CA	94123	Suzanne	Burg	Carlsbad	CA	92010
Shirley	Brown	Chico	CA	95928	Audrey	Tieger	Los Angeles	CA	90036	Maya	Silverman	San Francisco	CA	94127
Edward	Sims	Hayward	CA	94544	Grant	Lupher	Los Angeles	CA	90006	Robert	Castillo	Banning	CA	92220
Francisco	Cortez	Redlands	CA	92373	Sue	Goodrich	San Diego	CA	92082	Wiley	Powell	Midway City	CA	92655
Marianne	Ray	Ontario	CA	91761	Renee	Kilmer	Aptos	CA	95003	MF	Armstrong	Santa BArbara	CA	93190
Sabine	Trammell	Saratoga	CA	95070	Eunice	Kim	Torrance	CA	90503	Ji	Im	Los Angeles	CA	90020
Gail	Perkins	Ventura	CA	93004	Eric	O'Rafferty	Altadena	CA	91001	Kaitlin	Russon	Santa Cruz	CA	95062
Ginny	Kokubun	Los Angeles	CA	90016	Bev	Johnson	San Juan	CA	92675	Alicia	Manley	Fremont	CA	94538
Robinmaire	Rowen	Los Altos	CA	94022			Capistrano			Edward L.	Gowens	San Diego	CA	92101
Karen	Thomas	Oakland	CA	94605	stephen	thompson	ben lomond	CA	95005	Victor	Zamora	Torrance	CA	90504
Christian		Santa Monica	CA	90402	Thomas	Canning	calabasas	CA	91302	Charlene	Fershin	Burney	CA	96013
Stacie	Charlebois	SANTA ROSA	CA	95403	Richard	Harvey	Paso Robles	CA	93446	Michael	Reilly	Oakland	CA	94612
Jessica	Gaeta	ventura	CA	93001	Jennifer	Larkin	los angeles	CA	90036	Jim	Leske	N Hollywood	CA	91606
Gaye	Smith	Los Angeles	CA	90026	Margaret	Vickers	San Francisco	CA	94116	Ana	Chou	Palo Alto	CA	94306

Brenda	Barnhart	Walnut Creek	CA	94595	Stephen	Weitz	Oakland	CA	94619	cecilia	dangcil	San Francisco	CA	94108
Elizabeth	Tyler	Fremont	CA	94536	Daniel	Sankey	Walnut Creek	CA	94596	James	Doeppers	Mill Valley	CA	94941
Eileen	Massey	Oakland	CA	94608	Han	Duong	San Francisco	CA	94112	Allyson	Ford	Los Angeles	CA	90026
Kathy	Stevens	Los Angeles	CA	90034	Marc	Maloney	Citrus Heights	CA	95621	Melanie	Matson	Foster City	CA	94404
Michael	Russell	San Francisco	CA	94110	Sakura	Vesely	Martinez	CA	94553	James otha	wolfenden	big sur	CA	93920
Carrie	Warren	eureka	CA	95501	Anne	Stinnett	Palm Springs	CA	92262	Eric	Melendez	Los Angeles	CA	90006
Barbara	Benane	Novato	CA	94945	Katherine	Kramer	Long Beach	CA	90804	Cyndi	Vincent	Torrance	CA	90505
Larry	Yard	Los Alamos	CA	93440	sarah	luth	san Diego	CA	92116	Anna	Parker	Fresno	CA	93726
Scott	Clements	Davis	CA	95616	Barbara	Brodsky	San Francisco	CA	94118	Cindy	Simms	Laguna Niguel	CA	92677
Greg	Rosas	Castro Valley	CA	94546	Rachel	Lannin	San Diego	CA	92109	Karen	Jones	Venice	CA	90291
E	Moore	Santa Rosa	CA	95404	Tracy	McPHERSON	Imperial Beach	CA	91932	Judy	Levitt	los angeles	CA	90039
Emma	Ausman	Toluca Lake	CA	91602	Drew	Hanson	Novato	CA	94947	Barbara	Kimball	Weaverville	CA	96093
Hollis	Whiting	Pacific Grove	CA	93950	Kendra	knight	Belmont	CA	94002	Avila	Lowrance	Grass Valley	CA	95945
Valarie	Hall	Cypress	CA	90630	Mary	Wagner	Torrance	CA	90503	Paul	Waller	Woodland Hills	CA	91367
Christina	Ticas	winnetka	CA	91306	Claudia	Sherman	Thousand Oaks	CA	91362	Brianna	Nunley	Napa	CA	94558
Deborah	Tebet	La Mesa	CA	91942	Jan	Stewart	Hermosa Beach	CA	90254	Mark Alan	Dellavecchia	Campbell	CA	95008
Tracy	Kim	Santa barbara	CA	93103	Jon	Bazinet	San Lorenzo	CA	94580	stephen	zaharias	Lompoc	CA	93436
Lynn	Small	Los Angeles	CA	90026	Robert	Griffin	North	CA	91601	Candace	Primrose	Sacramento	CA	95823
Gail	Demirtas	Thousand Oaks	CA	91360			Hollywood			Judy	Silverstein	Pacific Grove	CA	93950
Javier		San Diego	CA	92126	Michael	Tanz	San Jose	CA	95112	Sergio	Arroyo	Anaheim	CA	92805
Samantha	Spangler	vallejo	CA	94590	Jeanne	Barney	Hollywood	CA	90046	Rose	Adams	Lake City	CA	96115
Khoi	Bui	Dublin	CA	94568	Marcia	Bender	Escondido	CA	92029	Mark	Shockley	Santa Monica	CA	90405
Janet	Larson	Calpella	CA	95418	Josef	Knight	Willits	CA	95490	Zach	Howell	San Diego	CA	92131
Bonni	Nicholson	Beaumont	CA	92223	Lynne	Laughlin	Escondido	CA	92027	John	B	Vista	CA	92081
Suzannah	Bray	San Leandro	CA	94577	Marsha	Lyon	San Diego	CA	92110	dani	duran	Van Nuys	CA	91406
Mich	Chen	Fremont	CA	94538	Patricia	Avery	Cerritos	CA	90703	Richard	Sedivy	Los Angeles	CA	90042
Jazmen	Tejero	chula vista	CA	91913	Gregg	Matson	Elk Grove	CA	95624	Wendy	Minovitz	Northridge	CA	91326
Juneko	Robinson	Novato	CA	94947	lyn	bockmiller	san juan	CA	92675	Michael	Santopietro	Eureka	CA	95503
J	Strunka	Dana Point	CA	92629			capistrano			John	McNeeley	Fountain Valley	CA	92708
Brian	Reelfs	Los Angeles	CA	91601	John	Wotipka	sacramento	CA	95823	Mark	Bartleman	Laguna Beach	CA	92651
Binh	Nguyen	Los Angeles	CA	90014	Karen	Kidde	Alameda	CA	94501	Nathan	Smith	van nuys	CA	91406
Jennifer	Murphy	Palos Verdes	CA	90274	Vincent	Louie	San Francisco	CA	94118	Amber	Sumrall	Soquel	CA	95073
		Peninsula			Minette	Plaza	sacramento	CA	95822	Alan	Bilecki	San Diego	CA	92111
Emily	Chang-Chien	Pasadena	CA	91104	j carlos	carreon	los angeles	CA	90045	Mark	Laub	Modesto	CA	95355
heather	frankel	San Pedro	CA	90731	Jenny	Hook	Los Angeles	CA	90017	Matthew	Testa	Los Angeles	CA	90027
Edward	Tang	San Francisco	CA	94109	Frances	Clark	Upland	CA	91784	angie	emery	Indio	CA	92201
Dorothy	Davies	San Francisco	CA	94114	Piper	Lillehoff	Irvine	CA	92603	Ren	Navez	Venice	CA	90294
Dorothy	Davies	San Francisco	CA	94114	Fred	Sokolow	Santa Monica	CA	90405	Kyle	Bracken	Los Angeles	CA	90025
Tom	Rohrer	Walnut Creek	CA	94596	Ruth	Dicks	Mission Viejo	CA	92691	Victor	Morales Fuentes	San Lorenzo	CA	94580
Gene	Brault	Los Angeles	CA	90027	Micki	Besancon	Woodland Hills	CA	91364	Tullio	Giudici	Glendale	CA	91201
Eva-Catharina	Cohnen	Los Angeles	CA	90036	Michael	Bordenaev	fresno	CA	93728	Alan	Ross	Mountain View	CA	94041
Roxana	Hart	Oakland	CA	94620	Karen	Johnson	long beach	CA	90807	Patricia	Parsons	Sacramento	CA	95864
Ron	Avila	San Francisco	CA	94110	Jeff	Sauter	Castro Valley	CA	94540	Michele	May	GUERNEVILLE	CA	95446
Kenneth	Nahigian	Sacramento	CA	95827	Nancy	Grossi	Van Nuys	CA	91401	Bobbi	Goldin	woodland hills	CA	91364
Susan	Turney	Encinitas	CA	92024	Tom	Mutchler	Santa Maria	CA	93458	Don	Lemieux	Yorba Linda	CA	92886
Linda	Norrington	Los Alamitos	CA	90720	Martha	Booz	El Sobrante	CA	94803	Brian	Armer	Bakersfield	CA	93304
Mimi	Watson	San Anselmo	CA	94960	Sydney	Russakov	Huntington	CA	92647	Janeen	Hoeys	Solvang	CA	93463
Susan	Shapira	San Francisco	CA	94107			Beach			Anita	Moser	Mountain View	CA	94040
Rick	Eyck	Solana Beach	CA	92075	Dale	Anania	Berkeley	CA	94702	Terry	San Cartier	Santa Maria	CA	93455
Susan	Ryan	Sacramento	CA	95814	Francesca	cox	Riverside	CA	92507	Amanda	Groziak	Palo Alto	CA	94303
Joanne	Nash	Los Altos	CA	94024	Laurene	Hirschberg	Los Angeles	CA	90026	grace	ricco-pena	San Rafael	CA	94901
Dan	Silver	Los Angeles	CA	90069	Marie	Feely	Oak Park	CA	91377	Paula	Hartgraves	Dublin	CA	94568
Chris	Webb	San Jose	CA	95123	Ellen	Weissbuch	Los Angeles	CA	90008	Emma	Muir	Encino	CA	91436
Richelle	Witt	Thousand Oaks	CA	91362	Elaine		Glendale	CA	91205	Laila	Nabulsi	Costa Mesa	CA	92627
Jana	Harker	Woodland Hills	CA	91364	Jeffrey	Dickemann	Richmond	CA	94804	Vince	Baker	SAN DIEGO	CA	92123
Mike		American	CA	94503	Sara	Williams	Cherry Valley	CA	92223	Genevieve	Liang	Los Angeles	CA	90013
		Canyon			Sergey	Perunov	Pleasanton	CA	94566	(The	Jones	Santa Rosa	CA	95404
David	Osterhoudt	Rancho Santa	CA	92688	Celia	Tolan	Alameda	CA	94501	Sheryl	Arroyo-Glausch	Union City	CA	94587
		Margarita			Nancy	Hiestand	Davis	CA	95616	Robert	Stellato	REDWOOD CITY	CA	94063
Julian	Clift	El Cerrito	CA	94530	Helen	Nguyen	Alhambra	CA	91801					
Dean	Weiss	topanga	CA	90290	Joseph	Razo	Camarillo	CA	93012	Robert	Godes	Berkeley	CA	94705
Ian and	Moody	Sausalito	CA	94965	Ki		Hayward	CA	94544	Nan	Schweiger	Campbell	CA	95008
Janeane					Patricia	Shortt	Coronado	CA	92118	Natalie	Kraus-Darden	Folsom	CA	95630
SANDRA	GARCIA	Santa Barbara	CA	93110	Amber	Tidwell	Los Angeles	CA	90068	Teagan	Thompson	Petaluma	CA	94954
Kamrin	MacKnight	Atherton	CA	94027	Melinda	MacInnis	Venice	CA	90291	Al	Stein	Palm Springs	CA	92263
Janet	Nace	Saratoga	CA	95070	Barbara	Kelly	Moraga	CA	94556	Christine	Frisco	Palo Alto	CA	94301
Anna	Drummond	Grass Valley	CA	95945	Lynne	St. John	Santee	CA	92071	Anita	Martel	Chula Vista	CA	91910
Emily	Witt	camarillo	CA	93012	Suzanne	Horsburgh	Newport Beach	CA	92660	Nick	Josephs	Santa Monica	CA	94043
Meg	Seltzer	Studio City	CA	91604	Tamey	Irons	Long Beach	CA	90815	Colette	Anders	Redding	CA	96001
Zionwoods		san diego	CA	92116	John	Martinez	los angeles	CA	90033	Petra	Gampper	Corte Madera	CA	94925
Janet	Beazlie	Forestville	CA	95436	Morgan	Harrington	Sonoma	CA	95476	Jamie	Bales	Huntington	CA	92648
A	Cannara	Menlo Park	CA	94025	Eileen	Ross	Chico	CA	95928			Beach		
Lisa	Bettendorf	Redwood City	CA	94062	Lisa & Dylan	Stieler	Mission Viejo	CA	92691	Tanya	Anguita	Berkeley	CA	94703
Joan	Smardan	Cardiff	CA	92007	Rev	Miner	San Luis Obispo	CA	93405	Danielle	Directo-Meston	VALLEY VILLAGE	CA	91607
Naomi	Gilmore	sacramento	CA	95824	Nichole	Royston	Huntington	CA	92647					
Debbie	Rasmussen	Dublin	CA	94568			Beach			Elizabeth	Johnson	Nevada City	CA	95959
Rj		Weed	CA	96094	Richard	Vos	San Diego	CA	92127	Stephen	Winkle	Ukiah	CA	95482
Denise	Hudson	Los Angeles	CA	90027	Paula	Phillips	San Marcos	CA	92078	Jane	Edwards	La Palma	CA	90623
Christine	Waddell	emeryville	CA	94608	Elizabeth	Darovic	Pebble Beach	CA	93953	LucyMaria	Mathews	Burbank	CA	91504
Gala	Autumn	Granada Hills	CA	91344	DDS	Lawrence	San Francisco	CA	94133	Dara	Engel	San Francisco	CA	94122
Sidney	Robles	Napa	CA	94558			Lipkind			lisa	Anderson	Los Angeles	CA	90013
Josh	Kelley	San Francisco	CA	94117	Charles	Elliott	Whittier	CA	90601	Bruce	Hepler	Redondo Beach	CA	90277
Jim	Salveson	San Francisco	CA	94127	Laurie	King	San Jose	CA	95123	Debbie	BuSteed	Bellflower	CA	90706
Julie	Sanford	Van Nuys	CA	91406	David	Scott	Ontario	CA	91764	Roberta	Lee	Corona	CA	92879
C	Glick	Laguna Woods	CA	92637	Lance	Robert	San Diego	CA	92101	Hweiju	Yu	Glendale	CA	91202
Allison	Strunka	Costa Mesa	CA	92626	Brian	Beckstrom	Bonita	CA	91902	phyllis	hislop	oakley	CA	94561
Patricia	Lindsey	Sausalito	CA	94965	Joanna	Welch	Escondido	CA	92025	Steffanie	Gee	Los Angeles	CA	90064
Leslee	Cotlow	San Francisco	CA	94110	Charlotte	Matthews	Murrieta	CA	92563	Chris	MacKrell	Long Beach	CA	90804
Mary	Nicolini	Novato	CA	94947	Pat	Strange	Sacramento	CA	95821	Jan	Maltzan	Sacramento	CA	95816
Maia	de Raat	San Francisco	CA	94103	Daniel	Buckler	San Francisco	CA	94114	Muriel	Mandel	Culver City	CA	90230
Darcy	Skarada	Middletown	CA	95461	Elva	Pero	Dana Point	CA	92629	Tracy	Miller	Hayward	CA	94541
Jacob	Tsaig	San Francisco	CA	94114	Carol	Felton	Aptos	CA	95003	Toni	Littlejohn	Pt Reyes	CA	94956
Susan	Bullock	Reseda	CA	91335	Wendell	Covalt	Redondo Beach	CA	90277	Rachelle	Bates	Costa Mesa	CA	92627
Mary	Sabo	Porterville	CA	93257	Rebecca		Wiemar	CA	95736	Carolyn	gushwa	Pacheco	CA	94553

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Sharon	Paltin	Laytonville	CA	95454	Michael	Linville	san rafael	CA	94901	Dorothy	Silva	Concord	CA	94520
Shiva	Scanlon	Riverside	CA	92504	Scot	Snapper	Lakeport	CA	95453	Ernest	Boyd	Sunnyvale	CA	94087
Melissa	Miller	Concord	CA	94520	Joseph	Shulman	San Diego	CA	92115	Gene	Fox	Del Mar	CA	92014
Linda	Morgan	San Pablo	CA	94806	R	Gladish	Oceanside	CA	92054	Eleanor	Thomas	el dorado hills	CA	95762
Sabine	Bradley-Phillips	Los Angeles	CA	90029	Kenneth	Weidner	Berkeley	CA	94702	Karin	peck	carmichael	CA	95608
Deborah	Donie-Seligson	Vista	CA	92084	Rebecca	McDonough	Menlo Park	CA	94025	Jeff		Sausalito	CA	94965
Jim	Corriere	Brawley	CA	92227	Bret	Polish	Los Angeles	CA	90034	Richard	Hardack	Berkeley	CA	94708
Evalyn	Segal	Walnut Creek	CA	94595	Gloria	Christal	Los Angeles	CA	90024	Ellen	Gray	Menlo Park	CA	94025
ABIGAIL	DAVIS	ROSEVILLE	CA	95747	Ramona	Wilkerson	Oakland	CA	94604	Mila	Gaffney	Santa Barbara	CA	93105
Nicole	Larson	Pacifica	CA	94044	Renee	Curtis	Redlands	CA	92374	Hugh	Moore	Hawthorne	CA	90250
Evelyn and	Greenwald	San Luis Obispo	CA	93401	Rebecca	Reid-Johansson	Fresno	CA	93710	Victoria	Winslow	petaluma	CA	94952
Harvey					Suzanne	Levin	Santa Clara	CA	95051	Linda	Freeman	Yuba City	CA	95991
Shayne-	Bond	Roseville	CA	95747	Siria	Arteaga	Modesto	CA	95358	Christina	de Leon	Richmond	CA	94807
Michael					Richard	Aguilo	Santa Cruz	CA	95060	Colleen	Kelly	Redwood City	CA	94062
Shannon	Buddes	West Hills	CA	91304	Denise	Long	Sonoma	CA	95476	Robert	Bovensiepe	Escondido	CA	92026
Jon	Boyden	Los Angeles	CA	90019	Michael	e nel	Corona	CA	92880	Bethany	Decof	San Francisco	CA	94121
Russell	Burbano	Burbank	CA	91506	Chr	Burton & S	Santa Monica	CA	90401	Kimberley	Williams	Los Angeles	CA	90038
Robert	Reed	Lake Elsinore	CA	92530		Duron				anna	arnaoudova	San Bernardino	CA	92404
Sherrell	Cuneo	Los Angeles	CA	90027	Tom	Nulty	Dana Point	CA	92629	Heide	Doss	El Cajon	CA	92019
Vy	Nguyen	N. Hollywood	CA	91606	Mandy		Hollywood	CA	90210	Victor	Vuyas	San Francisco	CA	94109
Holly	Chadwin	Santa Barbara	CA	93105	Dennis	Toomey	dublin	CA	94568	Rebecca		san jsoc	CA	95129
Sean	Angier	Fountain Valley	CA	92708	Linda	Lewis	Del Mar	CA	92014	Marlena	Vega	Eureka	CA	95503
Gina	Sanfilippo	san francisco	CA	94131	Juanita	Chavez	San Diego	CA	92120	Roderick	Brown	San Diego	CA	92116
Robert	Mammon	Richmond	CA	94803	Ed	Oberweiser	Fort Bragg	CA	95437	Michael	Tomczyszyn	San Francisco	CA	94132
Marilyn	Schmidt	Chico	CA	95926	Juliana	Robinson	marina del rey	CA	90292	Almass		Fremont	CA	94539
Debbie	Sturt	Pacific Grove	CA	93950	Ruben	Garcia	Lake Elsinore	CA	92531	Michael	Wollman	San Luis Obispo	CA	93405
Leni	Allen	san pablo	CA	94806	Zeljko	Cipris	Stockton	CA	95204	Sean	Corrigan	Trinity Beach	CA	90005
Julie	Elliott	Los Angeles	CA	90064	Sophe	Stine	Van Nuys	CA	91409	Scott	Chapman	san luis obispo	CA	93406
Nancy	Andersson	Danville	CA	94526	Michael	Cornish	Sun Valley	CA	91352	Dalia	Adeina	Los Angeles	CA	90034
M	Sutton	Beverly Hills	CA	90210	Josh	Friedman	Santa Monica	CA	90404	Elizabeth	Cotton	Encinitas	CA	92024
Karl	Knapper	San Francisco	CA	94109	Sandy	Levine	Altadena	CA	91001	Michael	Gravlin	Vista	CA	92083
Suzanne	Esquivel	monrovia	CA	91016	Ben	Martin	Mountain View	CA	94040	Claudia	Eads	Fawnskin	CA	92333
Heidy	Leiva	Walnut Creek	CA	94596	Tae'lur	Jones	Beaumont	CA	92223	paul	Greenberg	Cotati	CA	94931
Sandra	Christopher	Burbank	CA	91505	Peter	Ruscetta	Venice	CA	90291	Lesley	Hudak	Orinda	CA	94563
Kate	Brotherton	lake forest	CA	92630	rosella	heffner	Solanabeach	CA	92075	Lorraine	Gilbert	signal hill	CA	90755
LIZ	McCAMON	STANTON	CA	90680	Julian	Freeze	Mt Shasta	CA	96067	Faith	Conroy	Calabasas	CA	91372
Aimee	Petersen	Reseda	CA	91335	Kiani	Quinata	Salinas	CA	93906	Norm	Wilmes	Yuba City	CA	95991
Teresa	Scherzer	San Francisco	CA	94110	Steve	Hartman	Sherman Oaks	CA	91403	Charlotte	Sines	Yosemite	CA	95389
Andrew	Hall	Carmel	CA	93923	Allan	Young	Novato	CA	94949			National Park		
Rosiris	Paniagua	Altadena	CA	91001	*petrus	Townsend	SAN LORENZO	CA	94580	Tony	Mierzwicki	Huntington Beach	CA	92647
Antoinette	Calavas	Mendocino	CA	95460	EARLE	HALE	Soquel	CA	95073					
Cristine	Maize	Castrano	CA	92624	T	Hoffman	Wasco	CA	93280	Christine	Engel	Santa Rosa	CA	95409
		Beach			Theresa	Duperon	Los Angeles	CA	90016	Anna	Cottle	Santa Clarita	CA	91354
Sherri		West Hollywood	CA	90046	Nona	Weiner	San Jose	CA	95127	Richard	DiMatteo	San Diego	CA	92101
Lauren	Green	Manhattan beach	CA	90266	Barbara	Stanley	San Diego	CA	92116	Stan	Fitzgerald	San Jose	CA	95135
Steven	Barrett	Walnut Creek	CA	94598	Scott	Warwick'	Monrovia	CA	91016	Elizabeth	Bettenhausen	Cambria	CA	93428
deena	Metzger	topanga	CA	90290	Daphne	Dimitriadi	los angeles	CA	91401	Kathleen	Cosgrove	Arroyo Grande	CA	93420
Bryan	Ryman	W. Hollywood	CA	90046	Matthew	Carreira	San Francisco	CA	94117	Valerie	Fannin	Chico	CA	95973
Urmila	Padmanabhan	Fremont	CA	94538	Kerri	McGoldrick	Castro valley	CA	94546	A	Bonvouloir	Sunnyvale	CA	94086
Frank	Baele	Playa del Rey	CA	90293	Ian	Field	San Diego	CA	92126	Kenneth	Mundy	Los Angeles	CA	90068
Alan	Lambert	Los Altos	CA	94022	Yvonne	Westbrook	Hollywood	CA	90068	gane	brooking	Ventura	CA	93004
Terrell	Rodefer	Van Nuys	CA	91405	Scott	Lindsay	Fair Oaks	CA	95628	Colleen	Lobel	San Diego	CA	92126
Kathy	Himenes	kelseyville	CA	95451	Fred	Friedlander	Saratoga	CA	95070	Nora	Coyle	Anaheim	CA	92807
Miriam	Neff	Aliso Viejo	CA	92656	Rosa	Baeza	Reseda	CA	91335	Ann	Garth	Long Beach	CA	90803
Karen	Scptt	Gualala	CA	95445	Gelsomina	Becks	E. Palo Alto	CA	94303	Vicki		San Diego	CA	92128
Patricia	Bennett	Atascadero	CA	93422	Beatrice	Howard	Berkeley	CA	94702	Kitt		Sunland	CA	91040
Sharon	Weeks	Pacific Grove	CA	93950	Wendy	Vogelgesang	Huntington	CA	92647	Lisa	Lamb	cherry valley	CA	92223
Kelli	Stowe	Orosi	CA	93647			Beach			Kevin	Krywko	San Marcos	CA	92069
Laura	Walker	San Francisco	CA	94112	Kathleen	Tammaro	Lake Arrowhead	CA	92352	Donna	Dostalick	Fullerton	CA	92831
Joanna	Clark	LA	CA	90019	randy	owens	elk grove	CA	95758	ERIC	ERICSON	Pacific Palisades	CA	90272
O	Lewis	los angeles	CA	90009	Allison	Bursinger	San Jose	CA	95117	Elizabeth	Adan	Carmichael	CA	95608
lee	hancock	Los Angeles	CA	90039	Thomas	Alexander	San Francisco	CA	94114	Gary	Leigh	granada hills	CA	91394
Christina	Burton	Apple Valley	CA	92308	Richard	Marchick	Orinda	CA	94563	Janet	Crist-Whitzel	Half Moon Bay	CA	94019
Randy	Mills	Culver City	CA	90230	Shery	Renteria	huntington beach	CA	92646	James	Patton	Los Altos	CA	94024
Iman	Kanj	Los Angeles	CA	90027	Susan	Kraus	Malibu	CA	90265	Laura	Golden	san diego	CA	92115
Conrad	Cimarra	Fremont	CA	94555	Lin	Heidt	San Diego	CA	92109	lauren	kelley	glendale	CA	91207
Donnasue	Jacobi	Menlo Park	CA	94025	Annabelle	Travis	El Sobrante	CA	94803	Susan	Goldstsein	Danville	CA	94526
Caroline	Kane	Valley Village	CA	91607	Helena	Rosen	walnut creek	CA	94597	Brittany	Mcadams	Riverside	CA	92507
kay	Kaplan	irvine	CA	92603	Diana	Molinari	Redondo Beach	CA	90278	Dana	Swears	Sacramento	CA	95816
Lily	Adams	Santa Rosa	CA	95409	Lisa	Kavas	San Marcos	CA	92069	Liz	Fowler	Richmond	CA	94805
Maria	Watkins	Aptos	CA	95003	Claire	Jones	Hanford	CA	93230	Les	Roberts	fresno	CA	93704
Carlos	Navarrette	Los Angeles	CA	90063	E	Simpson	Helendale	CA	92342	Judy	Conard	Sacramento	CA	95829
Marla	Miyashiro	San Pablo	CA	94806	and	Young	Upland	CA	91786	Michele	Wheeler	Menlo Park	CA	94025
Arlene	Cooper	San Francisco	CA	94121	Lee	Oakes	San Jose	CA	95112	Nik	Kripalani	San Diego	CA	92130
Erica	Seelig	Ukiah	CA	95482	Lauren	Ranz	Lafayette	CA	94549	Svetha	S	Los Angeles	CA	90211
Ellen	Levine	Castro Valley	CA	94546	Justine	Tilley	Vence	CA	90201	Thomas	Proett	Redwood City	CA	94061
George	Goffe	San Jose	CA	95124	Tammy	Taunt	Oceanside	CA	92057	dan	obannon	watsonville	CA	95076
Elaine	Lopez	Santa Ana	CA	92707	Robert	Rosenberg	Kentfield	CA	94904	Benjamin	Axt	Burbank	CA	91505
Namita	Dalal	Los Altos	CA	94022	Marcus	Simpson	Pasadena	CA	91107	Adam	Cote	santa barbara	CA	93103
Rick	Shreve	Arcata	CA	95521	Cipra	Nemeth	Los Angeles	CA	90048	Timothy	Swanson	Torrance	CA	90501
Land	Wilson	San Rafael	CA	94901	Bill	Tkach	Paso Robles	CA	93446	Hugh	Sutherland	Goleta	CA	93117
Nicholas	Esser	Simi Valley	CA	93065	Frank	Huttinger	Pasadena	CA	91105	Cynthia	Clabaugh	San Diego	CA	92115
Magnus	Holmen	Los Angeles	CA	90026	Sharon	Wright	Santa ana	CA	92705	Allan	Reubelt	Vista	CA	92083
David	Tasker	Carson	CA	90745	Garry	Williamson	San Diego	CA	92115	Lewis	Logan	Marina Del Rey	CA	90292
Lisa	Selby	Santa Rosa	CA	95405	Alecto	Caldwell	Oakland	CA	94619	Joan	Hunnicut	Citrus Heights	CA	95621
Keiko	Martinez	San Francisco	CA	94118	Alan	Grantham	Rancho	CA	91730	Robert	Felker	Los Angeles	CA	90065
Mia	Kavantjas	Novato	CA	94947			Cucamonga			Misty	Day	Fullerton	CA	92831
michele	caldera	Santa Rosa	CA	95401	Lisa	owens viani	Berkeley	CA	94702	Shirley	Harris	Upland	CA	91784
Lori	Vega	Hawaiian Gardens	CA	90716	Rita	Santos- Oyama	Long Beach	CA	90803	Robyn	Little	twenty nine palms	CA	92277
					Deniz	Bolbol	Redwood City	CA	94063					
Donald		Fresno	CA	93755	Spryte	Heithecker	San Francisco	CA	94102	brenda	rivera	santa monica	CA	90401
Sandy	Banks	Playa Del Rey	CA	90293	alice	speakman	huntington beach	CA	92646	Josephine	Hamilton	Windsor	CA	95492
Diane	Hestich	colton	CA	92324	Pamela	Ball	San Leandro	CA	94577	Catherine	Lanzl	Encinitas	CA	92024
Shirley	Wong	San Francisco	CA	94131	Bret	Smith	Santa Cruz	CA	95063	Maria	Jackson	San Luis Obispo	CA	93401

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Amanda	Withrow	Los Angeles	CA	90065	Chrysanna	Corpus	Rancho	CA	91730	Philip	Morais	Woodside	CA	94062
Lisa	Kampmeyer	San Rafael	CA	94901			Cucamonga			Nancy	Kelly	Fresno	CA	93728
Danielle	Lowry	San Diego	CA	92105	Kevin	Gretsch	Long Beach	CA	90814	Shunko	Jamold	San rafael	CA	94903
diana	horowitz	Woodland Hills	CA	91367	Steven	Hibshman	Foster City	CA	94404	marietta	charbonneau	Irvine	CA	92620
William	Mittig	mariposa	CA	95338	Charles	Fracchia	San Francisco	CA	94127	Janice	Stout	Los Molinos	CA	96055
Helen	Cox	San Francisco	CA	94116	Peter	Weiner	sugarloaf	CA	92386	Bettina	Rosmarino	Los Angeles	CA	90065
Charlene	Henley	San Jose	CA	95136	Jennifer	Pope-Stutzman	Clovis	CA	93619	Juan	Rodriguez	South Pasadena	CA	91030
Marianne	Shaw	San Rafael	CA	94903	Marianna	Mejia	Soquel	CA	95073	Gabrielle	Martin-Neff	Hayward	CA	94544
Albert	Chiu	Oakland	CA	94611	Jessica	Kaut	Dublin	CA	94568	Brenda	Luebke	Mountain View	CA	94040
Caroline	Force	Vacaville	CA	95687	David	Adams	Penn Valley	CA	95946	Eva	Montealegre	Topanga	CA	90290
John	Hope	San Francisco	CA	94114	Marilyn	Pires	Long Beach	CA	90814	Karina	Oleynikov	Van Nuys	CA	91406
Christine	Sepulveda	Anaheim	CA	92802	Walter	Phelps	Vacaville	CA	95688	John	Pasqua	escondido	CA	92025
Karen	Ratzlaff	Santa Rosa	CA	95404	Mark	Podhorecki	san francisco	CA	94124	Irene	Dunny	San Diego	CA	92127
Damon	Duval	Santa Monica	CA	90404	Deborah	Walden	La Verne	CA	91750	Holly	McDuffie	Los Angeles	CA	91606
Tanya	Arce	San Bernardino	CA	92404	Angela	Dracott	Tiburon	CA	94920	Siobhan	Miura	Fair Oaks	CA	95628
cynthia	fitzpatrick	San Diego	CA	92114	JOEL	STROUSS	ANGWIN	CA	94508	John	Sames	San Rafael	CA	94903
Michael	Kiralla	Arcadia	CA	91006	John	Hogben	Belmont	CA	94002	Lee	Ramdhani	San Clemente	CA	92673
Larry	Bailey	Redding	CA	96099	Patricia	Brower	San Diego	CA	92104	Jaye	Howard	Auburn	CA	95603
Margaret	Stinstrom	Irvine	CA	92602	Nadya	Tichman	Oakland	CA	94602	Gregory	Alper	Pacific Palisades	CA	90272
Danielle	Ruiz	Citrus Heights	CA	95621	Carol	Mone	Trinidad	CA	95570	Chris	Headworth	Ramona	CA	92065
Ruth	Clifford	Sunnyvale	CA	94086	DENISE	BLIGH	Cotati	CA	94931	Michelle	Maani	Nipomo	CA	93444
Sandra	Gold	Los Angeles	CA	90039	Suzanne	Menne	Camarillo	CA	93010	Cory		Novato	CA	94949
Jaclyn	Huntington	Huntington	CA	92647	Rochelle	Hunter	santa ana	CA	92706	Bill	Lindner	Greenbrae	CA	94904
		Beach			Laszlo	Kurucz	Irvine	CA	92612	Jay	Edgerton	Rancho Palos	CA	90275
Thomas	Rossi	Sun Valley	CA	91352	Susan	Sargis	San Mateo	CA	94401			Verdes		
Edna	Publicover	San Diego	CA	92104	Elaine	Arellano	Los Angeles	CA	90260	Monica	NEMETH	Laguna niguel	CA	92677
Rudy	S.	Escondido	CA	92025	Kenneth	Pennington	Santa Clarita	CA	91386	Robyn	Class	Orange	CA	92866
Claudia	Campbell	sacramento	CA	95816	Reyna	Cruzado	Culver City	CA	92030	Shoshannah	McKnight	Santa Cruz	CA	95060
Gary	Jones	SAN MARINO	CA	91108	Ron	Schutte	San Diego	CA	92103	James	South	Torrance	CA	90505
Nancy	Nilsen	Dublin	CA	94568	Susan	Lee	Vernon	CA	90058	Craig	Tomaszewski	San Dimas	CA	91773
Stacie	Surabian	Los Angeles	CA	90068	Reuben	Rivera	Los Angeles	CA	90014	Thomas W	Dove	El Cajon	CA	92020
Nancy	Eichler	Berkeley	CA	94710	Mel	Bearns	Concord	CA	94519	Reeta	Roo	Sebastopol	CA	95472
Kelle	Erwin	Long Beach	CA	90808	Debra	Sheppard	YUBA CITY	CA	95991	Richard	Puaoi	Novato	CA	94949
Janene	Frahm	San Anselmo	CA	94979	Gail	McMullen	Los Angeles	CA	90027	Martin	Miller	Pasadena	CA	91104
Liz	Campbell	San Francisco	CA	94105	Kirsten	Brown	North	CA	91607	Donita	Sparks	Los Angeles	CA	90029
Ellen	Golden	san mateo	CA	94401			Hollywood			Jennifer	Willis	San Francisco	CA	94117
Elissa	Horne	North	CA	91601	Barbara	Robbin	Studio City	CA	91604	Amanda	Lee	Encinitas	CA	92024
		Hollywood			Victoria	Wade	monterey	CA	93940	Ivor	Schucking	laguna beach	CA	92651
Katherine	Dillon	Berkeley	CA	94709	Paul	Belz	Oakland	CA	94611	D	Rowe	Santa Monica	CA	90403
mark	Sutherland	San Jose	CA	95125	Naomi	Sobo	SAN DIEGO	CA	92103	Tracey	Smith-Clark	Long Beach	CA	90808
Rebecca	Stone	Los Angeles	CA	90025	Lynda	Beigel	San Francisco	CA	94117	Juan	Mateo	Thousand Oaks	CA	91362
Carla	Davis	Corte Madera	CA	94925	Brad	Shore	Long Beach	CA	90805	Tedford	Rose	Pico Rivera	CA	90660
Dana	Landis	Valley Village	CA	91607	Daniel	Ribiat	Los Angeles	CA	90026	Kristin	Reed	Glendora	CA	91740
marsha	armstrong	Los Gatos	CA	95032	Allen	Swift	Martinez	CA	94553	Jeff	Vandenburgh	San Francisco	CA	94121
Joseph	Ramirez	Ventura	CA	93001	Carol	Taggart	Menlo Park	CA	94025			Huntington	CA	92648
Fredrick	Seil	Berkeley	CA	94708	raul	ruiz	Sun City	CA	92586			Beach		
John	oda	San Francisco	CA	94115	Gregg	Eisman	Valley Center	CA	92082	Eve	Duddy	Capistrano	CA	92624
Maddie	Finnie	folsom	CA	95630	J		San Jose	CA	95125			Beach		
Christy	Field	Big Bear City	CA	92314	Cindy	Dupray	Escondido	CA	92025	Lisa	Roll	El Segundo	CA	90245
Joyce	Gubelman	San Francisco	CA	94124	Frances	Onesti	Lawndale	CA	90260	Liz	Sigel	Tustin	CA	92780
Ken	Burke	Oakland	CA	94613	mike	tasker	huntington	CA	92646	Jeff	Campbell	antioch	CA	94531
Heleene	Robinson	Pine Grove	CA	95665			Beach			Patricia	Sansone	Los Angeles	CA	90069
Gail	Alford	Santa Rosa	CA	95403	Angela	Black	Seal Beach	CA	90740	Jason	Brock	los angeles	CA	90045
William	Furnback	Berkeley	CA	94702	Kyle	Young	palmdale	CA	93551	Serena	Castaldi	bolinas	CA	94924
Linda	Whetstine	Poway	CA	92064	Kyle	Young	palmdale	CA	93551	C	Hanafi	Eureka	CA	95503
Luke J.	Bartlett	Fallbrook	CA	92028	Dawn	Tesluk	Oceanside	CA	92054	Courtney	Mann	North	CA	91606
Cheryl	Elkins	San Diego	CA	92105	Nancy	Smith	Santa Monica	CA	90401			Hollywood		
Sally	Lambert	Sutter Creek	CA	95685	Sara	Bassler	Santa Cruz	CA	95060	Bridget	A.	Chatsworth	CA	91311
Simone	St.Clare	Martinez	CA	94553	Erin	Crampton	Beverly Hills	CA	90210	Andrew	Nakagawa	Camarillo	CA	93010
Claire	Lohnes	Los Altos	CA	94024	Rosie	King	Santa Cruz	CA	95062	Kathy	Popoff	San Pedro	CA	90732
Gila	Wdowinski	Laguna Beach	CA	92651	Vivian	Fahlgren	Paradise	CA	95969	Nick	Fowler	Venice	CA	90291
Carole	Soden	Carpinteria	CA	93013	Roz	Rickman	Castro Valley	CA	94546	Julita	Jones	Laguna Beach	CA	92651
Victoria	Francis	Los Angeles	CA	90031	Dolores	Brainard	San Diego	CA	92116	Robert	Kvaas	Goleta	CA	93117
Marcia	Little	Santa Rosa	CA	95407	Clare	Auchterlonie	Redondo Beach	CA	90277	Brad	Martin	Fresno	CA	93777
Blaed	Spence	Los Angeles	CA	90027	Jeffrey	Beckers	Oakland	CA	94602	Brad	Steele	Springville	CA	93265
Gail	Caswell	San Francisco	CA	94109	Regina	Vidal	Fresno	CA	93726	Nancy		palm desert	CA	92260
Michael	Hall	San Diego	CA	92117	Michele	Martinez	Hayward	CA	94541	maria	armoudian	granada hills	CA	91344
Dave	Carlson	Venice	CA	90291	Nancy	Smith	Malibu	CA	90265	Renee	Lucian	Seal Beach	CA	90740
Amanda	Torresani	Los Gatos	CA	95033	Carol	Wiley	Victorville	CA	92394	Carita	O'Connor	Los Alamitos	CA	90720
Michele	Pascoe	Rocklin	CA	95677	Stephanie	Glatt	Santa Barbara	CA	93108	vaiva	griskaita	grass valley	CA	95945
Corinne	Lambden	Alameda	CA	94501	Ann	Hough	Escondido	CA	92029	Philip	Madruaga	Hanford	CA	93230
David	Salomon	San Francisco	CA	94158	Jorge	De Cecco	Ukiah	CA	95482	Dwain	Bivens	Los Angeles	CA	90068
Van	Rookhuyzen	San Francisco	CA	94102	Roz	Goldstein	greenbrae	CA	94904	Kenneth	Curr	Hayward	CA	94542
Maryann	LaNew	San Clemente	CA	92673	Rick	Guidotti	Los Angeles	CA	90028	linda	ferrara	solana beach	CA	92075
Dominique	Holy	Los Angeles	CA	90064	Bud	Benedict	Palm Desert	CA	92260	Joseph	Barnett	North	CA	91601
Jaime	Alvarez	Sacramento	CA	95838	Susan		Foothill Ranch	CA	92610			Hollywood		
Steven	Mater	Los Angeles	CA	90027	Joe	Glaston	Desert Hot	CA	92240	Lisa	Moeller	Santa Barbara	CA	93101
Blue	McRight	Venice	CA	90291			Springs			Maricela	Martinez	Stockton	CA	95210
Allison	Jones	San Francisco	CA	94109	Katherine	Yeboah	LOS ANGELES	CA	90034	Sisely	Treasure	Rossmoor	CA	90720
Amanda	Rosenberg	San Francisco	CA	94110	Eleanor	High	Ventura	CA	93003	Lynn	Armstrong	El Cerrito	CA	94530
Colette	Walczak	santa monica	CA	90405	Cindy		Santa Ynez	CA	93460	Ann	Read	Inverness	CA	94937
Rebecca	Little	Vacaville	CA	95687	Heather	Brophy	Santa Barbara	CA	93109	Laura	Kohn	hillsborough	CA	94010
Suzanne	Hodges	Sacramento	CA	95819	Marilyn	Alexander	Santa Monica	CA	90404	David	Jones	Frnsro	CA	93720
Matt	Greene	San Clemente	CA	92672	Dianne	Grenland	Vacaville	CA	95687	Mary	Rojeski	SANTA	CA	90405
Lindsay	Murphy	Novato	CA	94949	Bradley	Basler	San Carlos	CA	94070			MONICA		
Allison	Oster	San Marcos	CA	92078	Geraldine	Brandt	Penn Valley	CA	95946	Susan	Reichert	Torrance	CA	90503
Charles	Schmitt	san diego	CA	92103	Michael	Rubin	Fairfax	CA	94930	Joan	Parrish	Santa Cruz	CA	95060
jenny	Apple Valley	Apple Valley	CA	92308	Aaron	Senegal	Richmond	CA	94804	Aeyrie	Eagle	Yorba Linda	CA	92886
William	Anderson	Glendale	CA	91206	Kathleen	Kuczynski	Lake Forest	CA	92630	Peter	Montalbano	Berkeley	CA	94702
Ivan	Llata	Cudahy	CA	90201	Elaine	Alfaro	Santa Cruz	CA	95060	Chaz	Chilcote	San Diego	CA	92122
Fallon	Hall	San Diego	CA	92117	Lydia	Avila	Walnut	CA	91789	Kay	MacDonald	Menlo Park	CA	94025
William	Bailey	South Lake	CA	96150	K	Olson	Bodega Bay	CA	94923	Dan	Esposito	Manhattan	CA	90266
		tahoe			Elaine	Livesey-Fassel	Los Angeles	CA	90064			Beach		
Martha	Dixon	Oakland	CA	94611	beth	singer	irvine	CA	92604	Karen	Dapper	Sacramento	CA	95834

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Elizabeth	Ridgway	simi valley	CA	93063	Tami	McCready	simi valley	CA	93063	Jerry	Beale	Pasadena	CA	91105
John	Ferrari	Claremont	CA	91711	Hunter	Waloff	POINT REYES	CA	94956	Janis	Andersen	San Diego	CA	92110
Susanne	Lipp	Long Beach	CA	90804			STATION			Constantine	Bogios	Walnut Creek	CA	94597
Diana	Parmeter	Long Beach	CA	90805	Iris	Chynoweth	Midpines	CA	95345	Leslie	Wison	Oakland	CA	94605
Lisa	Hilyer	San Diego	CA	92111	Pete	Klosterman	Piedmont	CA	94611	Kristina	Lovell	Los Angeles	CA	90049
Pamela		Carmichael	CA	95608	fia	Perera	Altadena	CA	91001	Sandra	Levine, MD	San Rafael	CA	94903
Sean	Brennan	pasadena	CA	91102	Rachel	Franklin	Los Angeles	CA	90045	Mima	Cataldo	Petaluma	CA	94952
Toni		Berkeley	CA	94720	Donna	Alleyne-Chin	Montara	CA	94037	Esther	yassi	San Francisco	CA	94111
Kamille	Laffins	Pleasanton	CA	94588	Olga	Connolly	Huntington	CA	92648	Yolanda	Trujillo	Anaheim	CA	92807
mushtaq	syed	santa clar	CA	95050			Beach			Lynne	Jeffries	Laguna Niguel	CA	92677
Don	Morgan	Magalia	CA	95954	Kye		Sonora	CA	95730	Andy	Lupenko	LEMONT	CA	91945
Gary	Baxel	Joshua Tree	CA	92252	Dilek	Akman	Elk Grove	CA	95758			GROVE		
Barry	Saltzman	Los Angeles	CA	90035	Kathryn	Santana	Bradbury	CA	91008	Tom	DeMaranville	Nevada City	CA	95959
bruce	jetseck	rancho	CA	91730	KYLE	CZIMBACK	Sacramento	CA	95814	shirley	spencer	Oxnard	CA	93031
		cucamonga			Gina	Gatto	Castro Valley	CA	94546	Allison	Fleming	Los Angeles	CA	90027
Lisa	Nelson	Benicia	CA	94510	Jolina	Mitchell	Marina Del Rey	CA	90292	Carl	Alto	Dunsmuir	CA	96025
Joselyn	Bartlett	Caspar	CA	95420	Kat	Leyden	Concord	CA	94521	Carl	Caine	San Francisco	CA	94109
Janisse	Ponte	Irvine	CA	92606	Victoria	Denman	Oakland	CA	94220	Cinzia	Paganuzzi	Santa Monica	CA	90405
Lynn		San Diego	CA	92109	Leora	Ovadia	San Diego	CA	92122	Denise	McRae	Indio	CA	92203
Adam	Sperry	North	CA	91606	Zoli	Osaze	los angeles	CA	90008	tabatha	waite	winchester	CA	92596
		Hollywood			Judy	Cali	Bermuda Dunes	CA	92203	Nigel	Crawford	La Jolla	CA	92093
Brittany	Adams	San Francisco	CA	94107	Joan	Finan	Rancho Cordova	CA	95670	Matthew	Lindner	San Francisco	CA	94114
casee	maxfield	Los Angeles	CA	90028	Gayle	Spencer	Menlo Park	CA	94025	Arielle	G	San Francisco	CA	94104
Cynthia &	Sobeck	San Diego	CA	92115	Nan	Singh-Bowman	Ben Lomond	CA	95005	Doral	Fredericks	Laguna Niguel	CA	92677
Travis					Gregory	Williams	Montclair	CA	91763	Michael	Winn	Redondo Beach	CA	90278
Ted	Fishman	San Jose	CA	95123	Rich	Yurman	San Francisco	CA	94116	Jilian	Giles	Los Banos	CA	93635
Charles	Wolfe	Sylmar	CA	91342	Jim	Gray	Hemet	CA	92544	Stephanie	Barlow	Long Beach	CA	90808
Alexis	Manning	Salinas	CA	93907	Ellen	Koivisto	San Francisco	CA	94122	Troy	Bernardo	Beverly Hills	CA	90210
Carol	Nahin	Palm Desert	CA	92260	susan	shwan	Los Angeles	CA	90064	Liz	Lawrence	San Leandro	CA	94577
Ronald	Bogin	El Cerrito	CA	94530	Anastasia	Fiandaca	San Francisco	CA	94131	laura	cipollari	manhattan beach	CA	90266
Earl and	Williams	Arnold	CA	95223	Charleen	Steeves	Topanga	CA	90290	Karen	Ambrose	la selva beach	CA	95076
Patricia					Tara	Cufaude	loomis	CA	95650	Sondra	Boes	Campbell	CA	95008
Cathy	Thornburn	Los Angeles	CA	90041	Keiko	Barrett	National City	CA	91950	Shelly		Los Angeles	CA	90028
Jo	Haniford	Fremont	CA	94536	Stephanie	Linam	Benicia	CA	94510	Masha	Aleskovski	El Cerrito	CA	94530
Denise	Cruz-Castino	Woodland Hills	CA	91364	Katarina	Flynn	Lake Elizabeth	CA	93532	Chris	Mauriello	alta loma	CA	91701
Pia	Eerikainen	los angeles	CA	90068	Suzanne	a'Becket	Cupertino	CA	95014	Michelle	Khazaryan	Los Angeles	CA	90027
Lara	Ebisuzaki	MONTROSE	CA	91021	Elaine	Brown	Sunland	CA	91040	Sharon	Lacy	sebastopol	CA	95472
Lauren	Reilly	norwalk	CA	90650	Susan	Casad	Escondido	CA	92027	Erin	Caughman	San Francisco	CA	94116
Karen	Spiegel	Burbank	CA	91501	M	Sutton	Fair Oaks	CA	95628	Alice	Savage	San Diego	CA	92128
Christian	Billson	Los Alamitos	CA	90720	Ben	Crabb	Fremont	CA	94536	michael	o'connell	cottonwood	CA	96022
Alexander	Weaver	Sacramento	CA	95827	Anithra		San Bernardino	CA	92411	Jackleyn	Sanchez	Compton	CA	90221
Sharon	Morris	Hayward	CA	94541	brigit	kubiak	Menlo Park	CA	94025	Todd	Fisk	San Diego	CA	92131
Marilyn	Davey	Oceanside	CA	92056	Kim	Jh	aptos	CA	95003	Robert	Halem	Sab Jose	CA	95120
Tonya	Degance	venice	CA	90291	Joyce	Campbell, Ph.D.	Torrance	CA	90505	Raleigh	Holmes	Oceanside	CA	92056
Stephanie	Divito	Huntington	CA	92648	C	cairns	San Francisco	CA	94123	Manmeet	Toor	Los Angeles	CA	90024
		Beach			M	Straw	Los Angeles	CA	90028	David	Lin	Sacramento	CA	95816
OLIVIA	MULLIGAN	CARMICHAEL	CA	95608	Ernest	Medeiros	Forestville	CA	95436	camille	Cardinale	Los Angeles	CA	90049
Zoe	Huang	Oakland	CA	94607	Lisette	Rose	Berkeley	CA	94712	Rosemary	Meyers	Rancho	CA	91730
Kurt	Fillmore	Petaluma	CA	94954	Dawn	Standley	Santa Maria	CA	93455			Cucamonga		
Janet	Jamerson	San Leandro	CA	94578	Claude	McDonald	San Jose	CA	95120	Fawn	Franklin	Sylmar	CA	91342
Carolyn	O'Brien	Los Angeles	CA	90019	kathryn	Spence	San Francisco	CA	94131	Donna	Fabiano	Forestville	CA	95436
Zaida	Jorat	Trabuco Canyon	CA	92679	kaelyn	moss	Berkeley	CA	94707	Dylan	Oldenburg	Pacific Palisades	CA	90272
Cameron	Coffman	Los Angeles	CA	91601	Jean	King	Livermore	CA	94550	mark	walter	kuta	CA	94133
Toni	Kimball	Santa Ana	CA	92706	Dana	Ginn	Temecula	CA	92591	Ray	Rossi	santee	CA	92071
joan	swenson	Walnut Creek	CA	94595	John		San Francisco	CA	94131	Yvonne	Walter	San Francisco	CA	94133
Michele	Dolan	San Jose	CA	95128	Stacey	West	Van Nuys	CA	91401	Ron	Goldman	Los Altos	CA	94024
Marc	Rachmuth	Oxnard	CA	93036	Mariamelia	Badoza	Sacramento	CA	95828	Judy	Marsh	Los Angeles	CA	90066
Sue	Emory	Palo Alto	CA	94301	Cathy	Edwards	Los Angeles	CA	90045	David	RICE	Los Angeles	CA	90069
Francesco	Greco	san francisco	CA	94133	Chad	Prittie	ontario	CA	91761	Chris	Tasara	Los Angeles	CA	90068
Kait	Ferrall	Mountain View	CA	94040	Ed & Gloria	Witucki	Porter Ranch	CA	91326	Stacy	Nisperos	Fullerton	CA	92833
Kayla		brighton	CA	90210	Marlene	Mclver	Novato	CA	94949	Jitesh	Zala	Cerritos	CA	90703
Timothy	Medlin	San Diego	CA	92116	Florence	Assalitt	Monterey	CA	93940	Shawn	Britton	Santa Clara	CA	95051
Lea		long beach	CA	90804	Charlotte	Chavez	Newbury Park	CA	91320	Janet	Moutinho	Lafayette	CA	94549
Darlene	Balzan	pleasanton	CA	94588	Laurel	Brewer	Moorpark	CA	93021	Manuel	Villalta	Placentia	CA	92870
Cynthia	Jordan	Santa Cruz	CA	95060	tara	elwell	Los Angeles	CA	90006	Wendy	Wittl	santa barbara	CA	93105
Rachel	Sonnenblick	Santa Cruz	CA	95062	Benjamin	Wong	Newark	CA	94560	Stacey	Rohrbaugh	Willits	CA	95490
Jan	Kampa	Soquel	CA	95073	Robert	Hicks	Long Beach	CA	90803	Elizabeth	Mather	San Diego	CA	92129
Veronica	Herrera	Culver City	CA	90230	Kathleen	Flick	Manhattan	CA	90266	Wanda	Bader	Simi Valley	CA	93063
Mary	O'Reilly	Laguna Woods	CA	92637			Beach			James	Elliott	Encinitas	CA	92024
Nikkelle	Quijano	Castro Valley	CA	94546	Raymond	Shaw	San Jacinto	CA	92583	Patrice	Kyle	Grass Valley	CA	95945
Cody	Mitcheltree	San Francisco	CA	94121	Lucas	Cantin	Santa Cruz	CA	95062	Tracy	williams	Santa Monica	CA	90403
Jean	Mansour	Los Angeles	CA	90066	Robert	Glover	Fresno	CA	93726	Asher	Lyons	Berkeley	CA	94704
Armando	Camacho	San Diego	CA	92103	anne	perkins	Santa Monica	CA	90402	Roberta	LaFrance	San Leandro	CA	94577
Rose	Mose	Ione	CA	95640	Carmen	Sadek	Los Angeles	CA	90034	Nikki	Nafziger	Vallejo	CA	94590
James	Harris	Stanford	CA	94305	Lisa	Gherardi	Los Gatos	CA	95032	Mariana	Sartin	Beaumont	CA	92223
colleen	Bednarz	Santa Cruz	CA	95062	Tim	Barrington	San Jose	CA	95126	Linda	Ward	La Habra	CA	90631
Fred	Kleindienst	Paradise	CA	95969	Mercedes	Benet	Carlsbad	CA	92009	Gertrude	Nuttman	San Francisco	CA	94121
jimmy	elrod	norco	CA	92860	robin	peterston	madera	CA	93638	elaine	huff	san francisco	CA	94118
Brandy	Faber	Laguna Beach	CA	92651	Gloria	Walters	Richmond	CA	94804	Beatriz	Pallanes	Santa Ana	CA	92704
Diane	Knight	West Hills	CA	91307	Dinda	Evans	san diego	CA	92177	Kurt	Cruger	LONG BEACH	CA	90803
Linda	Wankier	Escondido	CA	92025	Mindy	Pfeiffer	Pasadena	CA	91104	Norma	Odell	Chico	CA	95928
Alan	Haggard	San Diego	CA	92105	Alice	Rosenfeld	Los Angeles	CA	90024	Rita	Carlin	San Diego	CA	92106
george	strange	cypress	CA	90630	Sherri	Schottlaender	San Diego	CA	92103	Vilma	White	Temecula	CA	92591
Cynthia	Moragrega	Rancho Santa Fe	CA	92091	Leslie	Swanson	Alhambra	CA	91801	Jessica	Krakow	San Francisco	CA	94131
Richard	Blakemore	Mariposa	CA	95338	Jennifer	Fomoso	Oakland	CA	94602	sdb	Bro. Noel	Bellflower	CA	90706
John	Bishop	Los Angeles	CA	90027	Antoinette	Wilcox	Sunnyvale	CA	94085		DeBruton			
Imelda	Chinchilla	Knightsen	CA	94548	Brigitte	Greener	san jose	CA	95125	Ummi	Yousuf	Palmsup	CA	93551
Diane	Knight	West Hills	CA	91307	Antoinette	Samardzic	Los Angeles	CA	90034	Susan	Hangar	Topanga	CA	90290
Randi	Hutchinson	Santa Monica	CA	90404	Pat	Thompson	Roseville	CA	95678	Michael	Evans	Los Angeles	CA	90034
Barbara	Cohn	Carlsbad	CA	92008	Soo		Alameda	CA	94501	Diane	Berliner	Los Angeles	CA	90046
Clare	Hooson	Belmont	CA	94002	Jaime	McGrath	Aliso Viejo	CA	92656	Donna	Meyers	Long Beach	CA	90814
Wendy	Nichols	Chico	CA	95973	Dave	Bailey	Van Nuys	CA	91401	Sarah	Goldbaum	San Francisco	CA	94110
Jo	Podvin	Oakland	CA	94606	Alan	Watwood	San Jose	CA	95123	William	Winburn	Oakland	CA	94602
Leslie	Andersen	Torrance	CA	90504	Linda	Baumann	Davis	CA	95616	Brad	Nelson	Oxnard	CA	93035

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Kathleen Vidal	Ryan Salas	San Lorenzo	CA	94580	Cindy Ferguson	Sacramento	CA	95826	Jean donnelly	Pacific Grove	CA	93950
Linda Karen	Salas Campbell	Highland	CA	92346	Virginia Sharkey	santa rosa	CA	95407	Misty McIntyre	RIVERSIDE	CA	92506
Jacqueline	Stewart	San Jose	CA	95132	Ngoc lucy	Long Beach	CA	90813	Peter Stone	Santa Barbara	CA	93105
Christine	Escondido	Sacramento	CA	95816	guerra aimee	big bear city	CA	92314	Kathleen Cridge	Rough and Ready	CA	95975
Patricia Lincea	Los Angeles	CA	90047	darrow	La Canada	CA	91011	George J. Hrouda	Moreno Valley	CA	92553	
Mary Emily	McAuliffe Storar	Los Angeles	CA	90028	Arlen David	Santa Rosa	CA	95405	Edward Sullivan	San Francisco	CA	94116
Joseph Engelgau	Sacramento	CA	95822	Jessica	coronado	CA	92118	Jessica	San Diego	CA	92101	
Molly Schminke	San Marcos	CA	92069	Brian Flores	Hayward	CA	94541	M Seiwel	woodland hills	CA	91367	
Jared Laiti	San Francisco	CA	94109	Mark Regalado	Oceanside	CA	92056	brian butzin	dixon	CA	95620	
Darlene Ross	Sacramento	CA	95815	Jim Brown	Los Angeles	CA	90034	Samantha Goodmn	Los Angeles	CA	90020	
Oscar Obando	Woodbridge	CA	95258	Kent Minault	Sherman Oaks	CA	91423	Margaret Lirones	Davis	CA	95616	
Don McDermott	San Francisco	CA	94112	Carolee Hill	Oceanside	CA	92058	Pamela Haddad	Pasadena	CA	91103	
Tudy Garrett	Santa Barbara	CA	93105	Carly Owens	Alamo	CA	94507	Guy Gargiullo	Emeryville	CA	94608	
Robin Joan	Glen Ellen	CA	95442	paul	auburn	CA	95603	Robin Carder	san francisco	CA	94107	
Eli Carey	Pacific	CA	94044	Cyrle Perry	Orinda	CA	94563	Dora Deering	Venice	CA	90291	
colby anton	Oceanside	CA	92057	Birgit Hermann	san francisco	CA	94117	Michelle kinsley	Watsonville	CA	95076	
Constance Franklin	Van Nuys	CA	91401	Julie Arnold	Penryn	CA	95663	sophia Silverman	Oakland	CA	94609	
Marian Smith	orinda	CA	94563	Deborah Ray	Del Mar	CA	92014	Marc Keir	Los Angeles	CA	90068	
C Soraghan	Los Angeles	CA	90026	Ray Lorensen	Fremont	CA	94555	Alex Wong	Glendale	CA	91226	
Grace Lee	Costa Mesa	CA	92627	Leslie Thaxton	Laguna Beach	CA	92651	Lily Chavez	San Jose	CA	95138	
Lesley Payne	san diego	CA	92107	Shawn Williamson	Studio City	CA	91604	Alma	Monrovia	CA	91016	
Julia Fuller	Oceanside	CA	92057	Vicki Wiker	San Clemente	CA	92672	Angelica				
Rebecca Dailey	Fresno	CA	93728	MELISSA Beckoff	Hesperia	CA	92344	Robert Lappo	Tujunga	CA	91042	
Ollie Warner	Walnut Creek	CA	94598	Amy G	Los Angeles	CA	90028	Kate Dols	Vista	CA	92084	
Marsha Lowry	Costa Mesa	CA	92627	Roberta Lewis	Berkeley	CA	94708	Laurie Eisler	Cotati	CA	94931	
Courtney Nomura	San Pablo	CA	94806	Edie Bruce	El Cerrito	CA	94530	Denise Dardarian	Los Angeles	CA	90046	
Barbara Benzwi	El Sobrante	CA	94803	H Hennen	san mateo	CA	94402	Pat Cuvillo	Redwood City	CA	94064	
James Vollaro	Culver City	CA	90230	Corey Benjamin	los angeles	CA	90006	Jan Lochner	Sebastopol	CA	95472	
Wendy Lynch	Oakland	CA	94618	Nicholas DeVivo	San Francisco	CA	90034	Matt Lee	Calimesa	CA	92320	
Lauren Ford	Lake Elsinore	CA	92530	Matthew Powell	Palmdale	CA	93551	Joie Winnick	Sherman Oaks	CA	91423	
Bob Morgan	Los Angeles	CA	90049	Cynthia Mannion	boulder Creek	CA	95006	Carol Edgerton	Concord	CA	94520	
Artemas Yaffe	Venice	CA	90291	Julie Smith	Los Osos	CA	93402	Rick Bonilla	San Mateo	CA	94401	
Tracy Burns	Calgary	CA	95329	Isaac Wollman	San Luis Obispo	CA	93405	Judy Depenau	Santa Rosa	CA	95401	
Janelle Himmel	Redwood City	CA	94062	Luis Jaramillo	Oakland	CA	94609	Gemma Geluz	Fairfield	CA	94533	
Greg Culp	Los Angeles	CA	90077	Greg Schwartz	San Diego	CA	92115	Nellie Lacy	Big Bear City	CA	92314	
Carol Cenci	Sherman Oaks	CA	91423	Lorraine Weber	seaside	CA	93955	Robert Lewis	San Francisco	CA	94102	
Pamela Check	Cardiff	CA	92007	Tina White	fillmore	CA	93015	Lesly Michals	Studio City	CA	91604	
Nabil Jamil	Sonoma	CA	95476	peter hatch	apotos	CA	95001	Eric Von Brink	Los Angeles	CA	90012	
Joan Moricca	Chico	CA	95926	Alicia Kern	Palos Verdes	CA	90274	Beverly Jennings	Santa Cruz	CA	95060	
Daniel Carrillo	Northridge	CA	91326	Jacqui Zink	Peninsula	CA	96161	sondra adam	Walnut Creek	CA	94595	
Douglas Estes	Pinole	CA	94564	Ann Graves	Truckee	CA	94578	Chris Worchester	Truckee	CA	96161	
nancy hartman	San Bruno	CA	94066	Mary Colmenar	San Leandro	CA	94578	Cindy Zimmermann	Imperial Beach	CA	91932	
Morty GR	San Francisco	CA	94118	Parag	CARSON	CA	90745	Lawrence Duff	Santa Barbara	CA	93109	
Janice VrMeer	Lafayette	CA	94549	Virginia Stearns	lake forest	CA	92630	Tatiana Korotkova	palo alto	CA	94304	
Dinda Evans	West Covina	CA	91791	Amy Vlacich	San Francisco	CA	94114	Laura Revilla	Felton	CA	95018	
Jeanne Hirshfield	Penryn	CA	95663	Robert Sullivan	San Francisco	CA	94110	Randall Daugherty	Orange	CA	92868	
Luca Hall	san diego	CA	92177	Neena Sessa	San Jose	CA	95122	JosefineAnne Gobreville	Chatsworth	CA	91311	
Julie Ostoich	Rancho Mirage	CA	92270		South San Francisco	CA	94080	Nancy Byers	Berkeley	CA	94703	
barbara barbara	San Diego	CA	92117		San Francisco			Glori Chavez	Cottonwood	CA	96022	
Karen Stegemann	Sacramento	CA	95826	Rose Menard	Orange	CA	92868	Seneca Grant	Los Osos	CA	93402	
Denise Berrian	Moraga	CA	94556	Timothy Lawnicki	Lakewood	CA	90715	Lindsay Daitech	Los Angeles	CA	90004	
Portland Coates	Citrus Heights	CA	95610	Jacqueline Pineda	Glendale	CA	91205	Lori Taketa	Eureka	CA	95502	
Cathy McPeck	Chula Vista	CA	91911	Ritchie Albert	Ventura	CA	93003	John Stewart	Redway	CA	95560	
Don Schwartz	San Francisco	CA	94122	Mercy Khy	Calgary	CA	90210	Rosemary Hall	Huntington Beach	CA	92649	
John Teevan	Palm Springs	CA	92264	nicholas remelman	Fremont	CA	94538					
James Domenico	Larkspur	CA	94939	Sharon Hamolsky	Solana Beach	CA	92075	Brittany Adams	San Francisco	CA	94107	
Marijeanne Sarraile	Chula Vista	CA	91913	Martin Marcus	San Diego	CA	92120	Norman Kindig	Yorba Linda	CA	92886	
Marie Beckham	San Francisco	CA	94121	Steve Robey	Berkeley	CA	94708	Cynthia Lee	Costa Mesa	CA	92626	
Alex Peterson	Pittsburg	CA	94565	Shanna Everett	Stockton	CA	95209	Jen	Pacific Grove	CA	93950	
Simon Choi	Aptos	CA	95003	Dana Dodge	Newark	CA	94560	Karsten Mueler	Santa Cruz	CA	95060	
Nina Smith	stockton	CA	95210	Katrina Stimson	Chatsworth	CA	91311	Uma Cox	Brentwood	CA	94513	
Cheryl Hermansen	Arcadia	CA	91006	Michael Jennings	San Francisco	CA	94107	irene geiger	livermore	CA	94550	
Jennifer Will	Studio City	CA	91604	Michele Banks	Castro Valley	CA	94546	matt duerr	Cardiff	CA	92007	
Nikki Kasmai	Campbell	CA	95008	Catherine Stewart	San Diego	CA	92107	Scott and Heidi Trinkle	Pacific Grove	CA	93950	
Wes Chrysanthi	Morgan Hill	CA	95037	Dianna Wood	Tehachapi	CA	93561	Casey Smith	Arcata	CA	95521	
Theresa Lawrence	Irvine	CA	92606	Peter Schmale	Corte Madera	CA	94925	Susan Dobrowolsky	Canoga Park	CA	91303	
Victoria Acero	san diego	CA	92104	Laura Marie	Sacramento	CA	95818	Jessie Osborne	VISTA	CA	92083	
Loretta Erickson	Richmond	CA	94805	Danielle sommers	Moreno Valley	CA	92557	Cheri Mattina	Encinitas	CA	92024	
Michael Marcel	Chula Vista	CA	91912	Joy Williams	Ventura	CA	93004	Cindy Meyers	Capitola	CA	95010	
Julie Cavanaugh	Aptos	CA	95003	Julie Beer	Tustin	CA	92782	Gary Carpenter	pacific	CA	94044	
Erica Kramer	San Francisco	CA	94131	Paul Brelin	Palo Alto	CA	94306	Gay Chung	San Francisco	CA	94117	
Katherine Grimm	Redondo Beach	CA	90278	Tim Martinson	Sebastopol	CA	95472	Susan leMaster	burbank	CA	91501	
Denise Miller	san francisco	CA	94114	Samantha	ventura	CA	93001	Lauren Bryant	La Crescenta	CA	91214	
stephanie Bungler	Los Angeles	CA	90026	Szuzsi Tyroler	san jose	CA	95129	Howard Hasik	Alameda	CA	94501	
Joann proctor	San Diego	CA	92111	Jon Prashuhn	Watsonville	CA	95076	Allen Pluth	Spring Valley	CA	91977	
Rosa McCann	San Jose	CA	95132	Tod Mulenburgh	San Marcos	CA	92078	Emily Eittinger	encino	CA	91316	
Joe Rivera	Va Nuys	CA	91406	Allan Chen	Carlsbad	CA	92011	Daniela Iftimie	oceanside	CA	92057	
Susan Arsenault	Los Angeles	CA	90046	Jeremy Ebenstein	Alameda	CA	94502	Donald Mackay	South Pasadena	CA	91031	
Thomas Schmidt	Oroville	CA	95966	Susan Swan	Los Angeles	CA	90035	Laurie Matthews	Hayward	CA	94545	
Ngoc Phan	monterey park	CA	91754	Eric Zakin	Carlsbad	CA	92009	Serenity Scrivner	Anaheim	CA	92802	
Marianne King	Santa Rosa	CA	95401	Victoria Miller	San Mateo	CA	94403	R Wells	Los Angeles	CA	90020	
Andrew Prince	San Francisco	CA	94110	Jaclyn Lewis	Encino	CA	91436	Jet	San Diego	CA	92024	
Dara LONG BEACH	Long Beach	CA	90813	Jorge Bellos	Fullerton	CA	92835	Angie Sylvester	Lancaster	CA	93536	
Marilyn Cockett	Studio City	CA	91604	Alice Lee	richmond	CA	94801	Joe Loree	Berkeley	CA	94702	
arleen whitmore	San Francisco	CA	94118	Keren Carter	Fullerton	CA	92835	Areil Larsen	San Luis Obispo	CA	93405	
Dodgie Villamayor	Hayward	CA	94544	Andrea Targos	Chico	CA	95928	Ileana Liel	Riverside	CA	92504	
Margaret Houffelaar	LONG BEACH	CA	90813	Tatiana Koniszewski	Folsom	CA	95630	Beverly Allphin	Berkeley	CA	94703	
Ray Morris	Los Angeles	CA	90025	Cynthia Parrish	Buena Park	CA	90620	karin mills	big bear city	CA	92314	
Joshua Antus	San Anselmo	CA	94960	Greg Godgmacher	Los Angeles	CA	90034	Sue Kelly	Modesto	CA	95351	
	Baldwin Park	CA	91706	David Coggswell	Carlsbad	CA	92011	sally Hansen	Lancaster	CA	89564	
	dana point	CA	92629	Bob and Ella Rozett	San Francisco	CA	94118	Vanessa Enferadi	hayward	CA	94542	
	Bakersfield	CA	93308	Nick Josephs	Graton	CA	95444	Steve Holzberg	Folsom	CA	95630	
	San Diego	CA	92129		Santa Monica	CA	90403					

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Megan	Dickey	Orangevale	CA	95662	Elizabeth	Deloughrey	Los Angeles	CA	90095	Bill	Denneen	Nipomo	CA	93444
Kimi	Johnson	Bear Valley	CA	95223	Phillip	Jang	Redwood City	CA	94062	Marissa	Kummerman	diamond bar	CA	91765
Jennifer	Holien	Cottonwood	CA	96022	Madhulika	Singh	Milpitas	CA	95035	Kim	Wright	san diego	CA	92128
Darrylin	Girvin	Laguna Beach	CA	92651	Nancy	Freedland	Big Bear City	CA	92314	Lynn	Hillman	Mission Viejo	CA	92691
Probyn	Gregory	Los Angeles	CA	91042	Maria		San Francisco	CA	94110	Kathleen	Dwyer	Monrovia	CA	91016
Mary	Tuteur	Rohnert Park	CA	94928	Steve	Olson	Aptos	CA	95003	Michelle	Holmes	Topanga	CA	90290
Mary	Tomaneng	West Hills	CA	91307	Elizabeth	Rodas	San Diego	CA	92102	Heather		La Mesa	CA	91942
Claire	Chambers	Murrieta	CA	92563	Maryellen	Redish	Palm Springs	CA	92264	Jessica	Nadolski	Antelope	CA	95843
Magdalena	Flores	El Monte	CA	91732	JAZMIN	VILLARREAL	Fontana	CA	92337	Rodolfo	Scarpati	Castro Valley	CA	94546
Nicole	Anderson	San Diego	CA	92103	Roy	Pales	Sebastopol	CA	95472	Cynthia	Andrade	Tracy	CA	95376
Michele	Santoro	Davis	CA	95616	David	Arnsen	Los Angeles	CA	90016	Laurie		Redwood City	CA	94064
Diana	Morales	Santa Rosa	CA	95407	Tamara	Johnson	Vallejo	CA	94589	James	Walker	Arcata	CA	95521
Susan	Heisler	Patton	CA	92369	Evan	Beattie	Irvine	CA	92602	Scott	Eanes	Alameda	CA	94501
jan	Thronsdon	Corona Del Mar	CA	92625	GOGO	TSAKOYANI	MONTEREY	CA	93940	George	Postgate	Truckee	CA	96162
Leslie	Ancona	Los Angeles	CA	90045	Bonnie	Rhodes	Los Angeles	CA	90025	Mary	Levendos	San Jose	CA	95135
Tom	Shetka	Sacramento	CA	95822	Sana	Ahmad	Irvine	CA	92606	DAVID K	ELKINS	SAN	CA	94114
Donna	Jones	SUNLAND	CA	91041	Majda	Jones	Portola Valley	CA	94028			FRANCISCO		
Sofia	Ratcovich	west hollywood	CA	90046	riCHARD	OLIVER	CAPISTRANO	CA	92624	Sharon		San Jose	CA	95111
Rafael		San Francisco	CA	94133			BEACH			Alexandra	Graziano	Thousand Oaks	CA	91360
Alexander	Silverio	San Jose	CA	95130	Carol	Bosrick	Concord	CA	94520	Sanja	Dimitrijevic	Coronado	CA	92118
Vicki	Caraway	Weed	CA	96094	Raquel	Medina	San Rafael	CA	94901	Alan	Nestlinger	Santa Ana	CA	92706
Laura	Whitnell-Shumate	Eldorado hills	CA	95762	Denise	Bennett	Irvine	CA	92614	Terri	Chapman	Burbank	CA	91505
					D	kessler	Redway	CA	95560	Danielle	Hill	Canyon Country	CA	91351
Dan	Tyson	Simi Valley	CA	93065	kimyn	Braithwaite	San Francisco	CA	94114	Cheryl	Lewis	San Francisco	CA	94102
Bruce	Odelberg	Kirkwood	CA	95646	Lori	Vest	Mammoth Lakes	CA	93546	Steve	Vitale	San Juan	CA	92675
Stephanie	Shieh	Davis	CA	95616	Thomas	King	San Francisco	CA	94130			Capistrano		
Amanda	Petel	Foster City	CA	94404	Carolyn	Watkinson	atwater	CA	95301	Aaron	Griffiths	Oceanside	CA	92056
Dana	Kramer-Rolls	Richmond	CA	94805	amanda	wellcome	UNION CITY	CA	94587	Cathy	Schezer	Cazadero	CA	95421
Mary Kate	Ziesmer	Los Angeles	CA	90064	Gregory	Wright	Sherman Oaks	CA	91423	Marie-Elena	Mello	claremont	CA	91711
Devon	Senneseth	Chula Vista	CA	91910	Alin	Boughousi	Glendale	CA	91201	Marta	Ploski	Thousand Palms	CA	92276
Llewellyn	Ludlow	Bolinas	CA	94924	Patricia	Goldberg	San Francisco	CA	94122	Silvana	Gayer	Carlsbad	CA	92011
Jim	Pratt	San Diego	CA	92109	Joel	Hildebrandt	Berkeley	CA	94705	Jesiah		Beverly Hills	CA	90210
Renate	Harris	Salinas	CA	93912	Lynda	Obershaw	Pasadena	CA	91101	Claudette	Bethune	Carlsbad	CA	92008
Anne	Parzick	Corona del Mar	CA	92625	Jayna	Williams	Pomona	CA	91767	Aaron	Miller	Sherman Oaks	CA	91423
Scott	Rubel	Los Angeles	CA	90031	Priya		Bangalore	CA	90210	Lee	Paxton	Los Angeles	CA	90068
Kathleen	Powell	Vallejo	CA	94590	Elizabeth	Azevedo	Chico	CA	95927	Dr. John D.	Stickley, D.C.	Santa Cruz	CA	95063
Rebecca	Cole	Concord	CA	94521	Jason	Fish	Rancho	CA	91739	Laura	Booth	Venice	CA	90291
Nina	Bergman	Los Angeles	CA	90038			Cucamonga			Allison	Riemer	Half Moon Bay	CA	94019
Kristin	Womack	San Anselmo	CA	94960	Wayne	Johnson	San Francisco	CA	94114	Sandra	Keist	Napa	CA	94558
Camille	Gilbert	Santa Barbara	CA	93101	Romina	Power	palm Springs	CA	92262	Ruth	Haley	Pinole	CA	94564
Diana	Valadez	Fontana	CA	92337	Audrey	Okubo	San Jose	CA	95129	Allan	Campbell	San Jose	CA	95132
Tammy	Minion	Redondo Beach	CA	90277	Mary	Foley	el dorado hills	CA	95762	Tina	Wynn	San Diego	CA	92117
Douglas	Daetz	Sunnyvale	CA	94087	Katherine		Los Angeles	CA	90039	Micki	Matthews	Little River	CA	95456
Robert	Thornhill	Los Angeles	CA	90042	William	Briggs	Hermosa Beach	CA	90254	Yazmin	Loaisiga	Simi Valley	CA	93065
Veronica	Casale	San Diego	CA	92122	Brenda	Luque	Lemon grove	CA	91945	Alejandro	Alejandro	Los Angeles	CA	90046
Sarah	Hall	Burbank	CA	91502	Juliet	Johns	Grass Valley	CA	95949	Alicia	Jackson	Vallejo	CA	94591
betty	winholtz	morro bay	CA	93442	Alan	Bent	Laguna Beach	CA	92651	Carolyn	De Mirjian	Valley Glen	CA	91401
Richard	Watson	Long Beach	CA	90807	Arthur	Delgadillo	Lakewood	CA	90715	mike	herro	arleta	CA	91331
Vicki	Berg	Indio	CA	92203	robinson	collins	North	CA	91602	Alexis	Stingley	South San	CA	94080
Carol	McMahon	Placerville	CA	95667			Hollywood					Francisco		
Ellen	Patterson	Calistoga	CA	94515	Gustavo	Padilla	San Diego	CA	92117	Eriksen	Stewart	Rosamond	CA	93560
Catherine	Hirsch	Redway	CA	95560	Janine	Pangelina	Richmond	CA	94805	Dani	Brusius	oak park	CA	91377
Leslie	Kemp	Eureka	CA	95503	Gayla	Richardson	Olivehurst	CA	95961	Joey	Dirkes	Roseville	CA	95747
Katrina	Child	san francisco	CA	94110	Jan	Parr	Derby	CA	92223	Jim	Wright	Murphys	CA	95247
Audra	Pasadena	Pasadena	CA	91106	Richard	Kline	San Andreas	CA	95249	Crista	Worthy	Los Angeles	CA	90025
John	Douglas	Goleta	CA	93118	Dan		Los Angeles	CA	90220	Shelley	Radziminski	San Diego	CA	92129
Alex	Arboleda	West Hills	CA	91304	Ken	Greenwald	Santa Monica	CA	90404	Jeremy	Hinkson	SACRAMENTO	CA	95833
Lauren	Schiffman	El Cerrito	CA	94530	Miranda	Everett	Lake Isabella	CA	93240	Burjor	Dastur	Petaluma	CA	94954
Michael	Sullivan	San Diego	CA	92124	Jesse	Thompson	Pacific Palisades	CA	90272	Deborah	Nord	Albion	CA	95410
Samantha	Smith	La Verne	CA	91750	Tammy	Stellanova	San Francisco	CA	94119	George	Latta	Visalia	CA	93277
Esperanza	Martinez	San Francisco	CA	94134	Genevieve	Steward	Santa Cruz	CA	95062	Hannah	Jacobsen	Visalia	CA	93291
Jennifer	Sellers	Concord	CA	94521	John	Steponaitis	San Francisco	CA	94109	Ernest	George	Irvine	CA	92612
Scott	Christ	Santa Clara	CA	95051	Ana	Bispo	Riachos	CA	90210	Patty	Harrison	novato	CA	94949
Robert	Kollar	Aliso Viejo	CA	92656	zoe	simon	Los Angeles	CA	90068	Gillian	Chisom	Berkeley	CA	94704
Dalia	Zatkin	Oakland	CA	94609	David	Saperia	Santa Monica	CA	90403	Lynnette	Royce	Bishop	CA	93514
Ken	Bone	Gilroy	CA	95020	Peter	Butterworth	san francisco	CA	94134	Lama	Lane	Santa Ana	CA	92704
Indira	Smith	West Hollywood	CA	90069	Debra	Todd	Citrus Heights	CA	95621	Henry	Schwan	Aptos	CA	95001
Anslem	Mason	Berkeley	CA	94710	Eli	Bran	Los Angeles	CA	90026	Jim	Holyoak	Pacific Palisades	CA	90272
Korey	Simeone	Los Angeles	CA	90045	catherine	venturini	Los Angeles	CA	90021	Marc	Woerschling	Valley Village	CA	91617
Candace	Hollis-Franklyn	Tiburon	CA	94920	D	Hogarth	Beverly Hills	CA	90212	Bradley	Roon	Upper Lake	CA	95485
Kristine	Andarmani	Saratoga	CA	95070	Daniel	Ogas	San Diego	CA	92127	Corinne	Van Houten	Sacramento	CA	95835
Katie	Bogardus	La Habra	CA	90631	Dennis	Ledden	Mt Aukum	CA	95656	Jean	Turley-Sinclair	Grass Valley	CA	95949
Eva	Thielk	glendale	CA	91206	James	Scalf	Aptos	CA	95003	Rosann	Lynch	Monterey	CA	93940
Greg	German	Oakland	CA	94611	mary	stark	Pasadena	CA	91107	Heidi	Breuer	San Marcos	CA	92096
Lissa	Coleman	Redwood City	CA	94063	Charles	Kratz	El Cerrito	CA	94530	debbi	waldeer	Markleeville	CA	96120
Jackie	Bear	Los Angeles	CA	90048	Cara	Givens	San Francisco	CA	94110	Sharon	Warren	Hermosa Beach	CA	90254
Liz	Williams	Napa	CA	94559	Leeann	Anthony	Redding	CA	96003	Teresa	Black	San Rafael	CA	94901
Tina	Jaime	San Jose	CA	95136	Florence	Leto	San Francisco	CA	94114	Bruce	Wolfe	Piedmont	CA	94611
Earl	Shimaoka	Sunnyvale	CA	94086	Lonni	Trykowski	Carmel	CA	93923	celia	beatts	Los Altos	CA	94023
Sharon	Nicodemus	Sacramento	CA	95821	Catherine	Melvin	L.A.	CA	90210	Jim	Leske	N Hollywood	CA	91606
Stephanie		Alameda	CA	94502	Charles	Couch	La Mesa	CA	91942	Karen		fairfield	CA	94533
Marian	Zaouk	San Francisco	CA	94134	jorge	Belloso-Curiel	Richmond	CA	94801	Aaron	Baird	Laguna Niguel	CA	92677
Sandra	zaninovich	Los Angeles	CA	90025	Christopher	Elam	Palmdale	CA	93552	Nancy	Gaffney	Aptos	CA	95003
Roni	Feldman	los angeles	CA	90031	Angela	Munoz	Oakland	CA	94610	Menkit		Carmichael	CA	95608
Sheena	Main	Oceanside	CA	92058	Diane	Ollila	Los Gatos	CA	95032	Ed	Bergman	Oxnard	CA	93035
Jane	Kelsberg	Antioch	CA	94509	Dona	Longacre	Rancho Santa	CA	92688	Aleta	Hays	Livermore	CA	94550
Morris	Schorow	Ventura	CA	93004			Margarita			Adriana	Ricketts	Long Beach	CA	90804
Michael	Kast	Panorama City	CA	91402	Robert	Moreno	Placencia	CA	92870	Lynette		Concord	CA	94521
Patti	O'Connor	Oceanside	CA	92057	Kaewta	Yong	San Diego	CA	92115	Charlotte	Hansen	Los Angeles	CA	90025
Robert	Weinstock	San Francisco	CA	94117	Allen	Arronson	Torrance	CA	90504	Roger	Overton	Winterhaven	CA	92283
Marjorie	Moss	Del Mar	CA	92014	Rob	Stockstill	indio	CA	92203	Ramon	Capiral	DOWNEY	CA	90242
Gloria	Grotjan	Aptos	CA	95003	Guy	Lazare	Nice	CA	95464	Bessie	Vargas	Lee Vining	CA	93541
Barbara	Bennigson	Palo Alto	CA	94301	Pat	Hanlon	Grass Valley	CA	95949	S	Barnhart	Berkeley	CA	94705
Richard	Schwager	Santa Barbara	CA	93105	Mark	Chavez	Cypress	CA	90630	Marilyn	Phillips	Cupertino	CA	95014

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Carmen	Klucsor	Sunnyvale	CA	94086	Cindy	Belleau	Forestville	CA	95436	Dorcas	Edge	OCEANSIDE	CA	92057
Robert	Davis	San Diego	CA	92116	Robyn	Zelmanovitz	Culver City	CA	90230	Kristina	Fukuda-Schmid	Culver City	CA	90230
mary and	Proctor	fremont	CA	94537	L	Shilo	Rcho Sta Marg	CA	92688	Gudiel		PIERREFITTE	CA	93380
Grady					Sudesh	Prasad	Oakland	CA	94612			SUR SEINE		
Tabitha		Bakersfield	CA	93305	Barbara	McGarvey	Roseville	CA	95747	chris	travers	el cajon	CA	92020
Brenda	Jaime	San Jose	CA	95136	Sylvia	Drake	Camarillo	CA	93012	Paige	Nielsen	westlake village	CA	91361
Fran	Watson	Spring Valley	CA	91977	Rhonda	Kess	Burbank	CA	91506	Michelle	Oroz	San Jose	CA	95125
Julie	Shaw	Sebastopol	CA	95472	Kimberley	Buckley	Anaheim	CA	92804	Gregory	Sandoval	Bakersfield	CA	93309
Lindsay	Mugglestone	Berkeley	CA	94705	Naoko		San Diego	CA	92196	Eric	Bratcher	Hayward	CA	94544
Richard	Luke	Los Altos Hills	CA	94024	Jacque	Forbess	Tracy	CA	95304	helen	mcallister, phd	clearlake oaks	CA	95423
Jeff	Gallegos	San Francisco	CA	94117	Carolyn	Matini	san diego	CA	92124	sandra	williams	simi valley	CA	93065
Kimberly	Richard	Napa	CA	94558	Corinne	Cather	Sacramento	CA	95820	and	Lang	sun valley	CA	91352
Geirge		Stockton	CA	95205	Lisa	Coffman	Los Osos	CA	93402	Kiilani	Ocean	Encinitas	CA	92024
Sandra	Schachter	Carmel Valley	CA	93924	Matthew	Reola	San Clemente	CA	92672	Sophia	Savich	The Sea Ranch	CA	95497
Michael	Misquez	Pico Rivera	CA	90660	Maria	D'Orsogna	santa monica	CA	90405	Robert	Lee	Rolling Hills	CA	90274
Nicole	Amato	Vacaville	CA	95688	Elza	Angulo	El Cajon	CA	92021	Richard	Kilfoyle	Davis	CA	95616
Catherine	Kamas	Westminster	CA	92683	Elizabeth	Alguire	Middle Sackville	CA	90210	Elizabeth	Ramsey	Davis	CA	95616
Nancy	Garca	Hacienda	CA	91745	Alicia	Moore	Berkeley	CA	94710	Blakeley	Kim	San Francisco	CA	94122
		Heights			Judith	Whitcomb	Menlo Park	CA	94026	Mark	Maisonneuve	Pasadena	CA	91104
Ellen	Sennewald	El Cerrito	CA	94530	Dusti	Hutchings	Palmdale	CA	93550	Rachel	Longville	San Diego	CA	92115
Frances	Emanuel	Simi Valley	CA	93063	Pam	Nelson	warner springs	CA	92086	Alida	Montanez-Salas	Long Beach	CA	90815
Kim	Holinger	Carlsbad	CA	92013	Rachel L	Schultz	San Francisco	CA	94134	Nancy	Heck	Santa Maria	CA	93454
Jessica	Hill	Hermosa Beach	CA	90254	Laura	Nardoza	San Francisco	CA	94121	Roger	Levin	San Francisco	CA	94110
felicia	Peters	Petaluma	CA	94954	Barbara	Lapidus	Petaluma	CA	94954	Alison	Peper	Los Angeles	CA	90069
Jon	Porter	Rossmoor	CA	90720	Philip	Ohst	Oakland	CA	94608	Kelly	Keane	garden grove	CA	92840
Tim	Bentley	Los Angeles	CA	90022	Carol	Blaney	El Portal	CA	95318	Wendy	Aversano	Newport Beach	CA	92657
Nancy	Watts	San Luis Obispo	CA	93401	Lynn	Pavlik	Laguna Niguel	CA	92677	Martha	Diaz	Redondo Beach	CA	90277
Deborah	Walker	Concord	CA	94518	Bruce	Grobman	Santa Cruz	CA	95062	Mark	Feldman	Santa Rosa	CA	95401
Lela	Nishizaki	Dixon	CA	95620	David	Comfort	Santa Rosa	CA	95404	Linda	Ferland	Ventura	CA	93001
Todd	Hack	San Diego	CA	92131	Scott	Taylor	santa maria	CA	93458	Francesca	Massarotto	West Covina	CA	91790
Jerry	Mckee	La Mesa	CA	91942	Cassandra	Scott	Porterville	CA	93257	Donna	Khoury	FILLMORE	CA	93015
Kit	Joel	santa barbara	CA	93103	Blair	Miller	San Diego	CA	92127	ROY		Valencia	CA	91355
Marie	Ribatto	Palm Desert	CA	92260	Camile	Getter	Sacramento	CA	95819	Gloria	Aguirre	Castaic	CA	91384
Frank	Seewester	Fairfield	CA	94533	Teri	Jasman	Berkeley	CA	94705	Cindy	Parker	Sanat Monica	CA	90405
Shanae	Martinez	Sacramento	CA	95829	Paul	and family	San Diego	CA	92110	Gertrude	Gebin	Daly City	CA	94015
Susan	Maletsky	Sonora	CA	95370	Joanna	Gilbert	Grass Valley	CA	95949	Bruce	Pettibone	Carlsbad	CA	92008
Margo	Tenold	Cupertino	CA	95014	Janice	Lisalda	Los Angeles	CA	90071	Nandine	Hatvany	Mill Valley	CA	94942
Abigail	Cruz	Rancho Santa Fe	CA	92067	Antal	Kalik	Redondo Bch.	CA	90278	Jason	Kapchinske	San Diego	CA	92115
Cathy	Ziska	Carlsbad	CA	92011	Susan	enson	Calxico	CA	92232	Robert	Carr	Monterey Park	CA	91754
Kevin	Wang	Turlock	CA	95382	Bruce	Jenkins	Sunnyvale	CA	94087	Leslie	Rabb	los angeles	CA	90069
Lisa	Burke	Escondido	CA	92025	Daniella	Culbert	Sacramento	CA	95826	Benita	Cohen	Los Angeles	CA	90034
Wendy	Derner	Sacramento	CA	95842	Mike	McNickle	Joshua Tree	CA	92252	Megan	Ferry	Anaheim	CA	92805
Linda	Klein	El Segundo	CA	90245	Armando	Garcia	Paramount	CA	90723	Harvey	Weinberg	Ventura	CA	93001
David	Wallen	Santa Monica	CA	90405	SiriSant	Khalsa	Chico	CA	95973	Nicolette	van Sluis	Venice	CA	90291
Robert	Johnson	El Segundo	CA	90245	Nancy	Burke	Thousand Oaks	CA	91360	Lucy	Peixoto	Los Angeles	CA	90028
Breanna	Bennett	Torrance	CA	90503	Timothy	DeLorey	Yucca Valley	CA	92284	Steve	Colton	Glendale	CA	91206
Melissa	Bryan	Half Moon Bay	CA	94019	Lauren	Wood	Los Angeles	CA	90046	P	Smith	Playa del Rey	CA	90293
Dominique	Ryba	Vista	CA	92083	Robert	deFerrante	la canada	CA	91011	Andrea	Bustos-Mason	Trinidad	CA	95570
Sharon	Reynolds	Napa	CA	94558	John	Essman	Healdsburg	CA	95448	Jane	August	Topanga	CA	90290
SHARON	DYSON	fremont	CA	94555	Meghan	Tracy	Long Beach	CA	90808	Susan	Wishner	Nipomo	CA	93444
william	sickmiller	lodi	CA	95240	Amy	Purpura	la	CA	90026	Steven	Fitzgerald	Oakland	CA	94610
Adene	Katzmeyer	weed	CA	96094	Jeff	Anderson	santa rosa	CA	95403	Esther	Molina	Salinas	CA	93912
Pauline	Roche	Oceanside	CA	92054	Linda	Dragavon	San Francisco	CA	94114	Maggie	Harding	San Francisco	CA	94127
Meaghen	Kidd	Palo Alto	CA	94303	Susan	Bittner	Eureka	CA	95503	Mary	Boudreaux	San Bruno	CA	94066
Ross	Wilming	San Francisco	CA	94117	Vivian	Penniman	La Quinta	CA	92253	daniel	payne	San Francisco	CA	94109
Noah	Grossman	Santa Monica	CA	90402	Virginia	Collins	San Leandro	CA	94577	Donnal	Poppe	Northridge	CA	91325
Richard	McCombs	Big Bear City	CA	92314	Kyva	Holman	oakland	CA	94606	SUE	KREMER	CARDIFF	CA	92007
Raquel	Baldocchi	San Francisco	CA	94123	Andreas	Wittenstein	Woodacre	CA	94973	Alexis	Chacon	sacramento	CA	95814
Diana	Johnson	Murrieta	CA	92563	Ron	Tragni	Antioch	CA	94509	Margaret	Spak	menlo Park	CA	94025
wayne	camardo	san diego	CA	92105	RG	Tuomi	Thousand Oaks	CA	91362	Marion	Barry	Loomis	CA	95650
Ulrike	Silkey	San Francisco	CA	94117	Megan	Franklin	Brea	CA	92821	Laura	Cuellar	Alhambra	CA	91801
Reggie	Melonsen	Culver City	CA	90230	Peri	Beller	Oakland	CA	94608	Dee	gee	North Hollywood	CA	91601
Jeanne	Greene	Chico	CA	95298	Ursela	Rabe	penn valley	CA	95946	Kenneth	Ubsdell	Oakland	CA	94611
Mary	Savoia	San Diego	CA	92109	Diane	Barbera	Sonoma	CA	95476	Sunday	Leopard	Rosamond	CA	93560
Ray	Anderson	Reedley	CA	93654	danielle	De Costanzo	Corte Madera	CA	94976	Natalie	Audage	Davis	CA	95618
Sharma	Gaponoff	Grass Valley	CA	95949	Tasha	Boucher	Los Angeles	CA	90066	Steven	Shuler	San Diego	CA	92115
Anita	Marlin	Belmont	CA	94002	Russell	Fletcher	Ventura	CA	93003	Aya	I	Venice	CA	90291
sandy	diaz	barstow	CA	92311	Robert	Slavik	San Diego	CA	92120	Ashley	Hall	Nevada City	CA	95959
Marisa	Strange	Long Beach	CA	90803	Andy	Sekara	San Francisco	CA	94112	Kx		lancaster	CA	93535
Alexios	Kotsilinis	Irvine	CA	92620	Wendy	Bauer	San Francisco	CA	94112	Jamie	Pratt	San Diego	CA	92109
Dency	Nelson	Hermosa Beach	CA	90254	Deborah Lee	Chill	Burbank	CA	91506	Lauren	Parrott	Laguna Niguel	CA	92677
Linda	Smith	Carmel	CA	93921	Lori	Fedele	Sun City	CA	92586	Joanne	Feldman	Malibu	CA	90265
Ronald	Peterson	Stockton	CA	95207	Kimberly	kehl	Canyon Country	CA	91386	Peter	Kaplan	Los Angeles	CA	90027
Maureen	Vanderbosch	Laguna Niguel	CA	92677	Amir		PIERREFITTE	CA	93380	Matt	Bachelder	Kenwood	CA	95452
Amy	Pierre	Oakland	CA	94609			SUR SEINE			Arna	Schutz	West Hills	CA	91307
Margaret	Raynor	Galt	CA	95632	Sherri	Whittenburg	Antioch	CA	94509	Lisa	Wayne	pacifica	CA	94044
Isabel	ramirez	Panorama City	CA	91402	Barbara	Mason	Campbell	CA	95008	JoanSitnick		Encino	CA	91436
Eric	Meyers	canooga park	CA	91306	David	Fears	Solana Beach	CA	92075	Diane	Carson-Huff	Azusa	CA	91702
Howard	Marcovitch	Santa Clarita	CA	91350			san diego	CA	92126	Charlene	Jones	San Bernardino	CA	92407
Sally	Berman	grass Valley	CA	95949	Gilda	Tafreshi	San Diego	CA	92115	Greta	Montville	San Francisco	CA	94131
Danielle		San Jose	CA	95126	Priscilla	Boquez	Emeryville	CA	94608	Robert	Rector	Encinitas	CA	92023
VALERIE	ANDERSON	LOS ANGELES	CA	90046	Lloyd	Canfil	San Diego	CA	92104	Cristina	Novelo	Veracruz	CA	91910
Carmen	Buono	San Jose	CA	95123	elin	a.	tujunga	CA	91042	Joseph	Sellner	Union City	CA	94587
aMANDA		santa maria	CA	93458	clare	Brice	Beverly Hills	CA	90210	Asali	Johnson	Cupertino	CA	95014
Shirley	Whalen	blairsdn	CA	96103	Ronda	Carter	San Francixco	CA	94102	Crystal	Kim	Pasadena	CA	91107
Barbara	Caton	Avila Beach	CA	93424	David	Carico	Weed	CA	96094	Susan	Lilly	Winnetka	CA	91306
angela	parent	Long Beach	CA	90802	Sara	Graham	Yucaipa	CA	92399	Carol	Rigrod	Encino	CA	91316
Jason	Morro Bay	Cantu	CA	93442	bob	stonebraker	n.hills	CA	91343	Shea	Craver	San Jose	CA	95132
Eli	Sentman	Los Angeles	CA	90039	Jennifer	Andrew	Tipton	CA	93272	David	Harris	Ventura	CA	93001
Ted	Wells	Newport Beach	CA	92660	Andrew	Campbell	San Francisco	CA	94118	tina	chang	Hollywood	CA	90028
Loraine	Parson	Fresno	CA	93727	Mark	Deakins	Oceanside	CA	92054	christine	laporte	Guerneville	CA	95446
Dixie	Keith	Fulton	CA	95439	Adam	Bowers	Los Angeles	CA	90068	Anita	Wucinic-Turner	San Diego	CA	92115
Jean	Merritt	Valley Village	CA	91607	Maria	Vasquez	Los angeles	CA	90023	Kenneth	Miller	Topanga	CA	90290
Deborah	Taylor	San Jose	CA	95112	Isabella		flordia	CA	96014	Kathleen	Russler	San Jose	CA	95111

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Dean	Monroe	No. Hollywood	CA	91601	Edd	Mabrey	Laguna Beach	CA	92652	Liana	Wong	Millbrae	CA	94030
Sean	Ray	Los Angeles	CA	90069	Kristen	Bender	Huntington	CA	92646	Craig	Antrim	San Pedro	CA	90731
Eileen	Tonzi	Galt	CA	95632			Beach			Vernon	Faulkner	Torrance	CA	90510
Deirdra	Cuthbertson	SANTA ROSA	CA	95407	John	Flitcraft	Cambria	CA	93428	jenny	melara	San Francisco	CA	94124
Linda	Bodian	Fairfax	CA	94930	Susan	Ciarabella	Sylmar	CA	91342	Natasha		Castro Valley	CA	94546
Raquel	Sanchez	San Diegp	CA	92124	J	Poruks	Sylmar	CA	91342	Judy	Bratis R N	Los Angeles	CA	90034
Rebecca	Finley	Santa Barbara	CA	93101	Jennifer	Brooks	Los Altos	CA	94022	Eugene	Tsui	emeryville	CA	94608
Caepren	McKenna	Piedmont	CA	94610	Karen	Parlette	Eureka	CA	95501	Mares	Cristian	San Francisco	CA	94104
Sheryl	Iversen	Murrieta	CA	92563	Wendy	Carlson	Monterey	CA	93940	Andrea	Adams	Fresno	CA	93727
Julia	Frisk	Plumas Lake	CA	95961	Jennifer	Hayes	Modesto	CA	95350	Adam	Berk	Los Angeles	CA	90057
Lori	Haage	Montclair	CA	91763	ROBERT	BURK	Los Angeles	CA	90024	Steve		Littlerock	CA	93543
Mike	Arbaugh	Milpitas	CA	95035	Roland	Bleu	La Mesa	CA	91941	Mary	Trujillo	Alhambra	CA	91801
liese	keon	Larkspur	CA	94939	marcy	vaj	venice	CA	90291	Vicki	Cyr	San Jose	CA	95123
Doug	Miller	san rafael	CA	94901	Sarah	Olson	Forestville	CA	95436	Annemarie		Beverly Hills	CA	90211
Jason	Scorse	aptos	CA	95003	John	Culloty	Ben Lomond	CA	95005	Jack	Laflin	Los Angeles	CA	90034
LuAnn	Wherry	Bonita	CA	91902	Greetis	Scalf	Aptos	CA	95003	christina	cardenas	Stevenson Ranch	CA	91381
Betty	Okrent	ventura	CA	93004	Sabrina	Thompson	El Dorado Hills	CA	95762	Matt	Clark	West Hollywood	CA	90046
Andi	Crane	Roseville	CA	95678	Jenna	Saulnier	Malibu	CA	90263	cynthia		benicis	CA	94510
Bruce	Burns	Santa Cruz	CA	95060	Barbara	Consbruck	Sylmar	CA	91342	Claire	Allen	Redondo Beach,	CA	90278
Phyllis	Mottola	Bishop	CA	93514	Alicia	Retes	San Diego	CA	92103	Janet	Remington	Costa Mesa	CA	92626
luisa		chino hills	CA	91709	Andrew	Bezella	SAN FRANCISCO	CA	94117	Michelle	Prince	Shingle Springs	CA	95682
Tanner	yould	Laguna Niguel	CA	92677			Sebastopol	CA	95473	Laurie	Weigandt	La Mesa	CA	91941
Hermínio	Flores, Ph. D.	Greenfield	CA	93927	Elisabeth	Fiekowsky	Manhattan	CA	90266	Mike	Dierdorff	Carlsbad	CA	92009
Patricia	Sutter	sacramento	CA	95822	Lindsay	Burton	Beach			Michael	Levin	San Francisco	CA	94131
Alex	Mayer	Los Angeles	CA	90025			Hollywood	CA	90028	Barbara	Beaudette	La Jolla	CA	92037
Yazmin	Gonzalez	Bellflower	CA	90706	Steve	Montiglio	Oakland	CA	94602	Mindy	Edwards	Westlake Village	CA	91362
Kristin	Palmejar	San Diego	CA	92101	Janet	Williams	Los Angeles	CA	90066	Nicholas	Petti	Fort Bragg	CA	95437
Rob	Rondanini	ROSEVILLE	CA	95678	Sharon	Mullane	San Francisco	CA	94112	Travis	Corona	Chula Vista	CA	91910
Robin	McClanahan	San Francisco	CA	94116	Robin	Shepard	bellflower	CA	90706	Tommy	Little-Hawk	Tuolumne	CA	95379
sarah	cornish	San Valley	CA	91352	Tiffany	Miller	El Cajon	CA	92021	Kristina	Long	Escondido	CA	92027
Maria	B.	El Cerrito	CA	94530	Jonathan	Warren	Los Osos	CA	93402	Howard	Spivak	Fair Oaks	CA	95628
Derrell	Chambers	Kensington	CA	94708	Evelyn	Hendricks	El Cerrito	CA	94530	Arlene	Malkin	Beaumont	CA	92223
Hilary	Lorraine	Kensington	CA	94708	Lori	Tishgart	ROSS	CA	94957	Rebecca	Irwin	San Rafael	CA	94901
Amy	Matthaei	San Anselmo	CA	94960	bernie	carreon	canoga park	CA	91303	Ronit	Corry	Santa Barbara	CA	93110
Elizabeth	Colwell	San Diego	CA	92106	Wendy	Thompson	Rough & Ready	CA	95975	Anne		odense	CA	90210
Judith	Schumacher	San Francisco	CA	94122	Yvonne		long beach	CA	90808	damien	rice	Los Angeles	CA	90028
Valerie	Baugher	San Clemente	CA	92672	justine	baddeley	Studio City	CA	91604	Tanya	Guchi	pacific palisades	CA	90272
Brad	Putz	Sonora	CA	95370	John	Henry	Tracy	CA	95304	Nancy	Fox	Santa Rosa	CA	95403
Lisa	Annecone	SANTA ROSA	CA	95407	Savina	Veselinova	Sofia	CA	11324	Angela	Ng	San Leandro	CA	94577
Rae	Newman	san diego	CA	92109	An	Vu	Huntington	CA	92647	Cassandra	Scott	Porterville	CA	93257
Mike	Scott	Petaluma	CA	94952			Beach			Mark	Rembe	La Mesa	CA	91942
Mia	D	Oakland	CA	94606	Deborah	Ebersold	West Hollywood	CA	90046	Kathleen	Wong	El Cerrito	CA	94530
Bruce	D	Fresno	CA	93722	Nicole	Shapiro	Los Angeles	CA	90068	Laurie	Turner	Mission Viejo	CA	92692
Gabrielle	Marshall	Dublin	CA	94568	Amanda	DeMarino	San Francisco	CA	94112	Patrice	Summers	Santa Barbara	CA	93103
Michelle	Welch	Bakersfield	CA	93313	Sandi	Covell	Mission Hills	CA	91395	Danielle	LaChusa	National City	CA	91950
Nicole	Paul-Almand	Eureka	CA	95501	Crystal	Whitehead	Pasadena	CA	91107	Vanessa	Cavazos	Indio	CA	92201
Alisienda	Guastella	Valencia	CA	91354	John	Lamb	Sacramento	CA	95816	Rita	Fahrner	San Francisco	CA	94110
April	Hepperlin	Los Angeles	CA	90036	David	Bott	Mountain View	CA	94041	Ann	Bauer	Mendocino	CA	95460
Kit	Lofroos	Petaluma	CA	94952	Kermit	Cuff	san Rafael	CA	94901	Ann	Moyer	Westlake Village	CA	91361
Lauren	Quilici	San Jose	CA	95136	susan	bradford	Napa	CA	94558	Isabella	La Rocca	Berkeley	CA	94703
Claudy	Assalit	MONTEREY	CA	93942	Terri	Livingston	Sebastopol	CA	95472	Nick	Barilioni	san jose	CA	95129
gail	takach	la mesa	CA	91942	Dawn	Barlow	Oceano	CA	93445	Patricia	Marlatt	Los Angeles	CA	90068
Jamie		San Diego	CA	92107	susan	howe	Santa Barbara	CA	93101	Kathleen	Trotta	Altadena	CA	91001
cristina	moreno	huntington park	CA	90255	Alanna	Cleland	Los Angeles	CA	90026	Jacko	Joan	Newbury park	CA	91320
Maricela	Elizondo	LA MESA	CA	91942	Christina	Velasquez	Camarrillo	CA	93010	Robert	Bogart	Woodland Hills	CA	91364
Jon	Anderholm	Cazadero	CA	95421	Lois	Shubert	Huntington	CA	92649	Phyllis	Schoen	san diego	CA	92129
Hallie	Long	lake forest	CA	92630	Julie	Ford	Beach			Laura	Kirton	Los Angeles	CA	90019
Don	Ino	San Francisco	CA	94121			Windsor	CA	95492	Alyse	Seaside	Belmont	CA	94002
Francesca	Bolognini	Cambria	CA	93428	Sandra	Reynolds	El Cajon	CA	92019	Donetta	Bair	Seaside	CA	93955
Gerald	Oborn	San Francisco	CA	94080	Richard	Harden	San Diego	CA	92112			Rancho Santa	CA	92688
Simone	Scharff	santa Monica	CA	90403	Alfa	Santos	West	CA	95605	Tim	Lytzell	Margarita	CA	93402
Julie	Bois	West Hills	CA	91304	Sharon	Martinez	Sacramento	CA	90706	Rebecca		LOS OSOS	CA	93611
David	Camp	Burbank	CA	91501	Steven	Standard	Beliflower	CA	90706	Eva	Grey	Clovis	CA	95838
Alex	Lafayette	Alhambra	CA	91803	Rose	Camarillo	Bolinas	CA	94924	James	Tejani	Sacramento	CA	95838
Cathy	Aarset	Newbury Park	CA	91319	Araceli	Berber	Santa Ana	CA	92701	Brenda	Reese	San Luis Obispo	CA	93405
Barbara	Tacker	Isla Vista	CA	93117	ron	kutch	san jose	CA	95118	Mary	Artesani	Campbell	CA	95008
Maia		Albany	CA	94706	Jill	Stassinos	Carpanteria	CA	93013			Huntington	CA	92647
S	F	Santa Cruz	CA	95062	Steven	Anderson	Stockton	CA	95204	Michael	Darling	Beach	CA	93225
Margaret	Morales	Vista	CA	92081	Laura	Leeds	Hidden Hills	CA	91302	Derald	Myers	Frazier Park	CA	93225
Erik	Brandvig	National City	CA	91950	Susan	Myers	Huntington	CA	92649	Brenna	Henry	Santa Cruz	CA	95062
Leslie	Tate	San Jose	CA	95126			Beach			Steven	Urrutia	Soquel	CA	95073
Susan		Norwalk	CA	90650	Janice	Foss	Pinole	CA	94564	Jody	Weisenfeld	Burbank	CA	91506
K.	Bandell	San Francisco	CA	94114	Mary	Poor	San Rafael	CA	94903	Meg		Petaluma	CA	94954
John	Sanders	LA	CA	90038	Lynelle	White	Joshua Tree	CA	92252	Patrick	Lewis	Santa Barbara	CA	93103
Ann	Kowaleski	laguna beach	CA	92651	Jon	Kinnally	Los Angeles	CA	90046	Brenda	Carter	Emeryville	CA	94608
sandra	nealon	Los Angeles	CA	90034	Mary	Rossi	Santee	CA	92071	John	Bigelow	San Diego	CA	92103
Terry	Robinson	morro bay	CA	93442	Anke	Mueller-Solger	West	CA	95691	Richard	Parker	San Francisco	CA	94114
Bev	Lovas	Lomita	CA	90717			Sacramento			Julie		San Francisco	CA	94103
Liana R.	Markowski	San Diego	CA	92116	Alice	Simpson	Fulton	CA	95439	Michael	McLemore	Walnut creek	CA	94549
Stephen	Usita	San Jose	CA	95148	Andrea	Scott	Los Angeles	CA	90077	Shawnee	Hervey PHN	san diego	CA	92126
Abigail	lavine	Monrovia	CA	91016	Leslie	Consuegra	Lynwood	CA	90262	Rachel M	Gray	san diego	CA	92126
ann	Pizzo	Monterey	CA	93942	Susan	Apar	Tujunga	CA	91042	William	Cooper	Santa Margarita	CA	93453
J	Sefton	Trabuco Canyon	CA	92678	Tina	Pirazzi	Long Beach	CA	90814	Mara	Cooper	Altadena	CA	91001
John	Powell	Vista	CA	92084	Hugh	Moore	EL CAJON	CA	92021	Wm	Laestadius	Solana Beach	CA	92075
Susan	Gregory	Stockton	CA	95204	Margarita	Ayala	Chico	CA	95926	Wm	Pyatt	carlsbad	CA	92008
Karen		Santa Monica	CA	90404	Cynthia	obyrrne	Lompoc	CA	93436	Sheila	Callero	OAKLAND	CA	94605
Guillemette	Epailly	Menlo Park	CA	94025	Deborah	Taylor	SAN JOSE	CA	95112	Joe	Kandinsky	santa cruz	CA	95062
Julie	Spickler	Hayward	CA	94544	Leigha	Roeder	Livermore	CA	94550	Mischa	Gannon	Bonny Doon	CA	95060
H	Gray	Los Angeles	CA	90035	Patrick	Williaks	Sunnyvale	CA	94086	Erin	Waters	San Francisco	CA	94103
Hilarey	Benda	Los Angeles	CA	90066	Ming	Choi	San Francisco	CA	94118	Anje'	prather	Nevada City	CA	95959
Dirk	Beving	Costa Mesa	CA	92626	Elliot	Dembner	SCOTT'S VALLEY	CA	95066	mike	Gardner	sacramento	CA	95826
Priscilla	Rocco	arcata	CA	95521			Soquel	CA	95073	David	woods	santa monica	CA	90405
Patricia	Daniels	SUN CITY	CA	92586	Mary	Sullivan				Kenneth	Tabachnick	paicines	CA	95043
Kathleen	Ruiz									Patricia Ann	Lynch	West Hills	CA	91307
												Anaheim	CA	92805

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Michael	McLaughlin	Eureka	CA	95501	John	Varga	Huntington	CA	92648	Kelly	Peterson	Pacific Palisades	CA	90272
Ana	Porcellino	Santa Clarita	CA	91351			Beach			Leslie	Rapp	Solana Beach	CA	92075
Patty	Green	carmichael	CA	95608	Ryan	Park	Torrance	CA	90503	Jeanette		Livermore	CA	94550
nataasha	keehn	Campbell	CA	95008	Denise	Yanez	Solvang	CA	93463	Danica	Beener	Fullerton	CA	92832
Elda	Unger	Malibu	CA	90264	Maris	Arnold	Berkeley	CA	94703	Karen	Linarez	Carmichael	CA	95608
Mihele	Amirkhas	Oakland	CA	94619	Rebecca	Ozeran	San Luis Obispo	CA	93410	Jennifer	Cherniss	Berkeley	CA	94703
		San Francisco	CA	94109	Don	Marshall	Healdsburg	CA	95448	Kalyn	McCain	San Diego	CA	92130
Jenny	Smith	Vallejo	CA	94591	Klara	Firestone	Beverly Hills	CA	90212	Robert	Robinson	San Diego	CA	92128
Jenifer	Steele	Berkeley	CA	94703	Loni	Sipes	Sacramento	CA	95820	Penelope	Prochazka	Slmi Valley	CA	93063
David		Los Osos	CA	93402	Geoffrey	Tudor	Ventura	CA	93001	Kelly	Jacobs	Oakland	CA	94618
sheila	risley	banning	CA	92220	Robert	Espinoza	Fontana	CA	92335	Laura	Bachelder	manhattan beach	CA	90266
Joanna	Stiehl	San Francisco	CA	94110	Melissa		hacienda heights	CA	91745	Joseph	Rissetto	Chula Vista	CA	91911
DC	Dr. Icia Belchak	south pasadena	CA	91030	Gabriella	Turek	Pasadena	CA	91106	Sandy	Commons	Sacramento	CA	95821
Sarah	Peck	Watsonville	CA	95076	Carrie	Thomas	Huntington	CA	92648	Eileen	Mizelle	Santa Cruz	CA	95065
john	golding	oakland	CA	94619			Beach			M	Vandever	San Jose	CA	95129
Joan	Breiding	San Francisco	CA	94117	Abraham	Oboruemuh	Riverside	CA	92515	Jaci	Elliott	Manteca	CA	95337
Elise	Hanrahan	Alhambra	CA	91803	Annetta	Bettis	laguna Hills	CA	92653	Lawrence	macthinger	Laguna Niguel	CA	92677
Joan	scott	arcadia	CA	91006	Tay	Coban	Los Angeles	CA	90035	Andrea	Hayes	Sonora	CA	95370
Lisa	Foster	San Jose	CA	95132	Timothy	Maurer	Anaheim	CA	92808	Darryl	Roberts	Windsor	CA	95492
Shannon	Abernathy	santa cruz	CA	95060	Lisa	Chiapero	Fort Bragg	CA	95437	Julia	Rogers	Ventura	CA	93001
Jeanette	Araiza	Modesto	CA	95350	Kyle	Petlock	West Hills	CA	91307	Florence	Kelly	San Francisco	CA	94110
Belinda	Martineau	Davis	CA	95616	Ralph	Penfield	La Mesa	CA	91942	Helen	Hudson	Santa Cruz	CA	95062
Michael	Peterson	Fresno	CA	93728	Carolyn	Pettis	Santa Clarita	CA	91387	Pat	McFarland	Point Arena	CA	95468
sebastian	hernandez	san jose	CA	95119	Julie	Alley	Long Beach	CA	90807	Colleen	Moore	Napa	CA	94559
Christine	Shaw	Los Angeles	CA	90024	Thomas	Brown	SACRAMENTO	CA	95816	Julie	Gilbert	REDWOOD	CA	94061
Marilyn	Platt	Rialto	CA	92376	Laurel	Powers	Petaluma	CA	94952			CITY		
Bret	Knower	Bishop	CA	93514	Reni	Murez	Los Angeles	CA	90025	David	Gallardo	Los Angeles	CA	90042
Daryl	Spafford	Hidden Hills	CA	91302	Alexis	Wallengren	Oakland	CA	94608	Angela	Shih	Larkspur	CA	94939
Celia	Scott	Santa Cruz	CA	95060	G	Collins	Murrieta	CA	92563	Mary	Wightman	Fairfield	CA	94533
Raya	Marinova	Pasadena	CA	91106	Patricia	Robinson	Garden Grove	CA	92845	Angela	Schwartz	Carmichael	CA	95608
Rochelle	Chacon	Ladera Ranch	CA	92694	Alana	Rivera	Los Angeles	CA	90045	Gary	McHone	Watsonville	CA	95076
Mathilde	Rand	Santa Cruz	CA	95062	Roger	Fox	Carlsbad	CA	92008	Russell	Grindle	Fairfield	CA	94533
Helena	Liber	Oakland	CA	94606	Mari		North Hills	CA	91343	S	baron	Redding	CA	96003
Kathy	Balcom	Los Angeles	CA	90029	Michael	McMahan	Huntington	CA	92649	Susan	McMullen	El Cajon	CA	92019
Desiree	Mitchell	San Francisco	CA	94102			Beach			Heather	Nolan	Mill Valley	CA	94941
Mathias	van Thiel	Hayward	CA	94542	Ann	Denton	Sonora	CA	95370	Maria	Talamantes	Riverside	CA	92507
Analia	Miller	North	CA	91601	Kim	Thomas	San Diego	CA	92119	Monique	Sonoquie	hoopa	CA	95546
		Hollywood			William	Grueneberg	Los Angeles	CA	90025	Duffy	warner springs		CA	92086
Carrie	Stoeber	San Digo	CA	92008	Louise	Schwartz	Los Angeles	CA	90077	Stephanie	Curran	san diego	CA	92107
Elizabeth	Johnson	Albany	CA	94706	Arthur	Manoogian	San Clemente	CA	92672	Gail	Marco	Half Moon Bay	CA	94019
Donna	Reichart	La Jolla	CA	92038	Jessica	Kaiser	South Pasadena	CA	91030	Julia	Broad	Anaheim	CA	92804
Paul	Norup	Crescent City	CA	95531	Hannah	Freed	Pasadena	CA	91106	Jacquelyn	Griffith	Santa Cruz	CA	95060
Sharlee	Moore	Redondo Beach	CA	90277	Martina	Sanchez	Atascadero	CA	93422	amir	niknam	northridge	CA	91325
Malika	Hayashida	San Ramon	CA	94582	Valeen	Robertson	San Mateo	CA	94409	Charlene	Root	Whittier	CA	90602
Carole	Forrester	San Luis Obispo	CA	93401	William	Mitchell	Oakland	CA	94619	Anna	Scotti	Santa Monica	CA	90404
Jamie	Rose	Citrus Heights	CA	95610	Marilyn	Jasoni	Penn Grove	CA	94951	Cali	Estrada	Victorville	CA	92395
Art	VanKampen	Pasadena	CA	91104	Terrance	Hutchinson	California City	CA	93505	Brian	Wiles	San Francisco	CA	94115
Adam	Whitney	San Diego	CA	92117	Leilani	DiCato	Huntington	CA	92646	Julie	Holtzman	Santa Ana	CA	92703
Denise	Halbe	Sonoma	CA	95476			Beach			Fritz	Hudnut	LA	CA	90291
Desmond	Gregory	Mission Viejo	CA	92692	Deesa	Balasingam	Salinas	CA	93901	Julie	Sorensen	Windsor	CA	95492
Bonnie	Johnstone	Santa Monica	CA	90404	David	Schleicher	San Jose	CA	95124	alina	l	los angeles	CA	92807
Jason	Stark	Montara	CA	94037	Sheri	Minix	Descanso	CA	91916	Irene	Saurwein	Los Osos	CA	93402
Lynn	Camhi	PETALUMA	CA	94952	Nancy	Sykes	Canyon	CA	91351	Lisa	Salazar	Foster City	CA	94404
Debra	Santorio	Santa Ynez	CA	93460			County			Madeleine	Brockwell	Westlake Village	CA	91361
Natalie	Chronister	Camarillo	CA	93012	Floy	Blair	Walnut Creek	CA	94595	Vito	Degrigoli	Palm Springs	CA	92262
Amber	Barajas	Rancho	CA	91739	David	Newlon	Palm Springs	CA	92264	Nancy	Miller	Anaheim	CA	92806
		Cucamonga			MICHELLE	LEBLANC	San diego	CA	92131	Kristen	Conner	San Pablo	CA	94806
Montgomery	Vermilyea	santa ana	CA	92705	Ellyn	Carmen	Fair Oaks	CA	95628	Megaen	Kelly	Newcastle	CA	95658
Michael	Sharp	Aptos	CA	95003	Graciela	Huth	Los Angeles	CA	90045	Tacey	Conover	Redding	CA	96003
Shasta	Standon	Rancho	CA	91730	P	Mimeau	San Francisco	CA	94131	Shari	Eubanks	north hollywood	CA	91601
		Cucamonga			Diane	Walter-Duim	Santa Ana	CA	92704	Kathleen	Siskron	Canyon Country	CA	91351
Suzanna	Derry	Oakland	CA	94602	michael	rifkind	Santa Cruz	CA	95060	Emilie	Hance	Stockton	CA	95204
Darcy	Bergh	San Diego	CA	92112	gertrude	patch	san francisco	CA	94118	Barbara	Heiman	Marina Del Rey	CA	90292
Carol	Taylor	Miranda	CA	95553	Andrea	Steinke	london	CA	94080	Claire	Watson	Pleasant Hill	CA	94523
Janine		fair oaks	CA	95628	Sylvia		fremont	CA	94536	Anne	Swanson	Campbell	CA	95008
Dennis	Trembly	Los Angeles	CA	90012	Lydia	Fossgreen	Rohnert Park	CA	94928	Richard	Placone	Palo Alto	CA	94306
Nick	Lesseos	MANHATTAN BEACH	CA	90266	Jacquelyn	Sorby	Stockton	CA	95204	Kris	Head	Garden Grove	CA	92843
		Northridge			Jeanne	Benioff	Redwood City	CA	94062	Muriel	Garcia	Ventura	CA	93001
DVM	Christian				Josh	Maresca	Santa Rosa	CA	95409	Bella	Cole	Clovis	CA	93627
	Amezcu				Timothy	Gilmore	San Francisco	CA	94109	Debbie	Egan	Oakley	CA	94561
Jill	Pell	Millbrae	CA	94030	Eden	Kennan	Van Nuys	CA	91405	Eleanor	Cohen	Oakland	CA	94602
Sibyl	sanchez	Petaluma	CA	94952	Diana	Aylward	Woodland Hills	CA	91367	Alma	Dizon	Riverside	CA	92506
Kathleen	Jacecko	Redondo Beach	CA	90278	Richard	Stewart	Westminster	CA	92683	Robert	Cendejas	brea	CA	92821
Noreen	Weeden	San Francisco	CA	94107	Tom &	Nordland	Boulder Creek	CA	95006	Nora	Spielman	North	CA	91606
Christine	Alley	Redondo Beach	CA	90278	Jeanne							Hollywood		
Mark &	Glasser	LA	CA	90066	Joe	Warren	lake tahoe	CA	96150	George	Loveday	GRASS	CA	95949
Susan					Julie	Knoop	North Hills	CA	91343			VALLEY		
Jon	Rosell	Pleasanton	CA	94588	Karen	Benzel	Carmel	CA	93921	Aimee	Wyatt	Long Beach	CA	90813
daniella	cat	newark	CA	94560	Rita	Sokolow	Los Angeles	CA	90066	Kelly	Patterson	Long Beach	CA	90805
Dylan	Strickland	Los Angeles	CA	90034	Jeanne	Martin	Pescadero	CA	94060	paul	templeman	Reseda	CA	91335
Naomi	Marcus	Vista	CA	92084	HC	Cannon	Forestville	CA	95436	John	Stickney	mill valley	CA	94941
Stephanie	Rios-Martinez	Concord	CA	94521	Edwina	Smith	San Francisco	CA	94114	Sharman	Strand	Redondo Beach	CA	90277
Deborah	Pendrey	Oak View	CA	93022	Rebecca	Winsor	san Francisco	CA	94122	Mary-	Stein	San Francisco	CA	94131
Paul	Couillard	San Diego	CA	92117	Susan	Curtis	long beach	CA	90802	Margaret				
RC	Lindelof	Riverside	CA	92509	Brenda	Thompson	La Mesa	CA	91942	barbara	schlitz	belmont	CA	94002
Stella		Norwalk	CA	90650	nikki	Doyle	Oakland	CA	94610	Banks	Vicki	Studio City	CA	91604
Karen	Comegys	Santa Monica	CA	90405	Carlos	Townsend	Fountain Valley	CA	92708	Cristina	Jabbour	San Diego	CA	92104
Debrah	Ziehm	Sebastopol	CA	95472	Glory	Quiggle	sutter creek	CA	95685	Donna	Campbell	Carmichael	CA	95608
Melissa	Liscomb	La Verne	CA	91750	Sara		los angeles	CA	90210	pamela	rosenthal	Santa Rosa	CA	95405
Maria	Weckmann	Willows	CA	95988	Jennifer	Tomic	Pleasanton	CA	94588	Laurie	Neill	Rimforest	CA	92378
Frances	BarreroCasallas	Goleta	CA	93117	Andrea &	Gutman	Sunland	CA	91040	Barbara		Poway	CA	92064
Tamara	Voyles	Sebastopol	CA	95472	James					Perry	Morris	Palm Desert	CA	92211
Teresa		Anaheim	CA	92801	jill	wiechman	newbury park	CA	91320	Anne	Donadey	San Diego	CA	92110
Shao	Wu	Lancaster	CA	93536	Nancy	Treffry	Aromas	CA	95004	David	Sarricks	Running Springs	CA	92382

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barbara	coleman	san jose	CA	95126	Ralph	Comstock	Boise	ID	83702	Joyce	Leggatt	Portland	OR	97211
Gail	Rains	Sacramento	CA	95866	Barbara	McClain	Idaho City	ID	83631	Stormi	Kingery	Lebanon	OR	97355
Jaimie	Reichert	Bskersfield	CA	93311	R	Byrne	Middleton	ID	83644	Star	Studonivic	Portland	OR	97206
Diana	Hall	Mountain View	CA	94041	Barbara	Bird	Lewiston	ID	83501	Laurin	Wild	Poretland	OR	97266
Peggy	Gilges	Belvedere	CA	94920	Jim	Sylva	Hansen	ID	83334	Gary	Wright	cottage grove	OR	97424
Victoria	Holman	Carmel	CA	93923	Monica		Boise	ID	83706	Susan	Williams	Eugene	OR	97408
Celina	Trevino	Alameda	CA	94501	Chelsea	lorenz	Boise	ID	83702	Lyn	Larson	Corvallis	OR	97330
Sacha	Badame	Oakland	CA	94618	Gary	Calhoun	Boise	ID	83704	Hildie	Cuddigan	Portland	OR	97213
Suzanne	Hebert	Scotts Valley	CA	95066	Leda	Sattery	Idaho Falls	ID	83404	Laurence	Overmire	West Linn	OR	97068
Paul	Meyer	El Sobrante	CA	94803	katie		boise	ID	83702	Paula	Nowels	Talent	OR	97540
Kim	Forrest	Los Banos	CA	93635	Debra	Billingsley	Boise	ID	83709	Mark	Wheeler	Portland	OR	97215
Kent	Oberlin	San Marcos	CA	92078	Hayden	Paulsen	Pocatello	ID	83204	Jorge	Penafiel	Eugene	OR	97402
Richelle	Ching	Redondo Beach	CA	90277	Stan	Hoobing	Boise	ID	83702	Margaret	Quentin	Portland	OR	97213
Katerina	Karneris	san francisco	CA	94122	Laurie	Kuntz	Boise	ID	83713	Alex	Prentiss	King City	OR	97224
Ecology	California	Los Angeles3s	CA	90035	frank	rodriguez	Moscow	ID	83843	Vickie	McAlister	Eugene	OR	97404
David	Lemon	San Jose	CA	95112	Dan	Smith	Moscow	ID	83843	Emilie	Marlinghaus	Bend	OR	97702
James	Miron	Van Nuys	CA	91306	Brian	Hall	Idaho Falls	ID	83406	Richard	Lemer	Elmira	OR	97437
Mayra	Torres	South San	CA	94080	Barb	Crumpacker	Coeur D'Alene	ID	83814	Andrew	Tillinghast	Medford	OR	97501
		Francisco			K	Vincent	Blackfoot	ID	83221	Adam	Schell	Bend	OR	97701
Virginia	Hilker	Redondo Beach	CA	90277	Kathy	Motsinger	Boise	ID	83704	Marni	Montanez	Hillsboro	OR	97123
Carolyn	Boor	Rancho	CA	91730	David	Bash	Lewiston	ID	83501	Bobbie	Michaels	Portland	OR	97290
		Cucamonga			Linda	Morgan	Caldwell	ID	83607	Elsbeth	Knott	Portland	OR	97216
Samantha	Martin	Bellflower	CA	90706	Summer	Stevens	Moscow	ID	83843	D. Keith	Baynard	Albany	OR	97322
Laurie	Weichman	LA	CA	90049	Peter	Brockett	Idaho Falls	ID	83401	Andrea	Beedy	Portland	OR	97202
Randall	Hartman	San Clemente	CA	92673	Jim	Mital	Moscow	ID	83843	aviv	schwartz	Portland	OR	97203
Amy	Liang	Bakersfield	CA	93306	Dian	Berger	Boise	ID	83716	Charlotte	Allen	McMinnville	OR	97128
Colleen	Bergh	Santa Ana	CA	92704	Russ	Berger	Boise	ID	83716	Connie	Quay	Oregon City	OR	97045
Barry	Kaufman	Burbank	CA	91506	Christine	Zimmerman	Viola	ID	83872	Michael	Martin	Portland	OR	97203
Miriam	Leiseroff	San Jose	CA	95125	Demian	Koller	Post Falls	ID	83854	Lynn	de la Torre	Portland	OR	97239
Mark	Giordani	Van Nuys	CA	91405	Sheryl	Nims	Kamiah	ID	83536	Jamie	Fillmore	Beaverton	OR	97006
Ali	Smith	san francisco	CA	94108	Olivier	PUYGRANIER	BEAUNE	ID	21200	Jeffrey	Morris	Lake Oswego	OR	97035
Vance		los angeles	CA	90066	Michelle	Lenhart	Boise	ID	83704	Christine	Spinola	Scotts Mills	OR	97375
Farel	Footman	Ojai	CA	93023	Michelle	Mitchell	Boise	ID	83725	Bridget	Wolfe	Newport	OR	97365
Carolyn	Kelso	Santa Cruz	CA	95062	Elizabeth	Bryant	MERIDIAN	ID	83642	Sherwood	Reese	Eugene	OR	97403
Rita	Panahi	Los Angeles	CA	90024	Carmen	Chacon	Pocatello	ID	83202	Gabriel	Donovan	yachats	OR	97498
Denise	LaChance	Los Angeles	CA	90019	Margaret	Clay	Clayton	ID	83227	Elizabeth	Mollo	Portland	OR	97232
Karen	Bauer	Boulder Creek	CA	95006	Aly	Spiering	Boise	ID	83762	Carol	Pattee	Hillsboro	OR	97123
Bernice	Rodriguez	Azusa	CA	91702	Casey	Remy	Sandpoint	ID	83804	Kathy	Kirsh	Veneta	OR	97487
Janet	Flanagan	Platina	CA	96076	Gloria	D'Andrea	Cataldo	ID	83810	Kelly	Cowing	Portland	OR	97267
Dina	Angras	Petaluma	CA	94952	Brad	Siemer	Hailey	ID	83333	Rebecca	Kimsey	Sublimity	OR	97385
Terry	Young	San Rafael	CA	94903	Dallas	Winfrey	Boise	ID	83705	Pat	LeBaron	Medford	OR	97504
Anna-Liisa	Aarniala	Los Angeles	CA	90003	Ronda	Reynolds	Idaho Falls	ID	83404	Alfred	Costa	Florence	OR	97439
Van	Rackages	Walnut Creek	CA	94598	Ann	Randall	Boise	ID	83705	Diana	Hartel	Ashland	OR	97520
Joanne	Brown	Felton	CA	95018	Leslie	Moore	Shoshone	ID	83352	Debbie	Schlenoff	Eugene	OR	97405
Victoria	Kochergin	Santa Rosa	CA	95401	Roy	Bossert	Salmon	ID	83467	Brooke	Logan	Portland	OR	97206
Erik	Kostiuk	Highland Park	CA	90042	Julie	Lafferty	Boise	ID	83713	Robert	Tull	Medford	OR	97504
Lynelle	W	Joshua Tree	CA	92252	Mariah	Stricklin	Boise	ID	83705	Sylvia	Black	Portland	OR	97219
Rodger	Silvers	San Francisco	CA	94110	Nikola	Olson	Boise	ID	83705	Ketty	Miller	Portland	OR	97230
Donna	Carr	Encinitas	CA	92024	Cecile	Perez	Idaho Falls	ID	83404	David	Wilson	Myrtle Point	OR	97458
Allan	Prival	Santa Monica	CA	90405	Craig	Peariso	Boise	ID	83702	Linda	Jenkins	Dallas	OR	97338
Penny	Brooke-	Huntington	CA	92648	Sue	Lesmond	Boise	ID	83725	John	Easterday	Portland	OR	97229
	Hamilton	Beach			Michael	Martin	Mountain Home	ID	83647	Teos	Abadia	Portland	OR	97229
Gladys	Paredes	Montebello	CA	90640	Douglas	Wagoner	Post Falls	ID	83854	Elaine	Barnes	Harrisburg	OR	97446
Gina	Jager	Fremont	CA	94538	Lynn	Savonen	Careywood	ID	83809	Robert	Saul	Portland	OR	97206
Cynthia		Fair Oaks	CA	95628	Richard	Kuehn	Council	ID	83612	Christy-belle	Smith	Beaverton	OR	97005
Jim		los angeles	CA	90025	Earth	Thunder	Boise	ID	83703	MC	Reardon	Milwaukie	OR	97268
Miru	Len	San Francisco	CA	94129	lisa	ferguson	idaho falls	ID	83401	Luanne	Alomair	Beaverton	OR	97007
anne	chavez	san leandro	CA	94578	Robin	Lorentzen	Caldwell	ID	83607	lauree	carlsen	happy valley	OR	97086
Jay	Hales	San Diego	CA	92106	Valerie	Mihaylo	Boise	ID	83713	Polly	Stonier	Phoenix	OR	97535
Terri	Levine	Santa Cruz	CA	95062	Robert	hoff	Meridian	ID	83646	maria	saue	Newport	OR	97365
Richard	Benson	Landwale	CA	90260	Pat	Shadoan	Boise	ID	83703	Daniel	Jones	Sutherlin	OR	97479
RN	Toni A. Wolfson	Felton	CA	95018	Gary	Wattles	Meridian	ID	83642	Wade	Keye	Portland	OR	97214
Bee	Kaplan	Alameda	CA	94501	Betty	Brooks	Hailey	ID	83333	Richard	Glass	Eugene	OR	97402
Aileen	Campbell	Goleta	CA	93117	Ethan	Engberg	Middleton	ID	83644	Deb	Nordin	Beaverton	OR	97005
Jennifer	Zeller	Manhattan	CA	90266	lynne	doria	hayden	ID	83835	Deanna	Cantrell	Portland	OR	97203
		Beach			Jesse	Agee	Hayden	ID	83835	Monti	Medley	Portland	OR	97225
Bruce	Tang	Los Angeles	CA	90045	Cheryl	Palmer	meridian	ID	83642	Susan	Wechsler	Corvallis	OR	97330
maggie	Clark	Fountain Valley	CA	92708	Barb	Kruse	Hailey	ID	83333	Christine	Kleiman	Ashland	OR	97520
Bill	Conklin	Santa Cruz	CA	95062	Teri	Magana	Boise	ID	83702	John	Schlosser	Portland	OR	97220
Athena	Richardson	Olivehurst	CA	95961	Robert	Phelps	Kuna	ID	83634	Kim	Kahl	Bend	OR	97701
Roberta	Navickis Wilkes	Grass Valley	CA	95949	John	Pedersen	Nampa	ID	83686	Kirsten	Massebeau	Cannon Beach	OR	97110
Rina	Hernandez	Paramount	CA	90723	Joy	Cassidy	Hayden	ID	83835	Cynthia	Hogan	Salem	OR	97306
Eric		Santa Barbara	CA	93103	John	Goeckermann	Grants Pass	OR	97528	Bette	Koetz	Dexter	OR	97431
David	Enevoldsen	San Jose	CA	95131	Valentin	Lorien	Portland	OR	97232	Charlotte	Newman	Portland	OR	97220
Judy	Kaneko	Alhambra	CA	91803	Stuart	Sandler	Portland	OR	97231	ruth	wilday	Eugene	OR	97402
Robert	Ellis	Oakland	CA	94607	Shannon	Keith	Portland	OR	97201	Jack	Gualtieri	portland	OR	97215
L	Parrish	Carmel	CA	93923	Brock	Roberts	Portland	OR	97210	Stephanie	Houston	Ashland	OR	97520
LARISSA	BERRY	hacienda Heights	CA	91745	Diane	Tremmel	Portland	OR	97217	anita	parish	Sweet Home	OR	97386
Rochelle	Guardado	Lancaster	CA	93534	Paul	Borcharding	La Grande	OR	97850	Alicia	Liang	Portland	OR	97214
Sherrill	Futrell	Davis	CA	95618	Ara	Johnson	Ashland	OR	97520	toni	pocaro	White City	OR	97503
bah		venice	CA	90291	michael	werres	portland	OR	97202	Edward	Craig	Eugene	OR	97402
Jennifer	Blair	Costa Mesa	CA	92626	James	Lung	portland	OR	97211	Stephen	Slodowski	portland	OR	97225
Clara	Hicok	Salinas	CA	93907	Sarah	Wiebenso	Portland	OR	97214	Alice	Georgelis	Eugene	OR	97405
Karen		Ventura	CA	93001	Phillip	Hoff	Gladstone	OR	97027	Tabitha	Donaghue	Portland	OR	97202
Ck	Starkweather	whittier	CA	90602	Vanessa	Rabito	Portland	OR	97212	Margaret	Hammitt-	Seaside	OR	97138
Gabriel	Almazan	La Verne	CA	91750	Dr. Angela	Lambert	Portland	OR	97217		McDonald			
Cindy	Crawford	Woodland Hills	CA	91367	Steven	Dodson	Gresham	OR	97030	Jen	Cole	Ontario	OR	97914
sarah	k	Los Angeles	CA	90210	Jane	Rittenhouse	Eugene	OR	97405	Peggy	Hinsman	Eugene	OR	97405
April	Hairell	Alameda	CA	94501	Linda	Stevens	Rendlesham	OR	97217	Janna		portland	OR	97293
Ralph	Sanchez	Carmel Valley	CA	93924	Bob	Rossi	Independence	OR	97351	Mike	Myrick	Portland	OR	97211
Sharon	Nixon	Redondo Beach	CA	90278	Judith	Maron-Friend	Portland	OR	97220	Brian	Freitag	Portland	OR	97219
Abigail	Cabal	Simi Valley	CA	93065	Jane-Ann	Phillips	Brookings	OR	97415	Denise	Foster	Beaverton	OR	97006
Susan	Rowe	Coarsegold	CA	93614	Pat	Ward	Portland	OR	97203	Deborah	De Bois	Phoenix	OR	97535
Shari	Sharp	Eagle	ID	83616	Diane	Luck	Portland	OR	97212	Claudia	Curran	Corbett	OR	97019

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Marguery	Zucker	Eugene	OR	97403		Owen			Linda	Kostalik	Gleneden Beach	OR	97388	
Richard	Saxon	Portland	OR	97211			Beaverton	OR	97005	Roy	Adsit	portland	OR	97228
William	Wofford	Roseburg	OR	97471	Christian	Burchard	Ashland	OR	97520	Carolee	Buck	Ashland	OR	97520
Erin	Muck	ASHLAND	OR	97520	Margaret		Beaverton	OR	97006	susan	haywood	Portland	OR	97210
Ed	Davie	Forest Grove	OR	97116	Eric	Holcomb	Bend	OR	97701	Silke		portland	OR	97202
K	Rasmussen	JunctionCity	OR	97448	Sally	Kiepe	Bend	OR	97707	Justin	Novak	Eugene	OR	97405
Forrest	Menanno	Gladstone	OR	97027	Tom	Peil	Ashland	OR	97520	Cheryl	Laos	Portland	OR	97202
Margaret	Denison	Corvallis	OR	97330	Kathleen	Luckie	Hillsboro	OR	97124	Fred	Bigeh	sherwood	OR	97140
Ian	Shelley	Portland	OR	97225	Renato	Fabbro	Portland	OR	97225	Jason	Chin	Lake Oswego	OR	97035
Janice	Moore	Eugene	OR	97405	Cecilie	Scott	Portland	OR	97211	David	Taylor	Corvallis	OR	97339
tessa	scroggin	Ashland	OR	97520	K	Feuz	Aurora	OR	97002	Gloria	Monroe	Grants Pass	OR	97526
Diana	Bastron	FLORENCE	OR	97439	Michael	Schepps	Portland	OR	97214	Richard	Payne	Aloha	OR	97007
Vicki	Hood	Roseburg	OR	97470	Myra	Freedman	Portland	OR	97202	J	Stufflebeam	Oregon City	OR	97045
Paulette	Meyer	Portland	OR	97215	Mandi	Houston	gresham	OR	97080	Robert	Hammond	Salem	OR	97302
Kim	Cassidy	corvallis	OR	97333	David	Lunde	North Bend	OR	97459	David	Fitzgibbon	Portland	OR	97213
Donald	Dimock	Monmouth	OR	97361	Charles	Svacina	Grants Pass	OR	97526	marilyn	marcus	Eugene	OR	97405
Susanna	Askins	Portland	OR	97230	Rick	Ritchey	Eugene	OR	97402	Claudia	Hall	Beaverton	OR	97007
Renee	Cote	Wolf Creek	OR	97497	Shawna		Corvallis	OR	97330	Leslie	Sodaro	Forest Grove	OR	97116
Mariya	Nikiforova	Springfield	OR	97477	Robert	Turner	portland	OR	97296	Carson	Loveridge	Gresham	OR	97080
W	Nienkamp	Lincoln City	OR	97367	Gary	Wickham	Port Orford	OR	97465	Tim	Greathouse	Eugene	OR	97401
nicholas	nakadate	portland	OR	97217	Steven	Prince	Eugene	OR	97405	Ron	McComb	Portland	OR	97290
Michael	Elich	Ashland,	OR	97520	Marilyn	Redwine	portland	OR	97218	Debra	Garoutte	Grants Pass	OR	97527
Dan	Sauer	salem	OR	97302	Casey	Schnaible	Medford	OR	97504	Claire	Cohen	Lake Oswego	OR	97034
Anthony	Wheeler	Roseburg	OR	97471	Dean	Pryer	Eugene	OR	97402	Bryan	Kelley	Lake Oswego	OR	97035
Andrew	Peterson	Portland	OR	97206	Deanna	melton	Myrtle creek	OR	97457	Lily	Wilde	Portland	OR	97213
Nancy	Johnston	Wolf Creek	OR	97497	Kathleen	Wickman	Selma	OR	97538	Patricia	Misner	Cannon Beach	OR	97110
Katharine	Wert	Dundee	OR	97115	Charis	Kennedy	Portland	OR	97203	Katherine	Hancock	Salem	OR	97306
Mary	Coulter	Bend	OR	97701	Richard	Walling	EUGENE	OR	97404	Edith	Montgomery	Ashland	OR	97520
Jane	Roffey Berry	Portland	OR	97230	FRANKLIN		ALOHA	OR	97006	Cynthia	Scheele	Portland	OR	97267
Molly	Brady	Portland	OR	97230	Karen	Deora	Portland	OR	97212	Luisa	Appleman	Portland	OR	97202
Vivian	Sherman	Portland	OR	97217	Pamela	Haas	Portland	OR	97209	Brad	Kalita	Chiloquin	OR	97624
Joann	Macey	portland	OR	97227	Wendy	McGowan	Eugene	OR	97404	Lester and	Hoyle	Cave Junction	OR	97523
Debbe	Cornitius	Eugene	OR	97403	Shelby	Phillips	Salem	OR	97302	Judy				
Robert	Sasanoff	North Bend	OR	97459	Kathleen	Liermann	Portland	OR	97211	Jennifer	Thomas	Portland	OR	97229
Joan	Torok	West Linn	OR	97068	Douglas	Depue	SALEM	OR	97309	Vesper	White	Corvallis	OR	97333
David	Gaffney	Hillsboro	OR	97123	Douglas	Coffman	Eugene	OR	97404	Laurel	Hanley	Eugene	OR	97402
Hector H	Hernandez	Portland	OR	97202	Barbara	Mitchell	Bend	OR	97702	Madeline	Smith	eugene	OR	97401
Phil	Hanson	Portland	OR	97202	Larry	Watson	Salem	OR	97301	Stephanie	Van Dyke	Klamath Falls	OR	97601
Renee	Epperson	gresham	OR	97030	April	Abbott	Corvallis	OR	97330	Armando	Blanco	Portland	OR	97211
Heather	Seese	Portland	OR	97216	Jason	Leistad	Bend	OR	97707	Nathan	Catherine	Bend	OR	97701
M	Green	Portland	OR	97211	Sharon	Hunt	Aloha	OR	97007	Joel	Kay	Milwaukie	OR	97222
Judith	Ponder	Portland	OR	97230	Zed	Langston	Eugene	OR	97402	Ashley	Phillis	Beaverton	OR	97006
Charla	Whiting	joseph	OR	97846	Georgeanne	Samuelson	Oakridge	OR	97463	James	Freeberg	Ashland	OR	97520
Eli	Dumitru	Medford	OR	97501	Ann	Hollyfield	Seal Rock	OR	97376	Rebecca	Hickey	Portland	OR	97206
Aaron	Heiss	Portland	OR	97214	Hannah	Grace	Ashland	OR	97520	Barbara	Tombleson	Portland	OR	97219
Tanner	McCullough	Portland	OR	97201	Joan	Turner	Portland	OR	97214	Camille	Hall	Corvallis	OR	97330
Sean	Croghan	Portland	OR	97212	james dean	poynor	Eugene	OR	97405	Andrea	LePain	Portland	OR	97203
Zachary	Nelms	Portland	OR	97214	Gay	Kramer-Dodd	Eugene	OR	97404	Angela	Horellou	West Linn	OR	97068
Cherri	Gilbert	Eagle Point	OR	97524	Susan	Onaclea	springfield	OR	97477	Rosalie	Sable	Portland	OR	97225
Adama	Hamilton	Ashland	OR	97520	Gwen	Hadland	Hillsboro	OR	97123	Jennifer	Hang	Corvallis	OR	97333
William	Mahoney-	Lake Oswego	OR	97035	Frank	Haurwitz	Eugene	OR	97405	Jamie	Curtis	Eugene	OR	97402
	Watson				J	Twain	Portland	OR	97214	Natalie	Van Leekwijck	Beaverton	OR	97005
Deborah	wright	Lake Oswego	OR	97035	Mary	Lyda	Cave Junction	OR	97523	John	Ochsner	Newberg	OR	97132
John	Evans	Eugene	OR	97402	Marjorie	Kundiger	Saint Helens	OR	97051	Debra	Saude	Sweet Home	OR	97386
Michael	Whitney	Portland	OR	97218	allison	elliott	tuatlatin	OR	97062	Irene	Brady	Talent	OR	97540
Stephen	Couche	Portland	OR	97202	Alicia	Cohen	Portland	OR	97214	Bojana	Stefanovska	Eugene	OR	97404
Ric	Bernat	Portland	OR	97212	Emily	Herbert	Portland	OR	97213	Athena	Smith	Beaverton	OR	97008
David	Sweet	Portland	OR	97213	Roger	Schmidt	beaverton	OR	97005	Lynn	Hanson	Hillsboro	OR	97124
Nina	Rollow	Portland	OR	97202	Michael	Fischer	Albany	OR	97321	Sharon	Gaglia	Portland	OR	97221
Barbie	Scott	Portland	OR	97219	Ed	Hunt	Salem	OR	97303	Matthew	Tereau	Portland	OR	97216
Pat	Cooper	Beaverton	OR	97007	Gina	Myers	Jacksonville	OR	97530	Roy	Moss	Grants Pass	OR	97526
Shaun	Richards	Medsford	OR	97501	Douglas	Monson	Medford	OR	97501	Christopher	Pond	Glide	OR	97443
J	Scott	London Springs	OR	97424	Andrew	Austin	Salem	OR	97302	Kirstin	Litchfield	Portland	OR	97202
Gary	Gilardi	Hood River	OR	97031	Hector	Amaro	Salem	OR	97305	Stephani	Ayers	Medford	OR	97501
Elizabeth	Campbell	Portland	OR	97206	susan	rose	corvallis	OR	97330	Pat	Grady	Grants Pass	OR	97526
Cynthia	Gerdes	Portland	OR	97202	Kay	Fontaine	grants pass	OR	97526	David	Burkhart	Salem	OR	97306
Wayne	Brown	Florence	OR	97439	molly	hershey	portland	OR	97217	Jan	Maddron	North Bend	OR	97459
Dean	Silver	Ashland	OR	97520	D	Clark	portland	OR	97206	James	Tyree II	Portland	OR	97225
Marilynn	Block	Lake Oswego	OR	97034	Erica	Wright	Portland	OR	97225	Roger	Kofler	Portland	OR	97267
David	Tonn	Tualatin	OR	97062	maryellen	read	portland	OR	97219	Dori	Houston	Gresham	OR	97080
Linda	Audrain	Corvallis	OR	97330	Clifford	Spencer	Portland	OR	97207	Grace	Neff	ALBANY	OR	97322
Kay	Carey	BEAVERTON	OR	97008	Janus	Wilhelm	salem	OR	97305	Victoria	Folker	Bandon	OR	97411
Michael	Herbert	Florence	OR	97439	Nicolette	Swift	Bend	OR	97701	Shannah	Praus	Portland	OR	97211
Astarte'	Rainbow	Portland	OR	97206	Ann	O'Connell	Florence	OR	97439	Jonathan	Netherton	Fairview	OR	97024
Mona	Bowen	Portland	OR	97201	Paul	Richey	Portland	OR	97221	Carol	O'Neill	Portland	OR	97202
Janice	Vranka	Portland	OR	97219	kayla	bryson	portland	OR	97206	L	Meeker	Warren	OR	97053
John	Long	Redmond	OR	97756	Professor	Leonard R.	Gresham	OR	97080	Dana		Portland	OR	97219
Mary	Abeln	Portland	OR	97217	Jaffee					Janet	Chase	Bend	OR	97701
Richard	Pross	Lake Oswego	OR	97034	barbara	haddad	eugene	OR	97402	Carol	Wagner	Tualatin	OR	97062
Scott	Bowman	Corvallis	OR	97333	Jennifer	Loda	Portland	OR	97211	Randall	Nerwick	Portland	OR	97222
David	Goldberger	Portland	OR	97214	Rose	Wasche	Lake Oswego	OR	97034	Phoebe	Quillian	Talent	OR	97540
David	Edwards	Eugene	OR	97404	Dana	Sewall	Gresham	OR	97030	Pe	Franklin J.	ALOHA	OR	97006
Julaine	Morley	Yachats	OR	97498	Anthony	Albert	Corvallis	OR	97330		Kapustka			
Edward	Crist	Corvallis	OR	97333	Harmony	Thomas	Eugene	OR	97405	Sandra	Oliver-Poore	Salem	OR	97301
Vida	Fritz	caslano	OR	69871	Gary	McCuen	Salem	OR	97302	Susanne	Shotola-Hardt	Wilsonville	OR	97070
Chris	Bounds	Portland	OR	97221	Meryle	Korn	Portland	OR	97218	Mary	Vest	Ashland	OR	97520
Sky	Bird	Corvallis	OR	97339	Terry	Smythe	Portland	OR	97212	William	Kohler	Eugene	OR	97401
Jodi	Silver	Selma	OR	97538	Barbara	Arlen	Corvallis	OR	97330	Gay	Kramer-Dodd	Eugene	OR	97404
Evelyn	McConnughey	Eugene	OR	97403	Dave	Gillis	La Grande	OR	97850	Melanie	Feder	blodgett	OR	97326
Lori	Dennis	Eugene	OR	97402	Hugh	O'Haire	Eugene	OR	97405	Gavin	Peacock	Portland	OR	97239
John	meyer	Salem	OR	97304	Berklee		Lake Oswego	OR	97035	Carol	Dotson	Cloverdale	OR	97112
DÖra	Haslett	portland	OR	97205	Judy	Bridges	Portland,	OR	97215	Rhea	Avery	Albany	OR	97322
Sue	Anderson	Aloha	OR	97007	Frances	Vreman	Lincoln City	OR	97367	Scott	Crockett	Florence	OR	97439
Terry	Dalsemer and	Portland	OR	97219	Abra	Gwartney	Portland	OR	97214	Julia	Walls	Portland	OR	97215

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Lars	Jefferson	Albany	OR	97322	barbi	touron	Portland	OR	97201	Michael	Gross	Cascadia	OR	97329
Sandra	Joos	Portland	OR	97239	Rick	Lambert	Independence	OR	97351	Susan	Zimmerman	Gilchrist	OR	97737
Michelle	Lane	Salem	OR	97305	Laura	Hanks	Portland	OR	97215	Rachel	Foxman	Portland	OR	97217
Steve	Aydelott	Bend	OR	97701	Helen	Caswell	Salem	OR	97302	Sandra	Dorning	Gresham	OR	97080
Todd	Peres	Portland	OR	97203	Keri	Caffreys	Portland	OR	97207	Mona	Kool-Harrington	Phoenix	OR	97535
Shirley	Smith	Veneta	OR	97487	Michael	Mooney	Portland	OR	97201	Katherine	Lux	Portland	OR	97206
April		Milwaukie	OR	97267	Michele	Deisering	Portland	OR	97206	Joseph	Kauth	Ashland	OR	97520
Patty	Bonney	Portland	OR	97223	Stephen	Johnson	Portland	OR	97232	SHARON	LEE	Bend	OR	97701
Michael	Golden	corvallis	OR	97333	Dorcas	Gawlista	portland	OR	97225	Kathy	Jones	Portland	OR	97206
Diane	Heath	Bend	OR	97702	Pamela	Driscoll	Dexter	OR	97431	Kristen	Swanson	eugene	OR	97402
Randy	Harrison	Eugene	OR	97402	Linda	Heiartz	Grants Pass	OR	97526	Richard	Crawford	Bend	OR	97702
Jean	Netherton	Fairview	OR	97024	Chelsea	Davis	portland	OR	97202	Ruth	McD	Redmond	OR	97756
Valerie	Barnes	Portland	OR	97209	Ashley	Coke	Troutdale	OR	97060	Ruth	McD	Redmond	OR	97756
Meg	Brookman	Portland	OR	97233	Patrick	Aitchison	Beaverton	OR	97005	Deborah	Craig	Eugene	OR	97402
Justin	Shaw	Forest Grove	OR	97116	John	Nettleton	Portland	OR	97202	David	Ferguson	Salem	OR	97301
Danette	Bialous	Sisters	OR	97759	Tenzin	Norris	Eugene	OR	97401	Margaret	Keene	White City	OR	97503
Linda	Lara	Albany	OR	97321	Rochelle	Moser	Springfield	OR	97477	Helen Logan	Hays	Oregon City	OR	97045
Curt	Sommer	west linn	OR	97068	Delphine	Beugnot	PARIS	OR	97438	Steve	Sheehy	Klamath falls	OR	97603
Cheryl	Colopy	Roseburg	OR	97471	Karen	Brandenburger	Tigard	OR	97223	Richard	Ullom	Portland	OR	97266
Serena	Wittkopp	Portland	OR	97211	Blythe	Clark-McKitrick	Portland	OR	97201	Jeff	Jackson	Roseburg	OR	97470
Lewis	Murdock	Winston	OR	97496	Dolores	Wood	Portland	OR	97266	Patricia	Bruck	Roseburg	OR	97471
John	Donley	Coos Bay	OR	97420	Sarah	Appelbaum	Eugene	OR	97402	David	Dumas	Florence	OR	97439
Cort	Brumfield	Portland	OR	97220	Doby	Finn	Monmouth	OR	97361	Dorinda	Kelley	portland	OR	97220
Amergin	O'Kai	Portland	OR	97206	Charlie	Graham	Hillsboro	OR	97124	Patricia	Montijo	Springfield	OR	97477
Juanita	Breeding	Veneta	OR	97487	Brandi	Pinkerton	corbett	OR	97019	Janice	Clark	Portland	OR	97229
Timothy	Ulrey	Portland	OR	97202	Martha	Shelley	Portland	OR	97203	Fern	Walker	happy valley	OR	97086
Setsuko	Maruki-Fox	Grants Pass	OR	97527	William	Schmonsees	BEND	OR	97702	Shauna	Fuller	Veneta	OR	97487
adam	sherburne	portland	OR	97215	steven	hoyt	Eugene	OR	97402	tom	babicky	tigard	OR	97224
Mary	Margrave	Sheridan	OR	97378	Stephen	Wilson	Glenden Beach	OR	97388	Niall	Carroll	Astoria	OR	97103
Martha	Perez	Portland	OR	97209	Jill	Myers	Milwaukie	OR	97222	Darryn	Ambrose	Portland	OR	97219
Sam	Aley	Coos Bay	OR	97420	mariamma	jones	eugene	OR	97405	Gina	Norman	Portland	OR	97213
Jeffrey	White	Forest Grove	OR	97116	Robert	Zucchi	CORVALLIS	OR	97333	Angela	Fazzari	portland	OR	97213
Lois	White	Grants Pass	OR	97526	Nicholas	Jones	Portland	OR	97210	Thomas	Randolph Jr	Corvallis	OR	97330
Joseph	paraszewski	Eugene	OR	97404	Perry	Hutchison	Tigard	OR	97223	Mo	Moore	Beaverton	OR	97005
Gina	Hoffmann	Portland	OR	97213	Nicole	Cardwell	Eugene	OR	97402	Dana	Cook	Springfield	OR	97477
Josef	Reiter	Portland	OR	97232	Kellie	Federico	Salem	OR	97302	Bertha		Manzanita	OR	97130
Erika	heins	TOLEDO	OR	97391	Daniel	Brown	Portland	OR	97230	Ann	Bartell	West Linn	OR	97068
Sondra	Huber	Hillsboro	OR	97124	William	Evans	Ashland	OR	97520	Jennifer	Hardwick	Eugene	OR	97401
Anne	Vermillion	portland	OR	97206	Lisabeth		Portland	OR	97213	Theresa	Ryan	astoria	OR	97103
Corie	Benton	Albany	OR	97321	Jay	Weeden	Eugene	OR	97404	Jerry	Melton	Corvallis	OR	97330
Sandra	Brooks	Lincoln City	OR	97367	Felicia	Colvin	Seal Rock	OR	97376	Carolyn	Lindsey	Portland	OR	97211
Eileen	Chieco	Ashland	OR	97520	Sharon		Salem	OR	97306	Kate	Mullins	Portland	OR	97230
Glenna	Hayes	Portland	OR	97219	Joyce	Ervin	Springfield	OR	97477	Tamara	Lischka	portland	OR	97215
Lorraine	Hersey	Pendleton	OR	97801	Debby	Selbiger	Portland	OR	97229	Keith	Woelbing	Eugene	OR	97405
Kelly	Morrison	Junction city	OR	97448	Maryberh	Sharp	Grants Pass	OR	97526	Brody	Witt	Portland	OR	97206
Mika	Gentili-Lloyd	Hillsboro	OR	97124	Mark	rainha	Portland	OR	97201	Michale		Bend	OR	97701
Nawal		Beaverton	OR	97008	Susan	Dunaway	Grants Pass	OR	97527	Patricia and	Lovejoy	Helix	OR	97835
Shane	Daugherty	bandon	OR	97411	Bob	Thomas	Myrtle Creek	OR	97457	Michael				
Paul	Ordway	Eugene	OR	97402	Abigail	Corbet	Portland	OR	97206	Rachel	Paul	Myrtle Point	OR	97458
Stephanie		Portland	OR	97232	Neil	Shargel	portland	OR	97212	Susan	Lemer	Elmira	OR	97437
Karen	Ferreira	Eugene	OR	97401	Emily	Hanson	Portland	OR	97210	Tracy	Masucci	Bend	OR	97702
Heather	Newton	Portland	OR	97214	BJ	Novitski	Eugene	OR	97402	Andrew	Kossoy	Springfield	OR	97477
Linda	Schwartz	Cannon Beach	OR	97110	w.sagen	Smith	Ashland	OR	97520	Jay	Richards	Bend	OR	97701
Sherrylee	Felger	Port Orford	OR	97465	M'Lou	Christ	Portland	OR	97214	Maria	White	Beaverton	OR	97007
Janette	Wells	Bend	OR	97702	Deborah	Newell	Cave Junction	OR	97523	Candy	Hammond	Manzanita	OR	97130
nancy	shinn	Coquille	OR	97423	Colleen	Keyes	West Linn	OR	97068	Mary	Joyce	Portland	OR	97215
Lisa	Langlitz	McMinnville	OR	97128	Margie	Williams	Mcminnville	OR	97128	Juliana	Cyman	Hillsboro	OR	97123
Debra	Slater	Portland	OR	97219	Jonathan	Lerner	Eugene	OR	97405	Philip	Brunner	Portland	OR	97217
Nancy	Horner	Hillsboro	OR	97123	Linda	Smith	Rogue River	OR	97537	Susan	Kuhn	Portland	OR	97220
Deborah	Wheeler	Milwaukie	OR	97267	Nancy	Schroeter	Lake Oswego	OR	97034	Lucy	Johnson	Eugene	OR	97405
Stephen	Snyder	Portland	OR	97213	Daniel	Saltz	salem	OR	97304	Cassandra	Browning	Salem	OR	97302
Maureen	O'Neal	Portland	OR	97223	Michael	Southard	Springfield	OR	97477	Ben	Basin	Portland	OR	97214
Gail	Wagner	Portland	OR	97212	william	thomson	ashland	OR	97520	Carrie	Pellett	West Linn	OR	97068
Joe	Tilman	Klamath Falls	OR	97602	Roberta	Vandehey	Fossil	OR	97830	Anna	Becker	Hillsboro	OR	97124
Sharla	Keith	aloha	OR	97007	Charis	Rosales	Beaverton	OR	97008	tiffany	lyons	corvallis	OR	97333
tasha	carpenter	Deer Island	OR	97054	Nicholas	Engelfried	Hillsboro	OR	97124	Mary	Saffer	springfield	OR	97438
k	west	bend	OR	97701	Monica	Gilman	Estacada	OR	97023	Susan	Delles	rogue river	OR	97537
Marie	Wakefield	Newport	OR	97365	Jay	Humphrey	Estacada	OR	97023	Kristen	McKinlay	Portland	OR	97215
Jodine	Cognato	Eagle Point	OR	97524	Katherine	Skirvin	Pendleton	OR	97801	Dorothy	Hanes	West Linn	OR	97068
Laura	Stice	Eugene	OR	97402	Lindsay	Gerken	Medford	OR	97501	Marceline	Gearhy	Portland	OR	97210
John	Tangney	Happy Valley	OR	97086	Victoria	Nautel	Portland	OR	97220	CAROL	AHO	PORTLAND	OR	97266
Rachel	Speakman	Gearhart	OR	97138	alicia	keys	portland	OR	97225	Brian	Lewis	Tigard	OR	97223
Alice	Pueschner	Eugene	OR	97405	Nancy	Fleming	Portland	OR	97239	Douglas	Williamson	Sherwood	OR	97140
bruce	bauer	gold hill	OR	97525	John	Altshuler	Eugene	OR	97408	Stu	Lips	eugene	OR	97402
Marcelle	Phipps	Medford	OR	97501	Mary	Banks	Independence	OR	97351	Janet	weidman	Astoria	OR	97103
Craig	Speck	Eugene	OR	97402	Charlotte	Newman	Portland	OR	97220	Tracina	Stewart	Portland	OR	97217
Donna	Dooney	Hillsboro	OR	97124	Peter	Branch	Astoria	OR	97103	Billie C.	Barb	Freeland	WA	98249
Diane	Alcibar	portland	OR	97209	Janice	Rogers-Levy	Portland	OR	97229	Kim	Cox	Dryden	WA	98821
Ansula	Press	Portland	OR	97211	L	P	Bend	OR	97702	Jason	Graves	Gig Harbor	WA	98335
Brad	Daniels	Oregon City	OR	97045	David	Rauenzahn	Portland	OR	97202	lauren	wyckoff	Seattle	WA	98112
Susan	Kuhn	Portland	OR	97206	Ernest	Drown	White City	OR	97503	Craig	Geiger	olympia	WA	98501
Lauren	Thompson	Portland	OR	97211	Robert	Heydenreich	Portland	OR	97202	Kevin	Orme	seattle	WA	98103
John & Jean	Noland	Coos Bay	OR	97420	Bill	Countant	Portland	OR	97239	Lindsay	Laigo	Everett	WA	98201
Sandi	Cornez	Portland	OR	97202	Marci	S.	Corvallis	OR	97330	Linda	Cain	CUSTER	WA	98240
MA	Veronica Dyer	Astoria	OR	97103	stania	helgeson	myrtle creek	OR	97457	Pauline	Erera	Seattle	WA	98103
Aaron	Dukes	Hood River	OR	97031	Richard	Mackin	Portland	OR	97214	Diane	Traver	kenmore	WA	98028
Mark	Smith	Portland	OR	97266	Chelsea	Pitcher	Portland	OR	97232	Lou	Rowan	Seattle	WA	98105
Robert	Walker	brightwood	OR	97011	Lynne	Taylor	Gaston	OR	97119	John	Eschen	grand coulee	WA	99133
Molly	Monroe	Cor	OR	97333	A	Todd	Eugene	OR	97404	Becky	McKibben	Kent	WA	98031
lin	jaynes	Lincoln City	OR	97367	Brendan	Lee	Portland	OR	97209	Trina	Cooper	federal way	WA	98023
Linda	Stead	Talent	OR	97540	virginia	Rosenkranz	portland	OR	97221	sharon	tate	preston	WA	98050
Lete	Davis	Sherwood	OR	97140	Laurel	Mouzakis	Tigard	OR	97224	Heather	Miller	Seattle	WA	98119
Max	Mensing	yachats	OR	97498	Charlotte	Sahnow	Eugene	OR	97408	Brian	Sullivan	Lakewood	WA	98498
Kylie		portland	OR	97206	Rhett	Lawrence	Portland	OR	97217	Sharon	Grace	Friday Harbor	WA	98250

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Holly	Buechler	Yakima	WA	98901	Kevin	Schmidt	Bainbridge	WA	98110	Allen R	Sandico	Seattle	WA	98102
Dorothy	Parshall	Langley	WA	98260			Island			Brian	Lewis	Marysville	WA	98270
Lorraine	Johnson	Seattle	WA	98118	Shannon	Davis	Port Townsend	WA	98368	Dave	Luxem	Seattle	WA	98166
Toan	Le	Vashon	WA	98070	heather	davis	Roy	WA	98580	Lucia	Smith	Yelm	WA	98597
Terri	Allen	Deming	WA	98244	Kathryn	Plitt	Gig Harbor	WA	98332	Angela	Anderson	Snohomish	WA	98296
Karen	Falk	Seattle	WA	98168	Elizabeth	Siler	Pullman	WA	99163	David	Peeler	Olympia	WA	98502
Polly	Tarpley	Poulsbo	WA	98730	Patricia	Ranstrom	Vashon	WA	98070	Susan	Kunin	Spokane Valley	WA	99206
tracy	Cereghino	Bellingham	WA	98229	John	Saul	bothell	WA	98011	Warren	Land	Seattle	WA	98102
Tegan	Baldwin	Cheney	WA	99004	Nancy	Lewis	Seattle	WA	98133	Samantha	Rich	Seattle	WA	98133
John	Niendorf	Friday Harbor	WA	98250	Shelley	Dahlgren	Issaquah	WA	98029	Haven	Doane	Gig Harbor	WA	98335
Marten	Sims	Vancouver	WA	98660	Carol	Watts	Seattle	WA	98115	Cynthia	Wesch	Friday Harbor	WA	98250
Kathleen	Murphy	Seattle	WA	98059	Bobbi	Gohr	Edmonds	WA	98020	Zandra	Saez	Spokane	WA	99203
Richard	Hieronymus	friday Harbor	WA	98250	Cathy	Spalding	Olympia	WA	98516	Darcia	Hurst	arlington	WA	98223
Thomas	Dorosz	Tacoma	WA	98422	Richard	Moller	Lynnwood	WA	98087	Mary	Emmons	Leavenworth	WA	98826
Marcia	Mueller	Spokane	WA	99223	Beth	Dannhardt	Zillah	WA	98953	Karissa	Henzel	Lowden	WA	99360
Christine	Balcom	South Bend	WA	98586	Kathleen	Wheeler	Chattaroy	WA	99003	Karen	Backman	Federal Way	WA	98003
fritzi	cohen	Nahcotta	WA	98637	Lucy	Weinberg	Seattle	WA	98125	Gary	Isaac	Issaquah	WA	98027
Crystal	Aguilar	Bellevue	WA	98007	Jackie	Healyj	Brier	WA	98036	Lynne	Oulman	Bellingham	WA	98225
Leonard	Obert	Renton	WA	98059	don	knutzen	sumas	WA	98295	Wonono	Rubio	Port Townsend	WA	98368
Margaret	Larrick	Burien	WA	98166	Colin	Hermans	Friday Harbor	WA	98250	Justin	Maddox	Lake Stevens	WA	98258
Ronda	Snider	Gig Harbor	WA	98329	Dana	SIndona	Redmond	WA	98052	JL	Gale	Point Roberts	WA	98281
Gerry	Milliken	Oroville	WA	98844	Robin	Durham	West Richland	WA	99353	Dasha	G	Sammamish	WA	98074
James	Curtis	port townsend	WA	98368	Lee	Johnston	Port Orchard	WA	98366	Ruth	Mehner	Sumner	WA	98390
Miguel		Lake Stevens	WA	98258	Laurie	Werber	Bellingham	WA	98225	Melissa	Britton	Kirkland	WA	98034
Ted	Washburne	Vancouver	WA	98665	Nancy	Katz	Shoreline	WA	98155	Rae	Pearson	Seattle	WA	98105
Domingo	Hermosillo	Kent	WA	98031	william	mcgunagle	spokane	WA	99207	Patricia	Rodgers	Bothell	WA	98011
Jaye	Clinton	Seattle	WA	98133	Julie	Stuller	Edmonds	WA	98020	Teresa	Bryan	Kelso	WA	98626
Ellen	Dorfman	Olympia	WA	98501	Manisha	Joshi	Seattle	WA	98115	Scott	Meixner	Richmond	WA	98021
Kristi	Mandt	Seattle	WA	98116	Nancy	brown	Mount Vernon	WA	98273	Victoria	Holman	Auburn	WA	98002
Charles	Van Wey	Seattle	WA	98133	Nancy	brown	Mount Vernon	WA	98273	Rich	Curtis	Chehalis	WA	98532
Jana	Marks	Friday Harbor	WA	98250	Preston	Wheaton	Olympia	WA	98501	C	Gross	Woodinville	WA	98072
Claire	Hansen	Olympia	WA	98506	eileen	o'neill-pardo	Everett	WA	98208	Jan	Weisel	Woodinville	WA	98072
Delphi	Locey	Seattle	WA	98109	Barbara	DelGiudice	Burien	WA	98166	D	Robinson	Curlew	WA	99118
Kathyrn	Oliver	Seattle	WA	98199	Richard	Rothstein	vancouver	WA	98686	Karen	Kittelson	Ellensburg	WA	98926
Ellen	McCabe	Seattle	WA	98126	Mark	Kidd	South Bend	WA	98586	christian	courte	bellingham	WA	98226
Carol	Jimeno	Bellingham	WA	98229	Allison	Ciacciabelli	Twisp	WA	98856	JuneMacArth		port Orchard	WA	98366
Kathy	Crawford	Renton	WA	98059	Marilyn	Windsheimer	Redmond	WA	98053	ur				
Ken	Robinson	Seattle	WA	98102	Benjamin	Wagner	Port Orchard	WA	98366	Penny	Swan	Cosmopolis	WA	98537
Keith	Fabing	Seattle	WA	98118	Eleanor	Dowson	Mill Creek	WA	98012	Carolyn	Riddle	Othello	WA	99344
Ricardo	Cottrell	Seattle	WA	98116	Rose	Wedlund	Tacoma	WA	98445	Nick	Page	ferndale	WA	98248
Michelle	Hamilton	Marysville	WA	98270	Linda	Graham	Olympia	WA	98506	Norman	Baker	Sequim	WA	98382
Ovina	Feldman	Kirkland	WA	98034	Sammy	Low	Ferndale	WA	98248	Peter	Allen	Seattle	WA	98116
Carla	Ginnis	Seattle	WA	98105	Less	Wright	Sammamish	WA	98074	Saab		Seattle	WA	98104
Shelli	Drummer	Olympia	WA	98502	Jim	Gay	seattle	WA	98125	Elizabeth and	Stucki	Olympia	WA	98501
Steve	Hersch	Kenmore	WA	98028	Jennifer	Fairchild	Seattle	WA	98118	Curtis				
Sharyn and	Matriotti	Seattle	WA	98105	Michael	Herbstler	Puyallup	WA	98373	Mai	Hermann	Mercer Island	WA	98040
Michael					Eliot	Kaplan	Blaine	WA	98230	Tamera	Loveday	College Place	WA	99324
Kay	Batt	Renton	WA	98058	Jacquie	Begemann	Springdale	WA	99173	K.	Youmans	Roslyn	WA	98941
F	Oubrayrie	NICE	WA	6100	Rachel	Benbrook	Anacortes	WA	98221	Gabrielle	Noske	Forks	WA	98331
Patricia	Dell Veneri	La Center	WA	98629	aj	nordall	Bremerton	WA	98310	Marjorie	Lohrer	Freeland	WA	98249
Megan	Rutherford	Woodinville	WA	98072	Jim	Milstead	Bellingham	WA	98229	Raelyn	Michaelson	Seattle	WA	98168
Christian	Bookert	Goldendale	WA	98620	Allie	Tissot	Ridgefield	WA	98642	Selim	Uzuner	Carnation	WA	98014
Sarah	McCoy	Seattle	WA	98117	Fred	Karlson	Ferndale	WA	98248	Theresa	Sullivan	poulsbo	WA	98370
Kim	Stanley	Bainbridge	WA	98110	William	Bumgardner	Seattle,	WA	98105	Theodore	Smith	Seattle	WA	98115
		Island			Arwen	Dewey	Seattle	WA	98144	Laura	Craig	Yelm	WA	98597
Kenneth	Brinkerhoff	Bellevue	WA	98008	Kathy	Kestell	Spokane	WA	99208	coco	vigil	seattle	WA	98115
Tim	Burns	Federal Way	WA	98023	Julie	Petrocelli	Kirkland	WA	98034	D	Roberts	Seattle	WA	98144
Lesley	McCormach	Walla Walla	WA	99362	Colleen	McDonald	Edmonds	WA	98026	James	Worthington	Lakebay	WA	98349
Devin	Kearns	Seattle	WA	98133	Elaine	Green	Bellingham	WA	98229	Melissa	Waller	Issaquah	WA	98029
Sandra	Perkins	Seattle	WA	98125	Chiggers	Stokes	Forks	WA	98331	Holly	Delphinidae	Bainbridge	WA	98110
Galelurie		Seattle	WA	98115	Kristin	Marshall	Auburn	WA	98001			Island		
Margaret	Hastings	Blaine	WA	98230	Diann	MacRae	Bothell	WA	98021	Cheryl	Biale	Olympia	WA	98512
Adam	Kutchman	seattle	WA	98103	Sergey	Galushko	Edmonds	WA	98026	Florence	Kempton	Poulsbo	WA	98370
David	Richard	Seattle	WA	98119	Chuck	Kettle	Seattle	WA	98103	Marc	Dolfay	Seattle	WA	98106
Jeff	Steenbergen	Seattle	WA	98109	EA	McCandlis	Yelm	WA	98597	Beth	reprince	puyallup	WA	98371
Dennis	Reid	Seattle	WA	98133	Sue	Moon	Seattle	WA	98144	Carey	Salzsieder	Vancouver	WA	98682
Julie	Geer	Poulsbo	WA	98370	Pat	Rasmussen	Olympia	WA	98508	Barbara	Ballew	Spokane	WA	99207
Celeste	Robinette	Indianola	WA	98342	rochelle	house	Seattle	WA	98105	Maria	Trevizo	Olympia	WA	98508
Kathleen	Schormann	Yakima	WA	98903	Jill	curtis	Vancouver	WA	98663	jill	tim	Wenatchee	WA	98801
Isabel	Campbell	Gig Harbor	WA	98335	Caitlin	Nielsen	Issaquah	WA	98027	Laura	Reigel	Bellevue	WA	98004
Beatrice	Tiersma	Custer	WA	98240	Allison	Davie	Spokane	WA	99202	Deena	Jones	Lake Stevens	WA	98258
Helen	Kramer	Olympia	WA	98501	Jeffrey		Seattle	WA	98121	Cory	Breedlove	Redmond	WA	98052
Taffy	Lund	Olympia	WA	98502	Mark	Ball	Lacey	WA	98503	L	Macmillan	Yelm	WA	98597
Carol	Porter	Seattle	WA	98178	Cortney	Greenlaw	Lakewood	WA	98499	Lynn	Ledgerwood	Olympia	WA	98501
Julie	Graham	Seattle	WA	98199	mary	decher	bellevue	WA	98005	Dave	Moore	Seattle	WA	98102
Vivian	Bartlett	Bellingham	WA	98229	Susan	Milke	Woodinville	WA	98072	Babara	Setzer	Woodinville	WA	98077
Lisette	Terry	Seattle	WA	98116	Helga	Riehlein	Carlsborg	WA	98324	matt	huard	Yakima	WA	98908
Judith	Nappe	North	WA	98639	Lela	Perkins	Everett	WA	98308	S	Brassel	Bainbridge	WA	98110
		Bonneville			Delia	Surpenant	Des Moines	WA	98198			Island		
Faith	Morgan	Vancouver	WA	98684	eileen	schimpf	spokane valley	WA	99216	Heather	McFarlane	Burley	WA	98322
Darius	Mitchell	seattle	WA	98199	David	Richart	Seattle	WA	98178	Gayle	Janzen	Seattle	WA	98133
Krista	Patten	Edmonds	WA	98026	Judith	Coates	Tacoma	WA	98422	Daniel	Abbott	Everett	WA	98201
Dolores	Hutson	Tacoma	WA	98402	Ji-Young	Kim	Bothell	WA	98012	Chrystian	Shepperd	Everett	WA	98208
Chris	Falcone	Monroe	WA	98272	Hollin	stafford	Port Townsend	WA	98368	Brookie	Judge	Seattle	WA	98122
Byron	Wilkes	Edmonds	WA	98020	Albert	Bechtel	seattle	WA	98105	Laurie	Geller	vancouver	WA	98684
Melinda	Parke	Seattle	WA	98103	Werner	Bergman	Stanwood	WA	98292	Maria	Magana	Burlington	WA	98233
Karen	Delaney	Seattle	WA	98117	Ronald	Metty	SEATTLE	WA	98136	Del	Domke	Bellevue	WA	98008
John	Wright	Oak Harbor	WA	98277	(Rusty)					Jean	Boyd	Spokane	WA	99201
Deanna	Pindell	Chimacum	WA	98325	Sara	Meighen-Wise	Enumclaw	WA	98022	Joseph	Gaugler	Seattle	WA	98122
Greg	Puppione	Seattle	WA	98125	Dennis	Hall	Vancouver	WA	98683	Janet	searles	Newport	WA	99156
Vesna	Radojevic	Bremerton	WA	98310	Sally	Easteay	Bellevue	WA	98006	JoAnn	Polley	Poulsbo	WA	98370
Nancy	Harter	Olympia	WA	98501	Marla	Katz	Seattle	WA	98102	Susan	Morse	Vancouver	WA	98683
Misty		Seattle	WA	98122	Brian	Green	Seattle	WA	98122	Susan	Hampel	Sequim	WA	98382
Julie	Leavenworth	Indianola	WA	98342	Larry	Mahlis	Seattle	WA	98115	Matthew	Cloner	Tukwila	WA	98138

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Roger	Horner	Seattle	WA	98103	Martin	Thistle	Des Moines	WA	98198	Gloria	Skouge	Shoreline	WA	98177
Kyana		Lake Forest Park	WA	98155	Caitlin	Pierzchalski	Wenatchee	WA	98338	Robert	Leas	KENMORE	WA	98028
Spring	Hartke	Tacoma	WA	98444	Sam		Ferndale	WA	98248	Clayton	Jones	Seattle	WA	98133
Wesley	Banks	vancouver	WA	98666	Patricia	Szot	Auburn	WA	98092	Elisabeth	Archer	Seattle	WA	98115
Penny	Brooks	Edmonds	WA	98026	Marilyn	Hurrell	Kent	WA	98030	LeAnn	Fox	Seattle	WA	98133
Bruce	Edwards	Seattle	WA	98188	PRATIWI	HARSETIANI	SEATTLE	WA	98125	Mike	Bayle	Everett	WA	98208
Lori	Stefano	Yelm	WA	98597	Janet	Campbell	Shoreline	WA	98155	Shyla	Banker	Prosser	WA	99350
Liane	Benson	Ocean Shores	WA	98569	Geri	Kromminga	Vancouver	WA	98663	Michael	Bluske	Seattle	WA	98136
Rachel	Whalley	Seattle	WA	98107	Douglas	Yearout	Lake Stevens	WA	98258	Connie	Arveson	Lake Tapps	WA	98391
Fabiola	Vasquez	Seattle	WA	98105	Norman	Crouter	Seattle	WA	98107	Denise	Morris Kipnis	Sammamish	WA	98074
Blair	Kangley	Seattle	WA	98199	Caroline	Sumpter	Arlington	WA	98223	Gary	Nelson	Port Townsend	WA	98368
Todd	Hauser	Ocean Park	WA	98640	Haryo	Bhawiko	SEATTLE	WA	98125	Brent	Williamson	Vashon	WA	98070
Linda	Spellman	Gig Harbor	WA	98335	Isabella	Thomson	Woodinville	WA	98072	Michelle	Keating	Vancouver	WA	98664
Geri	Pilcher	Clinton	WA	98236	Brenda	Michaels	Issaquah	WA	98027	Carol	Else	Lakewood	WA	98498
Don	Syverson	Seattle	WA	98105	Michael	Goldberg	Ocean Park	WA	98640	Michael	Davis	Seattle	WA	98107
Bonnie	O'Brian	Renton	WA	98059	Eric	Herde	Tacoma	WA	98445	frances	kenny	seattle	WA	98144
Susan	Berta	Greenbank	WA	98253	Alisha	Marshall	Walla Walla	WA	99362	Michelle	Elliott	sydney	WA	20281
Gerry	Martin	University Place	WA	98466	Ashley	Fowler	Seattle	WA	98103	Allan	Nicholson	Sea	WA	98168
Gordon	Wood	Seattle	WA	98144	Amy	Beam	Snohomish	WA	98290	Jay	Sullivan	Gig Harbor	WA	98335
Anna	Porter	Stanwood	WA	98292	lois	Hinn	Seattle	WA	98107	Diane	Weinstein	Issaquah	WA	98029
Rhonda	Paulson	Camano Island	WA	98282	Thomas	Swoffer	Ravensdale	WA	98051	Jennifer		Anderson Island	WA	98303
Alyson	Desmond	Tacoma	WA	98407	Paul	Jenkins	Renton	WA	98059	Lee	Markholt	Tacoma	WA	98446
Sylvia	Lawrence	Auburn	WA	98002	Jill	Ferguson	Bothell	WA	98021	Bob	Rolsky	SUQUAMISH	WA	98392
Rachael	Allert	St. John	WA	99171	Nancy	Bongardner	Redmond	WA	98053	Julie	Hentrich	Carlton	WA	98814
Philip	Locke	Seattle	WA	98112	Rose	Lee	Seattle	WA	98118	John	Fix	QUINCY	WA	98848
Stephen	Matera	SEATTLE	WA	98107	Austin	Pribble	Lake Stevens	WA	98258	Ana	Petrus	Seattle	WA	98133
Katie	Wilson	Spokane	WA	99205	Heidi	Shuler	Vancouver	WA	98663	Blair	Hopkins	Kennewick	WA	99336
Susan	Welenofsky	Marysville	WA	98270	Melinda	Hirsch	Bellevue	WA	98005	Cheryl	Bentley	Port Townsend	WA	98368
Brunel		Albigny sur SaA'ne	WA	69250	Jo	Patterson	Seattle	WA	98121	Carlann	Copps	Anacortes	WA	98221
					Lynne	Bannerman	Seattle	WA	98103	Traci	York	Coupeville	WA	98239
Debra	McIntyre	Forks	WA	98331	Shannon	Fouts	Tacoma	WA	98408	April	Atwood	Seattle	WA	98119
Jeanne	Deller	issaquah	WA	98027	Crystal	Gartner	Spokane	WA	99203	Tara	Lerew	Tacoma	WA	98407
Kandace	Loewen	Seattle	WA	98103	Charles	Ring	Kelso	WA	98626	Delia	Gerhard	seattle	WA	98177
Carol	Whitehurst	Taxoma	WA	98403	Gail	DiBernardo	Brier	WA	98036	Geoff	Walker	Camas	WA	98607
Roger	Gadway	White Salmon	WA	98672	Diana	Smith	Seattle	WA	98125	Audrey	Richards	seattle	WA	98107
Maureen	Buckley	Point Roberts	WA	98281	Jim	Gayden	Vancouver	WA	98684	Judy	Palmer	Tonasket	WA	98855
Michael	Hasse	Edmonds	WA	98020	Jamie	Marble	Tacoma	WA	98408	Candy	Curtis	Spokane	WA	99208
Linda	Corey	Seattle	WA	98144	Peter	Smith	Issaquah	WA	98027	Jerry	Wheeler	TUKWILA	WA	98168
Lynne	Treat	Chehalis	WA	98532	Hon	Soulo	Vancouver	WA	99051	Esther	Wolf	Seattle	WA	98199
Alice & Arthur	Siegal	Seattle	WA	98119	Stanley	Jones-Umberger	Washougal	WA	98671	Martha	CARlisle	Belfair	WA	98528
					Diane	Coghlan	Kent	WA	98031	Stacie	Scattergood	Bellevue	WA	98007
tiffany	sytebo	Lake Stevens	WA	98258	Walter	Hoesel	Duvall	WA	98019	Marilyn	Smith	Clarkston	WA	99403
Marian	Hayes	Seattle	WA	98112	Michael	Oaks	Seattle	WA	98144	Marilyn	Watson	Clinton	WA	98236
David	Benoff	Bellevue	WA	98007	Delphi	Locey	Seattle	WA	98109	Sandra	Gehri-Bergman	Lynnwood	WA	98036
Jill	Hein	Coupeville	WA	98239	Yovonne	Autrey	OceanShores	WA	98569	Barbara	Ocskai	Snohomish	WA	98296
Emily	Willoughby	Tukwila	WA	98188	cheryl	waitkevich	Olympia	WA	98506	Jared	Strand	Seattle	WA	98178
Julie	Whitacre	BELLINGHAM	WA	98226	Adina	Parsley	Ferndale	WA	98248	Brita	Brahce	Eastsound	WA	98245
Francisco	Irigon	Newcastle	WA	98059	Mara	Price	Marysville	WA	98270	Wendy	Wright	seattle	WA	98174
Melodie	Martin	seattle	WA	98102	Angela	Yon	Seattle	WA	98199	Ken	Woolard	TACOMA	WA	98466
Gretchen	McLarky	Fall City	WA	98024	Louisa	Sullivan	Seattle	WA	98125	Jausen	Hyldahl	Seattle	WA	98144
Roger	Zingg	Port Townsend	WA	98368	John	Shannon	Anacortes	WA	98221	Bryan	Bremner	Republic	WA	99166
Peter	Dachs	Seattle	WA	98125	Teri	Rust	Clarkston	WA	99403	Kristen	Meston	Woodinville	WA	98077
Peter	Lemley	Cheney	WA	99004	Cathy		Tacoma	WA	98405	Angela	Cone	Centralia	WA	98531
Amy	Compestine	Spokane Valley	WA	99206	Randall	Collins	Seattle	WA	98119	Krista	melby	spanaway	WA	98387
Erin	Quiles	Lacey	WA	98503	Roy (Skip) K.	Martin	Seattle	WA	98102	Jenny	O'Neill	Chehalis	WA	98532
Vaneta	Truett	Eastsound	WA	98245	Shannan	Eid	Chehalis	WA	98532	Ruth	Lorenz	seattle	WA	98165
Craig	Garcia	Friday Harbor	WA	98250	Melissa	Middlebrook	Seattle	WA	98119	david	patten	Renton	WA	98057
Robert	Becker	Seattle	WA	98106	Annika	Bowden	Seattle	WA	98116	Nigel	Begg	Renton	WA	98057
Keith	Comess	Bellingham	WA	98225	Lisa	Vandermay	Renton	WA	98058	Anne	Elkins	Anacortes	WA	98221
Susan	Woltz	Seattle	WA	98166	Emily	Copeland	Renton	WA	98059	Billy	Snook	Vancouver	WA	98685
Tracy	Clark	Camas	WA	98607	Betsy	Gudz	Snoqualmie	WA	98065	Dayle	Carter	West Richland	WA	99533
James	Reidenbach	Lakewood	WA	98498	Jessica	Vaughan	seattle	WA	98122	Frank and	Loudin	EASTSOUND	WA	98245
Rachel	Kowals Dym	Seattle	WA	98112	Pilar	Lafuente	pullman	WA	99164	Janet				
Dixie	Walter	Eatonville	WA	98328	Dean	Windh	Lakewood	WA	98498	Judith	Pearce	Vashon	WA	98070
alex	barnes	Bonney Lake	WA	98391	Penny	Platt	Anacortes	WA	98221	James	Mulcare	Clarkston	WA	99403
Liz	White	Seattle	WA	98133	Jeff	Jones	Seattle	WA	98102	Barry	Zimdars	Edmonds	WA	98020
Eliza	Duncan	Tacoma	WA	98404	Carol	Stevens	Mill Creek	WA	98012	Elizabeth	Hickman	Tacoma	WA	98407
Liz	Campbell	Seattle	WA	98103	Galen	Davis	Seattle	WA	98115	David	Larsen	Bothell	WA	98012
Kim		orting	WA	98360	Cynthia	Davis	Longview	WA	98632	Yolanda	Markle	Spanaway	WA	98387
Bonnie	Decius	Longview	WA	98632	Mark	Velez	Seattle	WA	98178	Cyndi	Landsrud	Edmonds	WA	98026
Sharon		Seattle	WA	98112	David	Daniels-Lee	Ocean Shores	WA	98569	Fay	Payton	Carnation	WA	98014
linda	wright	Seattle	WA	98109	R A	Larson	Mount Vernon	WA	98274	Grace	Sauter	Lynden	WA	98264
Craig	Stetina	Seattle	WA	98125	Hilary	Goldblatt	Bainbridge	WA	98110	Anny	Campbell	Renton	WA	98058
Deena	Sadek	Seattle	WA	98117			Island			John	Albertson	Tacoma	WA	98404
Jeffrey	Panciera	Seattle	WA	98118	David	Stetler	Everett	WA	98208	Angela	Smith	SeaTac	WA	98168
Kirsten		Seattle	WA	98103	Jolly	Baker	Issaquah	WA	98027	Millard	Martin	Hansville	WA	98340
Denise	Hanley	Tenino	WA	98589	Jayson	Luu	Seattle	WA	98178	Eric	Fosburgh	Seattle	WA	98112
Straddha	Durand	bainbridge island	WA	98110	Will	Jackson	Seattle	WA	98117	Hugh	Lentz	Olympia	WA	98501
Tina	Mulcahy	Bothell	WA	98021	Marianne	Larkins-Strawn	Vancouver	WA	98684	Christine	Klunder	Bellingham	WA	98226
Luther	Franklin	Issaquah	WA	98027	Valerie	Schur	Seattle	WA	98107	Laura	Ackerman	Spokane	WA	99224
Michael	McConaghy	SNOHOMISH , WA	WA	98296	Tim	Allen	Seattle	WA	98101	Margaret	Jaskar	Tacoma	WA	98445
		Vancouver	WA	98661	Sharon	Worthington	Lakebay	WA	98349	Jacqueline	Dern	Kirkland	WA	98033
Ken	DeLisle	Olympia	WA	98502	Jean	Wall	Coupeville	WA	98239	Andreas	Enderlein	Seattle	WA	98115
Carole	Richmond	Olympia	WA	98502	Cami	Cameron	Vancouver	WA	98661	Catherine	Brumbaugh	seattle	WA	98102
Jack	Stansfield	Stanwood	WA	98292	Regan	Gross	Marysville	WA	98270	Katherine	Nelson	kent	WA	98031
Janelle	Olvey	BELLINGHAM	WA	98226	Mike	MacDougall	Nine Mile Falls	WA	99026	Brian	Weatherby	Port Orchard	WA	98367
Keith	Milligan	Spokane	WA	99202	Joyce	kantoff	bainbridge island	WA	98110	Brandon	Mulder	kenmore	WA	98028
Kevin	Darcy	Bellingham	WA	98225	Steve	Green	Sedro Woolley	WA	98284	Brian	Gunn	Auburn	WA	98002
rachel	inman	Spokane	WA	99212	Elizabeth	Sokol	Seattle	WA	98103	Monika	Mulder	Kenmore	WA	98028
Bronwen	Evans	vancouver	WA	98101	Kerry	Logan	Wenatchee	WA	98801	Tina	Whitman	eastsound	WA	98245
		Seattle	WA	98117	K. Freya	Skarin	Seattle	WA	98112	Joyce	Grajczyk	Kent	WA	98031
Vincenzo	Fimiani	Messina	WA	98122	Jeriene	Walberg	Seattle	WA	98199	Tom	Payne	Yelm	WA	98597
Victoria	Trimble-Lowe	Bellevue	WA	98006	Ana	Aponte	Tacoma	WA	98405	Beverly	Deering	Seattle	WA	98117
Sherry	Bupp	Lacey	WA	98516	Diane	Puckett	Bothell	WA	98012	Janine	Lewis	Spokane	WA	99208

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Forrest	Cloyd	Olympia	WA	98502	Lorraine	Small	Poulsbo	WA	98370	Richard	Haskin	Seattle	WA	98125
Gina	Pantier	Federal Way	WA	98003	Kirsten	Lundberg	Kent	WA	98031	Michael	Cowsert	Port Orchard	WA	98367
margaret	hashmi	bellingham	WA	98226	Ai	McCarthy	Redmond	WA	98052	Connie	Gagnon	Everett	WA	98208
Tara	Tsushima	Kenmore	WA	98028	Jonathan	Walter	Olympia	WA	98501	Kim	Casper	Seattle	WA	98103
Amanda	Love	Monroe	WA	98272	Madelaine	Moir	Sequim	WA	98382	Barbara	Soby	Renton	WA	98058
Michael	Murphy	Seattle	WA	98115	Judy	Dunsire	Issaquah	WA	98029	Erica	Evans	Puyallup	WA	98373
Amy	Schoppert	Tacoma	WA	98407	Terran	Steinberg	Shoreline	WA	98155	Vivian	Johnston	Oakville	WA	98568
Debbi	Pratt	seattle	WA	98199	Barbara	Keyt	Shelton	WA	98584	Steve	Uyenishi	Seattle	WA	98178
William	Conger	Anacortes	WA	98221	Lorena	Havens	Acme	WA	98220	Rhonda	Clements	Lynnwood	WA	98036
VERONICA	MOORE	SHORELINE	WA	98133	Sydney	Allrud	Seattle	WA	98103	Rob	Switalski	Edmonds	WA	98026
Barry	Kelman	Redmond	WA	98052	Debi	Aldrich	Covington	WA	98042	Denise	Beard	Seattle	WA	98119
Shannon	Kinzebach	Renton	WA	98057	Barbara	Voss	Kirkland	WA	98034	Lucy	Flanagan	seattle	WA	98177
Jill	Gustafson	wenatchee	WA	98801	Roxann	Fraser	Seattle	WA	98112	Ruth	Martin	Everett	WA	98203
Eric	Helgeson	Orting	WA	98360	Sue Ann	Kent	Spokane	WA	99202	Dennis	OBrien	Seattle	WA	98119
Ramona	MENISH	Bellingham	WA	98229	Robert	Brown	Fircrest	WA	98466	marci	Peterson	Port Townsend	WA	98368
Michael	von Sacher-Masoch	Everett	WA	98206	janice	macarthur	washougal	WA	98671	Dianna	Smith	Seattle	WA	98125
MSW	Carole Henry	Seabeck	WA	98380	Charles	Bell	Mountlake	WA	98043	Temma	Pistrang	Lake Forest Park	WA	98155
Vivian	Sovran	Seattle	WA	98107	DANIEL	NEWELL	Terrace	WA	98115	John	Walenta	Seattle	WA	98103
Sue	Stevens	Sammamish	WA	98074	Loretta	Conner	Puyallup	WA	98374	Kim	Koon	Sultan	WA	98294
Felicia	Dale	Snohomish	WA	98290	Meghan	Smith	Bainbridge	WA	98110	Jenny	Gronholt	Tacoma	WA	98403
Martin	Rushkarski	Monroe	WA	98272			Island			Michael	Goldman	Sammamish	WA	98075
Pierre	Wilson	Olympia	WA	98506	Forrest	Rode	Seattle	WA	98122	Benita	Moore	Bellingham	WA	98229
Chuck		Oroville	WA	98844	Barbara	McKee	Vancouver	WA	98664	Steve	Wilson	West Richland	WA	99353
Hudlene k	Harney	Mead	WA	99021	Christina	Ramirez	Tacoma	WA	98403	Renee	DeMartin	Seattle	WA	98106
Penny	Gates-Christianson	Auburn	WA	98002	Julie	French	Seattle	WA	98178	Margaret	Rose	Seattle	WA	98133
Katherin	Balles	Bremerton	WA	98310	Nita	Roe	Redmond	WA	98052	Nita	Roy	Kirkland	WA	98034
James	Roberts	Palouse	WA	99161	Julie	Staley	Shelton	WA	98584	Janalee	Donelan	Tacoma	WA	98422
Robert	Lindberg	Vancouver	WA	98685	Sheri	Staley	Shelton	WA	98584	Larry	Donelan	langley	WA	98260
William	Bailey	Anacortes	WA	98221	Aimee	Cervenka	Spokane	WA	99224	Patti	Wright	Bellingham	WA	98229
Nancy	Washton	Richland	WA	99354	D	Benitez	seattle	WA	98102	Natalya	Yudkovsky	Seattle	WA	98115
Sandra	Dubpernell	Coupeville	WA	98239	David	Ramey	Edmonds	WA	98020	Karol	Morphew	Clinton	WA	98236
Kerrye	Raven	Kelso	WA	98626	Lloyd	Hedger	TACOMA	WA	98403	JoAnne	McGovern	Steilacoom	WA	98388
pamela	mansfield	port townsend	WA	98368	Greg	Malmberg	Wenatchee	WA	98801	Madeleine	Sosin	S	WA	98136
Monique	Wallis	Gig Harbor	WA	98335	Rebecca	Ferrell	bellevue	WA	98008	Michael	Brush	Seattle	WA	98118
Melissa	Rees	Spokane	WA	99205	margo	Margolis	Bellingham	WA	98229	Sharon	LeVine	Seattle	WA	98109
Lanie	Cox	Spokane	WA	99224	Scott	Bloom	Seattle	WA	98126	Michele	Anderson	Vancouver	WA	98662
Vicki	Cook	Washougal	WA	98671	Gina	Erskine	Gig Harbor	WA	98329	Howard	Lazzarini	Everett	WA	98208
Terry	Gilbertson	Bonney Lake	WA	98391	Selma	Porca	Lynnwood	WA	98037	Justine	Hurley	Seattle	WA	98125
Niki	Vogt	Vancouver	WA	98683	Dennis	Marceron	Seattle	WA	98118	Sophie	Pakker	Seattle	WA	98107
Kim	Pendergrass	Burien	WA	98168	Mary	Masters	Orcas	WA	98280	Virgene	Link	Anacortes	WA	98221
Lindsey	effner	Seattle	WA	98119	Diane	Shaughnessy	Tacoma	WA	98406	Gene	Groom	orting	WA	98360
Scott	Martin	Seattle	WA	98102	Julie	Wilson	Longview	WA	98632	Gretchen	Clay	Bellingham	WA	98225
William	Johnson	Lake Forest Park	WA	98155	Johnny	Mims	Bellevue	WA	98007	Olga	Zharkova	Edmonds	WA	98026
Dale	Russ	Seattle	WA	98125	Wendy	Hernandez	Rockport	WA	98283	Julie	Hertl	Seattle, WA	WA	98117
Sharon	Tiedeman	Clinton	WA	98236	Jeffrey	Widmer	Seattle	WA	98144	David	Casey	Seattle	WA	98105
Jennifer	Titilah	Snoqualmie	WA	98065	Anne	Baker	vancouver	WA	98661	Nora	Davidson	Bremerton	WA	98311
Karen	Vincent	Burlington	WA	98233	Grant	Low	Prosser	WA	99350	Greta	Rizzuto	Spokane	WA	99208
Parisa	Footohi	Camas	WA	98607	Andria	Herron	BREMERTON	WA	98310	SHARON	STROBLE	Seattle	WA	98119
Ted	Dennis	Sequim	WA	98382	Rhodila	Alfred	Belfair	WA	98528	Hayley	Oakland	Bainbridge	WA	98110
Sharon	Wilson	Seattle	WA	98115	Carolyn	Pendle	Olympia	WA	98516	Billie	Watkins	Island		
Roger	Soares	Vancouver	WA	98683	Mark	Simpson	Shelton	WA	98584	Linda		Vancouver	WA	98660
Reagan		Seattle	WA	98118	Jack	McCloud	Forks	WA	98311	Robert	Pitman	Sequim	WA	98382
Marsha	Osborn	Tacoma	WA	98408	Chrys	Braaten	Oak Harbor	WA	98277	Rachel	Standing	Vancouver	WA	98685
Jerry	Chilson	Enumclaw	WA	98022	Andrea	Fisher	EVERETT	WA	98203	Gary	Porter	Clinton	WA	98236
Jeanette	Yielding	Lake Stevens	WA	98258	Craig	Zimmerman	Bremerton	WA	98312	Charles	Fornia	Edmonds	WA	98026
Silvia	Jansson	Redmond	WA	98052	Richard	Agosto	Vancouver	WA	98685	Michael	Lampi	bellevue	WA	98008
Alice	Zillah	Olympia	WA	98501	Gavin	Thorinson	Marysville	WA	98270	John	Dunn	Vashon	WA	98070
Jason		Redmond	WA	98073	Holly	Green	Anacortes	WA	98221	Nancy	Young	seattle	WA	98103
Virginia	Huang	Vancouver	WA	98685	Paul	Franzmann	Walla Walla	WA	99362	Lee	Graeves	Spokane	WA	99206
Eugene	Kiver	Anacortes	WA	98221	Kathy	Welch	Edmonds	WA	98020	Shari	Zyla	Everett	WA	98208
Michael	Gan	Kennewick	WA	99336	K	lyle	Gig harbor	WA	98335	Diane	Sullivan	Oak Harbor	WA	98277
Johni	Prinz	Ocean Shores	WA	98569	Sandra	Robinson	Veradale	WA	99037	Nando		des moines	WA	98198
Christine	Gibson	Bellevue	WA	98008	christopher	marrs	port townsend	WA	98368	Troy	Kokege	north Bend	WA	98045
Kerry	Kovarik	Seattle	WA	98133	Vicky	Matsui	Seattle	WA	98122	Jean	Jensen	Graham	WA	98338
Brenda	Dutton	Newman Lake	WA	99025	mary	keefe	Clarkston	WA	99403	Ruby	Baylor	Port Townsend	WA	98368
Kimberly	Leeper	Seattle	WA	98136	Joy	Fuller	Spokane Valley	WA	99214	Rachel	Stewart	Seattle	WA	98104
Lisa	McDaniel	Spokane	WA	99224	Martha	Harris	Auburn	WA	98002	Michaelene	Manion	Port Orchard	WA	98366
Alexander	Hosea	Tacoma	WA	98403	Brian	Waters	Kirkland	WA	98034	Marnie	Kennedy	north bend	WA	98045
Paulette	Doulatshahi	Mercer island	WA	98040	Denee	Scribner	Ellensburg	WA	98926	Melissa	Schmidt	Camano Island	WA	98282
Jon	Noggle	bellingham	WA	98229	Ed	Bennett	Vancouver	WA	98660	Debra	Lane	Woodinville	WA	98072
Marsha	Adams	Renton	WA	98057	Barbara	Kimbrough	Tacoma	WA	98406	Jeffrey	Thayer	Coupeville	WA	98239
Jennifer	Twill	seattle	WA	98103	Cathleen	Weston	Newman Lake	WA	99025	Jay and Rob	Swenson-Butler	Seattle	WA	98101
Kathleen	Wolfe	Des Moines	WA	98198	Barbara	Matthiessen	port orchard	WA	98366	Lindsay	Myers	Concrete	WA	98237
victoria	grayland	seattle	WA	98144	Ian	Cox	Seattle	WA	98102	Spencer	Selander	Castle Rock	WA	98611
Wendolyn	Herman	Lakebay,	WA	98349	John	Seeburger	lakewood	WA	98498	Meghann	Nicholls	Olympia	WA	98512
Yvette	Goot	Chewelah	WA	99109	Linda	St. John	Port Hadlock	WA	98339	Ellen	McKinley	Olympia	WA	98501
Nicole	Rosenberger	kenmore	WA	98028	Linda	Swan	Snohomish	WA	98291	Kelsey	Martin	Cle Elum	WA	98922
nicole	devito	Seattle	WA	98155	Angela	Cockrum	Monroe	WA	98272	P	Cavender	Puyallup	WA	98374
Bettina	Stokes	Bellevue	WA	98005	Suzanne	Hamer	Woodinville	WA	98072	Colleen	Curtis	Bellingham	WA	98229
Catherine	Chutich	Seattle	WA	98136	Mary	Guard	Friday Harbor	WA	98250	Lindsay	Byrne	Seattle	WA	98102
Robert	Gabriel	Olympia	WA	98506	Bill	Rogers	Seattle	WA	98116	Debbie	Thorn	Kirkland	WA	98033
Mark	MacDonald	Kirkland	WA	98033	Richard	Glynn	Bremerton	WA	98312	Lauren	Williams	Woodinville	WA	98072
Camille	von Eberstein	Seattle	WA	98117	Rachel	Mccausland	Bellingham	WA	98229	JC	Bower	Sumner	WA	98390
Irene	Reep	Seattle	WA	98117	Brandie	Deal	Redmond	WA	98052	Maura	Costello	Burien	WA	98166
Debra	Aldrich	Covington	WA	98042	Benjam	Watkins	Seattle	WA	98112	Jenon	Laurene	Burien	WA	98166
Dr	Callahan	Yelm	WA	98597	Leslie	Varney	Seattle	WA	98125	Tracy	Ouellette	Bow	WA	98232
Jeannie	Park	Seattle	WA	98107	Nancy	White	Spokane Valley	WA	99216	David	Nelson	Ritzville	WA	99169
Rebecca	McElhiney	Rochester	WA	98579	Eric	Lind	Seatac	WA	98168	Mary	Fields	Seattle	WA	98112
Bernie	Henzi	Port Orchard	WA	98367	Paula	Shafransky	Sedro Woolley	WA	98284	Ellen	McKendree	Everett	WA	98208
Evelyn	Gamage	Kenmore	WA	98028	Larry	Crist	Seattle	WA	98122	Yara	Tethys	Seattle	WA	98122
kay	warren	Vancouver	WA	98664	Jennifer	Calvert	Spokane Valley	WA	99206	Carolyn	Eden	Seattle	WA	98110
Jennifer	Moore	Vancouver	WA	98661	Alexis	Traynor-Kaplan	Seattle	WA	98111	Allison	barr	EVERETT	WA	98208
					Michelle	Graham	Oakville	WA	11111					
					Gay	catto	Selah	WA	98942					

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Terry	Parkhurst	Seattle	WA	98115	Marilyn		Bothell	WA	98011	Stephen	Ekholm	Bainbridge	WA	98110
Janet	Needler	Bellingham	WA	98225	Rebecca	Farvour	Kelso	WA	98626			Island		
Cory	McQuerry	Yakima	WA	98902	Patricia	Woods	Kent	WA	98032	Jennifer	Liu	Seattle	WA	98104
Chelsea	Belfield	Sedro-Woolley	WA	98225	Eileen and	Lamar	Lacey	WA	98516	K	Long	Sequim	WA	98382
Rand	Guthrie	SNohomish	WA	98290	Frank					John	Rowlette	Hoquiam	WA	98550
Susan	Bechtholt	Port Orchard	WA	98367	Angela	Kerr	Spokane	WA	99203	Sue	Pfeiffer-Johnson	Seattle	WA	98107
susan	schneider	Blaine	WA	98230	catherine	keys	gig harbor	WA	98329	Wendy	James	Bellingham	WA	98229
Connie	Northern	Bothell	WA	98011	Carole	Miller	Vancouver	WA	98661	Philip	Donlay	Lopez Island	WA	98261
Jean	Alldredge	Silverdale	WA	98383	Janice	Marshall	lacey	WA	98503	Danya	Jablon	mercier island	WA	98040
Susan	Michaels	camano island	WA	98282	Ingrid	Erickson	Bellingham	WA	98226	J	Chu	Wilson Creek	WA	98860
Kelly	Whysong	Des Moines	WA	98198	Jane	Millard	Mill Creek	WA	98012	Barbara	Rosenkotter	Deer Harbor	WA	98243
Tika	Bordelon	Seattle	WA	98101	Karen	Pelletreau	Kingston	WA	98346	Stephanie	Erickson	Yakima	WA	98908
Samantha	Novak	Bellevue	WA	98004	Cheryl	McAtee	Vancouver	WA	98682	Ari	Kohn	Seattle	WA	98145
Dan	Schneider	Seattle	WA	98115	Brenda	Tate	Bellingham	WA	98226	Jeriann	Schriner	Olympia	WA	98502
Laura	Huddlestone	Seattle	WA	98106	anne	hepfer	Seattle	WA	98112	Barbara	Bate	Ocean Park	WA	98640
Sue	Harrington	Gig Harbor	WA	98332	Dorian	Bowen	Seattle	WA	98144	Summer	Kozisek	Bonney Lake	WA	98391
Rebecca	Cook	Friday Harbor	WA	98250	Laurette	Culbert	Seattle	WA	98107	Maria	Kjaerulff	Gig Harbor	WA	98335
dorothy	Powter	Shelton, WA	WA	98584	Patrice	Davis	Sequim	WA	98382	Rhona	Schwartz	Seattle	WA	98119
James	Cooke	Kennewick	WA	99337	Danny	Thorn	Kirkland	WA	98033	Taiya	Boni	Bremerton	WA	98312
Lesley	Ahmed	Seattle	WA	98107	Jetta	Hurst	Auburn	WA	98001	Bryna	Sweeney	Bellingham	WA	98226
Veronica		Camas	WA	98607	Jennifer	Liu	Seattle	WA	98104	Kelly		longview	WA	98632
Donna	Beckley	Issaquah	WA	98029	Stephen	klein	McKenna	WA	98558	Jacquie		Springdale	WA	99173
Lisa	Taylor	Olympia	WA	98501	Joseph	and Diane	Lacey	WA	98503	Shannon	Hoffman	Lopez Island	WA	98261
Dmitry	Erastov	Seattle	WA	98109	Sharmayne	Busher	VANCOUVER	WA	98662	Linda	Jackson	Kenmore	WA	98028
Lynn	Ziegler	Poulsbo	WA	98370	Deidre	Puffer	Tacoma	WA	98445					



California Wetfish Producers Association

PO Box 1951 • Buellton, CA 93427 • Office: (805) 693-5430 • Mobile: (805) 350-3231 • Fax: (805) 686-9312 • www.californiawetfish.org

Mr. Dan Wolford, Chair
And Members of the Pacific Fishery Management Council
7700 NE Ambassador Place #200
Portland OR 97220-1384

May 31, 2012

RE: Agenda Item G.1.c: Recommendations regarding Unmanaged Forage Species

Dear Mr. Wolford and Council members,

The California Wetfish Producers Association (CWPA) represents the majority of coastal pelagic species 'wetfish' fishermen and processors in California. We have followed closely the mounting pressure from certain groups within the environmental community to develop an explicit management policy for 'forage' species in the California Current (i.e. restrict harvest), beginning with those stocks that are currently unfished and therefore unmanaged. The same groups are pushing the California Fish and Game Commission to adopt a similar policy to restrict fisheries before they start.

In light of the importance of these issues, the challenges posed to the CPS FMP and management team, and potentially to CPS fisheries in the future, we again asked Dr. Richard Parrish to review the issues, with particular reference to the EPDT work in Appendix A of the Council's Fishery Ecosystem Plan (FEP), and to help us develop a forage policy for California. The same general framework is appropriate to propose to the Council because virtually all the species range throughout the California Current Ecosystem, or may in the future due to climate change.

Before highlighting key recommendations, I want to **reiterate our opposition to placing this laundry list of unfished stocks in the CPS FMP**, as the species in question do not appear in our wetfish fisheries. This also reflects earlier statements of the CPS advisory subpanel and management team. As we and the CPS advisory bodies have recommended before, these species properly belong in the Ecosystem FMP (FEP).

It is important to understand that including these unfished stocks in the FEP in no way implies that they are more or less important than any other element of the forage pool. The FEP is simply an efficient place to track these stocks.

Earlier we recommended and supported the Council's initial action, approving the FEP as advisory, with no regulatory authority. However, we would be willing to reconsider and could support an Ecosystem Plan with limited regulatory authority, explicitly limited to provide flexibility for the Council and NMFS to regulate the prescribed list of unfished stocks, following guidelines similar to those proposed by Dr. Parrish, if no other control mechanism is available.

I am attaching for reference Dr. Parrish's forage species management concept, as well as his statement on the recently released Lenfest Forage Fish Task Force report, "Little Fish, Big Impact", and will summarize here some key facts and recommendations.

Re: Purpose and Need, we offer the following thoughts:

The current trend and mandate in both federal and CA state fishery management are to consider management decisions in a broader, ecosystem-based, "big picture" context. As we recommended earlier, considerable attention should be focused on developing valid estimates of the meso-pelagic, bathy-pelagic and neritic fish populations, including decadal temporal variability.

Excerpt from our 2011 letter pertaining to the FEP:

- Identify and attempt to measure or estimate ALL the major components of the forage pool (not only CPS and krill) and provide research impetus and mechanisms to monitor and evaluate trends in the unfished and juvenile stocks, i.e. y.o.y. rockfish, 0-2 year hake, shortbelly rockfish, copepods and many other forage species, as well as those that are targeted by fisheries (and specifically, CPS fisheries).
- Re: scope, the Council's management authority in the California Current Ecosystem does not extend into Canada and Mexico, nor does it include state waters; however most of the forage species in the CCLME extend into those areas, thus the FEP should make a substantial effort to obtain and integrate data from those areas into ecosystem models. Examples of such transboundary issues include but are not limited to Pacific sardine and hake biomass estimates, and the network of MPAs established in nearshore state waters in California etc.

Stocks under current FMPs are best managed through the regulatory framework in existing FMPs. However, including currently unfished stocks under the Ecosystem Plan with expressly limited regulatory authority could provide the impetus to develop a more accurate estimate of biomass of the total forage pool, which will ultimately improve ecosystem-based management of all species.

The September 2010 EPDT document (H.1.b) contained a statement that encapsulates our perspective on EBM:

Ecosystem approaches to management are still about societal choice among competing objectives (Shepherd 2004). Fundamentally, ecosystem-based fishery management recognizes that fisheries both affect and are affected by the marine environment, and that what we do to address these effects via policy-making is a matter of societal choice. The purpose of the ecosystem approach is not to prescribe particular policy choices, but rather to promote better understanding of those policy choices. Ecosystem-based fishery management is meant to compliment current single-species approaches to fisheries management by providing additional information that may be used to expand the scope of these approaches into the future. Finally, ecosystem-based fishery management does not create additional mandates to protect the marine environment, but instead seeks to better understand fishery effects on the marine environment through improved information on ecosystem structure, processes and functions.

Existing laws provide authority to address most future fishery development that might emerge (and at \$4+/gallon fuel, expansion is highly unlikely!). It is critically important to acknowledge that fishery management in the CCE is recognized as one of the most precautionary in the world, with minimal impacts to the ecosystem. The latest independent study to validate this statement is the Lenfest "Little Fish, Big Impact" report.

Please also keep in mind the finding of the EPDT (reference Appendix A, FEP, PFMC October 2011): "...there is not a high level of unmanaged standing biomass for LTL species that could become subject to fisheries targeting over the short term and which are critical to large scale CCE functioning, energy flow or integrity."

Now for highlights of Dr. Parrish's forage fish recommendations:

Dr. Parrish divided forage species into three functional groups:

Forage species include:

- [1] California Current forage species with annual commercial landings managed under fishery management plans or other active management programs,
- [2] California Current forage species not under active management that have zero to moderate annual landings, and
- [3] small pelagic species with centers of abundance and fisheries in tropical, subtropical and oceanic regions outside of U.S. territorial waters that have large international landings but little or no commercial importance [in California landings].

- [1] California Current species managed or monitored under state or federal fishery management plans, or are actively managed by other means, include: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific herring (*Clupea pallasii*), market squid (*Doryteuthis opalescens*), krill (Euphausiidae), Pacific sanddab (*Citharichthys sordidus*) Pacific hake (*Merluccius productus*), and shortbelly rockfish (*Sebastes jordani*).
- [2] California Current forage species that have zero to moderate commercial landings [in California], and are not actively managed, include: American shad (*Alosa sapidissima*), threadfin shad (*Dorosoma petenense*), mesopelagic fishes (Bathylagidae, Gonostomatidae, Melanostomiatidae, Myctophidae, Paralepididae, Phosichthyidae, Scopelarchidae, Sternoptychidae and Stomiidae), argentines (Argentinidae), true smelts (Osmeridae), atherinid smelts (Atherinidae), speckled sanddab (*Citharichthys stigmaeus*), longfin sanddab (*Citharichthys xanthostigma*), Pacific tomcod (*Microgadus proximus*), medusafish (*Ichthyichthys lockingtoni*), seniorita (*Oxyjulis californica*), white croaker (*Seripus politus*), yellowfin croaker (*Umbrina roncadore*) and pelagic squids (boreal clubhook squid, neon flying squid).

This enlarged group includes presently unexploited mid-water, benthic and littoral forage fishes that are among the top 50 abundant species in Table 4 of CalCOFI Atlas 34.

- [3] Small pelagic species that have their center of abundance outside of U.S. Territorial Waters, and little or no landings [in California], include: Northeastern Pacific population of round herring (*Etrumeus teres*), Pacific thread herring (*Opisthonema libertate*), Pacific saury (*Cololabis saira*), and Pacific anchoveta (*Centengraulis mysticetus*).
- * *Pacific eulachon Southern DPS is listed as threatened under the ESA*

Groups [2] and [3] are considered for potential inclusion in the FEP.

Policy recommendations:

- For species not included in a fishery management plan or other active management program but subject to a new or expanding fishery, the PFMC shall encourage the development of ecosystem-based management methodology and sustainable management.
- For the California Current forage species listed in [2], the Council shall not allow the total landings of this group of species to exceed the historical annual landings of the group until a Fishery Management Plan that considers forage needs and other ecosystem considerations is in place, with the exception below:

The Council supports and may allow limited experimental fisheries to obtain critical essential fisheries information necessary to develop a sustainable fishery management program for a specified forage species. Proposed fisheries should provide a research plan for a prescribed period for approval by the Council, subject to annual progress reports.

- For forage species with their centers of abundance outside of U.S. Territorial Waters, listed in [3] above, the Council shall not allow catch limits or catch rates beyond 1% of those attained in the International fishery during the period 2000-2009 until stock abundance estimates and/or data collection programs are in place, supporting development of Fishery Management Plans for such species.
- To the extent that data are available, the Council shall consider the forage needs of predators when making management recommendations and decisions regarding fisheries targeting forage species that are not already included in a fishery management plan. If insufficient information exists or the condition of the resource is poor, a conservative approach to fisheries management will be taken.

The Council supports and encourages collection of the best readily available information on:

- The population levels of specified forage species and their predators;
- The preferred diet of those predators;
- The status of other [fished or unfished] forage species that serve as similar prey items;
- The effects of fishing on these forage species on such predators, i.e. the effectiveness of existing regulations, including marine protected areas and fishing gear regulations, to provide adequate forage for ecosystem services.

Additional research and data needs:

- Advanced ecosystem modeling to better understand the forage needs of predators and the effects of fishing on forage species on trophic dynamics;
- Synthesis of diet composition studies for California Current predators
- Stock assessments to determine more accurately the status and trends of forage species, including unfished species, and their relative importance in the broader forage pool;
- The effects of oceanographic conditions on forage species' cycles of abundance, including the dynamics of decadal or long-term oceanic cycles, that affect populations of forage species, including those forage species subject to a fishery.

It is the policy of the Council to utilize the best available science, including the information collected above, in its management decisions.

Thanks very much for considering these comments.

Best regards,



Diane Pleschner-Steele
Executive Director.

Attachments: Discussion Draft 5/31/12; Forage Species Policy Adapted for Submission to PFMC,
By Richard Parrish, Ph.D
Little Fish Big Impact Editorial By Richard Parrish, PhD

DISCUSSION DRAFT: May 31, 2012
Forage Species Policy Adapted for Submission to PFMC

Part 1: Importance and Definition

Forage species are those lower trophic level species that contribute significantly to the diets of larger fish, seabirds, marine mammals, and/or sea turtles during some part of their life history, thus, transferring energy and nutrients from plankton to larger predators.

Forage species are an integral part of the California Current Large Marine Ecosystem and are of great environmental, economic, aesthetic, recreational, educational, scientific, nutritional, social, and historic importance to people.

Some forage species in the California Current are currently managed by multiple state and federal agencies; therefore coordination with other agencies is essential to an ecosystem-based approach to forage species management.

Forage species include: [1] California Current forage species with annual commercial landings managed under fishery management plans or other active management programs, [2] California Current forage species not under active management that have zero to moderate annual landings, and [3] small pelagic species with centers of abundance and fisheries in tropical, subtropical and oceanic regions outside of U.S. territorial waters that have large international landings but little or no commercial importance in landings.

1. California Current species managed under state or federal fishery management plans, or are actively managed, include: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific herring (*Clupea pallasii*), market squid (*Doryteuthis opalescens*), krill (Euphausiidae), Pacific sanddab (*Citharichthys sordidus*) Pacific hake (*Merluccius productus*), and *shortbelly rockfish (Sebastes jordani)*.
2. California Current forage species that have zero to moderate commercial landings [in California], and are not actively managed, include: American shad (*Alosa sapidissima*), threadfin shad (*Dorosoma petenense*), mesopelagic fishes (Bathylagidae, Gonostomatidae, Melanostomiidae, Myctophidae, Paralepididae, Phosichthyidae, Scopelarchidae, Sternoptychidae and Stomiidae), argentinines (Argentinidae), true smelts (Osmeridae), atherinid smelts (Atherinidae), speckled sanddab (*Citharichthys stigmaeus*), longfin sanddab (*Citharichthys xanthostigma*), Pacific tomcod (*Microgadus proximus*), medusafish (*Icichthys lockingtoni*), seniorita (*Oxyjulis californica*), white croaker (*Seripus politus*), yellowfin croaker (*Umbrina roncadore*) and pelagic squids (boreal clubhook squid, neon flying squid).

This enlarged group includes presently unexploited mid-water, benthic and littoral forage fishes that are among the top 50 abundant species in Table 4 of CalCOFI Atlas 34.

3. Small pelagic species that have their center of abundance outside of U.S. Territorial Waters, and little or no landings [in California], include: Northeastern Pacific population of round herring (*Etrumeus teres*), Pacific thread herring (*Opisthonema libertate*), Pacific saury (*Cololabis saira*), and Pacific anchoveta (*Centengraulis mysticetus*).

* *Pacific eulachon Southern DPS* is listed as threatened under the ESA

Part 2: Policy for Existing Fisheries for Forage Species

The PFMC recognizes forage species as important to the health and functioning of the California Current ecosystem, valuable in their own right and because they support populations of predators higher on the food web, of both consumptive and non-consumptive importance.

Regarding existing fisheries currently managed under state or federal FMPs or other active management, it is the policy of the PFMC to:

- Maintain healthy populations of forage species in order to help assure the integrity of the ecosystem and habitats upon which marine resources depend.
- Integrate with and complement relevant provisions of the California Current Fishery Ecosystem Plan (FEP) now being developed by the Pacific Fishery Management Council and other state and federal FMPs, so that overall, catch limits and other management measures consider the ecological benefits that forage species provide to the broader ecosystem and balance sustainable ecological services with sustainable fishing communities..
- Consider both recreational and commercial fishing interests as well as a range of other economic sectors such as tourism in achieving balance among ecological, economic and social values.

Part 3: New or Expanding Fisheries for Forage Species

Better science is needed to support new or allow expansion of an emerging fishery, including forage species listed under [2] and [3] above.

With regard to new or emerging fisheries, it is the policy of the PFMC that:

- For species not included in a fishery management plan or other active management program but subject to a new or expanding fishery, the PFMC shall encourage the development of ecosystem-based management methodology and sustainable management.
- For the California Current forage species listed in [2], the Council shall not allow the total landings of this group of species to exceed the historical annual landings of the group until a Fishery Management Plan that considers forage needs and other ecosystem considerations is in place, with the exception below..
- The Council supports and may allow limited experimental fisheries to obtain critical essential fisheries information necessary to develop a sustainable fishery management program for a specified forage species. Proposed fisheries should provide a research plan for a prescribed period for approval by the Council, subject to annual progress reports.
- For forage species with their centers of abundance outside of U.S. Territorial Waters, listed in [3] above, the Council shall not allow catch limits or catch rates beyond 1% of those attained in the International fishery during the period 2000-2009 until stock abundance estimates and/or data collection programs are in place, supporting development of Fishery Management Plans for such species.
- To the extent that data are available, the Council shall consider the forage needs of key predators when making management recommendations and decisions regarding fisheries targeting forage species that are not already included in a fishery management plan. If insufficient information exists or the condition of the resource is poor, a conservative approach to fisheries management will be taken.

Part 4: Scientific Needs related to Forage Species

The Council supports and encourages collection of the best readily available information on:

- The population levels of specified forage species and their predators;
- The preferred diet of those predators;
- The status of other [fished or unfished] forage species that serve as similar prey items;
- The effects of fishing on these forage species on such predators, i.e. the effectiveness of existing regulations, including marine protected areas and fishing gear regulations, to provide adequate forage for ecosystem services.

The Council recognizes the existing scientific efforts on forage species and supports the following additional types of scientific endeavor in partnership with other agencies, academic scientists and institutions, conservation interests and industry to improve management of forage species:

- Ecosystem modeling to better understand the forage needs of predators and the effects of fishing on forage species on trophic dynamics;
- Synthesis of diet composition studies for California Current predators
- Stock assessments to determine more accurately the status and trends of forage species, including unfished species, and their relative importance in the broader forage pool;
- The effects of oceanographic conditions on forage species' cycles of abundance, including the dynamics of decadal or long-term oceanic cycles, that affect populations of forage species, including those forage species subject to a fishery.

It is the policy of the Council to utilize the best available science, including the information collected above, in its management decisions.

Little Fish Big Impact Editorial By Richard Parrish, PhD

Publication of a scientific analysis of the biological production and fishery landings of forage fishes in 72 of the world's ecosystems has contributed to an international debate on fisheries for species like sardine, herring and anchovy. The authors of Little Fish Big Impact show that forage species in many marine ecosystems are being harvested at rates that leave only a small percentage of their annual production for the other fishes, birds and marine mammals that rely on them for food. The most productive ecosystem in the study, Sechura Bay Peru, produces about 246 tons of forage fishes per square mile per year; the fishery for forage fishes takes 97% of this production, leaving only 3% for other species. Chesapeake Bay is another example of the problem: this ecosystem produces about 60 tons of forage fishes per square mile and the fishery takes 81% of the production.

The authors of "Little Fish.." recommend that fisheries for forage fishes should not exceed half of the rate that produces maximum sustained yield. The central Chile ecosystem is a good example of the type of management recommended. The study shows that this ecosystem produces about 100 tons of forage fishes per square mile; however, in Chile the fishery harvests only 40% of the production, leaving 60% for the other species.

So how does the California Current rate in the study? The Northern California Current ecosystem is the second most productive ecosystem for forage species in the study; forage fish production is estimated at 163 tons per square mile with landings of 3 tons per square mile. **In the California Current only 2% of the annual production of forage fishes is taken by fishermen and 98% of the production goes to the other fishes, birds and marine mammals.**

Yes, the world's oceans are in trouble and fisheries for forage fishes are a large part of the problem; however, hopefully the facts and the information available where only the scientists go (Appendix E of Little Fish Big Impact) will not be ignored. The fact that many of the world's forage fishes are being overfished is valid. **However, according to the information in the study, the present management of forage species in the California Current is far more conservative than the standards that are being recommended for the rest of the world.** Increasing our forage fish landings by 50% would result in only 3% of the production going to humans. In Chesapeake Bay 81% is going to humans.

Locally, Oceana has spent more than a year 'debunking' the sardine management rule that reduced catches by a factor of three in coldwater periods. Now there is a 'new' study that predicts that the sardine is going to collapse due to cold water. After trashing the regulation that would automatically reduce catches in cold-water years, Oceana now cries 'sardine collapse'. The 'new' study is a hydro-acoustic survey, where a boat runs about counting fish with a fish finder. This type of survey can produce moderately accurate population assessments; however, a fish finder cannot determine a sardine's reproductive success, it cannot measure how many sardines will be out there two years from now, and it is surely the wrong instrument to predict next year's sea temperatures. Oceana also does not mention that the newest sardine population assessment shows that the population increased, after the 'new' study predicted collapse.

Richard Parrish, PhD is retired from the National Marine Fisheries Service, Pacific Marine Environmental Laboratory



Washington Wildlife Federation

May 31, 2012

RE: Forage Fish issue
Pacific Fishery Management Council

Donald McIsaac, Executive Director PFMC
7700 N.E Ambassador Place, Suite 101
Portland, OR 97220

Dear Chairman Wolford and Council Members,

The Washington Wildlife Federation has a long history of bringing together conservation-minded hunters, fishers and outdoor enthusiasts to advocate for state and federal policies that ensure healthy fish and wildlife populations for future generations. We believe a balanced and healthy marine ecosystem benefits all of us who live in the Pacific Northwest, and that is why we are writing to urge the Council to extend protection to non-managed forage species as soon as possible.

An abundance of forage fish forms the cornerstone of marine food webs, transferring energy from plankton and delivering it in the form of protein to iconic species such as salmon, as well as seabirds and marine mammals. A new global report from the Lenfest Forage Fish Task Force calculated that forage is worth twice as much in the water as it is in the net solely because of the commercial value added to bigger fish like salmon, tuna and cod. This is a conservative estimate, since it does not account for the value of recreational fishing or eco-tourism activities such as birding and whale-watching.

The Lenfest report recommends that when we have little or no information about a forage species, we should refrain from plunging ahead with a new fishery.

The Council's own draft Fishery Ecosystem Plan notes that the market is likely to become more attractive for lower-trophic-level species that aren't currently being fished due to the spectacular growth of the global aquaculture industry. Our own state prioritized the ecological value of prey fish when it adopted a Forage Fish Management Plan in 1998 that manages forage primarily for their value to the ecosystem with catch considered only on a

secondary basis. The Council would be wise to act now because, once a new fishery emerges, it will have a built-in incentive to maximize the harvest.

We commend the Council for taking up this important discussion, and ask that you act decisively to protect non-managed forage species by incorporating them into an existing fishery management plan.

Thank you.

Sincerely,

A handwritten signature in black ink, reading "Ronni McGlenn". The signature is fluid and cursive, with the first name "Ronni" being more prominent than the last name "McGlenn".

Ronni McGlenn, President
Board of Directors
Washington Wildlife Federation
www.washingtonwildlife.org
(425) 455-1986



May 21, 2012

Dan Wolford, Chairman
Pacific Fishery Management Council Members
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Re: Forage Fish Management/Agenda Item G.1

Dear Chairman Wolford and Council Members,

The undersigned are fishing groups whose members have a strong interest in maintaining healthy and sustainable fisheries in the ocean off the Pacific coast. Protecting the viability of salmon and other recreational fisheries for the future depends on a healthy food chain. Critical to larger predator species are the various forage fish that they rely upon for food. We are strongly concerned for the protection of those forage fish populations.

With the advent of federally mandated Annual Catch Limits (ACLs) stocks of forage fish that have heretofore been relatively untouched now have catch limits that far exceed any previous recorded harvest levels. Should fisheries be developed to take advantage of these newly enumerated levels of allowable annual harvest we could be putting the predator stocks that rely on those fish in jeopardy.

We believe that the value of the larger fish which are available for recreational and commercial harvest far exceeds the harvest value of the forage stocks which are, in many cases, used for reduction into feed for farmed fish and livestock. As the world-wide exploitation of these stocks increases we need to act quickly to prevent a disaster off our coast.

Harvest management needs to be precautionary. We urge the Council to take the following actions:

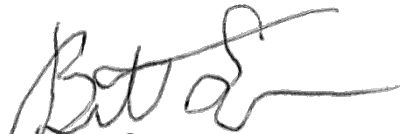
- First, authorize no new fisheries in the Pacific Council management area.
- Second, constrain existing fisheries to current harvest rates.
- Third, engage in studies to analyze the impacts of current and potential future forage fish harvest on important recreational fish such as salmon, rockfish, and tuna.

Tens of thousands of Washington citizens and businesses rely on fisheries for “predator” stocks such as those mentioned above. Those fisheries are rigorously managed to stay within science-based limits. Conservatively managing the forage fish they depend upon is critical to their viability and the sustainability of the coastal communities that depend upon them.

Respectfully yours,



Ron Garner, President
Puget Sound Anglers



Butch Smith, President
Ilwaco Charter Association



Mark Cedergreen, Executive Director
Westport Charterboat Association



Kelly Brown, President
Fish Northwest

Cc: WDFW Commission
Michele Culver, WDFW Regional Director
Phil Anderson, WDFW Director
Heather Reed, WDFW



NORTHWEST ENVIRONMENTAL DEFENSE CENTER
10015 S.W. Terwilliger Blvd., Portland, Oregon 97219
Phone: (503) 768-6673 Fax: (503) 768-6671
www.nedc.org

May 31, 2012

Dan Wolford, Chairman
Pacific Fishery Management Council
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members:

The Northwest Environmental Defense Center (NEDC) is an independent, non-profit organization working to protect the environment and natural resources of the Pacific Northwest. We provide legal support to individuals and grassroots organizations with environmental concerns, and engage in litigation independently or in conjunction with other environmental groups. We write today to urge the Council to take action on unmanaged and non-targeted forage species by not allowing new fisheries unless and until an approach can be implemented that takes into account the needs of the ecosystem as a whole.

With the global rise in demand for ocean protein, we are concerned about the increased harvest of forage fish and its implications for the ocean ecosystem. The Council's own draft Fishery Ecosystem Plan includes a market analysis of fish meal and oil, as well as the dramatic rise in aquaculture, indicating that many of the unmanaged forage species could become the target of future fisheries.¹ NEDC strongly recommends the Council act immediately to address unmanaged forage fish by incorporating those species into an existing fishery management plan and shifting the burden of proof on the development of new fisheries. We also encourage the Council to consider the needs of the ecosystem as a whole when setting catch limits for currently managed forage species like the Pacific sardine.

Upper-trophic level predators, such as salmon, steelhead, marine mammals and sea birds, require an immense amount of forage fish, which are the key link in the ocean food web. For example, the average humpback whale consumes up to one and a half tons of forage per day and a recent study of seabirds suggests we must leave one third of the maximum prey base in the ocean to maintain productive seabird populations, such as the ESA-listed Marbled Murrelet and the Common Murre.² Forage species are vital to a healthy ocean ecosystem and deserve adequate

¹ PFMC 2011. Draft Pacific Fishery Ecosystem Plan, Appendix A. Available at http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf

² Cury, P.M. et al. 2011. "Global Seabird Response to Forage Fish Depletion – One Third for the Birds." *Science* 334:1703-06

protection in their own right and for the species that depend on their abundant supply including salmon.

Salmon hold a special place in the Northwest as a keystone species in coastal ecosystems and human economies. Salmon runs bring marine nutrients upstream to freshwater and terrestrial ecosystems while also supporting an important coastal industry. We have spent billions of dollars attempting to recover salmon populations. However, we failed to take one of the most basic actions by protecting salmonid's primary source of food, forage fish. A recent report by the Lenfest Forage Fish Task Force confirmed the value of forage as prey in the ocean finding that forage fish are worth twice as much in the water as support to other fisheries than as a direct harvest product.³

Protecting forage species proactively has proven successful in implementation and outcomes. For example, the states of Washington and Alaska have both implemented Forage Fish Management Plans that recognize and prioritize the role of forage species as prey in the ecosystem and restrict directed harvest accordingly.⁴ In particular, the Alaska Board of Fisheries finds that "abundant populations of forage fish are necessary to sustain healthy populations of commercially important species of salmon, groundfish, halibut, and shellfish."⁵ Setting aside currently unexploited forage fish is a sensible and prudent action that is backed by scientists, fishermen, and conservation organizations.

The status quo is inadequate because new fisheries on unmanaged forage species may commence without previous approval from the Council and without showing that the fishery can be managed in a sustainable way that will not impact the marine ecosystem. The Council previously recognized the importance of precautionary forage management in the Coastal Pelagic Species Fishery Management Plan⁶ and through the 2006 prohibition on krill fishing in the West Coast Exclusive Economic Zone.⁷ The Council has the authority to permanently protect forage species and should establish a management objective that will ensure a healthy and productive ocean ecosystem for future generations.

We appreciate the opportunity to comment on forage fish management and look forward to continuing to provide input to the Council throughout the process.

Sincerely,
Mark Riskedahl
Executive Director,
Northwest Environmental Defense Center

³ Pikitch, E., et al. 2012. Little Fish, Big Impact: Managing a Crucial Link in Ocean Food Webs. Lenfest Ocean Program. Washington, DC.

⁴ Bargmann, Greg. (1998) Forage Fish Management Plan. A plan for managing the forage fish resources and fisheries of Washington. Washington Department of Fish and Wildlife. Olympia, WA.

⁵ Alaska Board of Fisheries. 1999. 5 AAC 39.212. Forage Fish Management Plan

⁶ PFMC. 1998. Coastal Pelagic Species FMP Amendment 8, Appendix B, p. B-3 (recognizing "that the process of developing fishery management programs is slower than the rate at which a fishery can become overcapitalized").

⁷ PFMC. 2008. Coastal Pelagic Species FMP Amendment 12, pp. 5-7.



OREGON SHORES
CONSERVATION COALITION

June 5, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members:

We write today to urge the Pacific Fishery Management Council to suspend the expansion of fisheries on unexploited forage stocks until an ecosystem-based approach can be implemented that conserves the prey base for all marine life including tuna, salmon, marine mammals and sea birds.

In Oregon, the beaches belong to the people. As part of Oregon's tradition of environmental stewardship, the Oregon Shores Conservation Coalition serves as the guardian of the public trust for our coastal region. Oregon Shores is dedicated to preserving the natural communities, ecosystems and landscapes of the Oregon coast while conserving the public's access. Oregon Shores pursues these ends through education, advocacy, and engaging citizens to keep watch over and defend the Oregon coast.

For example, our members have volunteered numerous hours through our CoastWatch Program to participate as part of the University of Washington's [Coastal Observation and Seabird Survey Team \(COASST\)](#), helping to monitor and document the species of birds found washed ashore in the driftline along Oregon's coast. As a result of this, and our other citizen science and monitoring projects, our volunteers are keenly interested in seabirds and the food web on which they depend.

A recent report titled "Global Seabird Response to Forage Fish Depletion: One-Third for the Birds" ¹ estimates that we must keep one-third of the maximum prey biomass in the ocean in order to maintain seabird productivity. Using a comprehensive global database, the report quantified the effect of fluctuations in food abundance on seabird breeding success. The report identified the one-third threshold below which seabirds experience consistently reduced and more variable productivity. This response was common to all seven ecosystems and 14 bird species examined within the Atlantic, Pacific, and Southern Oceans. This provides an indicator of the minimal forage fish biomass needed to sustain seabird productivity over the long term.

¹ Science Magazine, 23 December 2011: 1703-1706.

Scientists agree that the expansion of fishery quotas for forage fish has an impact upon the entire ocean ecosystem and can impact freshwater aquatic and terrestrial environments affecting mammals, birds and other species of fish that rely upon those fish for food, growth, reproductive success and survival. And, it has become clear in recent years that the world's fisheries are in deep trouble. Some fisheries once considered abundant have collapsed while others have experienced severe declines.

Many fisheries are found in coastal waters because of the relative abundance of nutrients and greater diversity of habitats in such regions. These are also the areas most subject to impacts from human activities as well as natural events.

We urge the Council to do its part to support a healthy coastal ecosystem by protecting forage species in the ocean that are not currently managed and to analyze the effects of managed fisheries. The expansion of fishery quotas for forage fish has an impact upon the entire ocean ecosystem and can impact freshwater aquatic and terrestrial environments affecting mammals, birds and other species of fish that rely upon those fish for food, growth, reproductive success and survival.

Oregon Shores is especially concerned about growing worldwide demand to convert vast quantities of forage fish for secondary purposes, such as feed for poultry, livestock and farmed fish and as oil for supplements. The Council noted in its own November 2011 draft ecosystem plan that the incentive for targeting new species of lower-trophic-level fish is likely to grow more attractive due to the spectacular growth of the global aquaculture industry. Oregon Shores believes that harvest management should err in favor of conservation and recovery.

For the foregoing reasons, Oregon Shores recommends that the Council not expand forage fish fisheries. Further, make a commitment to using the precautionary principle in allocating quotas for current forage fisheries. Thank you for your work on the Council and your efforts to protect forage species. We look forward to providing further input as this process continues.

Sincerely,

A handwritten signature in cursive script that reads "Robin Hartmann".

Robin Hartmann
Ocean Program Director
541-817-2275
robin@oregonshores.org
www.oregonshores.org



June 5, 2012

Pacific Fishery Management Council
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members:

We write today in support of forage fish conservation and to ask the Council to set aside currently unmanaged forage species to ensure a healthy and diverse ocean ecosystem. At the Center for Biological Diversity, we believe that the welfare of human beings is deeply linked to nature — to the existence in our world of a vast diversity of wild animals and plants. Because diversity has intrinsic value, and because its loss impoverishes society, we work to secure a future for all species, great and small, hovering on the brink of extinction. We do so through science, law and conservation measures, with a focus on protecting the lands, waters and climate that species need to survive.

Ocean waters cover three-quarters of the globe and are vast, mostly undiscovered havens for mysterious and diverse life. But the open oceans are also a free-for-all, barely regulated or policed. International laws to protect them are drastically inadequate to address threats like large-scale commercial fishing, which sweeps life out of the seas at unprecedented rates. Under relentless pressure from exploding human populations, species are going extinct at 1,000 to 10,000 times the natural rate and the diversity of life that sustains both ecological systems and human cultures around the world is collapsing.

We are particularly concerned with the growing worldwide demand to harvest and convert vast quantities of forage fish into fishmeal, fish oil and feed for aquaculture operations. Not only are forage species at risk of over-exploitation, they are also especially sensitive to environmental change and are known to have significant populations swings. The California Current is home to several threatened and endangered species, including the Marbled Murrelet and a variety of salmonids, which live on a diet composed primarily of forage fish. By protecting currently unmanaged and non-targeted forage species, the Council will secure a diverse prey base in the ocean that is buffered against changing ocean conditions and overfishing. We urge the Council to take into account the needs of our ecosystem as a whole and protect unmanaged forage fish by incorporating those species into a fishery management plan.

We appreciate your work on the Council and the opportunity to comment on this important issue. We look forward to participating throughout this process.

Sincerely,
/s/ Miyoko Sakashita
Miyoko Sakashita
Oceans Program Director

Little Fish – BIG Deal!

Pacific Fishery Management Council
Dan Welford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Welford and Council Members,

Those of us who work in the West Coast food industry have staked our livelihoods on a sustainable supply of Pacific seafood. That is why we are asking the Council to prioritize forage fish as the key link in a productive marine food web. Our long-term success, and thousands of jobs, depends on a stable supply of local seafood made possible by a balanced and resilient ocean environment.

Specifically, we ask the Council to take action in June to protect forage species that are not currently being fished. We are concerned that new fisheries targeting forage fish could begin at any time, even before the science is in place to ensure fishing these species does not harm the ecosystem.

Forage fish eat plankton, converting it into life-sustaining protein for everything else in the water, including seabirds, marine mammals, and the bigger fish that people love to catch and eat. Although many of us embrace the traditional use of some West Coast forage stocks for human consumption, any expansion of fisheries targeting forage fish is unlikely to arrive on a dinner plate. Demand is rising across the world to convert forage fish into a commodity that can be fed to livestock, poultry and farmed fish. We are concerned that the market for currently unfished forage species is likely to grow more attractive due to the spectacular growth of aquaculture, as the Council cited in its own draft ecosystem plan in November.

The Council has a chance to continue the leadership it demonstrated in 2006, when it put krill off-limits because of its importance as forage for other marine life. The Council wisely decided to act before a problem developed. Similarly, the Council should hold off the development of new fisheries on forage stocks unless and until the science is in place to manage them sustainably.

All of us benefit from a marine environment teeming with salmon, albacore tuna and halibut. That's why we are asking the Council to do all it can to safeguard this amazing natural asset, starting by leaving enough prey in the water to sustain a durable and vibrant Pacific ecosystem for generations to come.

Thank you for your ongoing commitment to a healthy ocean and the businesses that depend on it.

Sincerely,

Matt Carreira, Co-Founder, Owner, I Love Blue Sea, LLC, *San Francisco, CA*
Cassie Roth, Bon Appetit Management Company, *Palo Alto, CA*
Patrice Boyle, Owner, Soif Wine Bar & La Posta Restaurant, *Santa Cruz, CA*
Jim Tripp, General Manager, Anaheim Convention Center - ARAMARK, *Anaheim, CA*
Greg Higgins, Chef/Owner, Higgins Restaurant & Bar, *Portland, OR*
Timothy J Dietzler, Director, Villanova University Dining Services, *Villanova, PA*
Trent Pierce, Wafu, *Portland, OR*
Brandon Hill, Bamboo Sushi, *Portland, OR*
Kristofor Lofgren, Bamboo Sushi, *Portland, OR*
Brian Landry, Bamboo Sushi, *Portland, OR*
Lyl Gildersleeve, Flying Fish Co., *Portland, OR*
Katherine Liebman, Cocotte, *Portland, OR*

Little **Fish – BIG Deal!**

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

We write to you today as business owners whose livelihoods depend on a healthy Pacific Ocean. We ask you to immediately prohibit new fisheries on currently non-managed forage species, and to explicitly account for the dietary needs of wildlife in the ocean when setting catch limits for existing fisheries on forage fish.

Forage fish provide the crucial middle link in the marine food web. Oily energy-rich fish such as sardines, anchovies and herring eat planktons. They are then consumed by virtually everything else, including seabirds, bigger fish and marine mammals such as sea lions, humpback whales and dolphins. A thriving Pacific ecosystem is both a rich cultural legacy and a tremendous economic asset. Whale-watching generates \$20 million in revenue annually in California alone¹, which is only a fraction of the economic and social benefits of a vibrant and productive marine environment.

We are concerned about a worldwide trend to expand the harvest of forage fish and convert it into feed for fish farms, poultry and pigs. The sheer abundance and schooling behavior of forage fish means they can be caught quickly and processed in high-volume, low-value fisheries. And market pressure is increasing to use forage as feedstock – especially with aquaculture now accounting for almost half of worldwide seafood consumption.

On the Pacific coast, forage fish are the key component to a rich and biologically diverse ecosystem. A recent decade-long study revealed that tunas, sharks, seabirds, seals and whales cross the ocean every year to the rich marine ecosystem along the Pacific coast². It is no wonder that wildlife-watching generates billions of dollars in economic activity on the West Coast³. Whether it is birders congregating on coastal headlands or charter boats filled with whale watchers, the public clearly values a healthy ocean. An abundance of forage fish makes all of this possible.

We appreciate that the Council has agreed to develop an ecosystem approach to fishery management, because it's clear that a healthy ecosystem depends on an abundance of forage fish. However, it could take years to actually enact an ecosystem plan. We believe there is no reason to wait to protect the linchpin of a well-functioning marine ecosystem. By forestalling new fisheries on non-managed forage stocks now – and accounting for the predator-prey dynamic for existing forage fisheries – you will help to ensure a healthy ocean for generations to come.

Sincerely,

Richard Ternullo, Monterey Bay Whale Watch Center, *Monterey, CA*
Captain Fred Benko, Owner, Condor Cruises, *Santa Barbara, CA*
Captain Verne Bryant, Owner, San Francisco Bay Whale Watching, *San Francisco, CA*
Amber Boyle, Vice President, Harbor Breeze Corporation, Yacht Charters and Cruises, *Long Beach, CA*
Dave Lacey, South Coast Tours, *Gold Beach, OR*
Michael Brody, The Eco Evolution, *Roseburg, OR*

¹ Understanding the Potential Economic Impact of Marine Wildlife Viewing and Whale Watching in California. Linwood Pendleton, University of California, Los Angeles. March 1, 2006. ² Tracking Apex Marine Predator Movements in a Dynamic Ocean. *Nature*. Volume:475. Pages: 86–90. July 7, 2011. ³ U.S. Fish & Wildlife Service, 2008. Wildlife Watching in the U.S.: The Economic Impacts on National and State Economies in 2006. Washington, D.C.

Little **Fish – BIG Deal!**

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

We write to you as fishermen who understand the importance of abundant populations of forage species as food for marine life. That's why we are asking the council to immediately suspend development of new fisheries on non-managed forage species until demonstrating it can be done in a way that leaves enough prey in the water to support important fisheries such as tuna, salmon and groundfish.

Forage fish such as anchovy, herring and smelt provide life-giving sustenance that keeps the public's favorite seafood plentiful and robust. Forage fish are transfer agents. They convert microscopic phytoplankton and zooplankton into protein that is then available to the rest of the food chain. No other category of fish fulfills this role as well as forage fish do. We know that economically valuable fisheries can be threatened when forage dwindles. Poor ocean conditions, including a lack of forage, contributed to the historic collapse of Sacramento River fall Chinook salmon in 2008.

The council wisely recognized the importance of forage to a well-functioning ecosystem in 2006, when it put krill off-limits. Similarly, the North Pacific Fishery Management Council prohibited the directed fishing of many key forage species in Alaska beginning in 1998, with the strong support of commercial fishermen.

We think this approach makes sense as baitfish across the world are being increasingly pulled out of productive marine ecosystems and turned into feed for fish farms, livestock and poultry. A booming global aquaculture industry now accounts for almost half of the seafood consumed by people worldwide. This growing market trend threatens to undermine the wild fisheries that provide major economic benefits to fishermen and the locally caught seafood enjoyed by people on the West Coast.

We support traditional West Coast fisheries targeting sardine, herring and anchovies for use as bait or for high-value human consumption. However, the spectacular growth of the fish-farming industry is increasingly driving the market for West Coast forage species toward high-volume, low-value products overseas. We are concerned that it is only a matter of time until currently unregulated forage species become the target of new industrial-scale fisheries that degrade the marine food web here on the Pacific coast. That's why it is important for the council to act now, before a new fishery begins. Protecting non-managed forage populations creates no winners or losers, but conserves the basis of a productive marine ecosystem.

There is no reason to wait. Before allowing the lifeblood of a healthy ocean to seep away as low-grade feed overseas, let's make sure we've left enough bait in the water for the fishermen and coastal communities that depend on it.

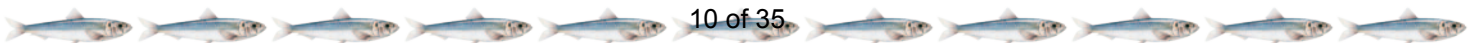
Sincerely,

Greg Mueller, F/V SouthSide, *Westport, WA*

Bryan G. Benkman, F/V Kona Rose, *Seattle, WA*

Lee Taylor and Kate Scannell, F/V Nile II, *Seal Rock, OR*

CONTINUED



Little **Fish – BIG Deal!**

Nick Bordelon, *Port Orford, OR*

Aaron Longden, *Port Orford, OR*

Lyle Keeler, *Port Orford, OR*

Jeff Miles, *Port Orford, OR*

Danny Keeler, *Port Orford, OR*

Chris Aiello, *Port Orford, OR*

Leesa Cobb, *Port Orford Ocean Resources Team, Port Orford, OR*

Tom Pfister, *Newport, OR*

Al Ritter, *Waldport, OR*

Bob Kemp, *Newport, OR*

John Simerly, *Vancouver, WA*

Phil Peterson, *F/V Silver Sea, Siletz, OR*

Charles Aubertin, *F/V Monarch, Ephrata, WA*

Darby R. Dickerson, *F/V Maverick, F/V Gretchen, Port Angeles, WA*

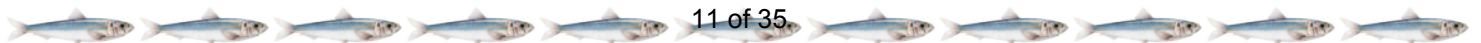
John Lentz, *F/V Karin Michelle, Vancouver, WA*

Robert Driver, *Lincoln City, OR*

Amy Grondin, *F/V Duna, Port Townsend, WA*

Daniel Morris-Young, *Anacortes, WA*

Bradley C. Oldfield, *Everett, WA*



Little Fish – BIG Deal!

Pacific Fishery Management Council
Dan Woldford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Woldford and Council Members,

We write today as sport fishermen who benefit from a well-functioning marine ecosystem along the Pacific coast. An abundance of forage fish is the key to a healthy ocean. That's why we are asking the Council to immediately prevent new fisheries on non-managed stocks of forage fish.

Small prey fish, squid and krill perform a critical ecological function by converting planktons into protein available to bigger fish. Iconic species such as salmon, tuna and lingcod thrive on an abundance of forage in the water. These larger fish support a recreational fishing sector that employs over 18,000 people and generates \$2.2 billion in annual spending on saltwater fishing and equipment in California, Oregon and Washington¹. We know that important predator species suffer when forage dwindles. Poor ocean conditions, including a lack of forage, contributed to the historic collapse of Sacramento River fall Chinook salmon in 2008².

As fishermen, we know that bait in the water translates to fish in our boat.

Unfortunately, forage fish across the world are coming under increasing pressure. Demand is rising to convert forage into feed for fish farms, poultry and livestock. The Pacific coast is not immune to this global trend. For example, Pacific sardines already are being frozen and shipped by the metric ton to fatten pen-raised tuna in Australia. It takes at least 7 pounds of sardines to grow a pound of pen-raised tuna³, an equation that can quickly drive a healthy marine ecosystem out of balance. We believe the Council should act now to head off the threat of degrading a productive marine ecosystem to accommodate the alarming growth of global aquaculture⁴, which has already expanded to the point that it now accounts for almost half of worldwide seafood consumption⁵.

We understand that the Council has agreed to eventually adopt a fishery ecosystem plan, which ought to recognize forage fish as the linchpin of a healthy food web. However, the long-term development of an ecosystem plan should not delay sensible measures to conserve the prey base now. The Council should demonstrate the same far-sighted thinking it showed in 2006 when it preemptively barred the commercial harvest of krill to protect the food web.

Abundant schools of forage fish are the key to a productive ecosystem and the recreational fishing businesses that depend on it. We ask that you act now to protect a vibrant food web right here.

Sincerely,

Liz Hamilton, Executive Director,
Northwest Sportfishing Industry Association, *Oregon City, OR*

Capt. Todd Magaline
AAA Sausalito Sportfishing, *Sausalito, CA*

Tom Pateirno
Limitless Sportfishing Charters, Inc., *Newport Beach, CA*

CONTINUED



Little Fish – BIG Deal!

Jeff Overall

Newport Harbor Kayak Fishing, *Newport Beach, CA*

Jim Martin, Conservation Director

Berkley Conservation Institute, Pure Fishing,
Mulino, OR

Roger Urbaniak

Puget Sound Anglers of Lake Washington,
Bellevue, WA

Greg Mariano, *Walnut Creek, CA*

Lowell Ellis, *Castro Valley, CA*

William Doo, *Daly City, CA*

William Dutra, *Danville, CA*

Bruce MacKimmie, *Moss Beach, CA*

Dimitri M. Fogal, *Citrus Heights, CA*

Mike Rancatore, *South San Francisco, CA*

John Walthew, *San Francisco, CA*

Craig Wood, "Wildwood" Coastsides Fishing Club,
Half Moon Bay, CA

Ronald Semenza, *West Coast Highliners, San Jose, CA*

Pierre Granier, *San Francisco, CA*

Matthew M. Mansuy, Secretary, Coastsides Fishing
Club, *Napa, CA*

James Schilling, PhD, Coastsides Fishing Club,
San Mateo, CA

Michael Hale, *Mill Valley, CA*

Erik Kjaer, *Sebastopol, CA*

Michael Caporale, Coastsides Fishing Club, *San Jose, CA*

Ken Fujii, Coastsides Fishing Club, *Martinez, CA*

James D Spickard, Coastsides Fishing Club, *Folsom, CA*

Peter Davidson, Coastsides Fishing Club, *Martinez, CA*

Will Ward, Carapace Fishing, *Oakland, CA*

Steve Alvord, *Benicia, CA*

Sharon Dunn, *Oakland, CA*

Jonathan Dunn, *Oakland, CA*

Roger Arnal, Coastsides Fishing Club, Full Speed Fish-
ing Club, West Coast Highliners Club, Bloody Decks,
Daly City, CA

Darrell Ticehurst, Coastsides Fishing Club,
Burlingame, CA

Davey's Locker Sportfishing, *Newport Beach, CA*

Bob Godfrey, *Marina Del Rey, CA*

Gary Glockzin, San Diego Rod & Reel Club,
San Diego, CA

David Robinson, *San Bernardino, CA*

Janet Seals, *Yucaipa, CA*

Robert Levin, *Huntington Beach, CA*

Jesse Sanchez, *Tustin, CA*

Bruce Stubbs, Ph.D, *Carlsbad, CA*

Dan Rowe, *Torrance, CA*

Scott Colpitts, *Newark, CA*

Louie Aguilar, *San Bernardino, CA*

Thorre Reeder, *CA*

Jose Rodriguez, *La Habra, CA*

Tim Stover, *San Diego, CA*

George Allers, *Fullerton, CA*

Art Dawson, *Chino Hills, CA*

Jacob Mochez, *Merced, CA*

Jose Sanchez, *Encinitas, CA*

Stan Malin, *Castaic, CA*

Travis White, *La Mirada, CA*

Bob Olinskas, *Irvine, CA*

Wm Bailey, *Costa Mesa, CA*

BK Weight, *Santa Barbara, CA*

Brian Howland, *Walnut, CA*

Waynee Beliiski, *Aromas, CA*

Gergory Moore, *Long Beach, CA*

Ernest Cran, *Arcadia, CA*

Kevin Koch, *Costa Mesa, CA*

Chirs Carson, *Shady Cove, CA*

John Carson, *Henderson, CA*

Anthony Anania, *Long Beach, CA*

Romolfo Hermosi II, *Costa Mesa, CA*

David Boteilho, *Whittier, CA*

Tom Botana, *CA*

John Corbi, *Laguna Niguel, CA*

Michael Secseif, *Alhambra, CA*

Chase Edwards, *Alhambra, CA*

Jessica Gonzalez, *Sylmar, CA*

Rich Lingor, *Bradley, CA*

Angela M. Addiego, *San Carlos, CA*

Richard Smith, *Long Beach, CA*

Tom DeBellis, *Lake Arrowhead, CA*

Lester Winograde, *Santa Monica, CA*

Aaron Leam, *Bakersfield, CA*

David Eastman, *Mission Viejo, CA*

A.C. Leachno, *Lompoc, CA*

Paul J. Shak, *Newport Beach, CA*

Richard Burk, *San Diego, CA*

Tim Jacobs, *Huntington Beach, CA*

Larry Dinovitz, *Calabasas, CA*

John Flores, *Calabasas, CA*

Alex Gomez, *Reseda, CA*

E Codoros, *Yucaipa, CA*

Mike Psinakis, *San Francisco, CA*

William Joe, *San Francisco, CA*

Little Fish – BIG Deal!

Terry Otoshi, *San Francisco, CA*
Arlene Quinn, *Canoga Park, CA*
Marisa Kordie, *Rancho Palos Verdes, CA*
Christopher Salkeld, *Rancho Palos Verdes, CA*
Steven Shlkeld, *Catstaic, CA*
Holly Randolph, *Downey, CA*
Mark Gebert, *Downey, CA*
Neal Shapiro, *Los Angeles, CA*
Houston Tetty, *Bellflower, CA*
Lorraine Ortiz, *Whittier, CA*
Chris Ortiz, *Whittier, CA*
Sandy Simiens, *Ladera Ranch, CA*
Tim Bradley, *Long Beach, CA*
Mark Armen, *CA*
Kevin Becker, *Anaheim, CA*
Nate Walker, *North Hills, CA*
Patricia White, *Rosamond, CA*
V. Ezerins, *Long Beach, CA*
Ronnie Guta, *Chino Hills, CA*
Gillin Holbrook, *Lancaster, CA*
George Villanveva, *Murrieta, CA*
Doug Frank, *Tarzana, CA*
Jane Carson, *Henderson, CA*
Corey Sander, *El Cajon, CA*
Jaime Reyes, *West Covina, CA*
Mercedes Reyes, *West Covina, CA*
Gerando Vasquez, *Compton, CA*
Gerry Walton, *Big Bear City, CA*
Norman Havens, *Wrightwood, CA*
Ken Linosay, *Van Nuys, CA*
Deb Meyers, *Costa Mesa, CA*
Conner Jainese, *Lakewood, CA*
Jose Vasquez, *Bellflower, CA*
Maria Funes, *La Mirada, CA*
Ray Dinaga, *Paramount, CA*
Brian Jainese, *Lakewood, CA*
Ray Gastelum, *Rosemead, CA*
Mike Fetter, *Chula Vista, CA*
Carlos Ali, *Huntington Beach, CA*
Mark Suminski, *Venice, CA*
John Caldell, *Lancaster, CA*
Rangles Stover, *Lawndale, CA*
Steven Martinez, *Hermosa Beach, CA*
Joe Mladinar, *Pomona, CA*
Shan Bartaotto, *Fontana, CA*
Luis Silva, *Manhattan Beach, CA*
Teri Sandburg, *Downey, CA*
Rich Ellis, *Chino Hills, CA*

Craig Thomas, *Torrance, CA*
TW Thomas, *Torrance, CA*
Len Markevicz, *Redlands, CA*
Jay Kritter, *Redlands, CA*
Russell Murray, *Cypress, CA*
Gary Henderson, *Joshua Tree, CA*
Ken Manlo, *Whittier, CA*
Bubbie Ceitsch, *Barstow, CA*
Ray Wilheion, *Garden Grove, CA*
Kirk Ellison, *Huntington Beach, CA*
Ken Deasny, *Lakewood, CA*
Chantylle Guitierrez, *Rancho Cucamonga, CA*
Steve Rohrer, *San Leandro, CA*
Chris Lee, *San Dimas, CA*
Robert Val, *Lakewood, CA*
Adrian G Slava, *CA*
Dennis Keenek, *Ontario, CA*
Michael Rowsen, *Hungtinton Beach, CA*
Erik Broeske, *Seal Beach, CA*
Brandon Nueman, *Sherman Oaks, CA*
Joey Rodriguez, *CA*
Jos Valles, *Hacienda Heights, CA*
Jhanie Arevalo, *Hacienda Heights, CA*
Luis Suilva, *CA*
Bob Loftin, *Inglewood, CA*
Michael Zarate, *Monrovia, CA*
Zudda Whitan, *Long Beach, CA*
John Melton, *Camarillo, CA*
Bart Thayer, *Temecula, CA*
Gary L Pleasamis, *Lakeside, CA*
Paul B. Kramern, *Lake Forest, CA*
Gary Segel, *Huntington Beach, CA*
Joy Eng, *Placentia, CA*
Mary Twomey, *CA*
Jimer Carambas, *San Diego, CA*
Dana Emerson, *Chatsworth, CA*
Min Kang, *Los Angeles, CA*
Fred Giovani, *Monrovia, CA*
Mel Spahhino, *Covina, CA*
Matt Cabibbo, *Yorba Linda, CA*
Teresa Lamarre, *Castle Rock, WA*
Bill Merrill, *Lynnwood, WA*
Lori Johnson, *Bellingham, WA*
Deborah Walsh, *Snohomish, WA*
Brian Parke, *Gold Bar, WA*
Lloyd Mashita, *Lynnwood, WA*
Ryan Lodermeier, *Monroe, WA*
Roni Mashita, *Lynnwood, WA*

Little Fish – BIG Deal!

Ty Teller, *Gold Bar, WA*
Sue Closser, *Everett, WA*
Steve Koho, *Mill Creek, WA*
Robin Parker, *Snohomish, WA*
Mike Wilkinson, *Monroe, WA*
Gary Ackley, *WA*
Drew Sesler, *WA*
Jeanette Merrill, *Lynnwood, WA*
Gerry Lamarre, *Castle Rock, WA*
Bob Harrison, *Snohomish, WA*
Gary Elledge, *Monroe, WA*
Jim Sullivan, *Sammamish, WA*
Van Beatty Adams, *Lynnwood, WA*
Katie Earl, *Monroe, WA*
Darren Evers, *Monroe, WA*
Rodney Oster, *Sultan, WA*
Charity Fox, *Monroe, WA*
Debbie Robinson, *Monroe, WA*
Michelle Atcheson, *Lynnwood, WA*
Sean Carpenter, *Monroe, WA*
Jill Eelkema, *Mount Vernon, WA*
Ronnie McGlenn, *Bellevue, WA*
Naomi Johnson, *Monroe, WA*
Jay Reule, *Monroe, WA*
Ed Gann, *Marysville, WA*
Deb Cuyle, *Snohomish, WA*
David Ross, *Brier, WA*
Kathryn Logue, *Everett, WA*
Nikki Peters, *Lynnwood, WA*
Max Jenson, *Lynnwood, WA*
Kim Weyer, *Snohomish, WA*
Juanita Lanz, *Snohomish, WA*
Jon Collins, *Bothell, WA*
Sue Klinker, *Snohomish, WA*
Tammi Koffler, *Everett, WA*
Rick Laine, *Shoreline, WA*
Sharon Koen, *Granite Falls, WA*
David Elkins, *Edmonds, WA*
Jason J Vinyard, *Vancouver, WA*
Cynthia Rienstra, *Tulalip, WA*
Craig Slata, *Everett, WA*
David B Merdgen, *Woodinville, WA*
Darren Phillips, *Lake Stevens, WA*
James Albrecht, *Edmonds, WA*
Jessie Albrecht, *Lynnwood, WA*
Jason Carstens, *Bothell, WA*
Angela Buck, *Vader, WA*

Mary Kenyon, *North Bend, WA*
Jim Swanson, *Snohomish, WA*
Stu Dye, *Woodinville, WA*
Tara Sroka, *Bremerton, WA*
Jill Raub, *Lake Stevens, WA*
Britney Johnson, *Monroe, WA*
Zach Neary, *Snohomish, WA*
Mike Abromczyk, *Portland, OR*
Louis Aguilla, *Portland, OR*
Mark Atherton, *Portland, OR*
John Barkel, *OR*
Jeremy Barker, *Oregon City, OR*
Mike Barnett, *Portland, OR*
Russell Bassett, *Milwaukie, OR*
Brandon Beebe, *OR*
Derek Bell, *Hood River, OR*
Adam Black, *Clackamas, OR*
Bryan Bordelon, *Bend, OR*
Ron Bottonky, *Sweet Home, OR*
Curt Bowers, *McMinnville, OR*
Dan Brady, *Cornelius, OR*
Jeremy Brown, *Hillsboro, OR*
Jerry Brown, *Springfield, OR*
Bill Brown, *McMinnville, OR*
Nil Calhro, *Portland, OR*
Keith Canaday, *Springfield, OR*
Dana Cannetti, *Banks, OR*
Kelly Carmichael, *Dallas, OR*
Blaine Carver, *Maupin, OR*
Keelia Carver, *Maupin, OR*
Kathryn Case, *White Salmon, WA*
Scott Cook, *Bend, OR*
Rob Crandall, *Oregon City, OR*
Jeff Crouse, *Wilsonville, OR*
Ryan Danley, *Portland, OR*
Aaron Danton, *Portland, OR*
G.L. Davis, *Damascus, OR*
Eric Deitz, *Estacada, OR*
Mavonnie Deitz, *OR*
Eric Deitz, Sr., *Portland, OR*
Rob Dolton, *Clackamas, OR*
Marvin Drape, *OR*
Dustin Bruns, *Newport, OR*
Adam L. Duarte, *Hillsboro, OR*
Linda Ducret, *Portland, OR*
Richard Egan, *Woodburn, OR*
Jason Elkins, *Portland, OR*

Little Fish – BIG Deal!

Rich Eppenly, *Oregon City, OR*
Nathan Ereth, *OR*
Scott Euchle, *Portland, OR*
Lawrence Evers, *Portland, OR*
Dean Finnerty, *Cottage Grove, OR*
Jeff Fisher, *Portland, OR*
Ed Flick, *Portland, OR*
Kevin Frank, *Welches, OR*
David Frisendahl, *Salem, OR*
Gus Gates, *Florence, OR*
G.A. Gehrmean, *OR*
Jeff Gettle, *Portland, OR*
Roxanne Gilbride, *OR*
Vaden Green, *Gresham, OR*
Tom Greller, *Newberg, OR*
Ed Gunderson, *Creswell, OR*
Paul Guycko, *Lake Oswego, OR*
Eric Halliday, *Oregon City, OR*
Kodel Halliday, *Oregon City, OR*
Chip Hampe, *Blachly, OR*
Phil Hawkins, *Rhody, OR*
Bobby Hayden, *Portland, OR*
Kevin Healey, *OR*
Matt Healy, *Portland, OR*
DJ Heffernan, *Portland, OR*
Ed Hepp, *Portland, OR*
Beth Hesketh, *Oregon City, OR*
Jeff Hickman, *Eagle Creek, OR*
Brad Holland, *Oregon City, OR*
Justin Hopkin, *Boring, OR*
Brant Hubbard, *Portland, OR*
Ryan Hummel, *Milwaukie, OR*
John Huntsman, *West Linn, OR*
Brad Huthr, *Portland, OR*
Mat Ishahi, *Portland, OR*
Roger Jackson, *Stayton, OR*
Eric James, *OR*
Miles Johnson, *Portland, OR*
Lance Johnson, *OR*
Doug Johnson, *Junction City, OR*
Mike Joliffe, *Portland, OR*
Kelvin Kempfer, *Bend, OR*
Jeremy Kind, *Yamhill, OR*
Ralph Klock, *Sherwood, OR*
Victor Krupp, *Oregon City, OR*
Earl Lachnite, *OR*
Michael LaRoche, *Portland, OR*

Rylan LaRoche, *Portland, OR*
John Lawce, *Portland, OR*
Kevin Luetterodt, *Gladstone, OR*
John MacKinnon, *Portland, OR*
Doug Malin, *Portland, OR*
Frank C. Marraro, *Scappoose, OR*
Ed Marsoun, *Keizer, OR*
Rick Maxwell, *OR*
Todd May, *Gladstone, OR*
Norm McClure, *Gresham, OR*
Chris McMinds, *OR*
Dave Michalec, *Portland, OR*
Christian Miner, *OR*
Steve Morris, *Tillamook, OR*
Gil Muhleman, *Tygh Valey, OR*
Mark Murray, *Portland, OR*
Craig Myers, *Tualatin, OR*
Mark Neinstadt, *Portland, OR*
Jim Nelson, *Salem, OR*
Charlie Otai, *Sublimity, OR*
Kaleah Ott Ott, *Portland, OR*
Mike Perkett, *Oregon City, OR*
Laura Pike, *Portland, OR*
Jim Pitum, *Molalla, OR*
Charlie Plybon, *South Beach, OR*
Shaun Porter, *Fairview, OR*
Wade Radke, *Troutdale, OR*
Done Rahlfs, *Cornelius, OR*
Tom Randall, *Portland, OR*
Bonniien Reams, *Fairview, OR*
Bob Rees, *Bay City, OR*
Frank D. Rhodes, *West Linn, OR*
David Richards, *Astoria, OR*
Ron Richards, *Oregon City, OR*
Paul Ridgway, *McMinnville, OR*
Michael Rischer, *Portland, OR*
Adam Roowicz, *Sherwood, OR*
Brian Rudkin, *Oregon City, OR*
J. Santiago, *Hillsboro, OR*
Whit Sheard, *Portland, OR*
Marth Sheppard, *Brightwood, OR*
Elizabeth Sledge, *Dallas, OR*
Brad Smith, *Portland, OR*
Tim Smith, *Oregon City, OR*
Matt Stelte, *Portland, OR*
David Stoune, *Bend, OR*
Jim Strader, *Milwaukee, OR*

Little Fish – BIG Deal!

Michael Strahling, *Portland, OR*
Jerry Swanson, *Portland, OR*
Sandra Taylor, *Gresham, OR*
Mike Thomas, *Springfield, OR*
Bruce Thompson, *OR*
Dorian Thompson, *Glide, OR*
Josh Tindall, *OR*
Toby Tobias, *Klamath Falls, OR*
Ralph Tolli, *Bend, OR*
Jason Wagoner,
Margaret Walker, *Portland, OR*
Tye Wasl, *Portland, OR*
Troy Webster, *Milwaukee, OR*
Justin Wiegand, *Brightwood, OR*
Jeff N. Winders, *Roseburg, OR*
Ryan Wolford, *Hillsboro, OR*
Kriss Wright, *Tigard, OR*
Rainbeau Wulf, *Eugene, OR*
Jeff Yoakum, *Hillsboro, OR*
Joe Yoakum, *Hillsboro, OR*
Dan Young, *Warrenton, OR*
Michael C. Brody, *Roseburg, OR*
Bill Bakke, *Portland, OR*
Dwayne Meadows, *Corvallis, OR*
Bobby Hayden, *Portland, OR*
Tom Wolf, *Portland, OR*
Bruce Polley, *OR*
Christopher Schmidt, *Portland, OR*
Stan Chesshil, *Portland, OR*
Reid Curry, *Portland, OR*
Nic Callero, *Portland, OR*
Tom Calvanese, *Port Orford, OR*
Kareen La'L, *Vancouver, WA*
Doug Hall, *Vancouver, WA*
Jacob P. Mills, *Vancouver, WA*
Alex Rodvik, *Vancouver, WA*
Deena Rudolph, *Vancouver, WA*
Ross Christianson, *Vancouver, WA*
Dale Rohlfing, *Vancouver, WA*
David Black, *Vancouver, WA*
Bryan McBevery, *Camas, WA*

Adam Railing, *Camas, WA*
Ryan Masuda, *Vancouver, WA*
Stephen A. Wille, *Vancouver, WA*
Robyn Meyers, *Vancouver, WA*
Walt Weber, *Chinook, WA*
Tommy Miller, *Vancouver, WA*
Chris House, *Vancouver, WA*
Nathan Weis, *Camas, WA*
Garry Williams, *Washougal, WA*
Carlos D Velazco, *Vancouver, WA*
Gary Jochim, *Vancouver, WA*
Reg Bruce, *Shoreline, WA*
Randall Ahlvers, *Vancouver, WA*
Dan Herber, *Pasco, WA*
Jacob Larson, *Marysville, WA*
Tom Lines, *Des Moines, WA*
Bear Perkins, *Ridgefield, WA*
Marvin Chesley, *Kelso, WA*
Chris McMinds, *WA*
Randy Bradshaw, *Ridgefield, WA*
Dan Young, *Warrenton, WA*
Adam Black, *Clackamas, WA*
Mark Bagdovitz, *Vancouver, WA*

¹Fisheries Economics of the United States. U.S. Department of Commerce, NOAA Technical Memorandum NMFS/F/SP0-118. May 2011. ²What caused the Sacramento River fall Chinook stock collapse? Pre-publication report to the Pacific Fishery Management Council. Lindley, et al. March 18, 2009. ³Marine Science Assessment of Capture-based Tuna Aquaculture in the Ensenada Region of Northern Baja California, Mexico. Zertuche-Gonzalez, et al. Department of Ecology & Evolutionary Biology – Stamford Publications. University of Connecticut, 2008. ⁴Pacific Fishery Management Council. Draft Fishery Ecosystem Plan. Appendix A. November 2011. ⁵The State of World Fisheries and Aquaculture 2010. Food and Agriculture Organization of the United Nations.



June 8, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Pl., Ste. 101
Portland, OR 97220-1384

Dear Chairman Wolford and Council Members,

We are grateful for the work the Council performs, especially its ongoing efforts to develop ecosystem-based approaches to fishery management. As the owners and chefs of Border Grill restaurants and Truck, we are committed to sourcing and serving the freshest ingredients and are always conscious of where our food comes from. We know that a healthy Pacific Ocean means better food for our diners.

It has come to our attention that forage fish play a crucial middle link in the marine food web and vital nutrition for the species of fish that our customers love to eat. We are concerned because increasing numbers of forage fish are being pulled from the sea to be used as cheap protein in animal feeds for livestock, poultry, and fish farms. If these practices are left unchecked, market pressures to extract these small, oily fish will continue to grow, leaving a lack of nutrition for the fish, marine mammals, and seabirds that migrate to the California Current every year in search of abundant forage fish.

We are requesting that you take action immediately to prevent the development of new fisheries on forage species that are not currently managed until the important role they play in the ecosystem can be taken into account. The recently released findings of the Lenfest Forage Fish Task Force, a group of thirteen preeminent scientists, made it clear that forage fish are especially important as prey along the Pacific Coast. And because forage fish are easily caught and their abundance is highly variable and unpredictable, their populations are especially vulnerable to collapse. These species are too important to the fragile ocean ecosystem to leave unprotected.

We appreciate the opportunity to offer our support for forage species fishery management, and are always happy to keep an open dialogue about important environmental issues. If you are ever in the Los Angeles or Las Vegas areas, we'd love to make you a reservation to dine at Border Grill and perhaps continue the discussion.

Sincerely,

Mary Sue Milliken
Chef/Owner, Border Grill Restaurants & Truck
"Top Chef Masters" & "Too Hot Tamales"

Susan Feniger
Chef/Owner, Border Grill Restaurants & Truck
"Top Chef Masters" & "Too Hot Tamales"

RECEIVED

JUN 08 2012

PFMC

Ms. Irene Lopez
4986 Field St
San Diego
Ca 92110

Dear Dan Wolford, Chairman

I
support the protection of forage species -
the foundation of the marine food chain -
we need healthy and abundant
population of forage species! We need
to protect the little fish so everyone else
has enough to eat! Sand lance and
smelt may not be pretty fish but these
little fish keep the oceans fed! Everything
from whales to puffins eat them!
If new fisheries develop for the
currently unmanaged forage species, birds
& whales might find themselves
without enough to eat! Predatory fish
species like salmon & tuna also need
forage fish, so a collapse of one

species could affect the entire Pacific
seafood industry! So PLEASE prevent
the development of new fisheries for
forage fish in your June meeting
initiate a process to amend the
Council's Fishery Management Plans to
protect forage fish and ensure
we have a healthy ocean food
web. I would be most grateful
and would appreciate a kind
reply.

Sincerely
S. J.



Via E-Mail

June 9, 2012

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384
pfmc.comments@noaa.gov

**RE: Legal mechanisms for restricting the development of new fisheries
targeting forage species**

Dear Council Members:

Thank you for the opportunity to comment on ways to protect the West Coast's marine ecosystems by restricting the development of new fisheries targeting fish and invertebrate species that provide vital forage for predators. We understand that the Council has undertaken some analysis of the legal mechanisms available to manage or prohibit new fisheries. We also understand that some fishery managers would prefer to simply amend the National Marine Fisheries Service's ("NMFS") list of authorized fisheries rather than amend, for example, the Coastal Pelagic Species Fishery Management Plan ("FMP") to explicitly prohibit fishing for particular species or groups of species. Based on a review of the regulations governing the list of authorized fisheries, it appears that revising the list would not be an effective mechanism for implementing a prohibition on new forage fish fisheries. As explained below, the process is designed to add new fisheries to the list, not prohibit them, and it is not clear that fishery managers could ultimately do so in absence of an FMP amendment. Even if the list were amended in a way that clearly removed new forage species from the realm of authorized fisheries, further regulatory action would likely be needed to implement the prohibition. If the fishery is simply removed from the list but the prohibition is not enacted in regulation, an interested party need only give the Council and NMFS notice and wait 90 days before engaging in that new fishery. The Council and NMFS would have to amend the relevant FMP in order to make the ban permanent and prevent further attempts at opening the new fishery.

Overall, the more effective and direct way to prevent the development of new fisheries targeting forage species would be to amend an existing FMP to explicitly prohibit those new fisheries.

Background and Analysis

Defining a “new” or “unlisted” fishery

NMFS’s list of authorized fisheries is compiled and managed pursuant to Section 305(a) of the Magnuson-Stevens Fishery Conservation and Management Act (“Magnuson Act”). Section 305 states that within 180 days of the publication of the authorized fisheries list, “no person or vessel may employ fishing gear or engage in a fishery not included on such list without giving 90 days advance written notice to the appropriate Council.”¹

It bears emphasizing that this provision does not entirely prohibit participation in unlisted fisheries or use of new gear. It only requires that a person give notice and allow the Council and NMFS an opportunity to approve the new fishery or gear use before engaging in it. If an applicant has given proper notice of his or her intent to use a new gear or fish in an unlisted fishery, and the Council or NMFS does not act within the 90-day waiting period, the applicant may go ahead and use the new gear or participate in the new fishery.² In other words, absent some affirmative action by the Council and NMFS, the default assumption is that the new fishery or gear use may proceed.

The processes for determining whether a proposed fishery or gear is sufficiently different from those listed to require notification of the Council, as well as adding a new gear or fishery to the list, are set forth in the Magnuson Act regulations at 50 CFR § 600.747. The first step in making this determination is to compare the gear or fishery in question to the list of authorized fisheries and to the existing gear definitions in the regulations (50 CFR § 600.10).

“If the gear in question falls within the bounds of a definition in §600.10 for an allowable gear type within that fishery, as listed under § 600.725(v),” the gear is not considered different and no notification of the Council is necessary.³ Similarly, “[i]f a fishery falls within the bounds of the list of authorized fisheries and gear in § 600.725(v) under the Council’s or Secretary’s authority,” then the fishery is allowable and does not require notification of the Council or Secretary before the fishery can proceed.⁴

NMFS promulgated the regulations implementing Magnuson section 305(a) and setting forth the initial list of authorized fisheries in 1999. NMFS’s responses to comments on that rule made clear that it intended to use very broad categories of allowable fisheries and gear, and to err on the side of including rather than excluding fisheries, even where the species concerned is incidentally caught. For instance, one

¹ 16 U.S.C. § 1855(a)(3).

² 64 Fed. Reg. 4030, 4033 (Jan. 27, 1999) (“Unless specifically prohibited by rulemaking, the individual who has served notice may use a gear in an existing fishery or may participate in a new fishery after the 90-day waiting period.”)

³ 50 CFR § 600.747(b)(2).

⁴ *Id.* § 600.747(b)(4).

commenter pointed out that NMFS's definition of the Mid-Atlantic Fishery Management Council non-FMP "mixed trawl fishery" was so broad that "any trawl for any species not covered by an FMP would fit this listing."⁵ In response, NMFS confirmed that it meant to provide "flexibility for fishermen" and stated that "variations of existing gear would not generally constitute a different gear," though "significantly new gear or fisheries" would fall under the rule.⁶ The agency also acknowledged that "Councils have the authority to regulate gear (e.g., size, shape, materials, deployment, season, areas) and fisheries (e.g., areas, seasons) more specifically if there is an identified reason to do so."⁷

Moreover, NMFS confirmed that it added the broad catch-all categories of Commercial Non-FMP and Recreational Non-FMP "in large part to address species, not in management units of FMPs, that are caught and retained."⁸ NMFS explained the breadth of these general categories:

The LOF as revised by this final rule lists all authorized fisheries and fishing gear within the U.S. EEZ, regardless whether the retained species is "directed" or "incidental" catch. In order to legally harvest a species with a given gear, the species must fit within the management unit of a given FMP or fit within a "Non-FMP Fishery" for a given area. FMPs have defined management units in terms of species, while Non-FMP categories do not. However, the "Crab Non-FMP" for a given area could include any or all crab species and the "Groundfish Fishery (Non-FMP)" could include any or all bottom fish not covered by the management units of that area's FMPs. The "Commercial Fishery (Non-FMP)" and the "Recreational Fishery (Non-FMP)" are the most general Non-FMP categories for a given area and could include any or all species that: (1) Are not covered in the management unit of an FMP, (2) Do not fit within another more specific Non-FMP Fishery. Therefore, the most general "Non-FMP Fisheries" listed for the various Council areas of authority allow harvest of Non-FMP species, and list as authorized gear all the known gear types that are utilized within the EEZ in that geographical area for such Non-FMP species.⁹

Given this broad interpretation, it may prove difficult to amend the list in a way that effectively excludes new fisheries for forage species from the list of authorized fisheries. Moreover, the elimination of broad, catch-all categories from the list of fisheries might prevent new fisheries for forage species from emerging without any notice to the Council but, as explained below, it would not accomplish the goal of proactively protecting currently unexploited species from new fisheries.

⁵ 64 Fed. Reg. 4030, 4033 (Jan. 27, 1999)

⁶ 64 Fed. Reg. 4030, 4033-34 (Jan. 27, 1999)

⁷ 64 Fed. Reg. 4030, 4034 (Jan. 27, 1999)

⁸ 64 Fed. Reg. 67511, 67514 (Dec. 2, 1999).

⁹ 64 Fed. Reg. 67511, 67513 (Dec. 2, 1999).

Process for amending the list of authorized fisheries

NMFS's regulations set forth a process for adding fisheries to the list of authorized fisheries. Notably, NMFS regulations do not set forth an explicit process for removing fisheries from the list.

The process for adding a new fishery or gear to the list (for species other than Atlantic HMS) involves a number of steps:¹⁰

Notification of new fishery or gear

- (1) The Council receives notification that an individual or vessel intends to participate in an unlisted fishery or use unlisted gear.
- (2) The Council immediately begins consideration of notification and sends copy to appropriate NMFS Regional Administrator.

Council determination and recommendation

- (3) The Council determines whether the new gear or fishery could compromise effectiveness of conservation and management efforts under Magnuson Act.
- (4) If the Council determines that the new fishery or gear will be detrimental to conservation and management efforts, Council recommends to RA that the authorized list of fisheries not be amended and that proposed rule not be published, provides reasons for recommendations, and may request that NMFS issue emergency or interim regulations and begin preparation of FMP or FMP amendment.
- (5) If not, the Council recommends the addition to NMFS.

NMFS approval or disapproval and implementing regulations

- (6) Upon a positive finding by the Council, NMFS will publish the proposed rule with a 30-day comment period. At the end of the comment period, NMFS will either approve or disapprove the proposed change to the list based on its potential impacts on the effectiveness of conservation and management efforts.
- (7) If NMFS approves, it will publish final rule revising the list.
- (8) If NMFS finds the proposed addition to the list will be detrimental to conservation and management effort, it will disapprove the addition, notify the Council and applicant of the determination and reasons for it, and may publish emergency or interim regulations to prohibit or restrict use of the unlisted gear or fishing in the unlisted fishery.

Long-term regulatory action by Council

- (9) Upon notice of NMFS disapproval, Council should begin preparation of an FMP or FMP amendment in order to provide permanent regulations relative to that gear type or fishery.

¹⁰ 50 CFR § 600.747(c)(2)-(4); 64 Fed. Reg. 4030, 4031-32 (Jan. 27, 1999).

The process delineated above indicates that an FMP amendment and implementing regulations are necessary to prohibit development of a new fishery for forage species. In circumstances where a new fishery or gear is disapproved, the regulations provide for the development of interim or emergency regulations by NMFS to prohibit or restrict participation in the new fishery or use of new gear, as well as development of an FMP amendment by the Council to implement the prohibition in the longer term.¹¹ Indeed, without follow-up regulations to make such a prohibition permanent, another party could re-propose the same “new” fishery that had previously been disapproved and start fishing in it if the Council and NMFS failed to act in a timely manner to disapprove the current application.

Moreover, an FMP amendment and regulations ensure that “new” fishery is not allowed by default simply because it fits under a broad category of the list of authorized fisheries. The preamble to the list of authorized fisheries specifies:

A fish, whether targeted or not, may be retained only if it is taken within a listed fishery, is taken with a gear authorized for that fishery, and is taken in conformance with all other applicable regulations. The list of fisheries and allowable gear does not, in any way, alter or supersede any definitions or regulations contained elsewhere in this chapter. A person or vessel is prohibited from engaging in fishing or employing fishing gear when such fishing or gear is prohibited or restricted by regulation under an FMP or under other applicable law.¹²

The krill prohibition in the coastal pelagic species FMP provides a useful example. Krill could easily fall within the current list of authorized fisheries, but the prohibition on fishing for krill set forth in the FMP prevents anyone from using that broad category as authorization to fish for krill. Similarly, the FMP prohibition prevents individuals or vessels from attempting open a new krill fishery using the process to add fisheries to the list of authorized fisheries.

Conclusion

It appears that an FMP amendment and implementing regulations are necessary to effectively prevent the development of new fisheries for forage species. The regulations set forth a process for adding gear and fisheries to the list of authorized fisheries rather than removing them. If anything, the process for approving or disapproving new fisheries underscores the need to undertake an FMP amendment in order to prohibit development of a new fishery in the longer term. While amending the FMP may require more time and resources initially, it will provide clarity and predictability for stakeholders and avoid the need for time- and resource-intensive emergency rulemaking

¹¹ 50 CFR § 600.747(c)(4).

¹² 50 CFR § 600.725(v) (emphasis added).

Pacific Fishery Management Council
Comments re restricting new fisheries for forage species
June 9, 2012
Page 6 of 6

processes in the future. We therefore encourage the Council to prohibit the development of new fisheries targeting forage species by amending applicable FMPs to include explicit prohibitions regarding the catch of such species.

Thank you for your consideration.

Sincerely,

/s/

Andrea A. Treece
Staff Attorney, Oceans Program



June 9, 2012

Dan Wolford, Chairman
Pacific Fishery Management Council
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

RE: Support for prohibition on harvest of non-managed forage species

Dear Chairman Wolford and Council Members,

On behalf of The Azul Project, The Otter Project, California Coastkeeper Alliance, The Environmental Action Committee of West Marin (EAC), Save Our Shores, The Center for Oceanic Awareness, Research and Education (COARE) and Ocean Conservancy, please accept the following comments in support of a prohibition on development of new fisheries on currently non-managed forage species unless and until strong scientific information is available showing that such fisheries can be undertaken without harming the health of marine ecosystems.

Our organizations are dedicated to effective conservation of California's coast and ocean. We appreciate the Pacific Fishery Management Council's interest in pursuing ecosystem based management and view action to prevent development of new forage fisheries at this time as an important step in this direction. We are writing to support Council action at your upcoming June 23rd meeting to pursue a prohibition on catch of currently unmanaged forage fish species.

Global trends towards increased aquaculture are adding pressure to expand the catch of forage fish species as feed for fish farms around the world. In California and along the Pacific coast, forage fish –in the water- support a rich and biologically diverse ecosystem. Healthy and abundant populations of forage fish support the seabirds, marine mammals and fish populations that make the California Current one of the most biologically diverse regions on earth. A healthy ocean is important to our environment, our existing commercial and recreational fisheries, our tourism based coastal economy and our quality of life.

Given the importance of forage fish species to the ocean ecosystem, we believe that preventing development of new fisheries on currently unfished stocks, unless and until there is strong scientific evidence that such fisheries can be conducted in a manner protective of the ecosystem, is a sensible precaution. Accordingly, we urge the Council to take action now to forestall development of new fisheries on non-managed forage species.

Thank you for your consideration of our comments.

Sincerely,



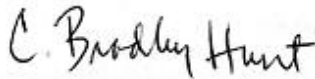
Marce Gutiérrez
Executive Director
The Azul Project



Amy Trainer
Executive Director,
Environmental Action Committee of West Marin



Sara Aminzadeh,
Policy Director
California Coastkeeper Alliance



C. Bradley Hunt
Program Manager
The Otter Project



Kaitlin Gaffney
Pacific Program Director
Ocean Conservancy



Laura Kasa
Executive Director
Save Our Shores

Christopher Chin
Executive Director
The Center for Oceanic Awareness, Research and Education



Natural Resources Defense Council
111 Sutter Street, 20th Floor
San Francisco, CA 94104
Tel: (415) 875-6100
Fax: (415) 875-6161

June 10, 2012

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Agenda Item G.1, Protection for Forage Species

Dear Chairman Wolford and Council Members:

The Natural Resources Defense Council (NRDC) commends the Council for considering protection for currently-unmanaged forage species, and strongly urges the Council to move forward in formalizing protective measures for these species. In particular, NRDC recommends the Council vote at this meeting to agendize and map out an amendment to the Coastal Pelagic Species fishery management plan, for the purpose of establishing a no-directed-fishing default rule for currently-unmanaged forage species.

Forage species are crucially important to marine ecosystems off the West Coast. Herrings, smelts, silversides, Pacific sandlance, Pacific saury, lanternfish, and other species all transfer energy from low trophic-level organisms such as zooplankton to higher trophic-level predators such as marine mammals, birds, and predatory fish. This key ecological role has earned forage species increased attention in recent years, notably in the comprehensive Lenfest Forage Fish Task Force report released in April 2012.¹

In addition to highlighting the vital ecological role of forage species, the Lenfest report examined the economic value of forage species. Comparing the value of commercial forage fish landings with the supportive value of those same fish in the ecosystem, the Lenfest report concluded forage species are approximately twice as valuable when left in the water.² It should be noted that the Lenfest valuation

¹ See Ellen K. Pikitch et al., *Little Fish, Big Impact: A Report from the Lenfest Forage Fish Task Force* (2012), available at <http://www.oceanconservationscience.org/foragefish/>.

² *Id.* at 54-65.

estimate is very conservative, as it does not include value created by recreational fishing and non-consumptive uses such as wildlife viewing; the full value of forage species left in the water almost certainly is higher than the Lenfest estimate.

The U.S. West Coast exclusive economic zone is part of the broader California Current large marine ecosystem, a temperate upwelling ecosystem characterized by high productivity. Of all the ecosystems examined by the Lenfest report, the Northern California Current had the highest supportive contribution of forage species to predator production,³ and the third-highest supportive contribution by forage species to other fisheries.⁴ These results show that forage species are particularly important off the U.S. West Coast, both in terms of maintaining vibrant fisheries for groundfish, salmon, and highly migratory fish, as well as in keeping healthy populations of birds, marine mammals, and other predators.

Where they have developed, fisheries for forage stocks remove immense quantities of these species from the ocean, selling the catch for low-value uses like pet food, fertilizer, and livestock and aquaculture feed. Increasing demands in all of these areas—most spectacularly in aquaculture feed—will create pressure to raise catch levels in existing fisheries, as well as to start new fisheries on currently un-targeted stocks. This increase in demand and pressure to open new fisheries is acknowledged in both the Lenfest report,⁵ and in the Council’s own Draft Fishery Ecosystem Plan.⁶

Because of the key ecological role played by forage species, and the potential for high-volume removals in low-value fisheries, experts recommend using a precautionary approach in managing forage species.⁷ In particular, management should be tied to the level of scientific information available, with new fisheries not permitted until sufficient scientific information exists to provide a basis for management.⁸

NRDC urges the Council to take the opportunity to embed this scientific advice into its management of forage species. Specifically, the Council should vote to amend and map out an amendment to the Coastal Pelagic Species fishery management plan. In the amendment, the Council should include a comprehensive list of currently-unfished forage species (an example of which is provided in the Appendix to the Draft Fishery Ecosystem Plan⁹), designate those species as managed stocks, establish a no-directed-fishing default rule for them, and set bycatch caps and enforceability mechanisms.

The Coastal Pelagic Species management plan is the appropriate vehicle at this point for protecting currently-unmanaged forage species. Regulatory authority is necessary, for establishing a no-directed-fishing default rule, and the Council voted in June 2011 to give the Fishery Ecosystem Plan no regulatory authority. If and when the Council revisits this decision and provides regulatory authority in the form of an Ecosystem Fishery Management Plan, NRDC would support transferring management of forage

³ *Id.* Figure E5.5 (Appendix E).

⁴ *Id.* Figure E5.2 (Appendix E).

⁵ *Id.* at 4-5.

⁶ November 2011 Briefing Book, Agenda Item H.2.a Attachment 1, at 30-34 (Draft Fishery Ecosystem Plan).

⁷ See Pikitch et al., *supra* Note 1, at 5-8; see also Scientists’ Statement: Protecting the Forage Base of the California Current Large Marine Ecosystem, at 2 (May 9, 2011), available at http://www.opc.ca.gov/webmaster/ftp/pdf/public_comment/20110912_Oceana_att1.pdf.

⁸ *Id.* at 90-91.

⁹ See November 2011 Briefing Book, Agenda Item H.2.a Attachment 1, at 28-29 (Draft Fishery Ecosystem Plan).

species into such a plan. Until then, the Coastal Pelagic Species plan remains the most appropriate location for dealing with forage species.

We hope these comments are helpful, and we thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Seth Atkinson". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Seth Atkinson
Oceans Program Attorney
Natural Resources Defense Council

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RE: Suspend Development of Currently Unmanaged Forage Species

Dear Chairman Wolford and Council Members,

The Pacific Coast Federation of Fishermen's Associations (PCFFA) has long been concerned about the protection of forage species in the marine ecosystem because of their importance as prey for economically valuable food fish fisheries. Salmon, tuna, billfish, white bass, sablefish and halibut all depend on abundant populations of prey fish. In November, PCFFA asked the Council to suspend development of new fisheries targeting forage fish.

Now it is time for the council to act. We urge the Council to vote to clearly establish its intent to protect unmanaged forage species until a fully developed ecosystem plan is in place to determine the effect of any new forage fishery on other fish and the marine environment.

This is a common-sense approach that's consistent with the Council's conservative approach toward other forage species in the California Current, including its decision to prohibit fishing on krill. Furthermore, new scientific research builds an ecological and economic case for the importance of forage as a key link in the marine food web. The Lenfest Forage Fish Task Force calculated that, worldwide, forage is worth twice as much in the water as it is in a net solely because of the commercial value added to predators like salmon, tuna and cod. The Task Force further recommended that fisheries should not begin on forage species that we know little or nothing about.

PCFFA fully supports historic fisheries on some common forage species such as herring, anchovy, sardine and squid. We encourage efforts to increase their use for human food, along with their traditional use for bait. The best use for the forage stocks that are being fished is for human consumption, with some for bait, to achieve the highest economic value for each pound delivered. Unfortunately, global demand is rising to capture vast quantities of forage fish for secondary purposes, such as feeding livestock, poultry and farmed fish. These kinds of uses fail to achieve the highest economic value or human nutritional use of these fish – yet this is exactly what is likely to be the market for any new fishery on Pacific forage species.

We are concerned that under the status quo, new fisheries targeting non-managed forage species could emerge at any time, even before the science or management is in place to fish them sustainably. The Council noted in its draft ecosystem plan in November that the “spectacular growth” of aquaculture raises the incentive to target forage species that are not currently being fished at all. This information, in conjunction with what we know about the ecological and economic importance of forage species, provides compelling justification for the Council to act now to protect these fish.

Thank you for the opportunity to comment and share our concerns regarding the importance of forage fish in maintaining a balanced and resilient marine environment.

Sincerely,

W.F. "Zeke" Grader, Jr.
Executive Director

**Comments re: Agenda Item G.1
Consideration of Further Protection of Currently Unmanaged Forage Species
June 2012 Pacific Fishery Management Council Meeting**

"I've observed what has happened on the East Coast with using forage fish like bunker to make fish oil, pet food and the like. We have a success story in California with the comeback of white seabass and a rebounding salmon fishery. Let's make sure they have plenty of bait fish to grow up on!

I would gladly appear live to comment, but I'll be on a tuna trip out of San Diego that weekend."

Joe Sarmiento
Socalsalty.com
Los Angeles, CA

"Dear PPMC Councilmembers -

As you know, it is crucial to protect the forage base - it is the foundation for maintaining healthy fish populations. You must take action now to prevent the development of new fisheries on currently non-managed forage species!

My faith is in you."

Mark Armen
Sportfisherman
Santa Ana, CA

"Please make the right decision, keeping in mind that short-term profits ought never supersede the interests of future generations."

Martin Reed
Owner, iloveblueseas.com
San Francisco, CA

"In my opinion, forage fish (e.g. sardines, anchovies, smelt, etc.) are the back bone of all fisheries. The absolute raping of our oceans for aquaculture, fertilizer and feeding aquariums must stop."

Michael Caporale
Sportfisherman
San Jose, CA

"We need to protect all forage fish for the future of all the fish stocks."

Ken Fujii

**Sportfisherman
Martinez, CA**

“Forage fish is the food for larger free range pelagic fish.”

**William Doo
Sportfisherman
Daly City, CA**

“It's crucial to protect these smaller fish species before they are also over-fished!”

**Brook Elias
Venice, FL**

“Please be proactive about protecting the marine food web instead of reactive when the damage is already done.”

**Tammy Morano
Predator Keeper, Birmingham Zoo
Birmingham, AL**

“With out a forage base the larger fish will be gone and with them the sportfishing industry will suffer.”

**Don Bowley
Abilene, KS**



California Wetfish Producers Association

PO Box 1951 • Buellton, CA 93427 • Office: (805) 693-5430 • Mobile: (805) 350-3231 • Fax: (805) 686-9312 • www.californiawetfish.org

Mr. Dan Wolford, Chair
And Members of the Pacific Fishery Management Council
7700 NE Ambassador Place #200
Portland OR 97220-1384

May 31, 2012

RE: Agenda Item G.1.c: Recommendations regarding Unmanaged Forage Species – Supplemental comments

Dear Mr. Wolford and Council members,

The California Wetfish Producers Association (CWPA) represents the majority of coastal pelagic species 'wetfish' fishermen and processors in California. After reviewing the EPDT Report and Public Comments in the Council's June Briefing Book, we offer these supplemental comments and recommendations.

First, **we reiterate our opposition to placing a laundry list of unfished stocks in the CPS FMP**, as the species in question do not appear in our wetfish fisheries. This also reflects earlier statements of the CPS advisory subpanel and management team. As we and the CPS advisory bodies have recommended in the past, these species properly belong in the Ecosystem FMP (FEP). As we noted in our Briefing Book comments, including these unfished stocks in the FEP in no way implies that they are more or less important than any other element of the forage pool. The FEP is simply an efficient place to track these stocks, and hopefully inspire enhanced research (possibly via collaborative research employing fishermen through the EFP process).

Stocks with FMPs are best managed through the regulatory framework in existing FMPs. However, including currently unfished stocks under the Ecosystem Plan (with or without expressly limited regulatory authority) could provide the impetus to develop a more accurate estimate of biomass of the total forage pool, which will ultimately improve ecosystem-based management of all species.

The EPDT Report offered several options regarding tools available to the Council, including

- Option 1 – recommend that NMFS update and revise the federal list of fisheries to incorporate currently unfished stocks and
- Option 2 – recommend that NMFS update the federal list of fisheries AND describe in the FEP the standards and guidelines that the Council will use to assess a potential new fishery to ensure conservation goals are met.

In our first public comment letter, we noted that we would be willing to support an Ecosystem Plan with limited regulatory authority, explicitly limited to provide flexibility for the Council and NMFS to regulate the prescribed list of unfished stocks, following guidelines similar to those proposed by Dr. Parrish, if no other control mechanism is available. In light of the EPDT Report, however, we believe that the best option moving forward now is to adopt Option 1 or Option 2 – and the mechanisms suggested by Dr. Parrish in our earlier letter would fit appropriately under guidelines in the FEP.

With regard to the massive outpouring of public comment urging the total protection of unfished forage species, we seek your understanding of the following facts to put this near hysteria in context:

We all support healthy ecosystems – and we also desire healthy fishing communities. Much of the public comment that I’ve read has been based on a worldview of fisheries excesses, and by coincidence or design, has not reflected the realities of fishery management in the California Current Ecosystem.

Nor do these commenters apparently understand the realities of launching a new industrial fishing enterprise in these uncertain times and in this place. The threat of the instantaneous emergence of industrial fishing on forage species on the west coast is a figment of collective, paranoid imagination.

Further, I call the Council’s attention to a finding from the EPDT in Appendix A, Draft FEP, October 2011, “Thus, despite real or potential historical or future conservation problems for some of these species, there is not a high level of unmanaged standing biomass for LTL species that could become subject to fisheries targeting over the short term and which are critical to large scale CCE functioning, energy flow or integrity.” (page 27).

Some public comments referenced recent “seminal scientific reports highlighting the importance of conserving forage species.” Let me highlight a few papers – in many cases the same papers mentioned in public comment – that highlight the precautionary management recognized in the California Current:

➤ First, in Science (2009), *Rebuilding Global Fisheries*, by Boris Worm et al, a respected group of scientists found the overall exploitation rate in the California Current to be among the lowest in the world, one of few ecosystems thought to be “sustainable”.

(I’ve shared this graph with the Council before, but here it is again for reference.)

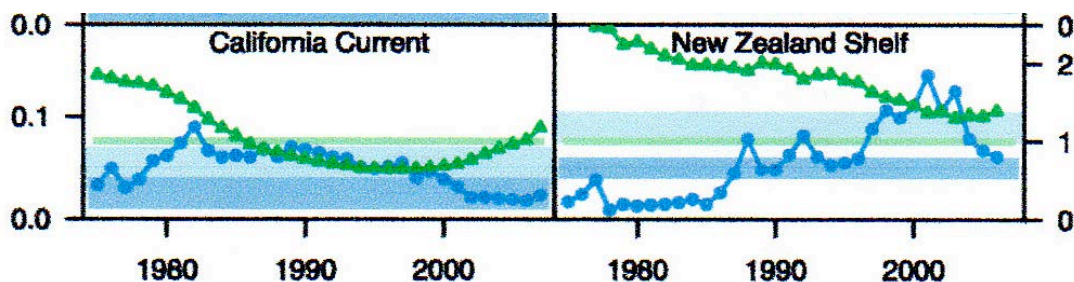


Figure 3. Green triangular line represents biomass trend; blue dotted line represents exploitation rate. Dark blue bar represents the conservation target.

➤ Fish. Bull. 108:305–322 (2010). Wesley S. Patrick et al, Using Productivity and Susceptibility Indices to assess vulnerability of US Fish Stocks to Overfishing

This study was awarded the 2010 best paper in the U.S. Fishery Bulletin and Marine Fisheries Review. Patrick et al (2010) assessed the vulnerability of six fisheries and 162 stocks to fishing practices in US federal waters.. Their results showed that the California Current CPS were the least vulnerable to overfishing (page 314). This is one of several recent independent studies illustrating that current CPS fisheries are well managed according to current harvest control rules.

- Smith et al, Science Express (July 22, 2011); **Impacts of Fishing Low Trophic Level Species on Marine Ecosystems**

(This is another paper that I've referenced in earlier comments, which is also mentioned by the ENGO community. However they ignore the punch line.)

Here's an excerpt from COWPA's letter to the Council dated November 2011:

Oceana misrepresented the Smith et al study in Science. In fact, the Smith et al study found "...impacts of fishing both species [sardine and anchovy] were low in the south east Australian and California Current ecosystems."

The results from the Science study are almost identical to the strategy utilized with the present sardine control rule.

Depending upon the definition of MSY, (stochastic MSY or maximum long-term yield) the present control rule is either extremely close to the policy recommended by Smith et al (2011) or considerably more conservative than their recommendation.

- Most recently, there's the heralded Lenfish Forage Fish Task Force report, *"Little Fish, Big Impact"*, published in March 2012.

An LA Times article on the Lenfest report headlined "Let 'forage fish' populations double, scientists urge," but the reporter also correctly highlighted the Lenfest finding:

"Still, the U.S. West Coast is ahead of other parts of the world in how it manages some forage fish, scientists on the panel said. The sardine catch, for instance, is subject to stricter monitoring and more conservative limits that could serve as a buffer against future crashes."

It is unfortunate, and extremely troublesome to those of us who take pride in our existing precautionary fishery management and work in the research trenches to advance understanding of these dynamic stocks, that most of the ENGO community, as well as the innocent public beguiled by the hyperbole, fail to recognize the realities of forage fish management on the west coast. It is about time they did!

One picture is worth a thousand words, and that picture can be found in Appendix E of the Lenfest Report, Figure E5.1 – Forage fish catch across all ecopath models by volume.

This picture graphically illustrates that CA Current forage fisheries catches represent less than two percent of the total forage pool, leaving 98 percent for the ecosystem – so existing forage fish management on the west coast leaves far more than "a third for the birds." In California forage fish protection is enhanced with marine reserves placed adjacent to important bird rookeries (for example, Farallon Islands, Año Nuevo and Channel Islands).

Please keep these facts in mind when recommending measures to conserve forage species.

Thank you for your consideration.



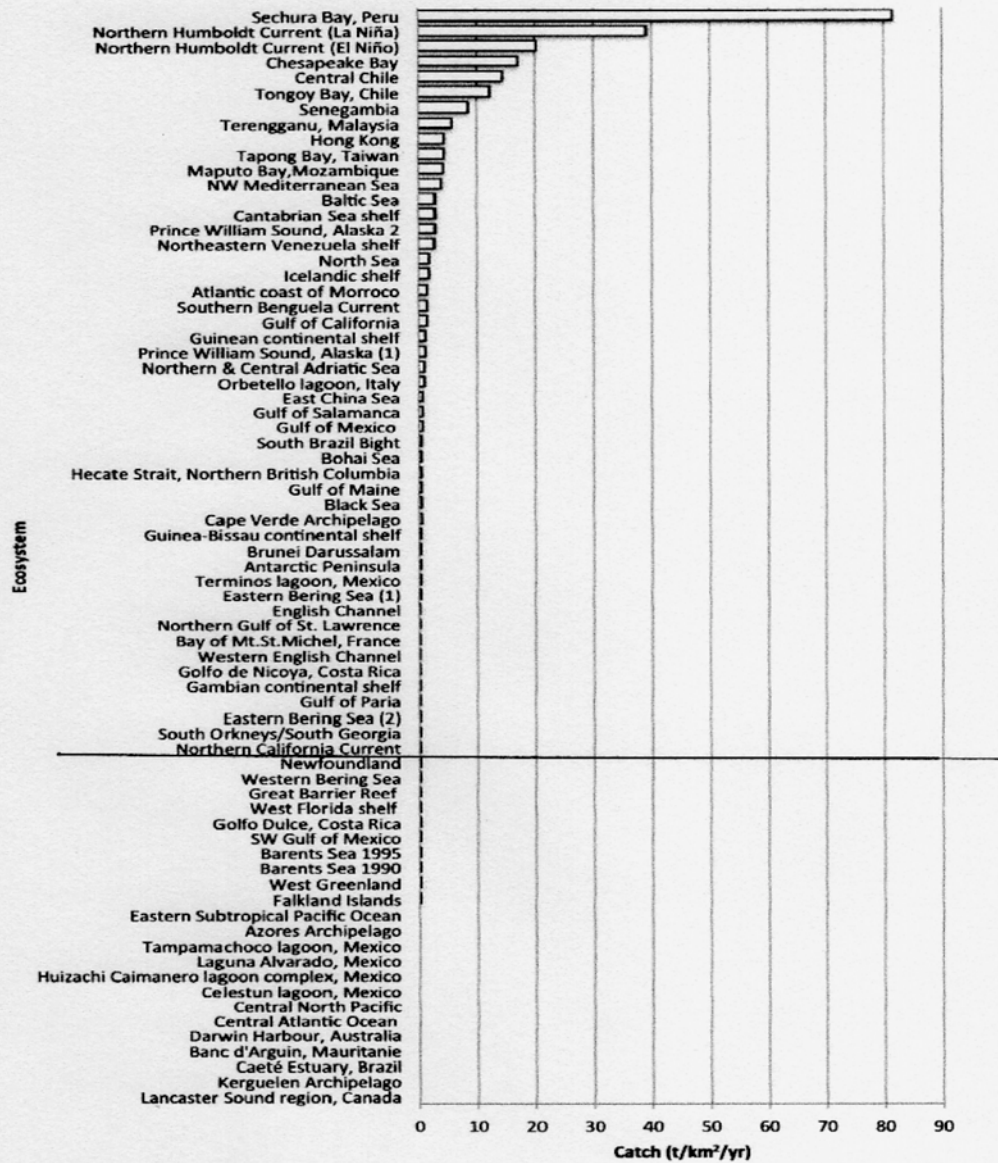
Diane Pleschner-Steele
Executive Director

Attachments: Appendix E – Figure E5.1 Lenfest Forage Fish Report
Also for reference:
Discussion Draft 5/31/12; Forage Species Policy Adapted for Submission to PFMC,
By Richard Parrish, Ph.D
Little Fish Big Impact Editorial By Richard Parrish, PhD

APPENDIX E: Supplementary Figures and Tables

Figure E5.1

Forage Fish Catch Across all Ecopath Models by Volume.



DISCUSSION DRAFT: May 31, 2012
Forage Species Policy Adapted for Submission to PFMC

Part 1: Importance and Definition

Forage species are those lower trophic level species that contribute significantly to the diets of larger fish, seabirds, marine mammals, and/or sea turtles during some part of their life history, thus, transferring energy and nutrients from plankton to larger predators.

Forage species are an integral part of the California Current Large Marine Ecosystem and are of great environmental, economic, aesthetic, recreational, educational, scientific, nutritional, social, and historic importance to people.

Some forage species in the California Current are currently managed by multiple state and federal agencies; therefore coordination with other agencies is essential to an ecosystem-based approach to forage species management.

Forage species include: [1] California Current forage species with annual commercial landings managed under fishery management plans or other active management programs, [2] California Current forage species not under active management that have zero to moderate annual landings, and [3] small pelagic species with centers of abundance and fisheries in tropical, subtropical and oceanic regions outside of U.S. territorial waters that have large international landings but little or no commercial importance in landings.

1. California Current species managed under state or federal fishery management plans, or are actively managed, include: northern anchovy (*Engraulis mordax*), Pacific sardine (*Sardinops sagax*), Pacific herring (*Clupea pallasii*), market squid (*Doryteuthis opalescens*), krill (Euphausiidae), Pacific sanddab (*Citharichthys sordidus*) Pacific hake (*Merluccius productus*), and shortbelly rockfish (*Sebastes jordani*).

2. California Current forage species that have zero to moderate commercial landings [in California], and are not actively managed, include: American shad (*Alosa sapidissima*), threadfin shad (*Dorosoma petenense*), mesopelagic fishes (Bathylagidae, Gonostomatidae, Melanostomiidae, Myctophidae, Paralepididae, Phosichthyidae, Scopelarchidae, Sternoptychidae and Stomiidae), argentines (Argentinidae), true smelts (Osmeridae), atherinid smelts (Atherinidae), speckled sanddab (*Citharichthys stigmaeus*), longfin sanddab (*Citharichthys xanthostigma*), Pacific tomcod (*Microgadus proximus*), medusafish (*Icichthys lockingtoni*), seniorita (*Oxyjulis californica*), white croaker (*Seripus politus*), yellowfin croaker (*Umbrina roncadore*) and pelagic squids (boreal clubhook squid, neon flying squid).

This enlarged group includes presently unexploited mid-water, benthic and littoral forage fishes that are among the top 50 abundant species in Table 4 of CalCOFI Atlas 34.

3. Small pelagic species that have their center of abundance outside of U.S. Territorial Waters, and little or no landings [in California], include: Northeastern Pacific population of round herring (*Etrumeus teres*), Pacific thread herring (*Opisthonema libertate*), Pacific saury (*Cololabis saira*), and Pacific anchoveta (*Centengraulis mysticetus*).

* *Pacific eulachon Southern DPS* is listed as threatened under the ESA

Part 2: Policy for Existing Fisheries for Forage Species

The PFMC recognizes forage species as important to the health and functioning of the California Current ecosystem, valuable in their own right and because they support populations of predators higher on the food web, of both consumptive and non-consumptive importance.

Regarding existing fisheries currently managed under state or federal FMPs or other active management, it is the policy of the PFMC to:

- Maintain healthy populations of forage species in order to help assure the integrity of the ecosystem and habitats upon which marine resources depend.
- Integrate with and complement relevant provisions of the California Current Fishery Ecosystem Plan (FEP) now being developed by the Pacific Fishery Management Council and other state and federal FMPs, so that overall, catch limits and other management measures consider the ecological benefits that forage species provide to the broader ecosystem and balance sustainable ecological services with sustainable fishing communities..
- Consider both recreational and commercial fishing interests as well as a range of other economic sectors such as tourism in achieving balance among ecological, economic and social values.

Part 3: New or Expanding Fisheries for Forage Species

Better science is needed to support new or allow expansion of an emerging fishery, including forage species listed under [2] and [3] above.

With regard to new or emerging fisheries, it is the policy of the PFMC that:

- For species not included in a fishery management plan or other active management program but subject to a new or expanding fishery, the PFMC shall encourage the development of ecosystem-based management methodology and sustainable management.
- For the California Current forage species listed in [2], the Council shall not allow the total landings of this group of species to exceed the historical annual landings of the group until a Fishery Management Plan that considers forage needs and other ecosystem considerations is in place, with the exception below..
- The Council supports and may allow limited experimental fisheries to obtain critical essential fisheries information necessary to develop a sustainable fishery management program for a specified forage species. Proposed fisheries should provide a research plan for a prescribed period for approval by the Council, subject to annual progress reports.
- For forage species with their centers of abundance outside of U.S. Territorial Waters, listed in [3] above, the Council shall not allow catch limits or catch rates beyond 1% of those attained in the International fishery during the period 2000-2009 until stock abundance estimates and/or data collection programs are in place, supporting development of Fishery Management Plans for such species.
- To the extent that data are available, the Council shall consider the forage needs of key predators when making management recommendations and decisions regarding fisheries targeting forage species that are not already included in a fishery management plan. If insufficient information exists or the condition of the resource is poor, a conservative approach to fisheries management will be taken.

Part 4: Scientific Needs related to Forage Species

The Council supports and encourages collection of the best readily available information on:

- The population levels of specified forage species and their predators;
- The preferred diet of those predators;
- The status of other [fished or unfished] forage species that serve as similar prey items;
- The effects of fishing on these forage species on such predators, i.e. the effectiveness of existing regulations, including marine protected areas and fishing gear regulations, to provide adequate forage for ecosystem services.

The Council recognizes the existing scientific efforts on forage species and supports the following additional types of scientific endeavor in partnership with other agencies, academic scientists and institutions, conservation interests and industry to improve management of forage species:

- Ecosystem modeling to better understand the forage needs of predators and the effects of fishing on forage species on trophic dynamics;
- Synthesis of diet composition studies for California Current predators
- Stock assessments to determine more accurately the status and trends of forage species, including unfished species, and their relative importance in the broader forage pool;
- The effects of oceanographic conditions on forage species' cycles of abundance, including the dynamics of decadal or long-term oceanic cycles, that affect populations of forage species, including those forage species subject to a fishery.

It is the policy of the Council to utilize the best available science, including the information collected above, in its management decisions.

Little Fish Big Impact Editorial By Richard Parrish, PhD

Publication of a scientific analysis of the biological production and fishery landings of forage fishes in 72 of the world's ecosystems has contributed to an international debate on fisheries for species like sardine, herring and anchovy. The authors of Little Fish Big Impact show that forage species in many marine ecosystems are being harvested at rates that leave only a small percentage of their annual production for the other fishes, birds and marine mammals that rely on them for food. The most productive ecosystem in the study, Sechura Bay Peru, produces about 246 tons of forage fishes per square mile per year; the fishery for forage fishes takes 97% of this production, leaving only 3% for other species. Chesapeake Bay is another example of the problem: this ecosystem produces about 60 tons of forage fishes per square mile and the fishery takes 81% of the production.

The authors of "Little Fish.." recommend that fisheries for forage fishes should not exceed half of the rate that produces maximum sustained yield. The central Chile ecosystem is a good example of the type of management recommended. The study shows that this ecosystem produces about 100 tons of forage fishes per square mile; however, in Chile the fishery harvests only 40% of the production, leaving 60% for the other species.

So how does the California Current rate in the study? The Northern California Current ecosystem is the second most productive ecosystem for forage species in the study; forage fish production is estimated at

163 tons per square mile with landings of 3 tons per square mile. **In the California Current only 2% of the annual production of forage fishes is taken by fishermen and 98% of the production goes to the other fishes, birds and marine mammals.**

Yes, the world's oceans are in trouble and fisheries for forage fishes are a large part of the problem; however, hopefully the facts and the information available where only the scientists go (Appendix E of Little Fish Big Impact) will not be ignored. The fact that many of the world's forage fishes are being overfished is valid. **However, according to the information in the study, the present management of forage species in the California Current is far more conservative than the standards that are being recommended for the rest of the world.** Increasing our forage fish landings by 50% would result in only 3% of the production going to humans. In Chesapeake Bay 81% is going to humans.

Locally, Oceana has spent more than a year 'debunking' the sardine management rule that reduced catches by a factor of three in coldwater periods. Now there is a 'new' study that predicts that the sardine is going to collapse due to cold water. After trashing the regulation that would automatically reduce catches in cold-water years, Oceana now cries 'sardine collapse'. The 'new' study is a hydro-acoustic survey, where a boat runs about counting fish with a fish finder. This type of survey can produce moderately accurate population assessments; however, a fish finder cannot determine a sardine's reproductive success, it cannot measure how many sardines will be out there two years from now, and it is surely the wrong instrument to predict next year's sea temperatures. Oceana also does not mention that the newest sardine population assessment shows that the population increased, after the 'new' study predicted collapse.

Richard Parrish, PhD is retired from the National Marine Fisheries Service, Pacific Marine Environmental Laboratory



The Sacramento Bee

Friday June 22, 2012

www.sacbee.com

Viewpoints: Fishermen agree: Big fish need little fish

By W.F. "Zeke" Grader Jr.
and Darrell Ticehurst
Special to The Bee

Recreational fishermen don't always see eye to eye. We are passionate about our interests, especially when it comes to divvying up the catch of popular species such as salmon, tuna and halibut.

Yet there is plenty of common ground between those who fish for a living and those who do it purely for enjoyment. All of us want to make sure we leave healthy and robust populations of food fish that we can pass on to our children and grandchildren. And we all understand the importance of forage in the ocean: Big fish eat little fish.

As executive director of the Pacific Coast Federation of Fishermen's Associations and as a former chairman and longtime member of Coastside Fishing Club, we have long supported protections for the small prey fish that feed bigger animals and sustain a productive marine food web here on the California coast.

That's why we are urging the Pacific Fishery Management Council to forestall the harvest of forage species that aren't current-

ly being fished, when they discuss this issue Saturday in San Mateo.

This pre-emptive action creates no winners or losers, and it would provide time for the council to develop an ecosystem management plan capable of determining how any future proposals to expand the catch of prey fish would affect other fish and the marine environment.

When it comes to forage fish, we believe it makes sense to act carefully.

Small schooling species such as herring and anchovies are the lifeblood of a healthy ocean, transferring energy in the form of protein from plankton at the base of the food web to predators at the top. The more forage fish that are in the ocean, the more feed for higher-order species.

More feed means more fish and bigger, healthier species such as salmon, tuna, billfish, white bass, sablefish and halibut, along with seabirds and marine mammals – all a part of a rich and diverse array of marine life that distinguishes the West Coast from many other parts of the world.

Many fishermen support historic fisheries on some common forage species such as sardine,

squid, anchovy and herring. We believe that we should maximize the value of forage fish that are already being caught by encouraging human consumption as well as traditional use as bait.

However, most of the world's catch of forage fish does not end up on a dinner plate or even on a hook.

A new report from the Lenfest Forage Fish Task Force noted that even though forage fish account for more than a third of the world's marine fish landings, most go toward secondary purposes such as feeding livestock, poultry and farmed fish. The task force, which included 13 pre-eminent scientists from around the world, concluded that forage fish are worth twice as much in the water as they are in the net solely because of the commercial value they add to food fish such as salmon, tuna and cod. Further, the task force recommended holding off the harvest of forage fish that we know little or nothing about.

There is good reason to act now to protect currently unfished forage species, such as saury, sand lance and various smelts.

The Pacific Fishery Manage-

ment Council's draft ecosystem plan cites the "spectacular growth" of the global aquaculture industry as raising the likelihood for unregulated harvest of many species of forage fish. Pulling large volumes of prey out of a productive marine environment here on the Pacific Coast and handing them over as feed for farmed fish fails to achieve the highest economic or ecological value for these fish.

Before we allow the lifeblood of a healthy ocean to seep away as low-grade feed for fish farms overseas, we should make sure we're leaving enough prey in the water to sustain robust and plentiful populations of salmon, tuna and halibut here on the Pacific Coast.

We can all agree on that.

W.F. "Zeke" Grader Jr. is the executive director of Pacific Coast Federation of Fishermen's Associations, a trade association of commercial fishermen. Darrell Ticehurst is the former chairman of Coastside Fishing Club, and previously represented recreational fishermen on the Pacific Fishery Management Council.

Protect 'forage fish' species

Written by
JEFF HICKMAN
Guest Opinion

As a fishing guide who lives for and obsesses over salmon and steelhead, healthy runs of fish returning from the ocean give meaning to what I do.

These fish are more than just business. They are a connection to the wild and symbolize how a functioning ecosystem can define a region like the Pacific Northwest.

But behind these iconic species are the little fish we often forget. Dense schools of prey fish such as saury, sand lance and whitebait smelt eat microscopic plants and animals drifting near the ocean's surface. In doing so, these "forage fish" convert plankton into protein that's eaten by the bigger fish that we like to catch. Yet forage fish are susceptible to ecological and economic pressures that, left unaddressed, threaten to undermine a productive marine ecosystem.

The Pacific Fishery Management Council has an opportunity to protect a crucial part of a healthy food web. By declaring its intent to set aside forage species that aren't currently being targeted, the council can protect the prey that nourishes valuable salmon, tuna and groundfish. Even though most people may have never heard of such species, they form the lifeblood of the ocean.

Researchers have analyzed stomach contents of important predator species and discovered that small forage fish compose 80 percent of the diet of albacore tuna on the Pacific coast. The same study revealed that forage fish account for nearly half of the diet of adult salmon in the ocean. As young salmon leave the Columbia River, many of them survive natural predators, including seabirds and marine mammals, which are drawn to thick schools of forage.

A lack of the small species, however, carries serious consequences. Poor ocean conditions, including smaller forage fish populations, contributed to the coastwide closure of salmon fishing in 2008 — a major impact to a recreational fishing economy that employs 18,000 people and generates \$2.2 billion in annual spending on saltwater fishing and equipment in Oregon, Washington and California.

That doesn't even account for all the money spent fishing for salmon and steelhead on inland rivers.

The marine ecosystem is under plenty of pressure as it is. A changing climate means that storms are becoming more frequent and intense. Ocean water is becoming more acidic. Coastal development is degrading important habitat for forage species such as herring and sand lance.

Meanwhile, the prey species that sustain salmon and other



Jeff Hickman steelhead fly fishing guide, owns and operates Fish the Swing LLC / Special to the Statesman Journal

valuable fish higher on the food chain are open to high-volume fisheries that pay pennies per pound. Worldwide, these little fish account for more than a third of the total catch of wild marine fish, mostly for secondary purposes such as feeding livestock, poultry or farmed fish.

Almost 90 percent of the sardine catch landed on the West Coast is exported, with much of it sold as bait for Asian longline tuna fisheries or used to feed pen-raised bluefin tuna as far away as Australia.

This is not the best use of a critical ocean resource. Fishery

managers can't reverse the effects of a changing climate, and they can't control the market that turns baitfish into chicken feed or fishmeal. But the Pacific Fishery Management Council can — and should — make sure it leaves enough prey in the water to support the marine ecosystem and fisheries we all care about.

Jeff Hickman of Eagle Creek, a year-round steelhead fly fishing guide in Oregon, owns and operates Fish the Swing LLC. He can be reached at hickman.steelhead@gmail.com.

The Register-Guard

Friday June 22, 2012

Guest Viewpoint: Healthy fishery depends on entire food chain

BY LEE TAYLOR

I have spent 43 years as a commercial fisherman, starting on a dory and fishing for salmon at Pacific City. Today, I chase tuna, salmon and rockfish out of Yaquina Bay.

Like many fishermen, I can tell you it's not easy to scratch out a living, but we do it because it's our passion. And we're gratified to know we're delivering top-notch, wild seafood to customers who appreciate it.

I also understand that my livelihood depends on careful stewardship. That's why I'm asking the Pacific Fishery Management Council, at its meeting Saturday in San Mateo, Calif., to improve the protection of prey fish. Commonly known as forage fish, these species form the middle link in a productive marine food web that benefits local recreational and commercial fishermen.

In this complex web, little fish such as saury and sand lance consume microscopic plants and animals drifting near the surface,

turning them into protein that is consumed by everything else higher on the food chain. Wild-caught salmon, albacore tuna and halibut thrive with plenty of prey in the water.

Unfortunately, demand for forage fish is rising, in large part as a global commodity to feed chickens, pigs and farmed fish around the world.

No one is opposed to high-value uses of our ocean resources, least of all fishermen who know the ocean best. However, many of us are troubled by the idea of pulling large quantities of prey fish out of the ocean and handing much of it to our competition: aquaculture.

The aquaculture industry has expanded to the point that it now accounts for half of worldwide seafood production. The council noted, in a draft ecosystem plan in November, that the "spectacular" growth of aquaculture raises the incentive to catch forage species that aren't currently being fished at all.

Leaving enough prey, or bait, in

the water maximizes the ocean's economic potential by helping to sustain high-value fisheries that directly benefit coastal communities — from the fishermen like me to the processors and the restaurants that serve fresh local seafood.

Tourists who walk the docks along the Newport bayfront should remember that each boat earns a living for local families and generates income for the businesses that supply them.

All of this economic activity depends on a productive marine food web. As with any valuable asset, it requires preventive maintenance.

More than a decade ago, fishery managers in Alaska protected many prey species with the strong support of commercial fishermen, eventually putting off-limits more than 60 species of forage fish both in the Gulf of Alaska and in the Arctic Sea. West Coast fishery managers demonstrated similar farsighted thinking in 2006, when they protected krill.

The Pacific Fishery Manage-

ment Council cannot control global market trends, changes in ocean conditions or the rise of aquaculture. But it can make sure we've left enough small fish in the ocean to sustain iconic species such as salmon, tuna and groundfish, in order to protect a vibrant coastal economy now and in the future.

Lee Taylor (e-mail f.v.nileii@hotmail.com) lives in Seal Rock and operates the fishing vessel Nile II out of Yaquina Bay.



International Game Fish Association

Fishing Hall of Fame & Museum

300 Gulf Stream Way, Dania Beach, Florida, 33004 U.S.A.
Phone: 954-927-2628 • Fax: 954-924-4299 • Museum Fax 954-924-4220

June 8, 2012

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Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

On behalf of the International Game Fish Association (IGFA) and its over 12,000 members in 135 countries, I am writing to request that the Council act immediately to prevent the development of new fisheries on unmanaged forage stocks until their important role as prey for predator species can be taken into account.

The IGFA is a not-for-profit organization committed to the conservation of game fish and the promotion of responsible, ethical angling practices through science, education, rule making and record keeping. Our members are dedicated anglers who have fished in waters around the globe, and know that the future of the sport depends on responsible practices today.

In order to maintain robust populations of the fish we enjoy catching off the Pacific coast – like tuna, salmon and halibut – measures must be taken to ensure that there is enough prey in the water to sustain and grow these fisheries. The recently released findings of the Lenfest Forage Fish Task Force, a group of thirteen preeminent scientists, made it clear that forage fish are especially important as prey along the Pacific Coast. And because forage fish are easily caught and their abundance is highly variable and unpredictable, their populations are especially vulnerable to collapse. These species are too important to the fragile California Current ecosystem to leave unprotected.

The IGFA applauds the Pacific Fishery Management Council's approach to developing a fishery ecosystem plan. However, we also know that developing such a plan may be a lengthy process. As a result, we urge you to take action now to prevent new fisheries on unmanaged forage fish species through an existing fishery management plan, until it is clear that they can be managed in a manner that takes into account their crucial role in the food web.

Thank you for your attention to this very important issue. IGFA appreciates the opportunity to offer support for the responsible management of forage fish off the Pacific coast and would be happy to provide additional comments to the Council, if needed.

Sincerely,

Jason Schratwieser
IGFA Conservation Director

The International Game Fish Association is a not-for-profit organization committed to the conservation of game fish and the promotion of responsible, ethical angling practices through science, education, rule making and record keeping.

Email: hq@igfa.org • Website: www.igfa.org



Fish Revolution!

Creating a world where people catch, eat, and serve sustainable seafood.

San Francisco, CA

PHONE

415-484-FISH (3474)

EMAIL

crystal@fishrevolution.org

WEB

www.fishrevolution.org

June 23, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

I write today as a fishermen, a biologist, sustainable fisheries advocate and fishmonger to encourage you to prohibit the formation of new fisheries for unmanaged forage species and to establish catch limits on existing forage fisheries.

Beyond being ecologically important, forage species are an economic necessity. Transferring energy throughout the food web from microscopic plankton up to the large predatory fish which support the fishery and seafood industries throughout the Pacific Coast and the United States.

Healthy forage fish populations are a crucial part of the recovery of many fish stocks that are currently overfished or undergoing overfishing. Ecosystem management should also take into account the role of these species as prey.

There is an expanding effort in the fisheries of forage species including anchovies, herring, menhaden, and sardines to fill demand for products including pet foods, aquaculture feed, supplements, and cosmetics. For example, many fish farms are currently utilizing wild forage populations in reduction fisheries to be fed to farmed fish whose wild counterparts are more efficient at converting energy into protein abounding with health benefits for humans. Beyond the food and health benefits to humans these predatory fish are also providing important ecosystem services. The combination of well managed predatory fish stocks with well managed forage fish stocks provides the opportunity to ensure healthy wild fisheries well into the future.

As indicated in the Magnuson-Stevens Act fishery management plans (FMPs) are the only tool to enact conservation and management action. FMPs are not only required to manage fisheries sustainably, but also charged with protecting and enhancing the marine ecosystem. Non-FMP based measures provide insufficient protections for forage fisheries as well as ecosystem protections.

Regulatory authority is needed immediately to protect this crucial link in the productivity of the ocean ecosystem providing our nation with numerous ecological, social, and economic benefits. I urge you to include these unmanaged species in the Coastal Pelagic Species (CPS) Fishery Management Plan to provide adequate management and regulatory authority. I appreciate your effort to protect my livelihood and the health of the oceans through responsible, regulatory based management of forage fish resources.

Sincerely,

Crystal Sanders
Director & Sustainable Seafood Advisor
Marine & Fisheries Biologist
Fish Revolution
Fishmonger- Royal Hawaiian Seafood

Thomas G. Baty
P.O. Box 534
Inverness CA 94937

June 22, 2012

Mr. Dan Wolford, Chair
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 101
Portland OR 97220-1384

Dear Chairman Wolford and Council Members,

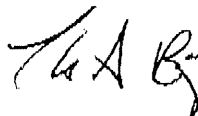
I am a life-long resident of Marin County and have held either sport or commercial fishing licenses my entire life. I have participated in a wide range of fisheries management efforts, from halibut tagging programs to Marine Sanctuary economic evaluations to being a regional stakeholder in the recent MLPA process.

Forage fishes and their fisheries are highly dynamic variables in an extremely complex and only partially-understood oceanic system. Historically, many forage fisheries have been casually and often inadequately managed, particularly in light of limited understanding of abundances, exploitation by marine species, and natural population cycles. As a self-interested constituent, the marine species that I most commonly target---salmon, halibut, albacore, and white sea bass---are all completely dependant on robust forage stocks. Oceanic productivity seems to be such a key variable in our troubled salmon populations, it would seem apparent that fisheries management must take a more nuanced and defensive look at the importance of forage fishes if these species are to have a chance at survival.

California's pacific herring fishery can serve as a clear example of a troubled forage fishery. I actively participated in The Ocean Research Institute's unsuccessful campaign in the 1980s to convince the CDFG to take a more precautionary and conservative approach in managing the San Francisco and Tomales Bay pacific herring fisheries. Our efforts fell on completely deaf ears. In recent years I have watched with resignation as CDFG herring biologists have issued fairly dire warnings about the possibilities of a population collapse of the SF stocks. At the same time (during the MLPA process) we heard the practically nonsensical position by CDFG managers that the Tomales Bay fishery is "well-managed" when the marketable catch has flat-lined at zero for years.

I am of the strong belief that our existing forage fisheries are very much in need of stronger management mechanisms---better understandings of the stocks and fishing effort/take that are driven by more conservative guidance principles than the forces of the market. I think the idea of a moratorium on any new forage fisheries is commendable and worthy of strong support by both fishing interests and environmental advocates.

Sincerely,





www.iloveblueseasea.com

415.300.0940
ahoy@iloveblueseasea.com

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

I write to you as the co-founder of i love blue sea, a seafood distribution company in San Francisco that provides restaurants, businesses and families with seafood that is certified sustainable. i love blue sea is the only company online to offer seafood tested and certified safe, and was voted "Best Seafood in San Francisco" by 7x7 Magazine in 2011. My business partners, the fishermen we buy from and all of our employees at i love blue sea have staked our livelihoods on a sustainable supply of Pacific seafood. That is why we are asking the Council to prioritize forage fish as the key link in a productive marine food web. Our long-term success, and thousands of jobs, depends on a stable supply of local seafood made possible by a balanced and resilient ocean environment.

Specifically, we ask the Council to take action in June to protect forage species that are not currently being fished. We are concerned that new fisheries targeting forage fish could begin at any time, even before the science is in place to ensure fishing these species does not harm the ecosystem.

Forage fish eat plankton, converting it into life-sustaining protein for everything else in the water, including seabirds, marine mammals, and the bigger fish that people love to catch and eat. Although many of us embrace the traditional use of some West Coast forage stocks for human consumption, any expansion of fisheries targeting forage fish is unlikely to arrive on a dinner plate. Demand is rising across the world to convert forage fish into a commodity that can be fed to livestock, poultry and farmed fish. We are concerned that the market for currently unfinished forage species is likely to grow more attractive due to the spectacular growth of aquaculture, as the Council cited in its own draft ecosystem plan in November.

The Council has a chance to continue the leadership it demonstrated in 2006, when it put krill off-limits because of its importance as forage for other marine life. The Council wisely decided to act before a problem developed. Similarly, the Council should hold off the development of new fisheries on forage stocks unless and until the science is in place to manage them sustainably.

All of us benefit from a marine environment teeming with salmon, albacore tuna and halibut. That's why we are asking the Council to do all it can to safeguard this amazing natural asset, starting by leaving enough prey in the water to sustain a durable and vibrant Pacific ecosystem for generations to come.

Thank you for your ongoing commitment to a healthy ocean and the businesses that depend on it.

Sincerely,

Matt Carreira | Co-founder
www.iloveblueseasea.com



www.SF BAY WHALE WATCHING.COM

300 Napa Street, Slip 26 • Sausalito CA 94965 • 415.331.6267

June 8, 2012

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Dear Chairman Wolford and Council Members,

As the owner of San Francisco Bay Whale Watching, my livelihood and the livelihoods of my employees depend on healthy fish stocks along the Pacific coast. The long-term management of forage species is paramount to the success of people like me who rely on the annual whale migration. New fisheries on unmanaged forage species could seriously disrupt the sensitive balance needed to sustain a healthy ecosystem. For over thirty years my business and others in the California ecotourism industry have been dependent on healthy levels of forage species to nourish whales off the California coast.

I write to urge you to prevent new fisheries from opening on unmanaged forage species.

San Francisco Bay Whale Watching has been providing whale watching tours and natural history expeditions for the past 30 years. At San Francisco Bay Whale Watching, people participate in whale watching and natural history expeditions, starting in the San Francisco Bay and moving to the Gulf of the Farallones National Marine Sanctuary. The sanctuary is home to twenty-six federally listed endangered or threatened species, and the only recovering Blue Whale population on the planet regularly feeds there. This would not be possible if not for the abundance of forage species that the Blue Whales and other large species depend on to sustain themselves.

New fisheries on unmanaged forage species could disrupt the vital California marine ecosystem and force larger species to migrate elsewhere or perish, endangering not only these precious animals but also the livelihoods of me and those like me up and down the coast.

I urge the Pacific Fishery Management Council to take proactive steps to prevent the expansion of new fisheries for currently unmanaged forage fish species. By preventing these new fisheries, you can help to ensure the health and sustainability of the entire ecosystem.

I hope that you consider the ecotourism industry as you continue to address the status of unmanaged forage species. Thank you for your time and consideration on this significant issue affecting us in California.

Regards,


Captain Verne Bryant
San Francisco Bay Whale Watching

Harbor Breeze Corporation

June 4, 2012

Pacific Fishery Management Council
Dan Wolford, Chairman
7700 N.E. Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chairman Wolford and Council Members,

I am writing on behalf of Harbor Breeze Cruises, a southern California cruise company run out of Long Beach, that has been offering seasonal whale watching cruises for nearly twenty years. I am writing to urge you to prevent new fisheries on currently unmanaged forage fish until the important role they play in the marine ecosystem is studied.

Throughout the year, our guests are treated to sightings of Gray and Blue Whales, Fin Whales, Humpback Whales, Minke Whales and Killer Whales. Other wildlife frequently spotted are a variety of dolphins including Common, Bottlenose, Risso's, and Pacific White Sided, as well as sea lions. These marine mammals are drawn to the California Current along the coast due to the abundance of nourishment that a healthy population of forage fish provides.

As increasing numbers of forage fish are carelessly pulled from the water to be used as cheap sources of protein in animal feed for livestock, poultry and fish farms, we are worried that there may not be enough left in the water to support all of the marine mammals that we love watching from our boats every year.

One passenger recently noted, "Thanks to you, my visitors from Indiana, husband and I had the most incredible experience with an afternoon of whale watching. Not only did we see common dolphins, bottlenose dolphins, a sea lion, a seal and a pair of gray whales (twirling), but we believe you also provided us with perfect weather out on the water. We thank you again. It was an amazing experience."

At Harbor Breeze Cruises, our livelihoods depend on a thriving marine ecosystem that supports the diets of marine mammals, and we are lucky enough to bring the experience of sighting these animals to thousands of people every year.

We hope to continue our work for many years to come, which is why we are urging the Council to express the responsible foresight by preventing new fisheries on unmanaged forage species until a management plan is in place that takes into account their important role in the marine food web.

We appreciate the opportunity to offer our support for this issue and would be happy to provide additional comments to the Council, if needed.

Sincerely,



Amber Boyle
Vice President
Harbor Breeze Cruises

Little **Fish – BIG Deal!**

Charlton H. Bonham
Director
California Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

Cc: Pacific Fishery Management Council

Dear Director Bonham,

I am writing to ask you to support the Pacific Fishery Management Council's effort to maintain a healthy marine ecosystem, starting by setting aside forage species that aren't currently protected even though they occupy a critical position in the marine food web. Small prey fish support economically important fisheries in California such as those for salmon, albacore tuna, and groundfish.

In light of growing worldwide demand to convert wild-caught forage into feed for poultry, livestock, and farmed fish, I believe it is imperative for the PFMC to stop the expansion of new fisheries on forage species until the science is in place to manage them sustainably.

The council's draft ecosystem plan notes that new species of forage fish are likely to grow more attractive as potential fishing targets because of the spectacular growth of aquaculture. The council may not be able to control global market trends, but it can do its part to make sure we protect forage fish for their value to a productive and healthy marine food web along the Pacific coast.

Thank you for considering my comments and for your continued commitment to a healthy Pacific marine environment.

Sincerely,

John Anjard, *San Diego, CA*
Luther Asbury, *Ventura, CA*
Zeena Atig, *Oakland, CA*
Christian Billson, *Los Alamitos, CA*
Eileen Bradford, *Biggs, CA*
Lucinda Brisbane, *Stinson Beach, CA*
Sarah Burt, *Oakland, CA*

Kathy Carroll, *Oakland, CA*
Eva Cicoria, *Rancho Palos Verdes, CA*
Taylor Debevec, *Costa Mesa, CA*
Joey Dirkes, *Roseville, CA*
Lauren Dockendorf, *Santa Cruz, CA*
Alan Dower, *Hayward, CA*
Linda Dunsmore, *Santa Cruz, CA*

Jenn Eckerle, *Santa Barbara, CA*
Kathleen Flick, *Manhattan Beach, CA*
John Freutel, *Oxnard, CA*
Nidia Golla, *Montclair, CA*
Don Gourlie, *Newport Beach, CA*
Paul Hobi, *San Francisco, CA*
Nora Jaffe, *La Jolla, CA*
Irene Kennett, *National City, CA*
Sarah Kirschbaum, *Los Angeles, CA*
Tim Lawnicki, *Lakewood, CA*
Cheri Lyon, *San Francisco, CA*
Keiko M., *San Francisco, CA*
Don McEnhill, *Healdsburg, CA*
David McGuire, *Sausalito, CA*
Francie Mitchell, *Alamo, CA*
Kelly Newman, *Santa Cruz, CA*
Elizabeth O'Hara, *Roseville, CA*
Noel Oates, *La Jolla, CA*
Staci Peters, *San Diego, CA*
Mark Reback, *Los Angeles, CA*
Steve Robey, *Berkeley, CA*
Joe Sarmiento, *Los Angeles, CA*
Teri Shore, *Sonoma, CA*
Brian Smith, *Oakland, CA*
Lisa Thomas, *Penn Valley, CA*
Melissa Thomas, *San Rafael, CA*
Kathleen Troeller, *Ben Lomond, CA*
Allyn Van Alstyne, *Hemet, CA*
Justine Vigil, *Orange, CA*
T.W. White-Henry, *Carmel, CA*
Lisa Wilson, *San Diego, CA*

Comments re: Agenda Item G.1
Consideration of Further Protection of Currently Unmanaged Forage Species
June 2012 Pacific Fishery Management Council Meeting

"Human beings are experts at taking advantage and exploiting our resources to make our lives more efficient. This quality is the reason that we have been so successful at adapting to our environment and progressing at such rapid rates technologically, economically, and culturally.

Another, equally important skill that we have that unfortunately often lags behind is the ability to see the future effects of our present actions. Humans are one of the few organisms that are able to view our place on earth subjectively and understand that our actions have consequences.

After working as a fisheries observer for the Gulf shrimping industry, I have seen firsthand the penchant for humans to turn a blind eye to long-term environmental degradation in exchange for short term profits. While fisheries can be thriving industries, the human trend seems to be to treat them as boom and bust economies, which get exhausted as quickly as we are able to track them down and bring them to land.

Effectively managing and protecting pacific forage fish immediately is crucial due to their place in the food chain and their vulnerability as schooling fish. Any time a level of the food chain is greatly affected there is the danger of a trophic cascade. The larger predatory species cannot remain if we take away their food source, and many of these fish populations are already at their breaking point.

The forage fish schooling behavior means that localized populations of them can be wiped out in one fishing trip; reducing genetic diversity and affecting all local predator species. Traditional management practices will not account for the unique nature of the forage fish lifestyle. Further research and cooperation with interested parties is necessary to ensure that our practices are sustainable and will leave enough forage fish to support the tuna and salmon fisheries, as well as marine mammal populations."

Don Gurlie
Orange County Coastkeeper
Newport Beach, CA

"Let's keep the baitfish populations healthy!!"

Don McEnhill
Healdsburg, CA

"I think adequate research should be done with regards to new fisheries on forage species before moving forward. Our current fisheries are in need of help, and jumping into new ones does not seem like a good idea, at least not without evidence that it will be good for, or at least have no effect on, the ecosystem."

Taylor Debevec
Orange County Coastkeeper
Costa Mesa, CA

"We need a better understanding of the basic biology of forage fish and the fishing impacts on them. Harvesting sardines, herring and other forage fish for aquaculture and fertilizers is a waste of natural resources with potential impact all the way up the food chain. These are at the bottom of the food chain and other commercial fish and important marine wildlife rely on healthy stocks. Fishing pressure, natural cyclicity in populations and potential impacts from climate change can all have a dramatic influence on these populations potentially leading to population crashes and a cascade effect up the food chain. We need better understanding of the natural history of these fish and their ecological importance before we harvest more indiscriminately."

David McGuire
Director, Sea Stewards
Sausalito, CA

"The forage species are under attack from acidification, warmer waters, pollution and now trash including lots of plastic. These species are like the basement of a high rise, if the basement crumbles, the whole building comes down."

Sarah Kirschbaum
Faith to Green
Los Angeles, CA

"Please be forward thinking and take action."

Linda Dunsmore
Santa Cruz, CA

"We need to pay serious attention to and regulate any fishing activity that can have such significant impacts to the marine food chain."

Noel Oates
La Jolla, CA

"You have heard this thousands of times, but it is worth trying on my part: Nature is fragile. In a few short years, there will be no more polar bears, arctic foxes, or any of the Arctic creatures that we know now. If we do not start protecting the fragile, and tiniest links in this threatened chain, we will ruin this life-giving planet & that will be unforgivable."

Cheri Lyon
San Francisco, CA

"All levels of the food web need attention and protection. The forage fish are vital to so many levels, and the impacts of a potential forage species fishery can devastate the species that depend on them."

Kelly Newman
Santa Cruz, CA

"We need healthy fisheries to ensure health oceans for the future of marine life, human communities and the environment. Please protect key forage species."

Teri Shore
Sonoma, CA

"We need to do all we can to keep the ecosystem in balance and not overlook the importance of all fish in the food web."

Lisa Thomas
Penn Valley, CA



Washington State Senate

Senator Debbie Regala
Majority Caucus Vice Chair
27th Legislative District

233 John A. Cherberg Building
PO Box 40427
Olympia, WA 98504-0427

Phone: (360) 786-7652
FAX: (360) 786-1446
E-mail: regala.debbie@leg.wa.gov

June 15, 2012

Mr. Phil Anderson, Director
Washington Department of Fish & Wildlife
600 Capital Way
Olympia, WA98501

Dear Mr. Anderson,

The Pacific Fishery Management Council can take action this month to begin the process to ensure the vibrant marine economy and pristine environment for which the Pacific Northwest is famous. An important part of our local economy and food web is threatened by a lack of a management plan of the forage fish resource. I am asking that you support actions to carefully manage and protect forage fish for the benefit of our commercial fishing, recreational fishing and environmental future.

The Pacific salmon have faced the brink of extinction and without our careful management we could lose them. However, important to their survival are various forage fish species – the cornerstone of the food web. As an important food source for the bigger predator fish, including salmon, and other marine creatures, these forage fish are the basis for a healthy and productive marine environment in the Northwest. Currently, many species of these fish fall outside a management framework. We need strong action on the common forage species not currently being managed to ensure that strong commercial fisheries can be established well in the future.

Fishing has been a mainstay of our regional economy, and I support its sustainable practice. But in order to continue our fishing heritage, we need to correctly manage all aspects of it, especially the feed stock. We must find the best economic and recreational use for our fishing waters, and protecting forage fish for the current maritime uses will strengthen current efforts of maritime protection and sustainability.

With action to bring these currently non-fished forage species under a management plan, the Council can protect the food web and strengthen the growth of many of the higher food chain species we have come to enjoy fishing and consuming.

Thank you for your commitment and hard work for sustainable, economic management of our waters.

Sincerely,



Debbie Regala
State Senator, 27th Legislative District
Vice-Chair, Senate Natural Resources and Marine Waters

Cc: Mr. David B. Sones, ddavid160@centurytel.net
Ms. Michele Culver, Michele.culver@dfw.wa.gov
Mr. Dale Myer, dmyer@arcticstorm.com
Mr. Frank Lockhart, Frank.Lockhart@noaa.gov
Mr. Tim Roth, timothy_roth@fws.gov
Mr. Rich Lincoln, rlincolnabroad@hotmail.com



June 14, 2012

Mr. Phil Anderson, Director
Washington Department of Fish & Wildlife
600 Capitol Way N
Olympia, WA 98501

Dear Director Anderson:

The Pacific Fishery Management Council can take action this month to begin the process to ensure the vibrant marine economy and pristine environment for which the Pacific Northwest is famous. An important part of our local economy and food web could be threatened by a lack of a management plan of the forage fish resource. I am asking that you support actions to carefully manage and protect currently non-managed forage fish for the benefit of our commercial fishing, recreational fishing and environmental future.

As an important food source for the bigger predator fish, including salmon, and other marine creatures, these forage fish are the basis for a healthy and productive marine environment in the Northwest. Currently, many species of these fish fall outside a management framework. We need strong, scientifically-based action on the common forage species not currently being managed to ensure that strong commercial fisheries can be established well in the future.

Fishing has been a mainstay of our regional economy, and I support its sustainable practice. But in order to continue our fishing heritage, we need to responsibly manage all aspects of it, especially the feed stock. We must find the best economic and recreational use for our fishing waters, and protecting forage fish for the current maritime uses will strengthen current efforts of maritime protection and sustainability.

With action to bring these currently non-fished forage species under a balanced, science-driven management plan, the Council can protect the food web and strengthen the growth of many of the higher food chain species we have come to enjoy fishing and consuming.

Page Two
Forage Fish Letter
June 14, 2012

Thank you for your commitment and hard work for sustainable, economic management of our waters.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Blake".

Representative Brian Blake, Chair of Agriculture and Natural Resources
19th Legislative District

cc: Mr. Tim Roth, US Fish and Wildlife Service
Mr. Frank Lockhart, National Marine Fisheries Service
Ms. Michele Culver, Washington Department of Fish and Wildlife
Mr. David B. Sones, Tribal Appointment
Mr. Dale Myer, Arctic Storm Management Group, At-Large Appointment
Mr. Rich Lincoln, Washington Obligatory Appointment

Washington
House of
Representatives



AGRICULTURE
& NATURAL RESOURCES
VICE CHAIR
BUSINESS & FINANCIAL SERVICES
EDUCATION APPROPRIATIONS &
OVERSIGHT

June 15, 2012

Mr. Phil Anderson
State of Washington Principal Official
Washington Department of Fish & Wildlife, Olympia, WA
Email: philip.anderson@dfw.wa.gov

Mr. Phil Anderson,

As you most likely know, the fish and marine environment of Washington state and the Pacific Northwest is a defining characteristic of our values, history, and economy. The Native people of the Northwest relied on salmon, shell-fish, whales, and more from the Puget Sound waters to sustain their culture and very lives. These same resources brought many settlers to the area, and we have had a thriving salmon fishery ever since.

Despite the decline of salmon and other fish from years of over-fishing and environmental degradation, we have responsibly created ways to manage and help both the variety of animals in our waters and the correct way to harvest them. Mostly through programs and groups like the Pacific Fishery Management Council. Today, I'm writing to you about the need for further action and management of our environment.

A vital part of the marine food web in our waters starts from the tiniest of creatures. The zooplankton and phytoplankton of the deep waters are fed upon by several species of schooling fish. These small fish are the crucial connection in the expansive food web; a source for the predator species – salmon, halibut, tuna – that we rely on for food and have worked hard to protect.

Unfortunately, these tiny fish, or forage fish, risk the dangers that salmon are just now over-coming. The commercial market for these forage fish as bait and food sources for fish-farming is growing. Without proper management and care, these forage fish could face extinction much as salmon. The Pacific Fishery Management Council must take steps to focus on new rules concerning forage fish.

We have learned too much from salmon over the last 40 years. Through hard work, money, volunteers, and cooperative action, we have created plans to protect salmon and ensure their longevity for generations to come. We can ensure this doesn't happen to these important fish. Through proper management, these fish can flourish without the expense of recovery, and maintain the health and sustainability of the fish that feed on them.

I thank you for your efforts and leadership on this issue.

Respectfully,

Derek Stanford
State Representative
District 1

CC: Mr. David B. Sones

Tribal Appointment

F/V Crysan – Neah Bay, WA

Phone: (360) 645-2193

Fax: (360) 645-2323

Email: ddavid160@centurytel.net

Ms. Michele Culver

Washington Department of Fish & Wildlife

600 Capitol Way North

Olympia, WA98504

Phone: (360) 902-2720

Fax: (360) 902-2947

Mr. Dale Myer

At-Large Appointment

Arctic Storm Management Group, Seattle, WA

Phone: (206) 547-6557

Fax: (206) 547-3165

Email: dmyer@arcticstorm.com

Mr. Frank Lockhart

NMFS Northwest Region Official

National Marine Fisheries Service, Seattle, WA

Phone: (206) 526-6142

Fax: (206) 526-6736

Email: Frank.Lockhart@noaa.gov

Mr. Tim Roth

USFWS Official (Non-Voting)

US Fish and Wildlife Service, Vancouver, WA

Phone: (360) 604-2500

Fax: (360) 604-2505

Email: timothy_roth@fws.gov

Mr. Rich Lincoln

Washington Obligatory Appointment

Olympia, WA

Phone: (503) 320-3278

Fax: (503) 222-1805

Email: rlincolnabroad@hotmail.com

Comparison of Options to Protect Unmanaged Forage Species

Submitted by Geoff Shester and Ben Enticknap, Oceana

June 23, 2012

	FMP Amendment (Options 3-4)	Amend List of Fisheries/FEP Guidance (Options 1-2)
Clarity of pathway	Clear precedents for achieving desired objective (e.g. Am 12 to CPS FMP for protecting krill, Amendments 36/39 to NPFMC Groundfish plans to protect 9 families of forage fish)	Much uncharted territory; not clear whether NMFS has authority to create new safeguards that would prevent entry into new fisheries. May face problems with other Councils/ regions if process is changed through regs.
Further action required?	Completion of the amendment will effectively prevent new fisheries. Additional FMP amendments required to allow a fishery to proceed.	Once list is modified, NMFS must issue emergency regs and ultimately an FMP amendment to prevent fisheries from developing.
Time/workload considerations	Approx 2 years total time to completion. 3-meeting process including scoping, public comment, NEPA Doc, NMFS approval. Workload can be shared between EPDT and other appropriate management teams.	Approx 1-2 years total time to completion. At least 2 meeting process, public comment, development of new application system, addressing specifics of the list, NEPA doc, NMFS approval. Workload likely done by EPDT. <i>May ultimately require an FMP amendment anyways to provide permanent regulations.*</i>
Effectiveness in preventing new fisheries	Allows promulgation of regulations to prevent new fisheries, including limits on incidental catch. Does not preclude EFPs.	Implements a notification requirement and waiting period. Emergency regulations and FMP amendment still required. Cannot prevent new fisheries developing as incidental catch in existing fisheries. Without corresponding FMP amendment, fisheries are not prevented. Any FEP guidance is non-binding.
Steps	Decide which FMP(s). Finalize species list. Decide whether Ecosystem Component or Fishery Management Unit. Determine appropriate regs.	List of fisheries must be amended. New criteria/process for applications must be established. Guidance must be developed in FEP.

NOTE FROM LIST OF FISHERIES FINAL RULE.

* “If the initial determination by NMFS is negative, because use of the gear or participation in the fishery is likely to compromise conservation and management efforts under the Magnuson-Stevens Act, and it is unlikely that additional new information would be gained from a public comment period, then NMFS will notify the applicant and the Council of the negative determination and the reasons for that determination, and may publish emergency or interim regulations in the Federal Register to prohibit or restrict the use of the unlisted gear or fishing in the unlisted fishery. **The Council should then begin preparation of an FMP or an amendment to an FMP to provide permanent regulations relative to that gear type or fishery**”. 64 Fed Reg. 4030, 4032 (January 27, 1999).

Preventing Fisheries from Developing on Unmanaged Forage Species

Geoff Shester, Ph.D., California Program Director

Ben Enticknap, Pacific Project Manager

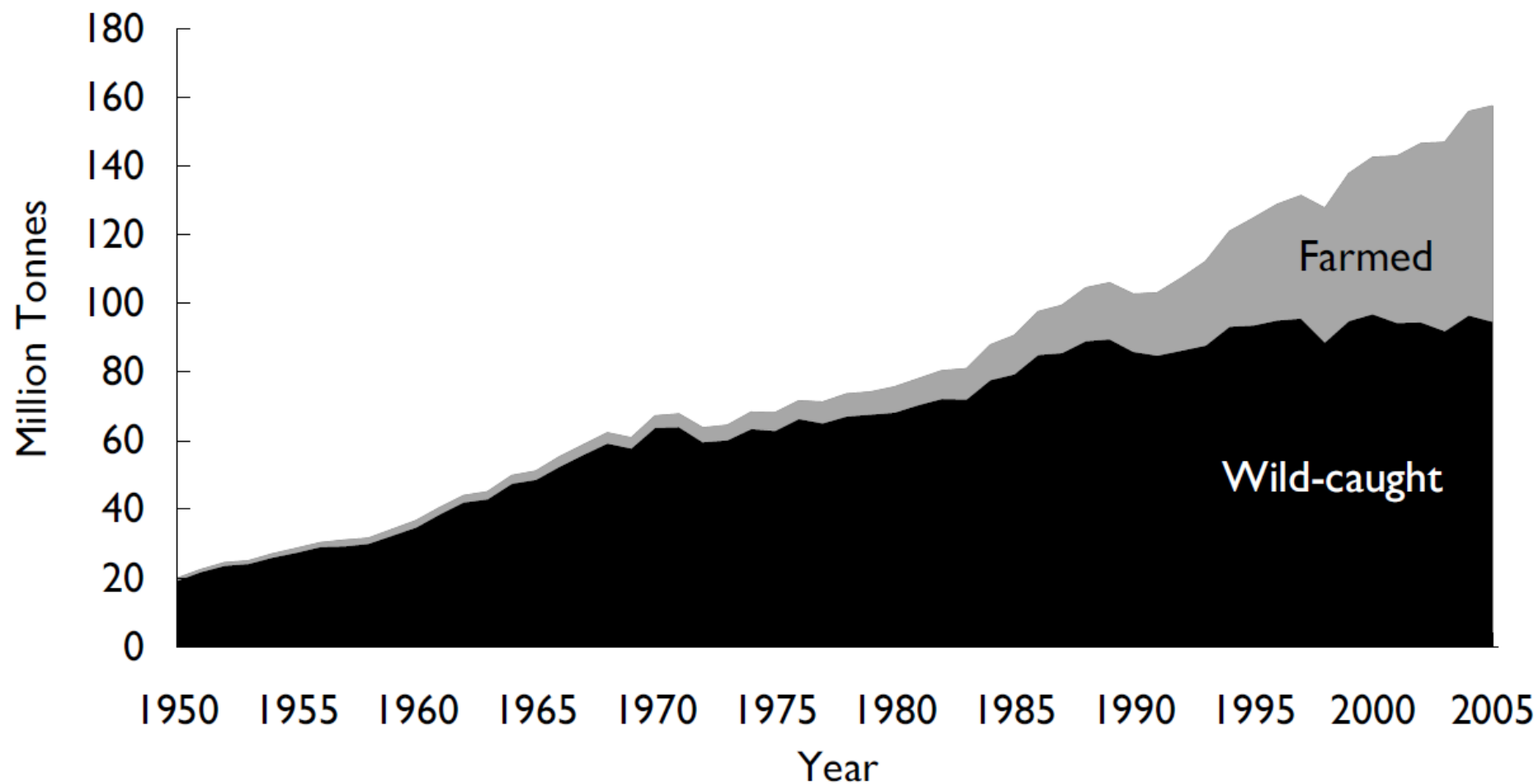
June 23, 2012



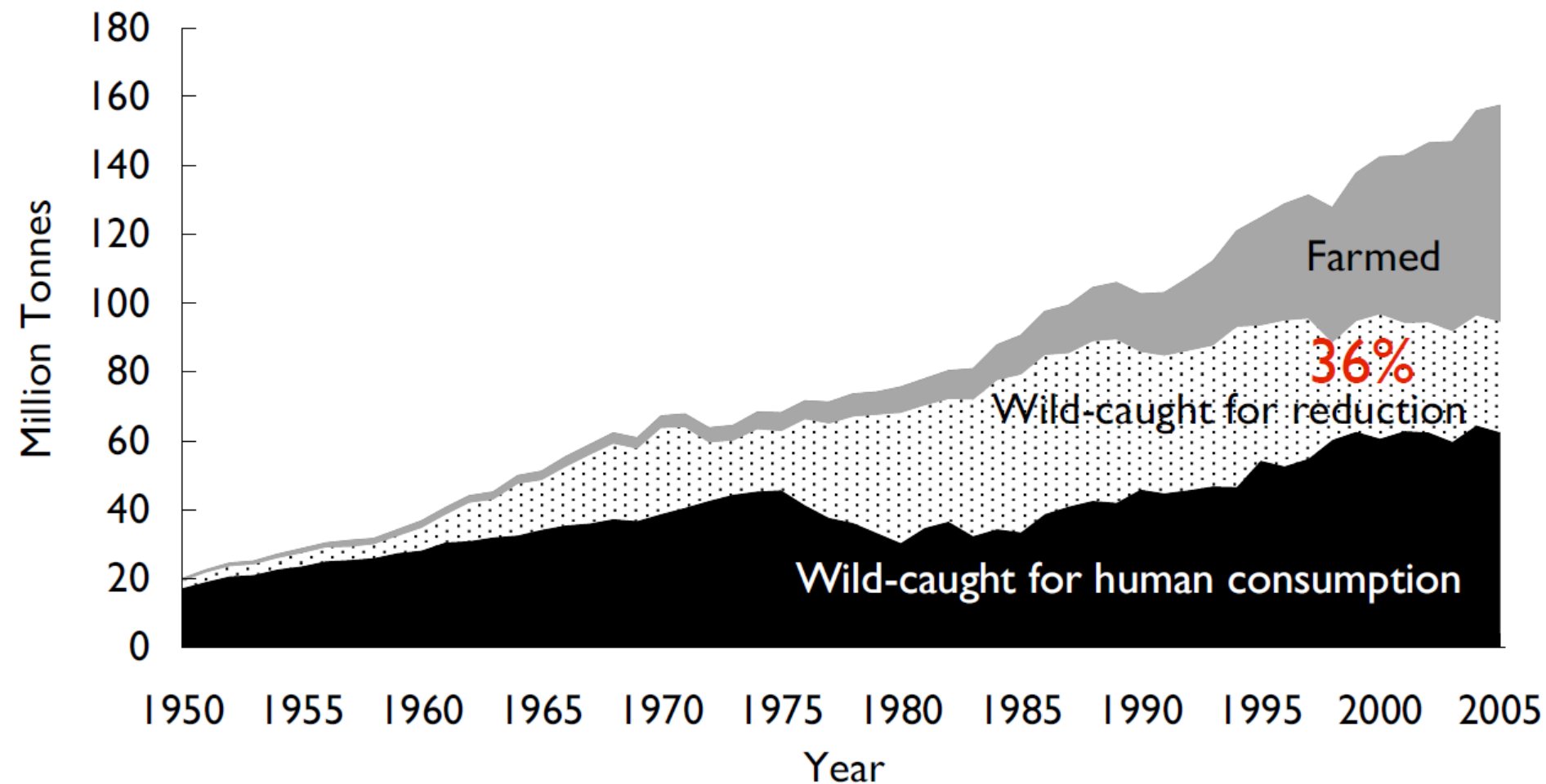
Summary

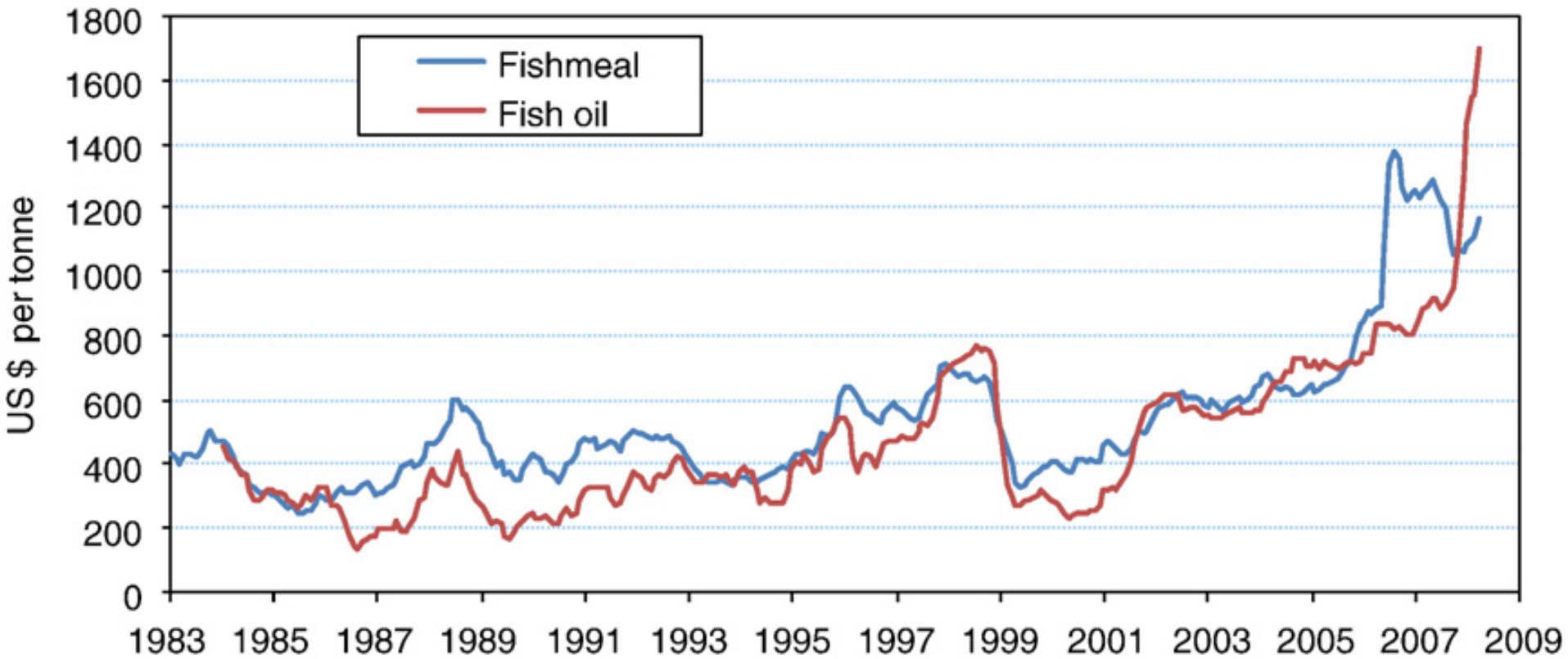
- Council Objective: Prevent fisheries from developing on forage species not currently in FMPs
- Initiate an FMP amendment (Options 3 – 4)
- Amending the List of Allowable fisheries is insufficient (Options 1-2)

World Fish Harvest, 1950-2005



World Fish Harvest, 1950-2005





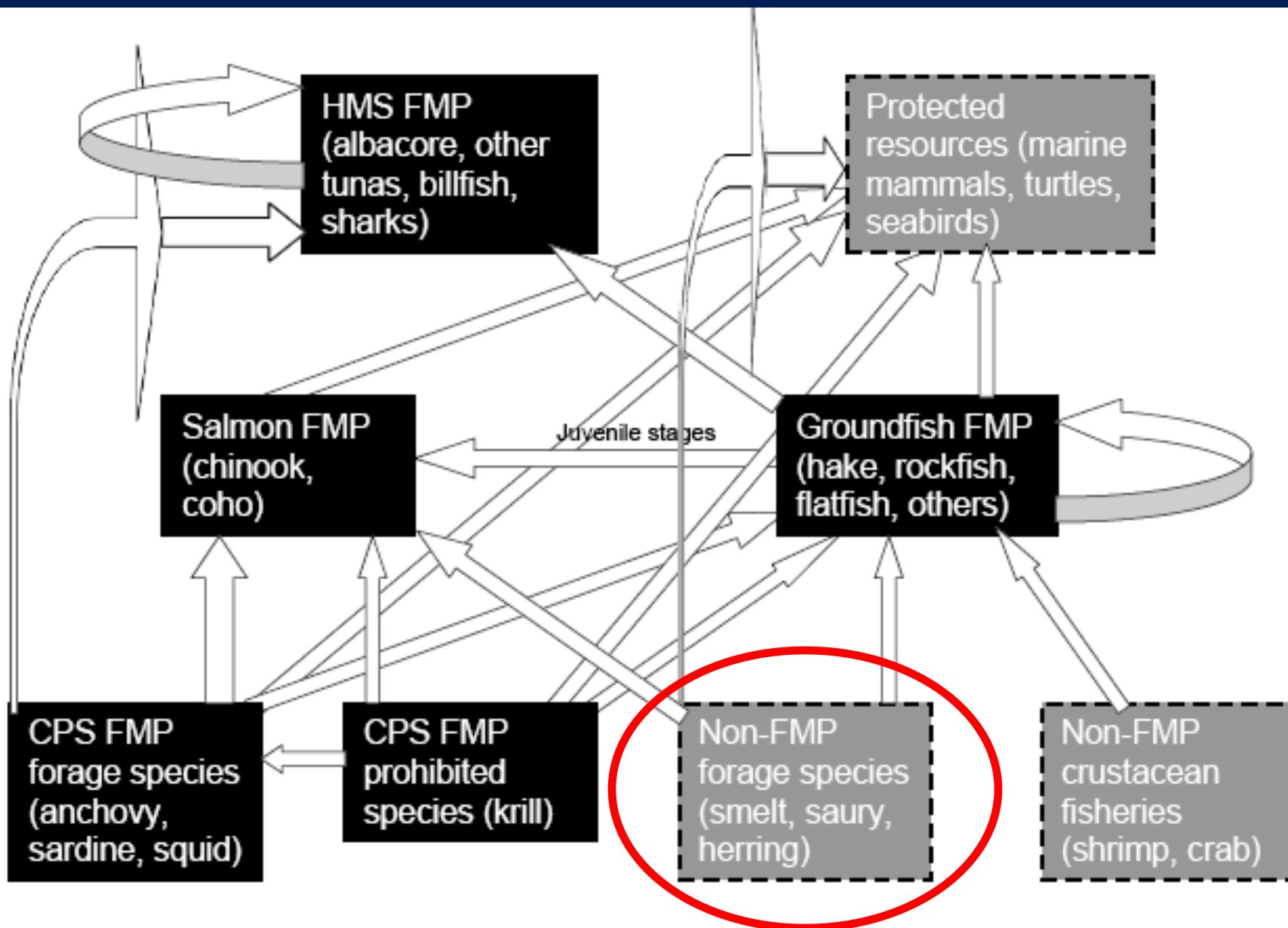
Tacon & Metian 2008

Aquaculture's use of forage fish as feeds has nearly doubled since the 1990s

“Higher commodity prices can create incentive for overfishing in poorly regulated fisheries or economically marginal fisheries.”

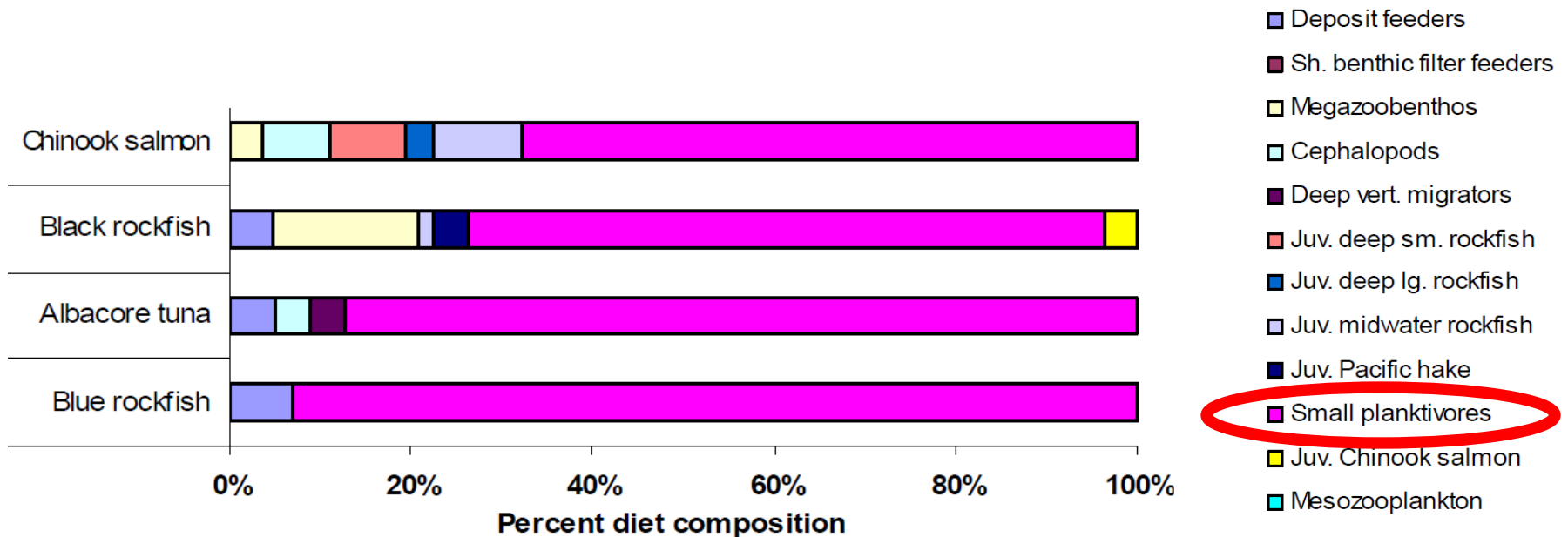
Naylor et al. 2009 Feeding aquaculture in an era of finite resources

Ecosystem Role





A Synthesis of Diets and Trophic Overlap of Marine Species in the California Current



Myctophids

- Comprise 65% of deep sea fish biomass



Trawl catch of myctophids off Alaska

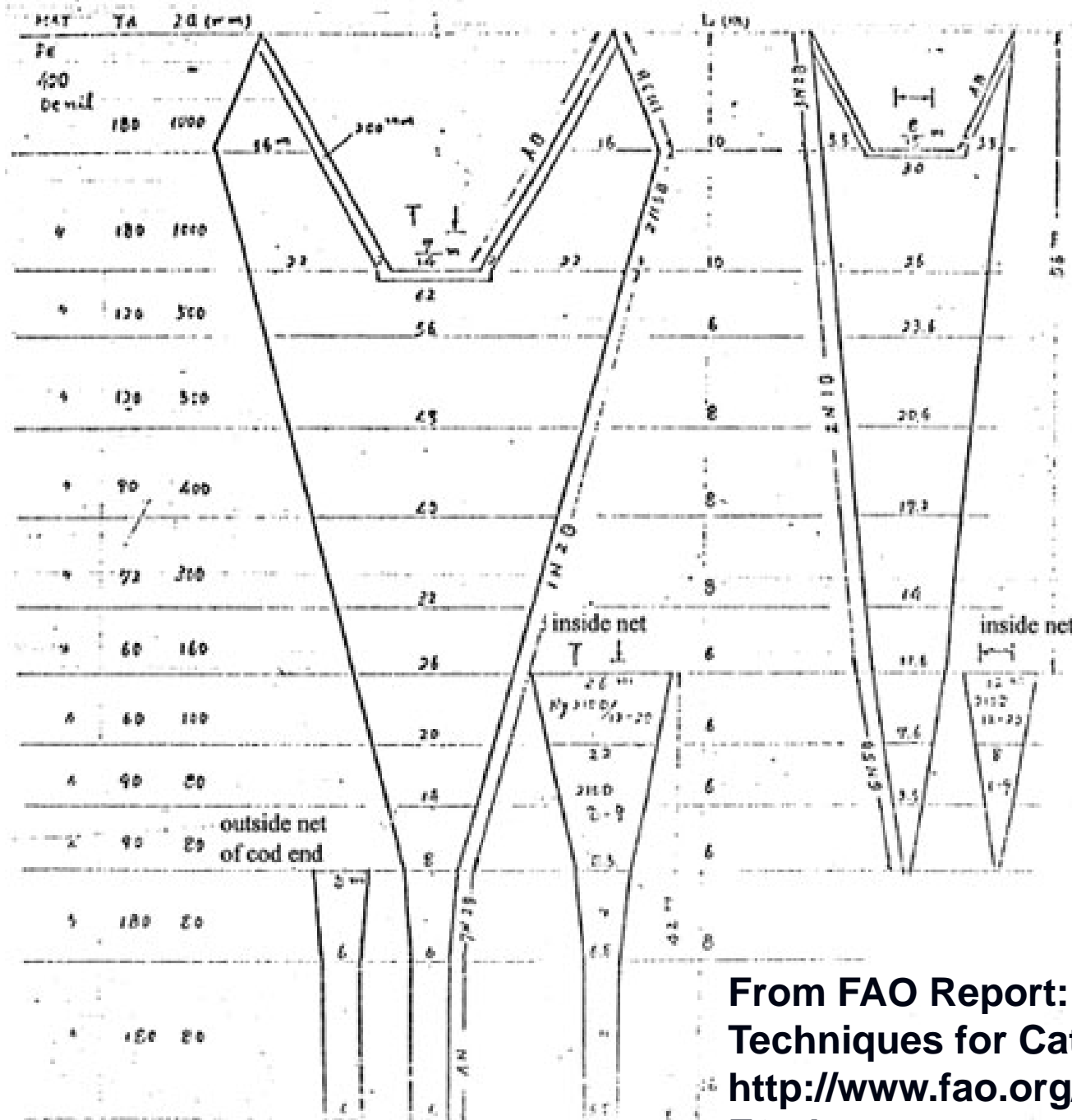
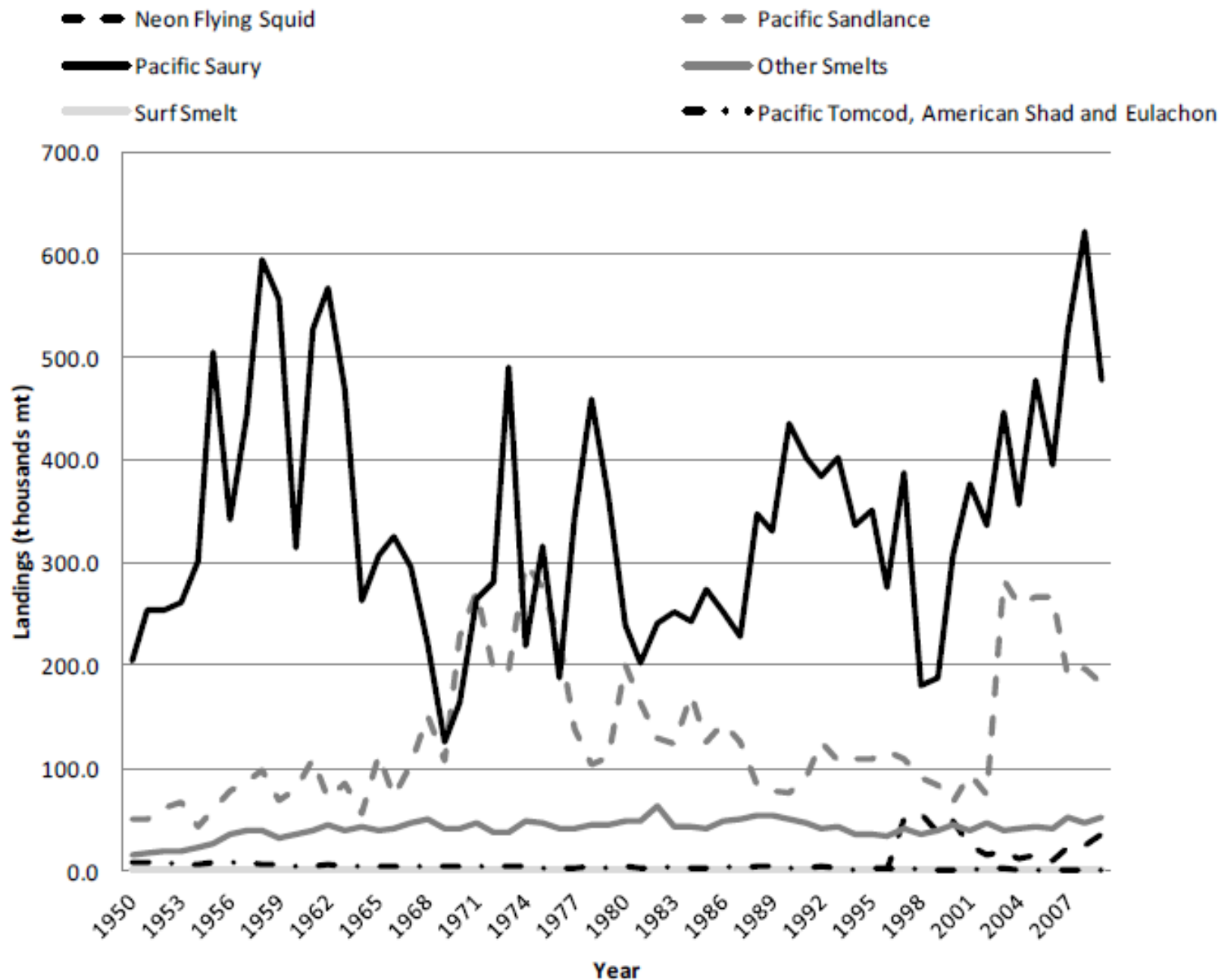
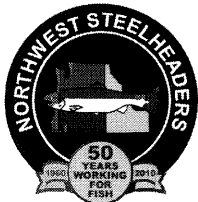


Figure A3. Global landings of select California Current Ecosystem LTL species, 1950-2009.







Association of Northwest Steelheaders

6641 SE Lake Rd. • Milwaukie OR 97222

503-653-4176 • 503-653-8769 (fax)

office@anws.org • www.nwsteelheaders.org

Agenda Item G.1.c
Supplemental Public Comment 8
June 2012
Established 1960

June 23, 2012

To: Dr. Dan Wolford, Chair
Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384
Fr: Russell Bassett, executive director
Re: Forage Fish Management

Dear Dr. Wolford and Council Members,

Thank you for this opportunity to testify on behalf of forage fish management in Pacific Ocean waters.

The Association of Northwest Steelheaders was founded in 1960, and is one of the oldest and most-cherished conservation organizations in the Pacific Northwest. The Association currently has 1,300 active members, 12 chapters in Oregon and one in Washington. The Steelheaders mission is "Anglers dedicated to enhancing and protecting fisheries and their habitats for today and the future."

In Oregon and Washington, salmon and steelhead are an economic generator, recreational pastime for hundreds of thousands of people, and regional icons revered by most every resident. We tend to focus on the part of their life history that is in fresh water, but the vast majority of their time is spent in the Pacific Ocean, and this is where salmon and steelhead grow strong and large by eating forage fish.

Earlier this year, the Steelheaders board unanimously voted to support the campaign to protect Pacific forage fish species. It makes perfect sense to the Steelheaders. All we are asking is that the PFMC ensure that scientifically-sound management plans are created before new forage fish fisheries are created and before existing fisheries are expanded.

Tax and rate payers in the Pacific Northwest are spending literally \$1 billion a year to restore wild salmon and steelhead runs. Humans have a sad history of exploiting a resource to the point of complete collapse and Endangered Species Act listing, and then create management plans designed to recover the populations. Doesn't it make more sense to create these plans to ensure that there is not a collapse? The old adage of "an ounce of prevention is worth a pound of cure" certainly holds true here. In the case of salmon recovery, a dollar's worth of prevention would save a million in cure.

As you probably know, it's very difficult getting recreational anglers to agree. We use different gear, target different fish, and all have our own ideas on how our favorite fisheries should be managed. That's not even counting the outright battle between commercial and recreational fishermen, which is coming to head in Oregon this year through Ballot Measure 21. In researching this campaign, I talked to many different recreational and angler groups and individual anglers, and found no opposition whatsoever against the campaign. This is something we all seem to agree on: forage fish need protections.

The Northwest Steelheaders urge you to ensure management plans are create before forage fish fisheries are created or expanded.

Respectfully,

Russell Bassett, Executive Director

Anglers dedicated to enhancing and protecting fisheries and their habitats for today and the future.

This motion may have been modified by amendments, updated, or not voted on. The FINAL adopted motion will be available in the Final June 2012 Council Meeting Minutes and Voting Log.

Substitute Motion

Agenda Item G.1.d
Supplemental CDFG Motion
June 2012

1. Direct the EPDT to proceed with Option 2 as detailed in its report, and schedule a progress report on its work to update and revise the List of Fisheries, to be made to the Council at its November 2012 meeting.

A. Regarding the List of Fisheries, all Council advisory bodies shall be tasked with identifying fisheries and authorized gears for federal fisheries operating in the U.S. EEZ off each state in the most specific and narrow terms possible, for incorporation into the updated List. This exercise shall be completed by the advisory bodies and provided to the EPDT in time for inclusion in the November progress report.

B. For state-managed fisheries, the states shall be responsible, through their EPDT representatives, for preparing the list of state-managed fisheries which have a nexus with federal waters, for inclusion in the updated List.

C. The EPDT's progress report shall include any analysis on the possible effectiveness of the LOF application process in meeting the goal of preventing development of non-existent fisheries.

D. The report shall also include, to the extent possible, any new information or analysis regarding the application of Section 600.747 of the federal rules, including whether there is a possibility of amending these regulations for the West Coast such that additional requirements and specifications regarding the Council's review of applications could be formally incorporated into federal regulations.

E. Regarding the Council's standards which would be used in assessing whether a proposed new fishery could compromise conservation and management measures within the West Coast EEZ, the EPDT progress report shall provide full detail of the proposed standards and process, in order to make the procedural and content requirements clear and transparent to both applicants and the public, consistent with the recommendations outlined in Option 2 of the EPDT report.

F. At its November 2012 meeting, upon receipt of the Progress Report, the Council shall review and provide guidance so that the content can be finalized for incorporated into the draft FEP, consistent with the FEP development schedule identified on Pg 2. of the draft FEP (H.1.a Attach 1, June 2012).

G. Dan's piece as amended.

Yuremko/Crabbe

It is the Council's intent to recognize the importance of forage fish to the marine ecosystem off our coast, and to provide adequate protection for forage fish. We declare that our objective is to prohibit the development of new directed fisheries on forage species that are not currently managed by our Council, or the States, until we have an adequate opportunity to assess the science relating to the fishery and any potential impacts to our existing fisheries and communities.

The Council directs the Ecosystem Plan Development Team (EPDT) to proceed with Option 2 as detailed in Agenda Item G.1.b, EPDT Report, and schedule a progress report on its work to update and revise the List of Fisheries (LOF), to be made to the Council as soon as possible after completion of the fishery ecosystem plan (FEP). The Council further directs that:

- A. Regarding the LOF, all Council advisory bodies shall be tasked with identifying fisheries and authorized gears for Federal fisheries operating in the U.S. Exclusive Economic Zone (EEZ) off each state in the most specific and narrow terms possible, for incorporation into the updated List. This exercise shall be completed by the advisory bodies and provided to the EPDT as soon as possible after completion of the FEP.
- B. For state-managed fisheries, the states shall be responsible, through their EPDT representatives, for preparing the list of state-managed fisheries which have a nexus with Federal waters, for inclusion in the updated List.
- C. The EPDT's progress report shall include any analysis on the possible effectiveness of the LOF application process in meeting the goal of preventing development of non-existent fisheries.
- D. The report shall also include, to the extent possible, any new information or analysis regarding the application of Section 600.747 of the Federal rules, including whether there is a possibility of amending these regulations for the West Coast such that additional requirements and specifications regarding the Council's review of applications could be formally incorporated into Federal regulations.
- E. Regarding the Council's standards which would be used in assessing whether a proposed new fishery could compromise conservation and management measures within the West Coast EEZ, the EPDT progress report shall provide full detail of the proposed standards and process, in order to make the procedural and content requirements clear and transparent to both applicants and the public, consistent with the recommendations outlined in Option 2 of the EPDT Report.
- F. As soon as possible after completion of the FEP and upon receipt of the Progress Report, the Council shall review and provide guidance so that the standards (for assessing new fisheries) can be finalized for incorporation into the FEP.

After completion of the FEP, the Council will proceed to incorporate any needed protections into our current suite of Fishery Management Plans through an amendment process.

(Culver/Lincoln)I move that the Council:

1. Request that the National Marine Fisheries Service (NMFS) update the List of Fisheries (Section 305(a) of the Magnuson-Stevens Act) to accurately reflect the legal gears and species that can be harvested within the West Coast Exclusive Economic Zone now under the Council's Fishery Management Plans (FMPs) or state fisheries authorities. NMFS should work with the states with a goal of bringing the proposed changes to the List to the November 2012 meeting and having those changes deemed appropriate by the Council as early in 2013 as possible;
2. Reconfirm the Council's prior action to address unmanaged forage fish species through the Coastal Pelagic Species (CPS) FMP as its primary vehicle, which would not preclude the Council from using other FMPs, as it deems appropriate; and
3. Establish a subcommittee of the Ecosystem Plan Development Team (EPDT) comprised of representatives from the NMFS Northwest and Southwest regions, and the states of California, Oregon, and Washington, and Council staff, as needed, to scope alternatives for unmanaged forage fish protection.

In addition, I move the Council provide the following guidance for the subcommittee:

4. Alternatives should include revising the list of management unit species, ecosystem component species, or both, and restricting the legal gears that can be used so that: (a) the potential for bycatch of unmanaged species is minimized; and (b) new targeting opportunities cannot be started until status determination criteria for the stock can be identified and the Council can fully consider and deliberate on the social, economic, and ecological costs and benefits of the new fishing activity like the Council does now for existing fisheries. As stated above, the CPS FMP would be the primary FMP for consideration; however, if another FMP would be a better fit, then the subcommittee should note that in its report to the Council.
5. To narrow the scope of the alternatives, the subcommittee should focus its efforts on the unmanaged forage fish species that are commercially harvested now in other areas of the world and on the gears and methods used now or that could be reasonably conceived to support significant commercial harvest in the future. In addition, the subcommittee need only discuss and advise the Council on the differences in workload and regulatory effect between the "in the fishery" and ecosystem component species designations generally (i.e., not species by species).
6. The subcommittee should have an initial conference call within the next month to review the Council action and decide next steps. This should be followed by a meeting in

conjunction with the November 2012 Council meeting—a portion or all of the meeting should include a joint meeting with the CPSMT. Coordination should also occur with the Council’s CPS and Ecosystem Advisory Subpanels to solicit their comments on the subcommittee’s discussions and reports.

7. The subcommittee should prepare a draft list of alternatives and a timeline for regulatory action through one or more FMPs for the November 2012 meeting for advisory body review and the Council’s consideration.

LEGISLATIVE MATTERS

The Pacific Fishery Management Council's (Council's) Legislative Committee (Committee) is scheduled to meet Wednesday, June 21 at 2:30 p.m. to review a variety of legislative matters of interest to the Council. Council staff has provided a summary of legislation introduced in the 112th U.S. Congress (Agenda Item G.2.a, Attachment 1) for potential review at the June Council meeting. It is anticipated that the Committee will focus the majority of its time discussing the Fisheries Investment and Regulatory Relief Act of 2012, S. 2184, as well as a companion bill in the U.S. House, H.R.4208 (Agenda Item G.2.a, Attachment 2).

The Fisheries Investment and Regulatory Relief Act of 2012 (S. 2184) would amend the Saltonstall-Kennedy Act to create a fund dedicated to fishery management, scientific research, monitoring, and data collection programs. The bill was first introduced March 12, 2012, by U.S. Senator Kerry as a means of redirecting funds collected as fishery import duties under the Saltonstall-Kennedy Act to their intended purpose, the support of sustainable fishery management. Under this bill each regional fishery management council would be required to establish a fishery investment committee to: (1) develop a regional fishery investment plan identifying research, conservation, management needs, and actions to rebuild and maintain healthy fish populations and sustainable fisheries; and (2) make recommendations to the Council on grant applications and projects to implement the respective plans.

The grants and projects under this act would put an emphasis on public-private partnerships and would focus funds on research and investment that supports rebuilding and maintaining healthy U.S. fish populations and promote sustainable fisheries. The bill proposes to fund such activities through an allocation of Saltonstall-Kennedy Act funds that would limit to 10 percent the funds authorized to offset receipts for National Oceanic and Atmospheric Administration (NOAA) operations, research, and facilities while distributing 70 percent to the regional fishery management councils and 20 percent to the Secretary of Commerce for projects in support of fisheries management.

At the time of this writing, there has been no formal request for Council input on S. 2184. Senator Lisa Murkowski (R-AK) formally requested comments from the North Pacific Fishery Management Council on this matter. In an April 13, 2012 letter to Senator Murkowski, North Pacific Council Executive Director, Mr. Chris Oliver, expressed support for additional funding in support of fisheries management during uncertain budget times, provided constructive feedback on the allocation and distribution for funds, and urged a comprehensive review of Federal fisheries management with an emphasis on regulatory streamlining (Agenda Item G.2.a, Attachment 3).

The Committee will also likely discuss the status of H.R. 1837, the Sacramento-San Joaquin Reliability Act. In response to a formal Congressional request, the Council has forwarded a Council staff report titled "A General Review of Potential Effects of H.R. 1837 the Sacramento-San Joaquin Valley Water Reliability Act, on Central Valley Salmon Productivity and Salmon Fisheries In Ocean and Inland Waters" (on our web page at www.pcouncil.org/2012/04/20519/council-staff-hr1837) to U.S. Congresswoman Grace

Napolitano. H.R.1837 addresses water use in California's Central Valley Project, makes changes to the implementation of the Endangered Species Act, and repeals the San Joaquin River Restoration Settlement Act. The Pacific Council remains concerned about negative effects H.R. 1837 might have on salmon stocks and their habitat, and the consequent negative economic effects on communities that depend on a healthy, vibrant salmon fishery.

Council Action:

1. Consider the recommendations of the Legislative Committee.

Reference Materials:

1. Agenda Item G.2.a, Attachment 1: June 2012 Staff Summary of Federal Legislation in the 112th U.S. Congress.
2. Agenda Item G.2.a, Attachment 2: S. 2184, the Fisheries Investment and Regulatory Relief Act of 2012
3. Agenda Item G.2.a, Attachment 3: April 13, 2012 letter from North Pacific Council Executive Director Mr. Oliver to U. S. Senator Murkowski regarding S. 2184.
4. Agenda Item G.2.b, Supplemental Legislative Committee Report.

Agenda Order:

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

Mike Burner
Dave Hanson

PFMC
05/21/12

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STAFF SUMMARY OF FEDERAL LEGISLATION IN THE 112TH U.S. CONGRESS

This summary is intended as a general overview for discussion purposes. Full text of these bills, additional summary and background information, and current status can be found by entering the bill number in the search engine at the THOMAS web site of the Library of Congress (<http://thomas.gov>). Portions of this report are derived from summaries provided by the Congressional Research Service of the Library of Congress.

Key Legislation for the June 2012 Legislative Committee (Committee) Meeting

S.2184 Fisheries Investment and Regulatory Relief Act of 2012 – as a mean of redirecting funds collected as fishery import duties under the Saltonstall-Kennedy Act to their intended purpose, the support of sustainable fishery management. Under this bill each regional fishery management council would be required to establish a fishery investment committee to: (1) develop a regional fishery investment plan identifying research, conservation, management needs, and actions to rebuild and maintain healthy fish populations and sustainable fisheries; and (2) make recommendations to the Council on grant applications and projects to implement the respective plans. The grants and projects under this act would put an emphasis on public-private partnerships and would focus funds on research and investment that supports rebuilding and maintaining healthy U.S. fish populations and promotes sustainable fisheries. The bill proposes to fund such activities through a proposed allocation of Saltonstall-Kennedy Act funds that would limit to 10 percent the funds authorized to offset receipts for National Oceanic and Atmospheric Administration (NOAA) operations, research, and facilities while distributing 70 percent to the regional fishery management councils and 20 percent to the Secretary of Commerce for projects in support of fisheries management.

Introduced March 12, 2012, by Senator Kerry, Massachusetts and referred to the U.S. Senate Committee on Commerce, Science, and Transportation.

H.R. 1837 Sacramento-San Joaquin Valley Water Reliability Act - Amends the Central Valley Project Improvement Act (CVPIA) to redefine "anadromous fish" for purposes of such Act as those native stocks of salmon and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean. Excludes striped bass and American shad from such definition.

Regarding non-native species, the bill would preempt State of California restrictions on the quantity or size of take of non-native species that prey upon one or more native fish species in the Central Valley or the Delta.

Considers all requirements of the Endangered Species Act of 1973 (ESA) to be fully met for the protection and conservation of the species listed pursuant to that Act for the operations of the CVP and the California State Water Project (SWP) if such Projects are operated in a manner consistent with the "Principles for Agreement of the Bay-Delta Standards Between the State of

California and the Federal Government" dated December 15, 1994 (Bay-Delta Accord). Preempts California requirements for the conservation of any species listed under ESA for the CVP and SWP that are more restrictive than the 1994 Bay-Delta Accord.

Prohibits the Secretary from distinguishing between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making ESA determinations.

Directs the Secretary of the Interior, upon request of the contractor, to renew any existing long-term repayment or water service contract that provides for the delivery of water from the CVP for a period of 40 years and renew such contracts for successive 40-year periods. Requires a contract entered into or renewed pursuant to this provision to include a provision that requires the Secretary to charge only for water actually delivered.

Directs the Secretary to take actions to facilitate and expedite CVP water transfers. Prohibits the Secretary from imposing mitigation or other requirements on a proposed transfer. Authorizes the Secretary to modify CVP operations to provide reasonable water flows of suitable quality, quantity, and timing to protect all life stages of anadromous fish.

Prohibits the Secretary from requiring a payment to the CVP Restoration Fund, or environmental restoration or mitigation fees not otherwise provided by law, as a condition to providing for storage or conveyance of non-CVP water. Requires the Secretary to submit a plan for the expenditure of funds in the Fund, including a cost effectiveness analysis of each expenditure. Establishes a Restoration Fund Advisory Board. Preempts any state law that imposes more restrictive requirements or regulations on activities authorized with respect to San Joaquin River restoration.

Introduced May 11, 2011 by Representative Nunes (CA). Referred to the Subcommittee on Water and Power. Hearings held in June 2011.

On February 16, 2012, the U.S. House Subcommittee on Water and Power referred the bill to the U.S. House Committee on Natural Resources for consideration and markup where an amended bill was reported back to the full U.S. House for consideration.

On February 29, 2012, after considerable floor debate, H.R. 1837 (as amended) passed the U.S. House of Representative on a vote of 246-175.

In early March 2012, the bill was reported in the U.S. Senate where, as of this writing, it has been placed on the U.S. Senate Legislative calendar for consideration.

Legislation in 112th Congress Previously Reviewed and Commented on by the Council

H.R. 946 Endangered Salmon Predation Prevention Act - Amends the Marine Mammal Protection Act of 1972 to authorize the Secretary of the department in which the National Oceanic and Atmospheric Administration (NOAA) is operating to issue one-year permits for the lethal taking of California sea lions on the waters of the Columbia River or its tributaries if the

Secretary determines that alternative measures to reduce sea lion predation on salmonid stocks listed as threatened or endangered under the ESA do not adequately protect such stocks.

Introduced March 8, 2011 by Congressman Hastings, Washington Status: Referred to the Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs on March 10th.

Hearings were held on June 14, 2011 and Council comments approved at the June 2011 were submitted via letter from Executive Director, Dr. Donald McIsaac. No Congressional action since.

Other Legislation in 112th Congress of Interest to the Council

Legislation in the U.S. House of Representatives

Many of the bills listed in this section are focused on amending the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

H.R. 594 Coastal Jobs Creation Act– Directs the Secretary of Commerce to implement a Coastal Jobs Creation Grant Program which shall include: (1) cooperative research to collect and compile economic and social data related to recreational and commercial fisheries management; (2) establishment and implementation of state recreational fishing registry programs; (3) training and deploying observers authorized or required under the Magnuson-Stevens Fishery Conservation and Management Act; (4) preservation or restoration of coastal resources identified for their conservation, recreational, ecological, historic, or aesthetic values; (5) redevelopment of deteriorating and underutilized working waterfronts and ports; (6) research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies; (7) cooperative research to collect data to improve, supplement, or enhance fishery and marine mammal stock assessments; and (8) other specified activities.

Amends the MSA to require the Secretary to enter into contracts with, or provide grants to, states for the purpose of establishing and implementing a registry program to meet the requirements for the exemption from registration of a regional standardized fishing vessel registration and information management system program for state licensed recreational fishermen and charter fishing vessels when the Secretary determines that information from the state program is suitable for the Secretary's use in completing marine recreational fisheries statistical surveys or evaluating the effects of proposed conservation and management measures for marine recreational fisheries.

Introduced February 9, 2011 by Representative Pallone, New Jersey, and referred to the House Committees on Natural Resources and Science, Space and Technology. Hearing held on December 1, 2011.

H.R. 1646 - American Angler Preservation Act - Amends the MSA to require each SSC of the eight Regional Councils to provide ongoing risk neutral scientific advice. Prohibits SSCs from recommending to increase or decrease an annual catch limit by 20% or greater unless the recommendation has been approved in a nongovernmental peer review process. Requires fishery management plans, amendments, or regulations for overfished fisheries to specify a time period for ending overfishing and rebuilding the fishery as short as practicable (under current law, as

short as possible). Modifies the exceptions to the requirement that such period not exceed ten years. Related bills include H.R. 3061, the Flexibility and Access in Rebuilding American Fisheries Act of 2011 and S. 632 Flexibility in Rebuilding American Fisheries Act of 2011.

Introduced April 15, 2011 by Congressman Runyan, New Jersey and referred to the House Committee on Natural Resources. Hearing held on December 1, 2011.

H.R. 2304 (S.1916) Fishery Science Improvement Act of 2011 Amends the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 to postpone from fishing year 2011 to 2014 the effective date upon which a mechanism for specifying annual catch limits and accountability measures for fisheries other than those determined by the Secretary of Commerce to be subject to overfishing must be established in fishery management plans prepared by any Regional Fishery Management Council or the Secretary, implementing regulations, or annual specifications.

Makes the catch limit mechanism, for all fisheries, inapplicable to a fishery for any stock of fish: (1) for which a peer reviewed stock survey and stock assessment have not been performed during the five-year period before enactment of this Act and for which the Secretary determines overfishing is not occurring, and (2) that is an ecosystem stock. Defines "ecosystem stock" as a stock of fish determined by the Secretary to be a nontarget stock that is not overfished or likely to become overfished.

Requires the Secretary, within 270 days after determining that a fishery is overfished, to perform a stock survey and stock assessment of each of the overfished stocks in the fishery and transmit the assessment to the appropriate Council.

Introduced June 22, 2011 by Representative Whittman, Virginia, and referred to the House Committee on Natural Resources. Hearings held December 1, 2011.

H.R. 2610 Asset Forfeiture Fund Reform and Distribution Act of 2011 — Amends the MSA to require the Secretary of Commerce (Secretary) or the Secretary of the Treasury, after September 30, 2011, to use each of the sums received as fines, penalties, and forfeitures of property for violations of any provisions of such Act, or of any other fishery resource law enforced by the Secretary, to make a payment to: (1) the state in which the violation occurred, (2) the state in which the vessel involved in the violation is homeported if the violation did not occur in a state, or (3) the state most directly affected by a violation neither occurring in a state nor involving a vessel. (Current law authorizes using such sums for certain civil and criminal enforcement costs.)

Directs states to use such amounts for specified research and monitoring activities.

Sets forth transitional rules authorizing the Secretary to use such amounts received before October 1, 2011, to reimburse appropriate legal fees and costs, up to \$200,000 per person, to specified persons the Secretary directed to receive a remittance of at least a portion of a fisheries enforcement penalty.

Introduced July 21, 2011 by Representative Frank, Massachusetts, and referred to the House Committee on Natural Resources. Hearings held December 1, 2011.

H.R. 2753 Fishery Management Transparency and Accountability Act– Amends Section 302(i)(2) of the to require regional fishery management councils to provide on their web sites a live broadcast of each meeting of the Council, the Science and Statistical Committee, and the Council Coordination Committee and to provide three years worth of audio and/or video recordings as well as transcripts.

Introduced August 1, 2011 by Representative Jones, North Carolina, and referred to the House Committee on Natural Resources. Hearings held December 1, 2011.

H.R. 2772 Saving Fishing Jobs Act of 2011— This bill is not directly applicable to the Pacific Council, but contains provisions of interest to limited access privilege programs. Amends the Magnuson-Stevens Fishery Conservation and Management Act, with respect to multispecies fishing permits in the Gulf of Mexico, to remove a provision limiting the eligible signers (a group of fishermen constituting more than 50% of the permit holders, or holding more than 50% of the allocation in the fishery) of a petition to the Secretary of Commerce requesting that the relevant Regional Fishery Management Council or Councils be authorized to initiate the development of a limited access privilege program to only those participants who have substantially fished the species proposed to be included in the program.

Introduced August 1, 2011 by Representative Runyon, New Jersey, and referred to the House Committee on Natural Resources. Hearings held December 1, 2011.

H.R. 2840 Commercial Vessel Discharges Reform Act of 2011 — Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to allow a person owning, operating, or chartering by demise a commercial vessel to discharge ballast water into navigable waters only if the discharge: (1) meets the ballast water performance standard, qualifies as a safety exemption, meets the requirements of an alternative method of compliance and the vessel operates exclusively within a geographically limited area or operates pursuant to a geographic restriction; and (2) is in accordance with an approved ballast water management plan. Defines "commercial vessel" to mean a watercraft or other artificial contrivance used or capable of being used as a means of transportation on water that is engaged in commercial service.

Directs the Administrator to determine, within one year, the discharges incidental to the normal operation of a covered vessel for which it is reasonable and practicable to develop best management practices to mitigate adverse impacts on the waters of the United States and to review such determination every five years. Defines a "covered vessel" to mean every description of watercraft, or other artificial contrivance used or capable of being used as a means of transportation on water, that is engaged in commercial service and that is: (1) less than 79 feet in length; or (2) a fishing vessel, regardless of length.

Introduced September 2, 2011 by Representative LoBiondo, New Jersey, and referred to the House Committee on Committee on Transportation and Infrastructure. On November 3, 2011 the bill passed out of Committee as amended and was placed on the calendar for full U.S. House Consideration.

Legislation in the U.S. Senate

S.46 Coral Reef Conservation Amendments Act of 2011 – A bill to increase protective measures for the Nation's coral reefs through amendment of the Coral Reef Conservation Act of 2000 and the development of a national coral reef ecosystem action strategy.

Introduced January 25, 2011 by Senator Inouye, Hawaii and referred to the U.S. Senate Committee on Commerce, Science, and Transportation.

On May 5, 2011, the Committee on Commerce, Science, and Transportation ordered the bill be reported to the full Senate without amendment favorably. No new activity at the time of this report.

S.50 Commercial Seafood Consumer Protection Act – A bill to strengthen Federal consumer product safety programs and activities with respect to commercially marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

Introduced January 25, 2011 by Senator Inouye, Hawaii and referred to the U.S. Senate Committee on Commerce, Science, and Transportation.

On January 26, 2012 the bill was reported without amendment by the Committee on Commerce, Science and Transportation and entered on the calendar for consideration by the full U.S. Senate.

S. 52 International Fisheries Stewardship and Enforcement Act - A bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes including implement the Antigua Convention. Includes the Antigua Convention Implementing Act of 2011 that amends the Tuna Conventions Act of 1950 to revise provisions regarding: (1) the Inter-American Tropical Tuna Commission; (2) the General Advisory Committee; (3) the Scientific Advisory Subcommittee; (4) prohibited acts; and (5) enforcement.

Introduced January 25, 2011 by Senator Inouye, Hawaii and referred to the U.S. Senate Committee on Commerce, Science, and Transportation.

On May 5, 2011, the Committee on Commerce, Science, and Transportation ordered the bill be reported to the full Senate without amendment favorably.

On January 26, 2012 the bill was reported without amendment by the Committee on Commerce, Science and Transportation and entered on the calendar for consideration by the full U.S. Senate.

The Committee and the Council reviewed a similar bill in the 11th Congress (see Agenda Item K.1.b, Supplemental Legislative Committee Report, April 2010).

S.171 West Coast Ocean Protection Act of 2011 - A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington.

Introduced January 25, 2011 by Senator Boxer, California and cosponsored by the other five U.S. Senators from the West Coast States. The bill has been referred to the U.S. Senate Committee on Energy and Natural Resources. No new activity.

S.229 and S.230 Pertaining to genetically-engineered fish - Bills to amend the Federal Food, Drug, and Cosmetic Act to require labeling (S.229) or prevent the approval of (S.230) genetically-engineered fish. Similar legislation has been introduced in the U.S. House.

Introduced January 31, 2011 by Senator Begich, Alaska and referred to the U.S. Senate Committee on Health, Education, Labor, and Pensions. No new activity.

S.238 FISH Act of 2011 - A bill to amend the MSA to require that Fishery Impact Statements (1) be prepared by an objective person (prohibits U.S. government officers, employees, or entities) selected by the Comptroller General; and (2) determine if the fishery management plan or amendment is consistent with specified national standards for fishery conservation and management, including whether the relevant measures provide for the sustained participation of fishing communities and minimize adverse economic impacts.

Introduced January 31, 2011 by Senator Brown, Massachusetts and referred to the U.S. Senate Committee on Commerce, Science, and Transportation. No new activity.

S.632 (H.R.3061) Flexibility in Rebuilding American Fisheries Act of 2011 - Amends the MSA to require fishery management plans, amendments, or regulations for overfished fisheries to specify a time period for ending overfishing and rebuilding the fishery that is as short as practicable (under current law, as short as possible). Modifies the exceptions to the requirement that such period not exceed ten years.

Introduced March 17, 2011, by Senator Schumer, New York and referred to referred to the U.S. Senate Committee on Commerce, Science, and Transportation. Similar bill introduced in the U.S. House. Similar bills have been introduced in previous Congresses and reviewed by the Committee. No new activity.

S.1451 (H.R.2706) Billfish Conservation Act of 2011 - Prohibits any person from offering billfish or billfish products for sale, selling them, or having custody, control, or possession of them for purposes of offering them for sale or selling them.

Treats a violation of this Act as an act prohibited by the MSA. Subjects a person to a maximum civil penalty of \$100,000 for each violation, with each day of a continuing violation constituting a separate offense. Exempts the state of Hawaii and the Pacific Insular Area, except that billfish may be sold under such exemption only in Hawaii and the Pacific Insular Area.

Defines "billfish" as any of the following: (1) blue marlin, (2) striped marlin, (3) black marlin, (4) sailfish, (5) shortbill spearfish, (6) white marlin, (7) roundscale spearfish, (8) Mediterranean spearfish, or (9) longbill spearfish. Excludes swordfish from such definition.

Introduced July 29, 2011, by Senator Vitter, Louisiana and referred to the U.S. Senate Committee on Commerce, Science, and Transportation.

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112TH CONGRESS
2D SESSION

S. 2184

To provide exclusive funding to support fisheries and the communities that rely upon them, to clear unnecessary regulatory burdens and streamline Federal fisheries management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2012

Mr. KERRY (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. WHITEHOUSE, and Mr. BROWN of Massachusetts) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide exclusive funding to support fisheries and the communities that rely upon them, to clear unnecessary regulatory burdens and streamline Federal fisheries management, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fisheries Investment
5 and Regulatory Relief Act of 2012”.

1 **SEC. 2. DEFINITIONS.**

2 Section 2(a) of the Act of August 11, 1939 (com-
3 monly known as the “Saltonstall-Kennedy Act”) (15
4 U.S.C. 713c–3(a)), is amended—

5 (1) by redesignating paragraph (1) as para-
6 graph (2);

7 (2) by inserting before paragraph (2), as redes-
8 ignated, the following:

9 “(1) The term ‘fishery investment committee’
10 means a committee of a regional fishery manage-
11 ment council established under subsection (c)(1).”;

12 (3) by redesignating paragraphs (2), (3), (4),
13 and (5) as paragraphs (4), (5), (6), and (7), respec-
14 tively;

15 (4) by inserting before paragraph (4), as redes-
16 ignated, the following:

17 “(3) The term ‘regional fishery investment
18 plan’ means a plan developed by a fishery invest-
19 ment committee under subsection (c)(2).”; and

20 (5) by adding at the end the following:

21 “(8) The applicable definition under section 3
22 of the Magnuson-Stevens Fishery Conservation and
23 Management Act (16 U.S.C. 1802), shall apply to
24 any term used in this Act that is not defined under
25 this subsection.”.

1 **SEC. 3. REGIONAL FISHERIES INVESTMENT GRANT PRO-**
 2 **GRAM.**

3 (a) REGIONAL FISHERIES INVESTMENT GRANT PRO-
 4 GRAM AND FISHERY INVESTMENT PLANS.—Section 2 of
 5 the Act of August 11, 1939 (commonly known as the
 6 “Saltonstall-Kennedy Act”) (15 U.S.C. 713c–3), is
 7 amended by amending subsection (c) to read as follows:

8 “(c) STRENGTHENING REGIONAL FISHERIES MAN-
 9 AGEMENT.—

10 “(1) FISHERY INVESTMENT COMMITTEES.—

11 “(A) ESTABLISHMENT.—Each Council
 12 shall establish and maintain, under the author-
 13 ity of section 302(g) of the Magnuson-Stevens
 14 Fishery Conservation and Management Act (16
 15 U.S.C. 1852(g)), a fishery investment com-
 16 mittee. Each fishery investment committee shall
 17 be comprised of not more than 13 individuals.

18 “(B) AUTHORITY.—Each fishery invest-
 19 ment committee shall—

20 “(i) develop a regional fishery invest-
 21 ment plan under subsection (c)(2);

22 “(ii) review grant applications and
 23 projects to implement its regional fishery
 24 investment plan; and

25 “(iii) make recommendations, based
 26 on its findings, to the Council on grant ap-

1 plications and projects to implement its re-
2 gional fishery investment plan.

3 “(C) MEMBERSHIP.—

4 “(i) QUALIFICATIONS.—Each member
5 of a fishery investment committee shall be
6 an individual who, by reason of the individ-
7 ual’s occupational experience or other expe-
8 rience, scientific expertise, or training, is
9 knowledgeable of the conservation and
10 management of, or the commercial or rec-
11 reational catch of, the fishery resources of
12 the geographical area concerned.

13 “(ii) NOMINATIONS.—Each member
14 of a fishery investment committee—

15 “(I) shall be nominated and
16 elected by the applicable Council dur-
17 ing a public meeting of the Council;

18 “(II) shall serve for a 3 year
19 term; and

20 “(III) may be re-elected for an
21 additional 3 year consecutive term.

22 “(iii) CONFLICTS OF INTEREST.—A
23 member of a fishery investment committee
24 shall recuse himself or herself from consid-
25 ering any grant application that the mem-

1 ber has a financial interest that would re-
2 quire disclosure under section 302(j)(2) of
3 the Magnuson-Stevens Fishery Conserva-
4 tion and Management Act (16 U.S.C.
5 1852(j)(2)).

6 “(D) COMPOSITION.—Each fishery invest-
7 ment committee shall be multi-disciplinary, re-
8 flect the geographic balance of the Council, and
9 include at least 1 representative of—

10 “(i) the commercial fishing commu-
11 nity;

12 “(ii) the private recreational angling
13 community;

14 “(iii) the for-profit charter fishing
15 community;

16 “(iv) the public interest in marine
17 conservation who—

18 “(I) does not derive an annual
19 income from commercial or rec-
20 reational fishing; and

21 “(II) is not employed by any per-
22 son who derives an annual income
23 from commercial or recreational fish-
24 ing;

1 “(v) each State government in the re-
 2 gion;
 3 “(vi) relevant interstate commissions;
 4 “(vii) federally recognized tribes,
 5 where applicable; and
 6 “(viii) research institutions.

7 “(2) REGIONAL FISHERY INVESTMENT
 8 PLANS.—Each fishery investment committee shall
 9 develop a regional fishery investment plan that iden-
 10 tifies critical research, conservation, and manage-
 11 ment needs and corresponding actions to facilitate
 12 rebuilding and maintaining healthy fish populations
 13 and sustainable fisheries over a 5 year period. Each
 14 plan shall—

15 “(A) be consistent with the current 5 year
 16 research priority plans developed under section
 17 302(h)(7) of the Magnuson-Stevens Fishery
 18 Conservation and Management Act (16 U.S.C.
 19 1852(h)(7));

20 “(B) include areas of investment that are
 21 critical for rebuilding and maintaining healthy
 22 United States fish populations and promoting
 23 sustainable fisheries, including—

24 “(i) stock surveys, stock assessments
 25 and analysis, and cooperative fishery re-

1 search, in conjunction with NOAA, involv-
2 ing fishery participants, academic institu-
3 tions, and other interested parties;

4 “(ii) efforts to improve the collection
5 and accuracy of fishery catch data, includ-
6 ing—

7 “(I) expanding the use of, and
8 research and development on, catch
9 monitoring and reporting programs
10 and technology, both at-sea and shore-
11 side, including the use of electronic
12 monitoring devices and satellite track-
13 ing systems; and

14 “(II) improving data collection
15 for recreational fisheries, including
16 improvements to the Marine Rec-
17 reational Fishery Statistics Survey in
18 accordance with section 401(g)(3) of
19 the Magnuson-Stevens Fishery Con-
20 servation and Management Act (16
21 U.S.C. 1881(g)(3));

22 “(iii) analyzing the social and eco-
23 nomic impacts of fishery management deci-
24 sions;

“(iv) providing financial assistance to,
and investment in, fishermen and fishing
communities through—

“(I) fishing capacity reduction,
including vessel, permit, and gear
buybacks; and

“(II) investment in permit banks
or trusts and other entities, including
community fishing associations and
projects designed to help sustain fish-
ery dependent communities and small-
scale fisheries;

“(v) development of methods or tech-
nologies to improve the quality and value
of fish landed;

“(vi) research and development of
conservation engineering technologies and
methods in both commercial and rec-
reational fisheries; and

“(vii) habitat restoration and protec-
tion;

“(C) be revised by the regional fishery in-
vestment committee and approved by the Coun-
cil at least once every 5 years;

1 “(D) be submitted to the Secretary for re-
2 view to ensure the plan is consistent with the
3 requirements of the Magnuson-Stevens Fishery
4 Conservation and Management Act (16 U.S.C.
5 1801 et seq.), and this section;

6 “(E) be published in the Federal Register
7 and made available for public comment; and

8 “(F) become effective not later than 60
9 days after the date of receipt unless the Sec-
10 retary makes a negative consistency finding.

11 “(3) NEGATIVE CONSISTENCY FINDING.—If the
12 Secretary makes a negative consistency finding
13 under paragraph (2)(F), each portion of the plan
14 that is the subject of the negative consistency find-
15 ing shall not be effective until it is made consistent
16 by the regional fishery investment committee and
17 the Council.

18 “(4) REGIONAL FISHERY INVESTMENT GRANT
19 PROGRAM.—Not later than 30 days after the date of
20 enactment of the Fisheries Investment and Regu-
21 latory Relief Act of 2012, the Secretary shall estab-
22 lish an annual competitive grant program to provide
23 funds for projects, activities, and research that ad-
24 vance the regional priorities that are included in the
25 regional fishery investment plans.

1 “(A) ELIGIBLE RECIPIENTS.—State, Fed-
 2 eral, regional, or private entities or persons
 3 shall be eligible for funding with preference
 4 given to public-private partnerships.

5 “(B) AWARDS.—The Secretary may only
 6 award a grant for a project, activity, or re-
 7 search that—

8 “(i) implements regional fishery in-
 9 vestment plans; and

10 “(ii) has been recommended for fund-
 11 ing by the respective regional fishery in-
 12 vestment committee and approved by the
 13 Council.”.

14 (b) NATIONAL FISHERIES INVESTMENT PROGRAM.—
 15 Section 2(d) of the Act of August 11, 1939 (commonly
 16 known as the “Saltonstall-Kennedy Act”) (15 U.S.C.
 17 713c–3(d)), is amended—

18 (1) in paragraph (1), by striking “research and
 19 development addressed to such aspects of United
 20 States fisheries (including, but not limited to, har-
 21 vesting, processing, marketing, and associated infra-
 22 structures) if not adequately covered by projects as-
 23 sisted under subsection (c), as the Secretary deems
 24 appropriate” and inserting “fisheries research and
 25 investment that supports rebuilding and maintaining

1 healthy United States fish populations and promotes
2 sustainable fisheries. The program shall address
3 fisheries needs and problems described under sub-
4 section (e)(1)(B).”; and

5 (2) in paragraph (2)—

6 (A) by striking “, after consultation with
7 appropriate representatives of the fishing indus-
8 try,”;

9 (B) by striking “Merchant Marine and
10 Fisheries” and inserting “Natural Resources”;

11 (C) in subparagraph (A), by striking “de-
12 velopment goals and funding priorities under
13 paragraph (1)” and inserting “investment pri-
14 orities”;

15 (D) in subparagraph (B), by striking “all
16 pending projects assisted under subsection (c)”
17 and all that follows and inserting “the projects
18 funded by the Secretary under this subsection;
19 and”; and

20 (E) in subparagraph (C), by striking “each
21 project assisted” and all that follows and insert-
22 ing “how well the project met the fisheries
23 needs described in subsection (e)(1).”.

24 (c) DIVISION OF RESOURCES.—Section 2(e) of the
25 Act of August 11, 1939 (commonly known as the

1 “Saltonstall-Kennedy Act”) (15 U.S.C. 713c–3(e)), is
2 amended—

3 (1) by striking “moneys” each place it appears
4 and inserting “monies”;

5 (2) by striking “purpose of promoting” and in-
6 serting “purposes of investing in”;

7 (3) by inserting “or diverted” following “shall
8 be transferred”; and

9 (4) by striking subparagraph (A) and all the
10 follows, and inserting the following:

11 “(A) The Secretary shall allocate 70 per-
12 cent of these funds available at the beginning of
13 each fiscal year to the 8 Council regions and
14 the Secretary in accordance with the following
15 formula pursuant to subsection (c):

16 “(i) One half allocated equally among
17 the Council regions.

18 “(ii) One half allocated proportionally
19 among the Council regions based on the
20 combined economic impact of commercial
21 landings and recreational fishing in each
22 region.

23 “(B) 20 percent of these funds shall be
24 available to the Secretary under subsection (d)
25 for projects addressing fisheries needs and

1 problems, as identified by the Secretary, as fol-
2 lows:

3 “(i) Up to one fifth shall be allocated
4 to, and apportioned as the Secretary deems
5 appropriate among, the Atlantic States
6 Marine Fisheries Commission, the Gulf
7 States Marine Fisheries Commission, and
8 the Pacific States Marine Fisheries Com-
9 mission.

10 “(ii) Up to one fifth shall be allocated
11 to seafood promotion and sustainable cer-
12 tification efforts.

13 “(iii) Up to one fifth shall be allocated
14 to improve fisheries management through
15 research, monitoring or evaluation, and
16 modification of regulations and procedures.

17 “(iv) Up to one fifth shall be allocated
18 to fisheries disasters, and shoreside infra-
19 structure and access needs.

20 “(v) Up to one fifth shall be allocated
21 to other special needs, including manage-
22 ment of highly migratory species and inter-
23 national fisheries.

24 “(C) Any amounts remaining after the an-
25 nual fiscal year allocations made pursuant to

1 subparagraph (B) shall remain available to the
2 Secretary without fiscal year limitation for fu-
3 ture such allocations.

4 “(2) LIMITATION.—Not more than 10 percent
5 of these funds may be used to offset receipts for the
6 National Oceanic and Atmospheric Administration’s
7 Operations, Research, and Facilities account.

8 “(3) ANNUAL NOTIFICATION.—The Secretary
9 shall notify annually each Council of funds available
10 for grants in its region.

11 “(4) ADMINISTRATIVE COSTS.—Prior to the al-
12 location of funds under paragraph (1), the Sec-
13 retary—

14 “(A) may reserve up to 3 percent of the
15 funds available in a fiscal year for the adminis-
16 tration of the grant program; and

17 “(B) shall distribute 3 percent of the funds
18 available in a fiscal year equally among each of
19 the 8 Councils for the development and imple-
20 mentation of fishery investment plans and
21 grant review.

22 “(5) MAINTENANCE OF EFFORT.—Except as
23 provided in paragraph (2), the Secretary may not re-
24 duce or eliminate funding for any research, survey,
25 monitoring, or assessment activities necessary to

1 meet the conservation and management require-
 2 ments of the Magnuson-Stevens Fishery Conserva-
 3 tion and Management Act (16 U.S.C. 1801 et seq.)
 4 as a result of funding provided under this section.”.

5 **SEC. 4. FOCUSING ASSETS FOR IMPROVED FISHERIES OUT-**
 6 **COMES.**

7 Section 2(b) of the Act of August 11, 1939 (com-
 8 monly known as the “Saltonstall-Kennedy Act”) (15
 9 U.S.C. 713c–3(b)), is amended—

10 (1) by striking “(1)”;

11 (2) by striking “and ending on June 30,
 12 1957,”;

13 (3) by striking “moneys” the first place it ap-
 14 pears and inserting “monies”; and

15 (4) by striking “shall be maintained in a sepa-
 16 rate fund only for” and all that follows and inserting
 17 “and shall only be used for the purposes described
 18 under subsection (c).”.

19 **SEC. 5. REGULATION AND PROCEDURE STREAMLINING.**

20 (a) IN GENERAL.—For the 2 fiscal years following
 21 the date of enactment of this Act, the Secretary of Com-
 22 merce shall use funds available under section 2(e)(2) of
 23 the Act of August 11, 1939 (commonly known as the
 24 “Saltonstall-Kennedy Act”) (15 U.S.C. 713c–3), to con-
 25 duct a review of the regulations and procedures used to

1 implement title III of the Magnuson-Stevens Fishery Con-
2 servation and Management Act (90 Stat. 346).

3 (b) REVIEW REQUIREMENTS.—The review under
4 subsection (a) shall—

5 (1) identify redundant and inefficient regula-
6 tions and procedures;

7 (2) make recommendations for streamlining
8 such regulations and procedures, including rec-
9 ommendations to eliminate unnecessary paperwork,
10 reduce bureaucratic restrictions, and speed the inclu-
11 sion of new information into management decisions;
12 and

13 (3) ensure that any recommended modifications
14 to regulations or procedures are consistent with the
15 Magnuson-Stevens Fishery Conservation and Man-
16 agement Act (16 U.S.C. 1801 et seq.), and any
17 other applicable law.

18 **SEC. 6. PROMULGATION OF REGULATIONS.**

19 Not later than 90 days after the date of enactment
20 of this Act, the Secretary shall promulgate regulations to
21 implement the requirements of this Act.

○

North Pacific Fishery Management Council

Eric A. Olson, Chairman
Chris Oliver, Executive Director



605 W. 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Telephone (907) 271-2809

Fax (907) 271-2817

Visit our website: <http://www.alaskafisheries.noaa.gov/npfmc>

April 13, 2012

Senator Lisa Murkowski
United State Senate
709 Hart Senate Building
Washington, DC 20510

Dear Senator Murkowski:

On behalf of the North Pacific Fishery Management Council I am responding to your request for comments on proposed SB2184, the Fisheries Investment and Regulatory Relief Act (FIRRA). While the FIRRA has the potential to enhance fisheries research at a number of levels, and imbue the Councils with a more direct role in guiding that research, we have some concerns and comments which are detailed below. Foremost among our concerns is the possibility of FIRRA removing funding for ongoing, critical research, which may not necessarily be replaced through the fishery investment plans and associated grant process. The FIRRA also has the potential to address long-standing problems with regard to streamlining the extremely cumbersome regulatory process which currently impedes effective fisheries management, although we wonder whether that issue should be addressed in separate, more specific legislation. Our Council has not taken a specific position on the FIRRA overall, but we would like to offer the following comments for your consideration as you evaluate the specific provisions of this bill.

Funding aspects

The process of developing a fishery investment committee and attendant fishery investment plans, and reviewing and recommending proposed research, will require considerable Council resources, including staff support, administrative oversight, and additional Council meeting(s) each year. Based on projected available SK funds, and the FIRRA provisions for Council funding, it appears that approximately \$500k would be available to each Council on an annual basis. This amount should be sufficient to support the Council's specific role under the FIRRA, understanding that the Councils' role does not include the actual contracting and monitoring of funded proposals, which would be NOAA's responsibility utilizing funds as identified in other provisions of the FIRRA. This also presumes that the Councils' collective baseline budget does not suffer further, offsetting reductions. The Councils' baseline budget was reduced by 4% in FY2012 (from the FY2011 levels), and NOAA has recently recommended an additional 14% reduction in the Councils' baseline budget in the President's proposed FY2013 budget. Based on the North Pacific Council's share of the collective Council baseline budget, that 14% reduction would represent, coincidentally, about \$500k of the North Pacific Council's annual operating budget.

Regarding the provisions to directly fund grants under the FIRRA, we understand that, based on 2013 projections, there would be approximately \$80 million available to fund proposals pursuant to the fishery investment plans, and that those funds would be divided among the eight Regions. The FIRRA provides for allocation of these funds among the eight Regions to be based one half equally and one half proportionally based on the "*combined economic impact of commercial landings and recreational fishing*". We see potentially significant problems with attempting to divide funds among Regions based on combined economic impacts of commercial landings and recreational fishing, for the following reasons:

- the need to define what 'commercial landings' means (i.e., exvessel, dockside values, or inclusion of value added processing?)
- even assuming a specific definition of 'commercial landings', the difficulty in assessing "combined economic impact" of either commercial landings or recreational fishing (i.e., how to include all of the ancillary, trickle up economic impacts, including socioeconomic impacts which require specific consideration of 'multiplier effects' to measure economic impacts across all affected user groups and coastal communities.
- the lack of specificity with regard to the term 'recreational fishing' (i.e., does this only include recreational fishing which occurs in federal waters, or under the authority of a federal Fishery Management Plan (FMP)? For example, in Alaska, would halibut recreational fisheries be included, which are not managed under an FMP, but under International Treaty? Would salmon recreational fisheries be included, which are directly managed by the State of Alaska and which occur in State waters, but for which there is an overarching federal FMP in place?
- attempting to reconcile these questions on an annual basis could result in a very contentious and controversial debate over the derivation of 'combined economic impact' in each Region, which could be unnecessarily disruptive to the purpose of the FIRRA.

For these reasons, it may be prudent to consider an alternative, simpler method to determine distribution of that half of the funding across the eight Regions. While an equal distribution of all funds would be the simplest solution, that is not likely to be truly equitable to the research needs across regions. Perhaps using exvessel value of commercial landings is the most straightforward criteria for distribution rather than attempting to define 'combined economic impact'.

Regarding the underlying intent of FIRRA to restore research funding to the original intent of the S-K Act, it is unclear how the FIRRA will avoid the scenario of a 'zero-sum' game with regard to NOAA research activities. If the FIRRA transfers significant funds which are currently being used by NOAA for ongoing fisheries research to the fishery investment plans, it may be possible that NOAA will simply cut those ongoing programs with the expectation that they will be carried out within the fishery investment plans developed under FIRRA. The timing of the approval of grant proposals under FIRRA, relative to the timing of NOAA specifying its own planned research activities for the upcoming year, may be an important consideration in this regard. Our Council is also concerned that the redirection of funds currently used by NOAA could compromise ongoing, critical research (particularly if it involves stock assessment activities) that will not be made up for in the FIRRA grant process. Without knowing more specifically what NOAA has been using these S-K funds for over the past several years, it is hard to assess whether the FIRRA legislation would result in a 'net benefit' or a 'net loss' in terms of fisheries research. If in fact it amounts to a 'zero-sum game', the additional costs of administering the FIRRA process will not be warranted.

Grant review and approval process

We support the specificity that requires the Secretary of Commerce to only approve research grants which are part of the regional fishery investment plan, have been recommended by the fishery investment committee, and have been approved by the Council. This will ensure proper stakeholder and Council involvement in identification and support of research activities under the FIRRA.

Committee Role and Composition

The process outlined for constitution of the fishery investment committees appears well intentioned and generally reasonable, but have some concerns regarding the role, composition, and size limitations (no more than 13 members) for the committees. While the provisions of the FIRRA cover a broad spectrum of stakeholder representation, which is appropriate, it may be overly constraining in some respects. For

example, in Regions which contain multiple States, requiring a committee representative for each State could constrain balanced representation from commercial fisheries or other sectors. It should be recognized that representation from research institutions could be problematic in that such research institutions will likely be submitting research grant proposals under the FIRRA program. In general, allowing for a potentially larger committee composition (for example 16 vs 13) would provide the Councils with more flexibility in appointing a committee that contains balanced representation based on the fisheries characteristics within each Region. More significantly, we would suggest that the legislation consider a more flexible approach to Committee composition, allowing each Council to define the composition, to reflect the fisheries characteristics in each region. While the FIRRA requires each fishery investment plan to "be consistent with" each Councils' five-year Research Priorities, and requires the fishery investment committee's recommendations to be approved by the Council, we have some concern that the fishery investment plans could, over time, take precedence over the Councils' previously identified Research Priorities. We just want to ensure that, in both intent and practice, the nucleus of decision making remains with the Councils.

Regulatory streamlining

Section 5 of the FIRRA calls for the Secretary of Commerce to conduct a review of the regulations and procedures used to implement Title III of the Magnuson-Stevens Act (MSA), including the identification of redundant and inefficient regulations and procedures, and recommendations for streamlining the regulatory process. As you are aware, the eight Regional Councils supported provisions of the 2006 MSA reauthorization which required the Secretary, in consultation with CEQ and the Councils, to undertake a similar exercise, specifically attempting to dovetail the regulatory process requirements of NEPA with the provisions of the MSA. While the MSA provisions required revised procedures to be promulgated within 12 months of the date of enactment, it is now 2012 and this requirement of the MSA has yet to be addressed, despite the efforts of the Councils to do so.

As you are also aware, the Office of the Inspector General is currently undertaking a review of the regulatory process for fisheries, examining the processes at both the NOAA level and the Council level. At the same time, the Government Accountability Office (GAO) is studying the proposed move of NOAA and/or NMFS from the Department of Commerce to the Department of Interior, which could imply significant issues and questions relative to our regulatory process. Therefore, while it may be timely to once again attempt true streamlining of the regulatory process for fisheries, it may be prudent to address this important issue in separate, more specific legislation. If the FIRRA does go forward with these provisions for a review of the process, we urge that such a review be conducted by an outside party, rather than the Secretary of Commerce. Having NOAA review its own regulatory process will likely obtain the same result as the 2006 MSA reauthorization (a tacit approval of the existing process), and any chance at true regulatory streamlining will be lost.

In closing, on behalf of the North Pacific Council, we sincerely appreciate the opportunity to comment on this proposed legislation, which would have direct effects on Council operations and on fisheries research activities in the North Pacific and other Regions. Please contact me if you have any questions regarding these comments, or if you would like further input on any aspect of this proposed legislation.

Sincerely,



Chris Oliver
Executive Director

cc: Stefanie Moreland

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (Committee) convened at 2:30 p.m. on Wednesday, June 20, 2012. In attendance were Committee members Dr. David Hanson (Chair) Mr. Dan Wolford, Ms. Dorothy Lowman, Mr. Gordy Williams, Mr. David Crabbe, and Mr. Dale Myer. Also present were Council Executive Director Dr. Don McIsaac, Council Deputy Director Dr. John Coon, Council Staff Officer Mr. Chuck Tracy, Council Special Assistant to the Executive Director, Mr. Don Hansen, Council Member Mr. Mark Helvey, and the Executive Director of the West Coast Seafood Processors Association, Mr. Rod Moore.

The Committee briefly reviewed a variety of fishery-related bills in the 112th Congress and focused the majority of the meeting on the Fisheries Investment and Regulatory Relief Act of 2012 (S. 2184, Agenda Item G.2.a, Attachment 2). No formal request for Council comments on Federal legislation has been received at this time. The Committee approved the following recommendations for Council consideration in the event that a formal request for comments on the following bills is received between Council meetings.

S.2184 (H.R.4208) Fisheries Investment and Regulatory Relief Act of 2012

S.2184 amends the Saltonstall-Kennedy (S-K) Act to create a fund dedicated to supporting sustainable fishery management, scientific research, monitoring, and data collection programs. The bill was introduced March 12, 2012, by Senator Kerry and was referred to the U.S. Senate Committee on Commerce, Science, and Transportation. A companion bill was introduced in the U.S. House by Representative Barney Frank on March 26, 2012.

S.2184 would require each region's fishery management council to establish a fishery investment committee charged with developing a fishery investment plan to guide a grant process for distribution of funds to eligible projects in support of fishery management.

The Committee is generally supportive of the comments regarding S. 2184 (Agenda Item G.2.a, Attachment 3) submitted by North Pacific Fishery Management Council Executive Director, Mr. Chris Oliver in his April 13, 2012 letter to Senator Murkowski. In particular, the Committee is concerned about the potential for "net-loss" or "zero-sum-game" scenarios under which the reallocation of Saltonstall-Kennedy funds from the National Marine Fisheries Service (NMFS) to Regional Fishery Management Councils (RFMCs) could be offset or negated by NMFS program reductions. The Committee notes that the mechanism for distributing some of the funds proportionally between RFMCs based on the "*combined economic impact of commercial landings and recreational fisheries*" is undefined, making it impossible to assess the potential distribution in terms of magnitude, fairness, and exact impact on West Coast marine fishery management. The intent of S. 2184 is to improve the funding in support of sustainable fishery management, and the Committee strongly recommends that at a minimum, should S. 2184 become law, that a provision be added to clearly require that the total funding provided to Regional Fishery Management Council (RFMC) for all operational activities be held harmless from any reallocation consequences to any parts of the NMFS budget. Further, if there is an opportunity for S. 2184 to provide for stable, secure funding for all RFMC activities, as opposed

to just providing guidance for fishery management support projects, the Committee would recommend such a provision.

H.R. 2840 Commercial Vessel Discharges Reform Act of 2011

On March 30, 2005, the U.S. District Court for the Northern District of California ruled that the Environmental Protection Agency regulation excluding discharges incidental to the normal operation of a vessel from discharge permitting exceeded the Agency's authority under the Clean Water Act. Because the Court's decision is not limited to vessels with ballast water tanks, it appears to implicate a large number of vessels (including recreational vessels) and a wide range of discharges. This matter has been the subject of many bills in Congress since 2005, including H.R. 2840.

The Committee notes that the Council has reviewed several bills on this matter, most recently in 2008. The Committee notes that implementation of the Court's ruling has been postponed in response to Congressional action requesting additional time to review the matter. The 112th Congress is again taking up the matter, and the Committee recommends tasking Council staff with tracking the matter and directing the Council Executive Director to convey existing Council positions on the matter in the event a formal request is made before the September Council meeting.

Appropriations

The Committee notes that appropriation legislation in the U.S. House of Representatives represents considerable reduction in NMFS and potentially Council budgets. Included in the cost savings provisions is a proposal to merge the NMFS Southwest and Northwest Regional Offices into a single West Coast Regional Office. The Committee recognizes the large volume of important work the current Regional Offices provide in support of fishery management and opposes the proposed merge.

Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA)

Several bills to amend the MSA have been introduced in 112th Congress. It is the Committee's understanding that Congressional hearings on issues related to MSA reauthorization are being organized to occur this fall. This would be similar to a hearing in the U.S. House in December 2011. The Committee intends to follow this matter closely and will report results of any Congressional MSA hearings to the Council.

Future Meeting Plans

The Committee anticipates the need to meet at the September Council meeting as indicated on the draft September Council agenda (Agenda Item G.7.a, Attachment 2) to review and discuss the status of existing or newly-introduced Federal legislation.

The Committee adjourned at 3:15 p.m.

Legislative Committee Recommendations

It is recommended the Council:

- 1. Review Committee recommendations and direct the Council Executive Director to convey comments, as appropriate, in response to potential Congressional inquiries between the June and September Council meetings.**
- 2. Tentatively schedule a September Committee meeting.**

PFMC
06/23/12

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT
ON LEGISLATIVE MATTERS

Congressional Bill H.R. 2706

The Highly Migratory Species Advisory Subpanel (HMSAS) cannot support Congressional Bill H.R.2706 for a number of reasons. First, we feel that this type of legislation ultimately takes fishery management away from the governing bodies and stakeholder groups responsible for such management. Clearly this bill is designed to meet the needs of special interest groups and not the general public. Second, we feel that this legislation is another small step toward more restrictive actions against U.S. fisheries even though the Bill clearly states that the true offenders are foreign fleets. We have seen in the past how this type of action can come back to haunt U. S. fisheries. Although we agree that billfish populations are considered to be at low levels worldwide, this action will create no net benefit to those populations. Also, it makes no sense to exempt the State of Hawaii and certain Pacific insular areas, and thereby create an unfair advantage in its competition with some west coast fisheries. The State of Hawaii has an ongoing “special status” in various fishery management scenarios. Finally, the Bill broadly defines billfish to include spearfish products sold in California and other states, and thereby unfairly impacts the commerce of such fish products. For these reasons the bill is considered unacceptable by a majority of the members of the HMSAS.

The private recreational representative of the HMSAS does not agree with this HMSAS statement.

PPMC
06/21/12

ADVANCE NOTICE OF PROPOSED RULEMAKING FOR NATIONAL STANDARD 1 GUIDELINES

On May 3, 2012, the National Marine Fisheries Service (NMFS) issued an advance notice of proposed rulemaking (ANPR) regarding potential revisions to National Standard 1 Guidelines (§600.310). The ANPR provides background information and requests public comment on and recommendations for potential revisions to the guidelines by August 1, 2012 (Attachment 1).

National Standard 1, one of ten national standards in Section 301 of the Magnuson-Steven Fishery Conservation and Management Act (MSA), states: “Conservation and management measures shall prevent overfishing while achieving on a continuing basis, the optimum yield from each fishery for the United States fishing industry.”

The National Standard Guidelines were last updated in 2009 following the most recent reauthorization of the MSA. Along with the other regional councils, the Pacific Fishery Management Council (Council) has amended its fishery management plans (FMP) to meet the requirements of the updated National Standard 1 Guidelines to prevent overfishing. In the course of these amendments and following their implementation, some issues regarding the application of the guidelines have been identified. The ANPR identifies the following issues:

1. Further consideration of the criteria and utility for identifying ecosystem component species within an FMP which are not required to have biological reference points or annual catch limits (ACL).
2. Alternative definitions of overfishing which would take into account a longer, multi-year view.
3. Clarification of the relationship and importance of economic, social, and ecological factors in the determination of ACLs and their relationship to optimum yield (OY).
4. Further guidance on establishing OY in mixed stock fisheries where achieving the OY for some abundant stocks may be precluded.
5. Overly precautionary ACLs resulting from reductions due to both scientific and management uncertainty.
6. Determining how to apply management criteria to data poor stocks.
7. A review of acceptable biological catch (ABC) control rules that might aid in the improvement and consistency of their application and also in guidance for how to consider carry-over (unharvested allocations) from one year to the next within the rule.

The ANPR provides an early opportunity for the Council and its advisory bodies to provide their input with regard to issues concerning any needed revisions to the National Standard 1 Guidelines. After receiving stakeholder and public input, NMFS will likely issue a preliminary proposed rule with draft revisions and call for comments, followed sometime later by a final rule implementing any changes.

Council Action:

- 1. Review the ANPR for revisions to National Standard 1 Guidelines (Attachment 1) and Approve Comments for Submission by August 1, 2012.**

Reference Materials:

1. Agenda Item G.3.a, Attachment 1: Advance notice of proposed rulemaking; request for comments; consideration of revision to National Standard 1 Guidelines (77 FR 26239, May 3, 2012)
2. Agenda Item G.3.a, Attachment 2: Sec. 600.310 National Standard 1—Optimum Yield.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Provide Comments on the ANPR for National Standard 1 Guidelines

John Coon

PFMC

05/31/12



DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

50 CFR Part 600

[Docket No. 120425420–2420–01]

RIN 0648–BB92

**Fisheries of the United States; National
Standard 1 Guidelines**

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

ACTION: Advance notice of proposed rulemaking; request for comments;

consideration of revision to National Standard 1 Guidelines.

SUMMARY: NMFS issues this advance notice of proposed rulemaking (ANPR) to provide background information and request public comment on potential adjustments to the National Standard 1 Guidelines, one of 10 national standards for fishery conservation and management contained in Section 301 of the Magnuson Stevens Fishery Conservation and Management Act. Since the guidelines were last updated in 2009, a number of issues regarding the application of the guidelines were identified by stakeholders and managers that may warrant their revision. This action provides the public with a formal opportunity to comment on the specific ideas mentioned in this ANPR, as well as any additional ideas and solutions that could improve provisions of the National Standard 1 Guidelines.

DATES: Written comments regarding the issues in this ANPR must be received by 5 p.m., local time, on August 1, 2012.

ADDRESSES: You may submit comments on this document, identified by “NOAA–NMFS–2012–0059”, by any one of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal: www.regulations.gov. To submit comments via the e-Rulemaking Portal, first click the “submit a comment” icon, then enter “NOAA–NMFS–2012–0059” in the keyword search. Locate the document you wish to comment on from the resulting list and click on the “Submit a Comment” icon on the right of that line.

- **Fax:** 301–713–1193, Attn: Wesley Patrick.

- **Mail:** Wesley Patrick; National Marine Fisheries Service, NOAA; 1315 East-West Highway, Room 13436; Silver Spring, MD 20910.

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to another address or individual, or received after the end of the comment period, may not be considered. All comments received are part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in

the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT:

Wesley Patrick, Fisheries Policy Analyst, National Marine Fisheries Service, 301–427–8566.

SUPPLEMENTARY INFORMATION:

Background

Section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) contains 10 national standards for fishery conservation and management. Any fishery management plans (FMP) prepared under the MSA, and any regulation promulgated pursuant to the MSA to implement any such plan, must be consistent with these national standards. National Standard 1 (NS1) of the MSA states that conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry.

Section 301(b) of the MSA requires that the Secretary establish advisory guidelines (which shall not have the force and effect of law), based on the national standards to assist in the development of fishery management plans. Guidelines for NS1 are codified in 50 CFR 600.310. NMFS revised the NS1 Guidelines on January 16, 2009 (74 FR 3178) to reflect the requirements enacted by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 for annual catch limits (ACLs) and accountability measures (AMs) to end and prevent overfishing.

From 2007 to 2012, the 46 Federal FMPs have been amended to implement ACLs and AMs to end and prevent overfishing. In the course of this work, a number of issues regarding the application of the NS1 Guidelines were identified that may warrant their revision. NMFS seeks public comments on these and any other issues related to NS1:

1. **Stocks in a fishery.** The MSA requires that Councils develop FMPs for fisheries that require “conservation and management” (MSA 302(h)(1)). The MSA provides the Councils with wide latitude in defining the scope of an FMP. Some FMPs include a relatively small number of species, focusing on the primary target species of the fishery. In other FMPs, a much broader range of species are included. The NS1 Guidelines establish and define Ecosystem Component (EC) species and

provide that EC species may be included in the FMP but are not considered stocks in the fishery and thus are not required to have biological reference points or ACLs. There has been considerable discussion about the criteria for classifying EC species and the utility of the EC species concept. Thus, revision of the guidance may be warranted to further describe criteria for classifying stocks in a fishery and EC species.

2. **Overfishing and multi-year impacts.** The current NS1 Guidelines provide that overfishing must be determined either by comparing catch to the overfishing limit (OFL) or by comparing fishing mortality to the maximum fishing mortality threshold (§ 600.310 (e)(2)(ii)(A)). Overfishing determinations are made for the most recent year for which there is information. Stakeholders have expressed interest in exploring alternative definitions of overfishing that would take a longer, multi-year view of the impact of fishing on the stock’s ability to produce maximum sustainable yield (MSY).

3. **Annual catch limits and optimum yield.** In some fisheries, implementation of the guidance on acceptable biological catch (ABC) control rules, ACLs, and AMs has resulted in real or perceived reductions in catch. Questions have been raised about the relationship between ACLs and the objective of achieving the OY for a fishery. The MSA defines OY as being reduced from MSY to account for relevant economic, social, or ecological factors, and states that OY in an overfished fishery must provide for rebuilding the fishery (MSA 3(33)). There is interest from stakeholders in improving guidance to better address economic, social, and ecological considerations in the establishment of OY and to more clearly describe the relationship between ACL and OY.

4. **Mixed-stock fisheries and optimum yield.** Management of mixed-stock fisheries is challenging, because some stocks are relatively more abundant or are more or less susceptible to overfishing than others. The MSA requires that overfishing be prevented, and that the OY for a fishery provide for rebuilding overfished stocks. Nonetheless, some stakeholders believe that ACL and rebuilding requirements prevent them from achieving OY of healthy stocks. Further guidance on how OY should be specified to balance the multiple considerations in mixed-stock fisheries may be warranted.

5. **Scientific uncertainty and management uncertainty.** The NS1 Guidelines identify two types of uncertainty that should be addressed

when setting catch limits and accountability measures: Scientific uncertainty and management uncertainty (§ 600.310 (f)). Scientific uncertainty is related to the uncertainty of calculating the true OFL, and is addressed by a Council's Scientific and Statistical Committee (SSC) by setting ABC below the OFL. Management uncertainty is the uncertainty of controlling catch so that it does not exceed the ACL, and is addressed when setting AMs and in setting an annual catch target below the ACL. Some stakeholders believe that consideration of both scientific and management uncertainty causes ACLs to be overly precautionary. Further clarification on the consideration of scientific and management uncertainty may be warranted.

6. *Data poor stocks.* Stocks without sufficient data to conduct a formal scientific stock assessment are considered to be data poor stocks. Establishing appropriate ACLs for data poor stocks can be challenging. The experience of the Councils and their SSCs in implementing ABCs and ACLs for data poor stocks may provide valuable information on which to base improvements in the NS1 Guidelines for data poor stocks.

7. *Acceptable biological catch control rules.* The NS1 Guidelines require a Council to establish an ABC control rule for each stock and stock complex, based on scientific advice from its SSC (§ 600.310 (f)). ABC control rules are a specified approach to setting the ABC that addresses scientific uncertainty, and incorporate a policy decision on the acceptable level of risk that overfishing might occur. A variety of ABC control rules have been implemented and a review of those control rules could lead to improvements in the NS1 Guidelines. In addition, for some fisheries there is interest in implementing provisions that carry over unharvested allocations from one year to the next. Guidance may be needed on how to consider carry-over within ABC control rules.

8. *Catch accounting.* Questions have been raised by managers about the types

of "catch" that must be considered within the ABC and ACL, particularly in regard to catch resulting from exempted fishing permits and scientific research activities. The definition of catch in the NS1 Guidelines includes fish taken in commercial, recreational, subsistence, tribal, and other fisheries. Catch includes fish that are retained for any purpose, as well as mortality of fish that are discarded. In the final rule response to comment number 35 (74 FR 3718; January 16, 2009), NMFS stated that this definition would include allocations for scientific research and mortality from any other fishing activity. Additional guidance may be needed to clarify how to account for all sources of mortality (e.g., bycatch, scientific research catch, etc.) when establishing ABCs and ACLs.

9. *Accountability measures.* AMs are management controls to prevent ACLs from being exceeded, and to correct or mitigate overages of the ACL if they occur. AMs must be tailored to the specific needs of a fishery, and are key to the success of ACL systems in ending and preventing overfishing. NMFS invites comments on the guidance for AMs.

10. *ACL exceptions.* Under the MSA, stocks that have a life cycle of approximately 1 year and stocks subject to international agreements are not required to have ACLs. The NS1 Guidelines describe that the life cycle exception applies to "a stock for which the average length of time it takes for an individual to produce a reproductively active offspring is approximately 1 year and that the individual has only one breeding season in its lifetime" (§ 600.310 (h)(2)(i)). The NS1 Guidelines also describe that the international agreement exception applies to stocks that are subject to "any bilateral or multilateral treaty, convention, or agreement which relates to fishing and to which the United States is party" (§ 600.310 (h)(2)(ii)). NMFS invites comments on the guidance pertaining to these exceptions from the ACL requirements.

11. *Rebuilding progress and revising rebuilding plans.* The current NS1

Guidelines address how NMFS should respond if a stock reaches the end of its rebuilding plan and is not fully rebuilt, or its rebuilding status is unknown. However, the guidelines do not address the situation that occurs during the course of a rebuilding plan when rebuilding progress is determined to be inadequate. Inadequate progress can result from a number of factors, including:

a. Management measures that do not adequately control the fishery.

b. Environmental factors that limit stock growth.

c. Significant changes in the rebuilding target (Bmsy) resulting from a new stock assessment. NMFS intends to improve guidance on evaluating the progress of stocks in rebuilding plans and on revising the rebuilding plans in these situations.

Public Comments

To help determine the scope of issues to be addressed and to identify significant issues related to this action, NMFS is soliciting written comments on this ANPR. The public is encouraged to submit comments related to the specific ideas mentioned in this ANPR, as well as any additional ideas and solutions that could improve provisions of the NS1 Guidelines. In addition to considering revisions to the NS1 Guidelines, NMFS will consider whether it may be more appropriate to address some topics in technical guidance reports or policy directives than to change the guidelines codified at 50 CFR 600.310. NMFS welcomes comment on the appropriateness and utility of additional technical guidance reports and policy directives.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 27, 2012.

Alan D. Risenhoover,

Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2012-10683 Filed 4-30-12; 4:15 pm]

BILLING CODE 3510-22-P

Sec. 600.310 National Standard 1--Optimum Yield.

(a) Standard 1. Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the U.S. fishing industry.

(b) General.

(1) The guidelines set forth in this section describe fishery management approaches to meet the objectives of National Standard 1 (NS1), and include guidance on:

- (i) Specifying maximum sustainable yield (MSY) and OY;
- (ii) Specifying status determination criteria (SDC) so that overfishing and overfished determinations can be made for stocks and stock complexes that are part of a fishery;
- (iii) Preventing overfishing and achieving OY, incorporation of scientific and management uncertainty in control rules, and adaptive management using annual catch limits (ACL) and measures to ensure accountability (AM); and
- (iv) Rebuilding stocks and stock complexes.

(2) Overview of Magnuson-Stevens Act concepts and provisions related to NS1--

(i) MSY. The Magnuson-Stevens Act establishes MSY as the basis for fishery management and requires that: The fishing mortality rate does not jeopardize the capacity of a stock or stock complex to produce MSY; the abundance of an overfished stock or stock complex be rebuilt to a level that is capable of producing MSY; and OY not exceed MSY.

(ii) OY. The determination of OY is a decisional mechanism for resolving the Magnuson-Stevens Act's conservation and management objectives, achieving a fishery management plan's (FMP) objectives, and balancing the various interests that comprise the greatest overall benefits to the Nation. OY is based on MSY as reduced under paragraphs (e)(3)(iii) and (iv) of this section. The most important limitation on the specification of OY is that the choice of OY and the conservation and management measures proposed to achieve it must prevent overfishing.

(iii) ACLs and AMs. Any FMP which is prepared by any Council shall establish a mechanism for specifying ACLs in the FMP (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability (Magnuson-Stevens Act section 303(a)(15)). Subject to certain exceptions and circumstances described in paragraph (h) of this section, this requirement takes effect in fishing year 2010, for fisheries determined subject to overfishing, and in fishing year 2011, for all other fisheries (Magnuson-Stevens Act section 303 note). ``Council" includes the Regional Fishery Management Councils and the Secretary of Commerce, as appropriate (see Sec. 600.305(c)(11)). (iv) Reference points. SDC, MSY, acceptable biological catch (ABC), and ACL, which are described further in paragraphs (e) and (f) of this section, are collectively referred to as

``reference points."

(v) Scientific advice. The Magnuson-Stevens Act has requirements regarding scientific and statistical committees (SSC) of the Regional Fishery Management Councils, including but not limited to, the following provisions:

(A) Each Regional Fishery Management Council shall establish an SSC as described in section 302(g)(1)(A) of the Magnuson-Stevens Act.

(B) Each SSC shall provide its Regional Fishery Management Council recommendations for ABC as well as other scientific advice, as described in Magnuson-Stevens Act section 302(g)(1)(B).

(C) The Secretary and each Regional Fishery Management Council may establish a peer review process for that Council for scientific information used to advise the Council about the conservation and management of a fishery (see Magnuson-Stevens Act section 302(g)(1)(E)). If a peer review process is established, it should investigate the technical merits of stock assessments and other scientific information used by the SSC or agency or international scientists, as appropriate. For Regional Fishery Management Councils, the peer review process is not a substitute for the SSC and should work in conjunction with the SSC. For the Secretary, which does not have an SSC, the peer review process should provide the scientific information necessary.

(D) Each Council shall develop ACLs for each of its managed fisheries that may not exceed the ``fishing level recommendations" of its SSC or peer review process (Magnuson-Stevens Act section 302(h)(6)). The SSC recommendation that is the most relevant to ACLs is ABC, as both ACL and ABC are levels of annual catch.

(3) Approach for setting limits and accountability measures, including targets, for consistency with NS1. In general, when specifying limits and accountability measures intended to avoid overfishing and achieve sustainable fisheries, Councils must take an approach that considers uncertainty in scientific information and management control of the fishery. These guidelines describe how to address uncertainty such that there is a low risk that limits are exceeded as described in paragraphs (f)(4) and (f)(6) of this section.

(c) Summary of items to include in FMPs related to NS1. This section provides a summary of items that Councils must include in their FMPs and FMP amendments in order to address ACL, AM, and other aspects of the NS1 guidelines. As described in further detail in paragraph (d) of this section, Councils may review their FMPs to decide if all stocks are ``in the fishery" or whether some fit the category of ``ecosystem component species." Councils must also describe fisheries data for the stocks, stock complexes, and ecosystem component species in their FMPs, or associated public documents such as Stock Assessment and Fishery Evaluation (SAFE) Reports. For all stocks and stock complexes that are ``in the fishery" (see paragraph (d)(2) of this section), the Councils must evaluate and describe the following items in their FMPs and amend the FMPs, if necessary, to align their management objectives to end or prevent overfishing:

(1) MSY and SDC (see paragraphs (e)(1) and (2) of this section).

(2) OY at the stock, stock complex, or fishery level and provide the OY specification analysis (see paragraph (e)(3) of this section).

(3) ABC control rule (see paragraph (f)(4) of this section).

(4) Mechanisms for specifying ACLs and possible sector-specific ACLs in relationship to the ABC (see paragraphs (f)(5) and (h) of this section).

(5) AMs (see paragraphs (g) and (h)(1) of this section).

(6) Stocks and stock complexes that have statutory exceptions from ACLs (see paragraph (h)(2) of this section) or which fall under limited circumstances which require different approaches to meet the ACL requirements (see paragraph (h)(3) of this section).

(d) Classifying stocks in an FMP--

(1) Introduction. Magnuson-Stevens Act section 303(a)(2) requires that an FMP contain, among other things, a description of the species of fish involved in the fishery. The relevant Council determines which specific target stocks and/or non-target stocks to include in a fishery. This section provides that a Council may, but is not required to, use an "ecosystem component (EC)" species classification. As a default, all stocks in an FMP are considered to be "in the fishery," unless they are identified as EC species (see Sec. 600.310(d)(5)) through an FMP amendment process.

(2) Stocks in a fishery. Stocks in a fishery may be grouped into stock complexes, as appropriate. Requirements for reference points and management measures for these stocks are described throughout these guidelines.

(3) "Target stocks" are stocks that fishers seek to catch for sale or personal use, including "economic discards" as defined under Magnuson-Stevens Act section 3(9).

(4) "Non-target species" and "non-target stocks" are fish caught incidentally during the pursuit of target stocks in a fishery, including "regulatory discards" as defined under Magnuson-Stevens Act section 3(38). They may or may not be retained for sale or personal use. Non-target species may be included in a fishery and, if so, they should be identified at the stock level. Some non-target species may be identified in an FMP as ecosystem component (EC) species or stocks.

(5) Ecosystem component (EC) species.

(i) To be considered for possible classification as an EC species, the species should:

(A) Be a non-target species or non-target stock;

(B) Not be determined to be subject to overfishing, approaching overfished, or overfished;

(C) Not be likely to become subject to overfishing or overfished, according to the best available information, in the absence of conservation and management measures; and

(D) Not generally be retained for sale or personal use.

(ii) Occasional retention of the species would not, in and of itself, preclude consideration of the species under the EC classification. In addition to the general factors noted in paragraphs (d)(5)(i)(A)-(D) of this section, it is important to consider whether use of the EC species classification in a given instance is consistent with MSA conservation and management requirements.

(iii) EC species may be identified at the species or stock level, and may be grouped into complexes. EC species may, but are not required to, be included in an FMP or FMP amendment for any of the following reasons: For data collection purposes; for ecosystem considerations related to specification of OY for the associated fishery; as considerations in the development of conservation and management measures for the associated fishery; and/or to address other ecosystem issues. While EC species are not considered to be ``in the fishery," a Council should consider measures for the fishery to minimize bycatch and bycatch mortality of EC species consistent with National Standard 9, and to protect their associated role in the ecosystem. EC species do not require specification of reference points but should be monitored to the extent that any new pertinent scientific information becomes available (e.g., catch trends, vulnerability, etc.) to determine changes in their status or their vulnerability to the fishery. If necessary, they should be reclassified as ``in the fishery."

(6) Reclassification. A Council should monitor the catch resulting from a fishery on a regular basis to determine if the stocks and species are appropriately classified in the FMP. If the criteria previously used to classify a stock or species is no longer valid, the Council should reclassify it through an FMP amendment, which documents rationale for the decision.

(7) Stocks or species identified in more than one FMP. If a stock is identified in more than one fishery, Councils should choose which FMP will be the primary FMP in which management objectives, SDC, the stock's overall ACL and other reference points for the stock are established. Conservation and management measures in other FMPs in which the stock is identified as part of a fishery should be consistent with the primary FMP's management objectives for the stock.

(8) Stock complex. ``Stock complex" means a group of stocks that are sufficiently similar in geographic distribution, life history, and vulnerabilities to the fishery such that the impact of management actions on the stocks is similar. At the time a stock complex is established, the FMP should provide a full and explicit description of the proportional composition of each stock in the stock complex, to the extent possible. Stocks may be grouped into complexes for various reasons, including where stocks in a multispecies fishery cannot be targeted independent of one another and MSY can not be defined on a stock-by-stock basis (see paragraph (e)(1)(iii) of this section); where there is insufficient data to measure their status relative to SDC; or when it is not feasible for fishermen to

distinguish individual stocks among their catch. The vulnerability of stocks to the fishery should be evaluated when determining if a particular stock complex should be established or reorganized, or if a particular stock should be included in a complex. Stock complexes may be comprised of: one or more indicator stocks, each of which has SDC and ACLs, and several other stocks; several stocks without an indicator stock, with SDC and an ACL for the complex as a whole; or one of more indicator stocks, each of which has SDC and management objectives, with an ACL for the complex as a whole (this situation might be applicable to some salmon species).

(9) Indicator stocks. An indicator stock is a stock with measurable SDC that can be used to help manage and evaluate more poorly known stocks that are in a stock complex. If an indicator stock is used to evaluate the status of a complex, it should be representative of the typical status of each stock within the complex, due to similarity in vulnerability. If the stocks within a stock complex have a wide range of vulnerability, they should be reorganized into different stock complexes that have similar vulnerabilities; otherwise the indicator stock should be chosen to represent the more vulnerable stocks within the complex. In instances where an indicator stock is less vulnerable than other members of the complex, management measures need to be more conservative so that the more vulnerable members of the complex are not at risk from the fishery. More than one indicator stock can be selected to provide more information about the status of the complex. When indicator stock(s) are used, periodic re-evaluation of available quantitative or qualitative information (e.g., catch trends, changes in vulnerability, fish health indices, etc.) is needed to determine whether a stock is subject to overfishing, or is approaching (or in) an overfished condition.

(10) Vulnerability. A stock's vulnerability is a combination of its productivity, which depends upon its life history characteristics, and its susceptibility to the fishery. Productivity refers to the capacity of the stock to produce MSY and to recover if the population is depleted, and susceptibility is the potential for the stock to be impacted by the fishery, which includes direct captures, as well as indirect impacts to the fishery (e.g., loss of habitat quality). Councils in consultation with their SSC, should analyze the vulnerability of stocks in stock complexes where possible.

(e) Features of MSY, SDC, and OY.--

(1) MSY. Each FMP must include an estimate of MSY for the stocks and stock complexes in the fishery, as described in paragraph (d)(2) of this section).

(i) Definitions.

(A) MSY is the largest long-term average catch or yield that can be taken from a stock or stock complex under prevailing ecological, environmental conditions and fishery technological characteristics (e.g., gear selectivity), and the distribution of catch among fleets.

(B) MSY fishing mortality rate (F_{msy}) is the fishing mortality rate that, if applied over the long term, would result in MSY.

(C) MSY stock size (B_{msy}) means the long-term average size of the stock or stock complex, measured in terms of spawning biomass or other appropriate measure of the stock's reproductive potential that would be achieved by fishing at F_{msy} .

(ii) MSY for stocks. MSY should be estimated for each stock based on the best scientific information available (see Sec. 600.315).

(iii) MSY for stock complexes. MSY should be estimated on a stock-by-stock basis whenever possible. However, where MSY cannot be estimated for each stock in a stock complex, then MSY may be estimated for one or more indicator stocks for the complex or for the complex as a whole. When indicator stocks are used, the stock complex's MSY could be listed as "unknown," while noting that the complex is managed on the basis of one or more indicator stocks that do have known stock-specific MSYs, or suitable proxies, as described in paragraph (e)(1)(iv) of this section. When indicator stocks are not used, MSY, or a suitable proxy, should be calculated for the stock complex as a whole.

(iv) Specifying MSY. Because MSY is a long-term average, it need not be estimated annually, but it must be based on the best scientific information available (see Sec. 600.315), and should be re-estimated as required by changes in long-term environmental or ecological conditions, fishery technological characteristics, or new scientific information. When data are insufficient to estimate MSY directly, Councils should adopt other measures of reproductive potential, based on the best scientific information available, that can serve as reasonable proxies for MSY, F_{msy} , and B_{msy} , to the extent possible. The MSY for a stock is influenced by its interactions with other stocks in its ecosystem and these interactions may shift as multiple stocks in an ecosystem are fished. These ecological conditions should be taken into account, to the extent possible, when specifying MSY. Ecological conditions not directly accounted for in the specification of MSY can be among the ecological factors considered when setting OY below MSY. As MSY values are estimates or are based on proxies, they will have some level of uncertainty associated with them. The degree of uncertainty in the estimates should be identified, when possible, through the stock assessment process and peer review (see Sec. 600.335), and should be taken into account when specifying the ABC Control rule. Where this uncertainty cannot be directly calculated, such as when proxies are used, then a proxy for the uncertainty itself should be established based on the best scientific information, including comparison to other stocks.

(2) Status determination criteria--

(i) Definitions.

(A) Status determination criteria (SDC) mean the quantifiable factors, MFMT, OFL, and MSST, or their proxies, that are used to determine if overfishing has occurred, or if the stock or stock complex is overfished. Magnuson-Stevens Act (section 3(34)) defines both ``overfishing" and ``overfished" to mean a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce the MSY on a continuing basis. To avoid confusion, this section clarifies that ``overfished" relates to biomass of a stock or stock complex, and ``overfishing" pertains to a rate or level of removal of fish from a stock or stock complex.

(B) Overfishing (to overfish) occurs whenever a stock or stock complex is subjected to a level of fishing mortality or annual total catch that jeopardizes the capacity of a stock or stock complex to produce MSY on a continuing basis.

(C) Maximum fishing mortality threshold (MFMT) means the level of fishing mortality (F), on an annual basis, above which overfishing is occurring. The MFMT or reasonable proxy may be expressed either as a single number (a fishing mortality rate or F value), or as a function of spawning biomass or other measure of reproductive potential.

(D) Overfishing limit (OFL) means the annual amount of catch that corresponds to the estimate of MFMT applied to a stock or stock complex's abundance and is expressed in terms of numbers or weight of fish. The OFL is an estimate of the catch level above which overfishing is occurring.

(E) Overfished. A stock or stock complex is considered ``overfished" when its biomass has declined below a level that jeopardizes the capacity of the stock or stock complex to produce MSY on a continuing basis.

(F) Minimum stock size threshold (MSST) means the level of biomass below which the stock or stock complex is considered to be overfished.

(G) Approaching an overfished condition. A stock or stock complex is approaching an overfished condition when it is projected that there is more than a 50 percent chance that the biomass of the stock or stock complex will decline below the MSST within two years.

(ii) Specification of SDC and overfishing and overfished determinations. SDC must be expressed in a way that enables the Council to monitor each stock or stock complex in the FMP, and determine annually, if possible, whether overfishing is occurring and whether the stock or stock complex is overfished. In specifying SDC, a Council must provide an analysis of how the SDC were chosen and how they relate to reproductive potential. Each FMP must specify, to the extent possible, objective and measurable SDC as follows (see paragraphs (e)(2)(ii)(A) and (B) of this section):

(A) SDC to determine overfishing status. Each FMP must describe which of the following two methods will be used for each stock or stock complex to determine an overfishing status.

(1) Fishing mortality rate exceeds MFMT. Exceeding the MFMT for a period of 1 year or more constitutes overfishing. The MFMT or reasonable proxy may be expressed either as a single number (a fishing mortality rate or F value), or as a function of spawning biomass or other measure of reproductive potential.

(2) Catch exceeds the OFL. Should the annual catch exceed the annual OFL for 1 year or more, the stock or stock complex is considered subject to overfishing.

(B) SDC to determine overfished status. The MSST or reasonable proxy must be expressed in terms of spawning biomass or other measure of reproductive potential. To the extent possible, the MSST should equal whichever of the following is greater: One-half the MSY stock size, or the minimum stock size at which rebuilding to the MSY level would be expected to occur within 10 years, if the stock or stock complex were exploited at the MFMT specified under paragraph (e)(2)(ii)(A)(1) of this section. Should the estimated size of the stock or stock complex in a given year fall below this threshold, the stock or stock complex is considered overfished.

(iii) Relationship of SDC to environmental change. Some short-term environmental changes can alter the size of a stock or stock complex without affecting its long-term reproductive potential. Long-term environmental changes affect both the short-term size of the stock or stock complex and the long-term reproductive potential of the stock or stock complex.

(A) If environmental changes cause a stock or stock complex to fall below its MSST without affecting its long-term reproductive potential, fishing mortality must be constrained sufficiently to allow rebuilding within an acceptable time frame (also see paragraph (j)(3)(ii) of this section). SDC should not be respecified.

(B) If environmental changes affect the long-term reproductive potential of the stock or stock complex, one or more components of the SDC must be respecified. Once SDC have been respecified, fishing mortality may or may not have to be reduced, depending on the status of the stock or stock complex with respect to the new criteria.

(C) If manmade environmental changes are partially responsible for a stock or stock complex being in an overfished condition, in addition to controlling fishing mortality, Councils should recommend restoration of habitat and other ameliorative programs, to the extent possible (see also the guidelines issued pursuant to section 305(b) of the Magnuson-Stevens Act for Council actions concerning essential fish habitat).

(iv) Secretarial approval of SDC. Secretarial approval or disapproval of proposed

SDC will be based on consideration of whether the proposal:

- (A) Has sufficient scientific merit;
 - (B) Contains the elements described in paragraph (e)(2)(ii) of this section;
 - (C) Provides a basis for objective measurement of the status of the stock or stock complex against the criteria; and
 - (D) is operationally feasible.
- (3) Optimum yield--

(i) Definitions--

(A) Optimum yield (OY). Magnuson-Stevens Act section (3)(33) defines ``optimum," with respect to the yield from a fishery, as the amount of fish that will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities and taking into account the protection of marine ecosystems; that is prescribed on the basis of the MSY from the fishery, as reduced by any relevant economic, social, or ecological factor; and, in the case of an overfished fishery, that provides for rebuilding to a level consistent with producing the MSY in such fishery. OY may be established at the stock or stock complex level, or at the fishery level.

(B) In NS1, use of the phrase ``achieving, on a continuing basis, the optimum yield from each fishery" means producing, from each stock, stock complex, or fishery: a long-term series of catches such that the average catch is equal to the OY, overfishing is prevented, the long term average biomass is near or above Bmsy, and overfished stocks and stock complexes are rebuilt consistent with timing and other requirements of section 304(e)(4) of the Magnuson-Stevens Act and paragraph (j) of this section.

(ii) General. OY is a long-term average amount of desired yield from a stock, stock complex, or fishery. An FMP must contain conservation and management measures, including ACLs and AMs, to achieve OY on a continuing basis, and provisions for information collection that are designed to determine the degree to which OY is achieved. These measures should allow for practical and effective implementation and enforcement of the management regime. The Secretary has an obligation to implement and enforce the FMP. If management measures prove unenforceable--or too restrictive, or not rigorous enough to prevent overfishing while achieving OY--they should be modified; an alternative is to reexamine the adequacy of the OY specification. Exceeding OY does not necessarily constitute overfishing. However, even if no overfishing resulted from exceeding OY, continual harvest at a level above OY would violate NS1, because OY was not achieved on a continuing basis. An FMP must contain an assessment and specification of OY, including a summary of information utilized in making such specification, consistent with requirements of section 303(a)(3) of the Magnuson-Stevens Act. A Council must identify those economic, social, and ecological factors relevant to management of a particular stock, stock complex, or fishery, and then evaluate them to

determine the OY. The choice of a particular OY must be carefully documented to show that the OY selected will produce the greatest benefit to the Nation and prevent overfishing.

(iii) Determining the greatest benefit to the Nation. In determining the greatest benefit to the Nation, the values that should be weighed and receive serious attention when considering the economic, social, or ecological factors used in reducing MSY to obtain OY are:

(A) The benefits of food production are derived from providing seafood to consumers; maintaining an economically viable fishery together with its attendant contributions to the national, regional, and local economies; and utilizing the capacity of the Nation's fishery resources to meet nutritional needs.

(B) The benefits of recreational opportunities reflect the quality of both the recreational fishing experience and non-consumptive fishery uses such as ecotourism, fish watching, and recreational diving. Benefits also include the contribution of recreational fishing to the national, regional, and local economies and food supplies.

(C) The benefits of protection afforded to marine ecosystems are those resulting from maintaining viable populations (including those of unexploited species), maintaining adequate forage for all components of the ecosystem, maintaining evolutionary and ecological processes (e.g., disturbance regimes, hydrological processes, nutrient cycles), maintaining the evolutionary potential of species and ecosystems, and accommodating human use.

(iv) Factors to consider in OY specification. Because fisheries have limited capacities, any attempt to maximize the measures of benefits described in paragraph (e)(3)(iii) of this section will inevitably encounter practical constraints. OY cannot exceed MSY in any circumstance, and must take into account the need to prevent overfishing and rebuild overfished stocks and stock complexes. OY is prescribed on the basis of MSY as reduced by social, economic, and ecological factors. To the extent possible, the relevant social, economic, and ecological factors used to establish OY for a stock, stock complex, or fishery should be quantified and reviewed in historical, short-term, and long-term contexts. Even where quantification of social, economic, and ecological factors is not possible, the FMP still must address them in its OY specification. The following is a non-exhaustive list of potential considerations for each factor. An FMP must address each factor but not necessarily each example.

(A) Social factors. Examples are enjoyment gained from recreational fishing, avoidance of gear conflicts and resulting disputes, preservation of a way of life for fishermen and their families, and dependence of local communities on a fishery (e.g., involvement in fisheries and ability to adapt to change). Consideration may be given to fishery-related indicators (e.g., number of fishery permits, number of commercial fishing vessels, number of party and charter trips, landings, ex-vessel revenues etc.) and non-

fishery related indicators (e.g., unemployment rates, percent of population below the poverty level, population density, etc.). Other factors that may be considered include the effects that past harvest levels have had on fishing communities, the cultural place of subsistence fishing, obligations under Indian treaties, proportions of affected minority and low-income groups, and worldwide nutritional needs.

(B) Economic factors. Examples are prudent consideration of the risk of overharvesting when a stock's size or reproductive potential is uncertain (see Sec. 600.335(c)(2)(i)), satisfaction of consumer and recreational needs, and encouragement of domestic and export markets for U.S. harvested fish. Other factors that may be considered include: The value of fisheries, the level of capitalization, the decrease in cost per unit of catch afforded by an increase in stock size, the attendant increase in catch per unit of effort, alternate employment opportunities, and economic contribution to fishing communities, coastal areas, affected states, and the nation.

(C) Ecological factors. Examples include impacts on ecosystem component species, forage fish stocks, other fisheries, predator-prey or competitive interactions, marine mammals, threatened or endangered species, and birds. Species interactions that have not been explicitly taken into account when calculating MSY should be considered as relevant factors for setting OY below MSY. In addition, consideration should be given to managing forage stocks for higher biomass than Bmsy to enhance and protect the marine ecosystem. Also important are ecological or environmental conditions that stress marine organisms, such as natural and manmade changes in wetlands or nursery grounds, and effects of pollutants on habitat and stocks.

(v) Specification of OY. The specification of OY must be consistent with paragraphs (e)(3)(i)-(iv) of this section. If the estimates of MFMT and current biomass are known with a high level of certainty and management controls can accurately limit catch then OY could be set very close to MSY, assuming no other reductions are necessary for social, economic, or ecological factors. To the degree that such MSY estimates and management controls are lacking or unavailable, OY should be set farther from MSY. If management measures cannot adequately control fishing mortality so that the specified OY can be achieved without overfishing, the Council should reevaluate the management measures and specification of OY so that the dual requirements of NS1 (preventing overfishing while achieving, on a continuing basis, OY) are met.

(A) The amount of fish that constitutes the OY should be expressed in terms of numbers or weight of fish.

(B) Either a range or a single value may be specified for OY.

(C) All catch must be counted against OY, including that resulting from bycatch, scientific research, and all fishing activities.

(D) The OY specification should be translatable into an annual numerical estimate for the purposes of establishing any total allowable level of foreign fishing (TALFF) and analyzing impacts of the management regime.

(E) The determination of OY is based on MSY, directly or through proxy. However, even where sufficient scientific data as to the biological characteristics of the stock do not exist, or where the period of exploitation or investigation has not been long enough for adequate understanding of stock dynamics, or where frequent large-scale fluctuations in stock size diminish the meaningfulness of the MSY concept, OY must still be established based on the best scientific information available.

(F) An OY established at a fishery level may not exceed the sum of the MSY values for each of the stocks or stock complexes within the fishery.

(G) There should be a mechanism in the FMP for periodic reassessment of the OY specification, so that it is responsive to changing circumstances in the fishery.

(H) Part of the OY may be held as a reserve to allow for factors such as uncertainties in estimates of stock size and domestic annual harvest (DAH). If an OY reserve is established, an adequate mechanism should be included in the FMP to permit timely release of the reserve to domestic or foreign fishermen, if necessary.

(vi) OY and foreign fishing. Section 201(d) of the Magnuson-Stevens Act provides that fishing by foreign nations is limited to that portion of the OY that will not be harvested by vessels of the United States. The FMP must include an assessment to address the following, as required by section 303(a)(4) of the Magnuson-Stevens Act:

(A) DAH. Councils and/or the Secretary must consider the capacity of, and the extent to which, U.S. vessels will harvest the OY on an annual basis. Estimating the amount that U.S. fishing vessels will actually harvest is required to determine the surplus.

(B) Domestic annual processing (DAP). Each FMP must assess the capacity of U.S. processors. It must also assess the amount of DAP, which is the sum of two estimates: The estimated amount of U.S. harvest that domestic processors will process, which may be based on historical performance or on surveys of the expressed intention of manufacturers to process, supported by evidence of contracts, plant expansion, or other relevant information; and the estimated amount of fish that will be harvested by domestic vessels, but not processed (e.g., marketed as fresh whole fish, used for private consumption, or used for bait).

(C) Joint venture processing (JVP). When DAH exceeds DAP, the surplus is available for JVP.

(f) Acceptable biological catch, annual catch limits, and annual catch targets. The following features (see paragraphs (f)(1) through (f)(5) of this section) of acceptable biological catch and annual catch limits apply to stocks and stock complexes in the

fishery (see paragraph (d)(2) of this section).

(1) Introduction. A control rule is a policy for establishing a limit or target fishing level that is based on the best available scientific information and is established by fishery managers in consultation with fisheries scientists. Control rules should be designed so that management actions become more conservative as biomass estimates, or other proxies, for a stock or stock complex decline and as science and management uncertainty increases. Examples of scientific uncertainty include uncertainty in the estimates of MFMT and biomass. Management uncertainty may include late catch reporting, misreporting, and underreporting of catches and is affected by a fishery's ability to control actual catch. For example, a fishery that has inseason catch data available and inseason closure authority has better management control and precision than a fishery that does not have these features.

(2) Definitions.

(i) Catch is the total quantity of fish, measured in weight or numbers of fish, taken in commercial, recreational, subsistence, tribal, and other fisheries. Catch includes fish that are retained for any purpose, as well as mortality of fish that are discarded.

(ii) Acceptable biological catch (ABC) is a level of a stock or stock complex's annual catch that accounts for the scientific uncertainty in the estimate of OFL and any other scientific uncertainty (see paragraph (f)(3) of this section), and should be specified based on the ABC control rule.

(iii) ABC control rule means a specified approach to setting the ABC for a stock or stock complex as a function of the scientific uncertainty in the estimate of OFL and any other scientific uncertainty (see paragraph (f)(4) of this section).

(iv) Annual catch limit (ACL) is the level of annual catch of a stock or stock complex that serves as the basis for invoking AMs. ACL cannot exceed the ABC, but may be divided into sector-ACLs (see paragraph (f)(5) of this section).

(v) Annual catch target (ACT) is an amount of annual catch of a stock or stock complex that is the management target of the fishery, and accounts for management uncertainty in controlling the actual catch at or below the ACL. ACTs are recommended in the system of accountability measures so that ACL is not exceeded.

(vi) ACT control rule means a specified approach to setting the ACT for a stock or stock complex such that the risk of exceeding the ACL due to management uncertainty is at an acceptably low level.

(3) Specification of ABC. ABC may not exceed OFL (see paragraph (e)(2)(i)(D) of this section). Councils should develop a process for receiving scientific information and

advice used to establish ABC. This process should: Identify the body that will apply the ABC control rule (i.e. , calculates the ABC), and identify the review process that will evaluate the resulting ABC. The SSC must recommend the ABC to the Council. An SSC may recommend an ABC that differs from the result of the ABC control rule calculation, based on factors such as data uncertainty, recruitment variability, declining trends in population variables, and other factors, but must explain why. For Secretarial FMPs or FMP amendments, agency scientists or a peer review process would provide the scientific advice to establish ABC. For internationally-assessed stocks, an ABC as defined in these guidelines is not required if they meet the international exception (see paragraph (h)(2)(ii)). While the ABC is allowed to equal OFL, NMFS expects that in most cases ABC will be reduced from OFL to reduce the probability that overfishing might occur in a year. Also, see paragraph (f)(5) of this section for cases where a Council recommends that ACL is equal to ABC, and ABC is equal to OFL.

(i) Expression of ABC. ABC should be expressed in terms of catch, but may be expressed in terms of landings as long as estimates of bycatch and any other fishing mortality not accounted for in the landings are incorporated into the determination of ABC.

(ii) ABC for overfished stocks. For overfished stocks and stock complexes, a rebuilding ABC must be set to reflect the annual catch that is consistent with the schedule of fishing mortality rates in the rebuilding plan.

(4) ABC control rule. For stocks and stock complexes required to have an ABC, each Council must establish an ABC control rule based on scientific advice from its SSC. The determination of ABC should be based, when possible, on the probability that an actual catch equal to the stock's ABC would result in overfishing. This probability that overfishing will occur cannot exceed 50 percent and should be a lower value. The ABC control rule should consider reducing fishing mortality as stock size declines and may establish a stock abundance level below which fishing would not be allowed. The process of establishing an ABC control rule could also involve science advisors or the peer review process established under Magnuson-Stevens Act section 302(g)(1)(E). The ABC control rule must articulate how ABC will be set compared to the OFL based on the scientific knowledge about the stock or stock complex and the scientific uncertainty in the estimate of OFL and any other scientific uncertainty. The ABC control rule should consider uncertainty in factors such as stock assessment results, time lags in updating assessments, the degree of retrospective revision of assessment results, and projections. The control rule may be used in a tiered approach to address different levels of scientific uncertainty.

(5) Setting the annual catch limit--

(i) General. ACL cannot exceed the ABC and may be set annually or on a multiyear plan basis. ACLs in coordination with AMs must prevent overfishing (see MSA section

303(a)(15)). If a Council recommends an ACL which equals ABC, and the ABC is equal to OFL, the Secretary may presume that the proposal would not prevent overfishing, in the absence of sufficient analysis and justification for the approach. A "multiyear plan" as referenced in section 303(a)(15) of the Magnuson-Stevens Act is a plan that establishes harvest specifications or harvest guidelines for each year of a time period greater than 1 year. A multiyear plan must include a mechanism for specifying ACLs for each year with appropriate AMs to prevent overfishing and maintain an appropriate rate of rebuilding if the stock or stock complex is in a rebuilding plan. A multiyear plan must provide that, if an ACL is exceeded for a year, then AMs are triggered for the next year consistent with paragraph (g)(3) of this section.

(ii) Sector-ACLs. A Council may, but is not required to, divide an ACL into sector-ACLs. "Sector," for purposes of this section, means a distinct user group to which separate management strategies and separate catch quotas apply. Examples of sectors include the commercial sector, recreational sector, or various gear groups within a fishery. If the management measures for different sectors differ in the degree of management uncertainty, then sector ACLs may be necessary so that appropriate AMs can be developed for each sector. If a Council chooses to use sector ACLs, the sum of sector ACLs must not exceed the stock or stock complex level ACL. The system of ACLs and AMs designed must be effective in protecting the stock or stock complex as a whole. Even if sector-ACLs and AMs are established, additional AMs at the stock or stock complex level may be necessary.

(iii) ACLs for State-Federal Fisheries. For stocks or stock complexes that have harvest in state or territorial waters, FMPs and FMP amendments should include an ACL for the overall stock that may be further divided. For example, the overall ACL could be divided into a Federal-ACL and state-ACL. However, NMFS recognizes that Federal management is limited to the portion of the fishery under Federal authority (see paragraph (g)(5) of this section). When stocks are co-managed by Federal, state, tribal, and/or territorial fishery managers, the goal should be to develop collaborative conservation and management strategies, and scientific capacity to support such strategies (including AMs for state or territorial and Federal waters), to prevent overfishing of shared stocks and ensure their sustainability.

(6) ACT control rule. If ACT is specified as part of the AMs for a fishery, an ACT control rule is utilized for setting the ACT. The ACT control rule should clearly articulate how management uncertainty in the amount of catch in the fishery is accounted for in setting ACT. The objective for establishing the ACT and related AMs is that the ACL not be exceeded.

(i) Determining management uncertainty. Two sources of management uncertainty should be accounted for in establishing the AMs for a fishery, including the ACT control rule if utilized: Uncertainty in the ability of managers to constrain catch so the ACL is not exceeded, and uncertainty in quantifying the true catch amounts (i.e., estimation errors).

To determine the level of management uncertainty in controlling catch, analyses need to consider past management performance in the fishery and factors such as time lags in reported catch. Such analyses must be based on the best available scientific information from an SSC, agency scientists, or peer review process as appropriate.

(ii) Establishing tiers and corresponding ACT control rules. Tiers can be established based on levels of management uncertainty associated with the fishery, frequency and accuracy of catch monitoring data available, and risks of exceeding the limit. An ACT control rule could be established for each tier and have, as appropriate, different formulas and standards used to establish the ACT.

(7) A Council may choose to use a single control rule that combines both scientific and management uncertainty and supports the ABC recommendation and establishment of ACL and if used ACT.

(g) Accountability measures. The following features (see paragraphs (g)(1) through (5) of this section) of accountability measures apply to those stocks and stock complexes in the fishery.

(1) Introduction. AMs are management controls to prevent ACLs, including sector-ACLs, from being exceeded, and to correct or mitigate overages of the ACL if they occur. AMs should address and minimize both the frequency and magnitude of overages and correct the problems that caused the overage in as short a time as possible. NMFS identifies two categories of AMs, inseason AMs and AMs for when the ACL is exceeded.

(2) Inseason AMs. Whenever possible, FMPs should include inseason monitoring and management measures to prevent catch from exceeding ACLs. Inseason AMs could include, but are not limited to: ACT; closure of a fishery; closure of specific areas; changes in gear; changes in trip size or bag limits; reductions in effort; or other appropriate management controls for the fishery. If final data or data components of catch are delayed, Councils should make appropriate use of preliminary data, such as landed catch, in implementing inseason AMs. FMPs should contain inseason closure authority giving NMFS the ability to close fisheries if it determines, based on data that it deems sufficiently reliable, that an ACL has been exceeded or is projected to be reached, and that closure of the fishery is necessary to prevent overfishing. For fisheries without inseason management control to prevent the ACL from being exceeded, AMs should utilize ACTs that are set below ACLs so that catches do not exceed the ACL.

(3) AMs for when the ACL is exceeded. On an annual basis, the Council must determine as soon as possible after the fishing year if an ACL was exceeded. If an ACL was exceeded, AMs must be triggered and implemented as soon as possible to correct the operational issue that caused the ACL overage, as well as any biological consequences to the stock or stock complex resulting from the overage when it is known. These AMs could include, among other things, modifications of inseason AMs or overage adjustments. For stocks and stock complexes in rebuilding plans, the AMs should include overage adjustments that reduce the ACLs in the next fishing year by the full amount of

the overages, unless the best scientific information available shows that a reduced overage adjustment, or no adjustment, is needed to mitigate the effects of the overages. If catch exceeds the ACL for a given stock or stock complex more than once in the last four years, the system of ACLs and AMs should be re-evaluated, and modified if necessary, to improve its performance and effectiveness. A Council could choose a higher performance standard (e.g., a stock's catch should not exceed its ACL more often than once every five or six years) for a stock that is particularly vulnerable to the effects of overfishing, if the vulnerability of the stock has not already been accounted for in the ABC control rule.

(4) AMs based on multi-year average data. Some fisheries have highly variable annual catches and lack reliable inseason or annual data on which to base AMs. If there are insufficient data upon which to compare catch to ACL, either inseason or on an annual basis, AMs could be based on comparisons of average catch to average ACL over a three-year moving average period or, if supported by analysis, some other appropriate multi-year period. Councils should explain why basing AMs on a multi-year period is appropriate. Evaluation of the moving average catch to the average ACL must be conducted annually and AMs should be implemented if the average catch exceeds the average ACL. As a performance standard, if the average catch exceeds the average ACL for a stock or stock complex more than once in the last four years, then the system of ACLs and AMs should be re-evaluated and modified if necessary to improve its performance and effectiveness. The initial ACL and management measures may incorporate information from previous years so that AMs based on average ACLs can be applied from the first year. Alternatively, a Council could use a stepped approach where in year-1, catch is compared to the ACL for year-1; in year-2 the average catch for the past 2 years is compared to the average ACL; then in year 3 and beyond, the most recent 3 years of catch are compared to the corresponding ACLs for those years.

(5) AMs for State-Federal Fisheries. For stocks or stock complexes that have harvest in state or territorial waters, FMPs and FMP amendments must, at a minimum, have AMs for the portion of the fishery under Federal authority. Such AMs could include closing the EEZ when the Federal portion of the ACL is reached, or the overall stock's ACL is reached, or other measures.

(h) Establishing ACL mechanisms and AMs in FMPs. FMPs or FMP amendments must establish ACL mechanisms and AMs for all stocks and stock complexes in the fishery, unless paragraph (h)(2) of this section is applicable. These mechanisms should describe the annual or multiyear process by which specific ACLs, AMs, and other reference points such as OFL, and ABC will be established. If a complex has multiple indicator stocks, each indicator stock must have its own ACL; an additional ACL for the stock complex as a whole is optional. In cases where fisheries (e.g., Pacific salmon) harvest multiple indicator stocks of a single species that cannot be distinguished at the time of capture, separate ACLs for the indicator stocks are not required and the ACL can be established for the complex as a whole.

(1) In establishing ACL mechanisms and AMs, FMPs should describe:

- (i) Timeframes for setting ACLs (e.g., annually or multi-year periods);
- (ii) Sector-ACLs, if any (including set-asides for research or bycatch);
- (iii) AMs and how AMs are triggered and what sources of data will be used (e.g., inseason data, annual catch compared to the ACL, or multi-year averaging approach); and
- (iv) Sector-AMs, if there are sector-ACLs.

(2) Exceptions from ACL and AM requirements--

(i) Life cycle. Section 303(a)(15) of the Magnuson-Stevens Act ``shall not apply to a fishery for species that has a life cycle of approximately 1 year unless the Secretary has determined the fishery is subject to overfishing of that species" (as described in Magnuson-Stevens Act section 303 note). This exception applies to a stock for which the average length of time it takes for an individual to produce a reproductively active offspring is approximately 1 year and that the individual has only one breeding season in its lifetime. While exempt from the ACL and AM requirements, FMPs or FMP amendments for these stocks must have SDC, MSY, OY, ABC, and an ABC control rule.

(ii) International fishery agreements. Section 303(a)(15) of the Magnuson-Stevens Act applies ``unless otherwise provided for under an international agreement in which the United States participates" (Magnuson-Stevens Act section 303 note). This exception applies to stocks or stock complexes subject to management under an international agreement, which is defined as ``any bilateral or multilateral treaty, convention, or agreement which relates to fishing and to which the United States is a party" (see Magnuson-Stevens Act section 3(24)). These stocks would still need to have SDC and MSY.

(3) Flexibility in application of NS1 guidelines. There are limited circumstances that may not fit the standard approaches to specification of reference points and management measures set forth in these guidelines. These include, among other things, conservation and management of Endangered Species Act listed species, harvests from aquaculture operations, and stocks with unusual life history characteristics (e.g., Pacific salmon, where the spawning potential for a stock is spread over a multi-year period). In these circumstances, Councils may propose alternative approaches for satisfying the NS1 requirements of the Magnuson-Stevens Act than those set forth in these guidelines. Councils must document their rationale for any alternative approaches for these limited circumstances in an FMP or FMP amendment, which will be reviewed for consistency with the Magnuson-Stevens Act.

(i) Fisheries data. In their FMPs, or associated public documents such as SAFE reports as appropriate, Councils must describe general data collection methods, as well as any specific data collection methods used for all stocks in the fishery, and EC species, including:

(1) Sources of fishing mortality (both landed and discarded), including commercial and recreational catch and bycatch in other fisheries;

(2) Description of the data collection and estimation methods used to quantify total catch mortality in each fishery, including information on the management tools used (i.e., logbooks, vessel monitoring systems, observer programs, landings reports, fish tickets, processor reports, dealer reports, recreational angler surveys, or other methods); the frequency with which data are collected and updated; and the scope of sampling coverage for each fishery; and (3) Description of the methods used to compile catch data from various catch data collection methods and how those data are used to determine the relationship between total catch at a given point in time and the ACL for stocks and stock complexes that are part of a fishery.

(j) Council actions to address overfishing and rebuilding for stocks and stock complexes in the fishery--

(1) Notification. The Secretary will immediately notify in writing a Regional Fishery Management Council whenever it is determined that:

- (i) Overfishing is occurring;
- (ii) A stock or stock complex is overfished;
- (iii) A stock or stock complex is approaching an overfished condition; or
- (iv) Existing remedial action taken for the purpose of ending previously identified overfishing or rebuilding a previously identified overfished stock or stock complex has not resulted in adequate progress.

(2) Timing of actions--

(i) If a stock or stock complex is undergoing overfishing. FMPs or FMP amendments must establish ACL and AM mechanisms in 2010, for stocks and stock complexes determined to be subject to overfishing, and in 2011, for all other stocks and stock complexes (see paragraph (b)(2)(iii) of this section). To address practical implementation aspects of the FMP and FMP amendment process, paragraphs (j)(2)(i)(A) through (C) of this section clarifies the expected timing of actions.

(A) In addition to establishing ACL and AM mechanisms, the ACLs and AMs themselves must be specified in FMPs, FMP amendments, implementing regulations, or annual specifications beginning in 2010 or 2011, as appropriate.

(B) For stocks and stock complexes still determined to be subject to overfishing at the end of 2008, ACL and AM mechanisms and the ACLs and AMs themselves must be effective in fishing year 2010.

(C) For stocks and stock complexes determined to be subject to overfishing during 2009, ACL and AM mechanisms and ACLs and AMs themselves should be effective in fishing year 2010, if possible, or in fishing year 2011, at the latest.

(ii) If a stock or stock complex is overfished or approaching an overfished condition.

(A) For notifications that a stock or stock complex is overfished or approaching an overfished condition made before July 12, 2009, a Council must prepare an FMP, FMP amendment, or proposed regulations within one year of notification. If the stock or stock complex is overfished, the purpose of the action is to specify a time period for ending overfishing and rebuilding the stock or stock complex that will be as short as possible as described under section 304(e)(4) of the Magnuson-Stevens Act. If the stock or stock complex is approaching an overfished condition, the purpose of the action is to prevent the biomass from declining below the MSST.

(B) For notifications that a stock or stock complex is overfished or approaching an overfished condition made after July 12, 2009, a Council must prepare and implement an FMP, FMP amendment, or proposed regulations within two years of notification, consistent with the requirements of section 304(e)(3) of the Magnuson-Stevens Act. Council actions should be submitted to NMFS within 15 months of notification to ensure sufficient time for the Secretary to implement the measures, if approved. If the stock or stock complex is overfished and overfishing is occurring, the rebuilding plan must end overfishing immediately and be consistent with ACL and AM requirements of the Magnuson-Stevens Act.

(3) Overfished fishery.

(i) Where a stock or stock complex is overfished, a Council must specify a time period for rebuilding the stock or stock complex based on factors specified in Magnuson-Stevens Act section 304(e)(4). This target time for rebuilding (T_{target}) shall be as short as possible, taking into account: The status and biology of any overfished stock, the needs of fishing communities, recommendations by international organizations in which the U.S. participates, and interaction of the stock within the marine ecosystem. In addition, the time period shall not exceed 10 years, except where biology of the stock, other environmental conditions, or management measures under an international agreement to which the U.S. participates, dictate otherwise. SSCs (or agency scientists or peer review processes in the case of Secretarial actions) shall provide recommendations for achieving rebuilding targets (see Magnuson-Stevens Act section 302(g)(1)(B)). The above factors enter into the specification of T_{target} as follows:

(A) The "minimum time for rebuilding a stock" (T_{min}) means the amount of time the stock or stock complex is expected to take to rebuild to its MSY biomass level in the absence of any fishing mortality. In this context, the term "expected" means to have at

least a 50 percent probability of attaining the Bmsy.

(B) For scenarios under paragraph (j)(2)(ii)(A) of this section, the starting year for the T_{min} calculation is the first year that a rebuilding plan is implemented. For scenarios under paragraph (j)(2)(ii)(B) of this section, the starting year for the T_{min} calculation is 2 years after notification that a stock or stock complex is overfished or the first year that a rebuilding plan is implemented, whichever is sooner.

(C) If T_{min} for the stock or stock complex is 10 years or less, then the maximum time allowable for rebuilding (T_{max}) that stock to its Bmsy is 10 years.

(D) If T_{min} for the stock or stock complex exceeds 10 years, then the maximum time allowable for rebuilding a stock or stock complex to its Bmsy is T_{min} plus the length of time associated with one generation time for that stock or stock complex. "Generation time" is the average length of time between when an individual is born and the birth of its offspring.

(E) T_{target} shall not exceed T_{max}, and should be calculated based on the factors described in this paragraph (j)(3).

(ii) If a stock or stock complex reached the end of its rebuilding plan period and has not yet been determined to be rebuilt, then the rebuilding F should not be increased until the stock or stock complex has been demonstrated to be rebuilt. If the rebuilding plan was based on a T_{target} that was less than T_{max}, and the stock or stock complex is not rebuilt by T_{target}, rebuilding measures should be revised, if necessary, such that the stock or stock complex will be rebuilt by T_{max}. If the stock or stock complex has not rebuilt by T_{max}, then the fishing mortality rate should be maintained at F_{rebuild} or 75 percent of the MFMT, whichever is less.

(iii) Council action addressing an overfished fishery must allocate both overfishing restrictions and recovery benefits fairly and equitably among sectors of the fishery.

(iv) For fisheries managed under an international agreement, Council action addressing an overfished fishery must reflect traditional participation in the fishery, relative to other nations, by fishermen of the United States.

(4) Emergency actions and interim measures. The Secretary, on his/her own initiative or in response to a Council request, may implement interim measures to reduce overfishing or promulgate regulations to address an emergency (Magnuson-Stevens Act section 304(e)(6) or 305(c)). In considering a Council request for action, the Secretary would consider, among other things, the need for and urgency of the action and public interest considerations, such as benefits to the stock or stock complex and impacts on participants in the fishery.

(i) These measures may remain in effect for not more than 180 days, but may be extended for an additional 186 days if the public has had an opportunity to comment on the measures and, in the case of Council-recommended measures, the Council is actively preparing an FMP, FMP amendment, or proposed regulations to address the emergency or overfishing on a permanent basis.

(ii) Often, these measures need to be implemented without prior notice and an opportunity for public comment, as it would be impracticable to provide for such processes given the need to act quickly and also contrary to the public interest to delay action. However, emergency regulations and interim measures that do not qualify for waivers or exceptions under the Administrative Procedure Act would need to follow proposed notice and comment rulemaking procedures.

(k) International overfishing. If the Secretary determines that a fishery is overfished or approaching a condition of being overfished due to excessive international fishing pressure, and for which there are no management measures (or no effective measures) to end overfishing under an international agreement to which the United States is a party, then the Secretary and/or the appropriate Council shall take certain actions as provided under Magnuson-Stevens Act section 304(i). The Secretary, in cooperation with the Secretary of State, must immediately take appropriate action at the international level to end the overfishing. In addition, within one year after the determination, the Secretary and/or appropriate Council shall:

(1) Develop recommendations for domestic regulations to address the relative impact of the U.S. fishing vessels on the stock. Council recommendations should be submitted to the Secretary.

(2) Develop and submit recommendations to the Secretary of State, and to the Congress, for international actions that will end overfishing in the fishery and rebuild the affected stocks, taking into account the relative impact of vessels of other nations and vessels of the United States on the relevant stock. Councils should, in consultation with the Secretary, develop recommendations that take into consideration relevant provisions of the Magnuson-Stevens Act and NS1 guidelines, including section 304(e) of the Magnuson-Stevens Act and paragraph (j)(3)(iv) of this section, and other applicable laws. For highly migratory species in the Pacific, recommendations from the Western Pacific, North Pacific, or Pacific Councils must be developed and submitted consistent with Magnuson-Stevens Reauthorization Act section 503(f), as appropriate.

(3) Considerations for assessing ``relative impact.'' ``Relative impact'' under paragraphs (k)(1) and (2) of this section may include consideration of factors that include, but are not limited to: Domestic and international management measures already in place, management history of a given nation, estimates of a nation's landings or catch (including bycatch) in a given fishery, and estimates of a nation's mortality contributions in a given fishery. Information used to determine relative impact must be based upon the best

available scientific information.

(l) Relationship of National Standard 1 to other national standards--General. National Standards 2 through 10 provide further requirements for conservation and management measures in FMPs, but do not alter the requirement of NS1 to prevent overfishing and rebuild overfished stocks.

(1) National Standard 2 (see Sec. 600.315). Management measures and reference points to implement NS1 must be based on the best scientific information available. When data are insufficient to estimate reference points directly, Councils should develop reasonable proxies to the extent possible (also see paragraph (e)(1)(iv) of this section). In cases where scientific data are severely limited, effort should also be directed to identifying and gathering the needed data. SSCs should advise their Councils regarding the best scientific information available for fishery management decisions.

(2) National Standard 3 (see Sec. 600.320). Reference points should generally be specified in terms of the level of stock aggregation for which the best scientific information is available (also see paragraph (e)(1)(iii) of this section). Also, scientific assessments must be based on the best information about the total range of the stock and potential biological structuring of the stock into biological sub-units, which may differ from the geographic units on which management is feasible.

(3) National Standard 6 (see Sec. 600.335). Councils must build into the reference points and control rules appropriate consideration of risk, taking into account uncertainties in estimating harvest, stock conditions, life history parameters, or the effects of environmental factors.

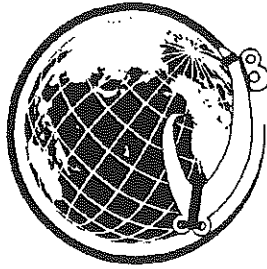
(4) National Standard 8 (see Sec. 600.345). National Standard 8 directs the Councils to apply economic and social factors towards sustained participation of fishing communities and to the extent practicable, minimize adverse economic impacts on such communities within the context of preventing overfishing and rebuilding overfished stocks as required under National Standard 1. Therefore, calculation of OY as reduced from MSY should include economic and social factors, but the combination of management measures chosen to achieve the OY must principally be designed to prevent overfishing and rebuild overfished stocks.

(5) National Standard 9 (see Sec. 600.350). Evaluation of stock status with respect to reference points must take into account mortality caused by bycatch. In addition, the estimation of catch should include the mortality of fish that are discarded.

(m) Exceptions to requirements to prevent overfishing. Exceptions to the requirement to prevent overfishing could apply under certain limited circumstances. Harvesting one stock at its optimum level may result in overfishing of another stock when the two stocks tend to be caught together (This can occur when the two stocks are part of the same

fishery or if one is bycatch in the other's fishery). Before a Council may decide to allow this type of overfishing, an analysis must be performed and the analysis must contain a justification in terms of overall benefits, including a comparison of benefits under alternative management measures, and an analysis of the risk of any stock or stock complex falling below its MSST. The Council may decide to allow this type of overfishing if the fishery is not overfished and the analysis demonstrates that all of the following conditions are satisfied:

- (1) Such action will result in long-term net benefits to the Nation;
- (2) Mitigating measures have been considered and it has been demonstrated that a similar level of long-term net benefits cannot be achieved by modifying fleet behavior, gear selection/configuration, or other technical characteristic in a manner such that no overfishing would occur; and
- (3) The resulting rate of fishing mortality will not cause any stock or stock complex to fall below its MSST more than 50 percent of the time in the long term, although it is recognized that persistent overfishing is expected to cause the affected stock to fall below its Bmsy more than 50 percent of the time in the long term.



**Western
Pacific
Regional
Fishery
Management
Council**

Agenda Item G.3.a
Supplemental Attachment 3
June 2012

June 18, 2012

Eric Schwaab
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East West Highway
Silver Spring, MD 20910

Dear Eric:

I am writing on behalf of the eight Regional Fishery Management Councils (Councils) to seek an extension of the closing dates for comments on the advanced notice of proposed rulemaking (ANPR) for revisions to Magnuson Stevens Act National Standard 1 (NS1) Guidelines. The current closing date for comments in the federal register notice (FR 77. No 86, May 3, 2012, 26238-26240) is August 1, 2012. We request that this comments deadline be extended to September 15, 2012.

Most, if not all Councils, are about to hold their mid-year meetings and the proposed rule will be on their agendas for discussion. However, all Councils will need to hold extensive discussions with their fishing industries, Plan Teams and Scientific and Statistical Committees to formulate comments. The Councils will also want to coordinate and consult with each other.

The topics under consideration in the proposed rule are ten key elements of NS1, namely:

- | | |
|--|--|
| 1. Stocks in a fishery | 6. Data poor stocks |
| 2. Overfishing and multi-year impacts | 7. Acceptable biological catch control rules |
| 3. Annual catch limits and optimum yield | 8. Catch accounting |
| 4. Mixed-stock fisheries and optimum yield | 9. Accountability measures |
| 5. Scientific uncertainty and management uncertainty | 10. ACL exceptions |

Each of these ten issues individually could be the focus of substantive discussion and comment from the Councils: we are being asked to comment on all ten. Moreover, modifications to any of these ten issues could have far reaching consequences for the Councils, including modifications to fishery management plans and attendant documentation such as NEPA requirements. The Councils thus request sufficient time to consult with their advisors, fishing industries and among themselves in order to provide comprehensive and significant comments to NMFS on the NS1 guidelines ANPR.

Sincerely

A handwritten signature in black ink, appearing to read "Kitty", with a stylized flourish extending from the end.

Kitty M. Simonds
Executive Director

CC:

Council Chairs

Council Executive Directors

Sam Rauch, Deputy Assistant Administrator

Alan Risenhoover, Director of the Office of Sustainable Fisheries

GROUND FISH ADVISORY SUBPANEL REPORT ON ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR) FOR NATIONAL STANDARD 1 GUIDELINES

The Groundfish Advisory Subpanel (GAP) considered the advance notice of proposed rulemaking for National Standard 1 (NS1) guidelines and offers the following comments. The GAP focused on the seven issues highlighted in the Situation Summary and has organized their comments accordingly.

1. Further consideration of the criteria and utility for identifying ecosystem component (EC) species within an Fishery Management Plan (FMP) which are not required to have biological reference points or annual catch limits (ACL).

The GAP did not have any particular recommendation on identification of EC species; however, the GAP believes there are species in the Groundfish FMP that meet the definition of an EC species and probably should be so specified. More importantly, there are species in the FMP, such as California slickhead, that probably should be removed from the FMP since fishery interactions within the species distribution are negligible. The Amendment 24 process or considerations for restructuring stock complexes anticipated in the 2015-2016 specifications process should consider EC species designations and/or removing select species from the FMP.

2. Alternative definitions of overfishing which would take into account a longer, multi-year view.

The GAP had a strong focus on this issue and believes the concept of multi-year ACLs may solve many of the problems that currently plague groundfish fisheries. Specifying multi-year ACLs that are longer-term averages of projected ACLs may stabilize management and enable fishermen more certainty in designing business plans. Our current system injects too much variability and uncertainty into harvest specifications causing needless instability in fisheries. Much of this variability results from assessment uncertainty and statistical noise. A multi-year average ACL will tend to smooth out the variability. Most groundfish stocks are long-lived, underscoring the reasonableness of averaging multi-year ACLs.

Multi-year ACLs may be the best mechanism to allow proper implementation of the surplus carry-over provision in the IFQ fishery. As the Scientific and Statistical Committee (SSC) stated in their April statement,

“In the event annual catch limits are inadvertently exceeded, the SSC does not view relatively modest interannual departures from annual ACLs as cause for concern from a biological perspective. Once the TIQ system stabilizes, rollovers to the following year may act to balance rollovers from the previous year. Ensuring that OFLs are not exceeded is an adequate additional constraint to ensure that the annual departures from ACL do not have biological impacts.”

The flexibility afforded by provision of multi-year ACLs ensures sustainable limits are specified while allowing the fishery to operate smoothly. Uncertainty in implementing the carry-over

provision may tend to cause fishermen to avoid surpluses, fish to deficit, and, in the worst case, cause a race to fish.

3. Clarification of the relationship and importance of economic, social, and ecological factors in the determination of ACLs and their relationship to optimum yield (OY).

This is a critical issue for industry and management of west coast groundfish fisheries. The GAP has long maintained there has been more emphasis on conservation objectives in rebuilding overfished stocks and not enough emphasis on the needs of fishing communities. The Magnuson-Stevens Act requires that both objectives be given equal weight in making management decisions. There is a problem when our current socioeconomic models cannot differentiate impacts between a wide range of ACL alternatives, yet slight differences in rebuilding duration receive much more emphasis. The impact analysis of the effects of canary ACLs in the 2013-14 specifications process highlights this imbalance. Clearly, 30 extra tons of canary will help the fishery operate more smoothly in the next management cycle. It is unacceptable when the Council cannot depart from the preliminary preferred ACL that rebuilds in the same year as the next higher alternative because of the shortcomings of socioeconomic models. If there was more emphasis on socioeconomic impacts in management decision-making, there would be more effort to improve socioeconomic models and more emphasis on socioeconomic impacts when making decisions.

The GAP also believes that the National Standard 1 (NS1) guidelines should address the best way to consider the “rebuilding paradox” where fishery interactions with an overfished species increase as the stock rebuilds. Constant catch scenarios in such a case result in increasing restrictions to fisheries and harm to fishing communities to maintain an accelerated rebuilding schedule. It would be helpful to emphasize the efficacy of constant harvest rate strategies in cases where the rebuilding paradox is evident in a rebuilding plan.

4. Further guidance on establishing OY in mixed-stock fisheries where achieving the OY for some abundant stocks may be precluded.

While a mixed stock exception has never been implemented in a west coast management decision, the GAP recommends there should be allowance for a mixed stock exception for extreme cases that may arise in the future.

5. Overly precautionary ACLs resulting from reductions due to both scientific and management uncertainty.

The GAP has no specific recommendations for changing the NS1 guidelines for this issue; however, the GAP suggests, in some cases, ACLs may be overly precautionary because precaution is applied at each decision point between OFL and ACL.

6. Determining how to apply management criteria to data-poor stocks.

The GAP sees no reason to change NS1 guidelines relative to application of management criteria to data-poor stocks.

7. A review of acceptable biological catch (ABC) control rules that might aid in the improvement and consistency of their application and also in guidance for how to consider carry-over (unharvested allocations) from one year to the next within the rule.

The GAP believes revised NS1 guidelines should clarify criteria for deciding an overfishing probability (P^*). Overfishing probability is supposed to address the uncertainty associated with estimating the OFL. However, the lack of clear guidelines on deciding P^* or the ABC has led to confusing and inconsistent P^*/ABC decisions. It appears in some cases that the Council has made their P^*/ABC decisions as a way to reverse-engineer the ACL decision or to cap the range of ACLs analyzed in the specifications process. That is, considerations for deciding the ACL have been used to decide the ABC. Clear guidelines for deciding P^*/ABC would enable more tractable debate on harvest levels that would separate scientific uncertainty from considerations for deciding the ACL.

PFMC
06/25/12

THE GROUND FISH MANAGEMENT TEAM REPORT ON ADVANCE NOTICE OF PROPOSED RULEMAKING FOR NATIONAL STANDARD 1 GUIDELINES

We reviewed the advance notice of proposed rulemaking (ANPR) regarding potential revisions to National Standard 1 (NS1) Guidelines and the related materials under [Agenda Item G.3](#) and related materials and offer the following comments.

First, we think the 2009 revisions to the guidelines marked a good step forward. The Council made several changes in response to those revisions with Amendment 23 to the Groundfish FMP, of which the p-star based allowable biological catch (ABC) control rule was probably the most significant. At the same time, the Council plans follow up work to Amendment 23 for issues that were not addressed under the tight schedule involved with dual development of Amendment 23 and the 2011-12 harvest specifications and management measures. We hope to take some of these up during development of Amendment 24 and the upcoming management cycle (e.g. stock complex evaluation).

We did not have time for thorough team discussion of all the issues raised by, or that could be raised in the context of, the ANPR. We agree with the statement from Executive Director Simonds letter that these issues “could be the focus of substantive discussion and comment” and could have significant consequences for the regional fishery management councils ([Agenda Item G.3.a Supplemental Attachment 3](#)). The comment extension request could give more time for such discussion, yet the September 15 date suggested by Executive Director Simonds requests does fall in the middle of the Council’s September meeting. Preparation and discussions would need to occur this summer to inform Council consideration in September.

At this point, it may be best to acknowledge, if the Council agrees, that the NS1 guidelines do include a number of issues that could benefit from further attention. If NMFS does reopen the NS1 guidelines, we suggest they engage the regional councils and their advisory bodies fully in the discussion. There is experience to be gained from each Council and from each FMP that was amended in response to the 2009 revisions. Fully benefiting from this experience might require more than the standard notice and written comment approach that typically follows an ANPR.

National or regional workshops/conferences with broad representation from the councils and advisory bodies, not limited to National Marine Fisheries Service (NMFS) employees, would be one way of tapping into that experience. The GMT understands that there is a National SSC meeting planned for later this year, which might be a forum to begin addressing some of these issues. However, we think such an event should involve fisheries professionals other than just those serving on the SSC. At least at this Council, it is Council staff and advisory bodies like ours that get into detail and focus full time on certain issues relevant to those in the ANPR.

The ANPR announces ten categories for comment. NMFS also encourages comments on “any additional ideas and solutions that could improve provisions of the NS1 Guidelines.” NMFS also asks for comment on whether “technical guidance reports or policy directives” could be useful for interpreting the guidelines. We do think technical guidance could be helpful yet did not have time to discuss the topic in detail.

Below we provide some initial thoughts, labeled by the ANPR categories. These thoughts are not exhaustive but are intended to identify some of the issues we see now and would expect to comment further on should the comment period be extended or if broader opportunity to comment on the guidelines arises. We would also request that the Council consider these thoughts if contemplating sending a comment letter by the existing deadline.

1. Stocks in a fishery

The Council has yet to conduct the analysis in full on which stocks should be considered “in the fishery.” Amendment 23 was partially disapproved on the issue of removing two stocks from the FMP. We think the NS1 guidelines vulnerability concept provides a core approach to evaluating which stocks are in need of conservation and management, yet additional discussion in the NS1 guidelines could be helpful. As they are now, the guidelines discuss the vulnerability concept mainly in the context of stock complex management.

The GMT has also yet to have thorough discussion on the Ecosystem Component (EC) species category. Yet as we said in previous statements (Agenda Item G.1.b Supplemental GMT Report) we see the EC designation as having useful conservation and management purposes. Additional guidelines on the use and scope of the Council’s authority to use EC species could also be helpful.

2. Overfishing and multi-year impacts

The GMT has raised some issues with how the NS1 guidelines are being interpreted related to ACLs and overfishing. Based on our understanding of the science and fisheries policy, it is possible to have a system that is less rigid about annual catches if a multi-year approach is taken. Such approaches, if done appropriately, can provide stability and flexibility in annual harvests without compromising stock conservation objectives.

As of now, however, the NS1 guidelines are being interpreted strictly in regards to ACLs. As we highlighted in our discussion of carryover under Agenda Item D.8, the issuance of carryover pounds is not expected to cause overfishing. This raises the question to some: if ACLs are meant to prevent overfishing and the carryover is not expected to cause overfishing, then why would the NS1 guidelines prevent issuance of the carryover? As we understand it, the carryover is considered illegal if projected impacts are deemed to create an unacceptable risk of an ACL overage regardless if that overage leads to overfishing or not.

At a broader level, the carryover situation seems to be one example of how overfishing might be approached more broadly where information allows. For example, responses to overfishing could consider magnitude and frequency (i.e. how high and how often) rather than the binary approach currently reflected in NS1 (i.e. overfishing occurs even if catch exceeds the OFL by a small amount).

3. ACL and OY

The GMT has not engaged in much discussion on this topic but does feel that further guidance on the use of economic, social, and ecological factors in setting ACLs to achieve optimum yield could be helpful to the Council. Such guidance would focus on the Council’s discretion to take

these factors into account in designing and implementing harvest policies. The Council has employed broad considerations in setting the ACL, including ecological considerations (e.g. shortbelly rockfish).

4. Mixed stock fisheries and OY

The Groundfish FMP has presented and will continue to present potential mixed stock exception situations. The mixed stock exception arises from a concept in fisheries management that the “fishery” as a whole should be managed for OY instead of each stock individually. To the extent that the OY policy goal is maximum sustainable yield (MSY), a multi-stock approach would keep some stocks at lower abundance, or would harvest them at higher rates, than if each stock were managed on its own. It is not possible to achieve MSY on every stock encountered in a fishery. The “mixed” or “multi-stock” approach is different from the “weak stock” approach we take now. The “weak stock” approach ultimately forgoes yield that could be harvested from other stocks so that the “weak stocks” are maintained above or at some level of abundance (or harvest is controlled to some harvest rate). These are two different policy approaches that are discussed and followed differently around the world.

The NS1 guidelines contained a limited multiple stock exception before and after the 2009 revisions. It is based on the MSA definition of “fishery” as consisting of one or more stocks and the instruction to achieve OY from the “fishery” (i.e. not each stock). The 2009 revisions made the exception more limited. The exception, to our knowledge, has never been explicitly applied in the Groundfish FMP. The exception has been controversial and involves a confluence of law, policy, and science.

Some would like to see clearer guidelines that help keep these legal, policy, and scientific questions from becoming tangled. There may be situations where the Council would evaluate applying the exception in setting OFL-ABC-ACLs. Some would like to see the guidance include more discussion on allowing exceptions to rebuilding timelines for overfished species (i.e. harvest rates that would rebuild stocks more gradually), or adjustment of Bmsy for low productivity stock to set a OFL-ABC-ACL for the constraining stock that will allow access to target stocks. Such guidelines could discuss how such mixed stock approaches could be accomplished without introducing a risk of extinction or extirpation, and in account of existing spatial closures that conserve biomass of these species (e.g. marine protected areas and rockfish conservation areas) conservation areas mitigating such risk.

5. Scientific uncertainty and management uncertainty

Some are concerned that layers of uncertainty buffers could overly prescribe precaution to catch recommendation, specifically ACLs. A major concern is biological overfishing of stocks, which we try to avoid by reducing the estimate of OFL using sigma and P-star and then in some cases reducing further by some unspecified amount to arrive at an ACL. Concentrating on better specifying uncertainty in MSY reference points, and thus improving our estimation of scientific uncertainty, may enhance our ability to protect stocks from biological overfishing or becoming overfished.

Catch estimation uncertainty (i.e. determining what catch was) and catch control uncertainty (i.e. the inability to stop prior to exceeding a specified harvest level) also present a risk of overfishing. It seems that less attention has been paid to this type of uncertainty and management uncertainty can be harder to quantify than the scientific uncertainty around MSY reference points. For example, there currently is not a quantitative calculation of management uncertainty to review. Management uncertainty is also frequently harder to predict. While we don't have specific recommendations for how NS1 guidelines could be improved to better balance management uncertainty with scientific uncertainty, it is an area that should be explored by the guidelines or by technical guidance.

11. Rebuilding progress and revising rebuilding plans

The NS1 guidelines on rebuilding do not address the specifics of the Council's rebuilding plans (e.g. rockfish with long life histories)). The guidelines could be changed to provide more guidance on complying with the case law that we have on the West Coast. The core guidelines on rebuilding were not revised during the last cycle, however that was before the 2010 court order affecting the Council's rebuilding plans.

Also, scientific uncertainty and changes in estimates of stock status and biology have been a big challenge in the Council's rebuilding plans. The impression of some is that the guidelines, or at least the way we have interpreted them, are out of step with the amount of uncertainty involved with rebuilding (e.g. that we define T_{target} years too precisely). The NS1 guidelines could provide additional discussion of how to address such scientific uncertainty in rebuilding. This Council's SSC should be addressing this topic over the coming year.

PPMC
06/26/12

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON
ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR) FOR
NATIONAL STANDARD 1 GUIDELINES

The Highly Migratory Species Management Team (HMSMT) reviewed the Federal Register advanced notice of proposed rulemaking on potential adjustments to the National Standard 1 (NS1) Guidelines. The HMSMT faced considerable challenges in interpreting the existing NS1 Guidelines with respect to developing the HMS Fishery Management Plan (FMP) Amendment 2 in 2010, and notes that there is ambiguity in the Guidelines that should be clarified to insure consistency among Councils and FMPs. In particular, the HMSMT believes that the definition of species to be considered as management unit species (MUS) versus ecosystem component (EC) species was ambiguous and left the HMSMT to develop classification criteria that seemed most relevant to the U.S. West Coast HMS Fisheries.

According to revised NS1 Guidelines (600.310(d)(1)) all stocks in an FMP are considered to be “in the fishery” by default unless they are identified as EC species. There are several criteria that should be met for a species to be included in the EC category (§660.310(d)(5)).

These are:

- Be a non-target stock/species;
- Not be subject to overfishing, approaching overfished, or overfished and not likely to become subject to overfishing or overfished in the absence of conservation and management measures; and,
- Not generally retained for sale or personal use, although retention is not by itself a reason for excluding a species from the EC category especially if EC classification is consistent with MSA conservation and management requirements.

In June 2010, the HMSMT established the following criteria to reclassify non-MUS as either EC species or not in the HMS FMP:

1. Classify as EC species any species with less than 1 mt average annual landings between 2000-2008 but with appreciable catch in observer data.
2. Absent other overriding factors, classify species with more than 1 mt and less than 5 mt of landings as EC species, and species with less than 1 mt average landings from 2000-2008 as not in the HMS FMP.

In addition, consideration of whether a species was being adequately managed under another authority (e.g. by CDFG) was factored into the HMSMT’s recommendations to include a species in the FMP.

The HMSMT suggests that some comparable language may be useful if the NS1 Guidelines are revised. Despite the ambiguous language, the HMSMT believes that in interpreting the

Guidelines, the appropriate recommendations regarding the classification of MUS and ECs were made to the Council in June 2010.

PFMC
06/22/12



Agenda Item G.3.b
Supplemental NMFS Report
June 2012

National Standard 1 Guidelines

Office of Sustainable Fisheries
NOAA-Fisheries

NOAA FISHERIES

National Standard 1

Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.



History of Addressing Overfishing

- ❖ 1976 – Magnuson Fishery Conservation and Management Act.
 - Established MSY, OY, and the 1st 7 National Standards.
- ❖ 1989 – *NS1 guidelines*.
 - Recommended the use of measureable definitions of overfishing.
- ❖ 1996 – Sustainable Fisheries Act.
 - Required measurable criteria for determining overfished status.
- ❖ 1998 – *NS1 guidelines revised to address SFA requirements*.
- ❖ 2007 – MSA Reauthorization.
 - Annual catch limits (ACLs) and accountability measures (AMs).
- ❖ 2009 – *NS1 guidelines revised to address MSRA requirements*.

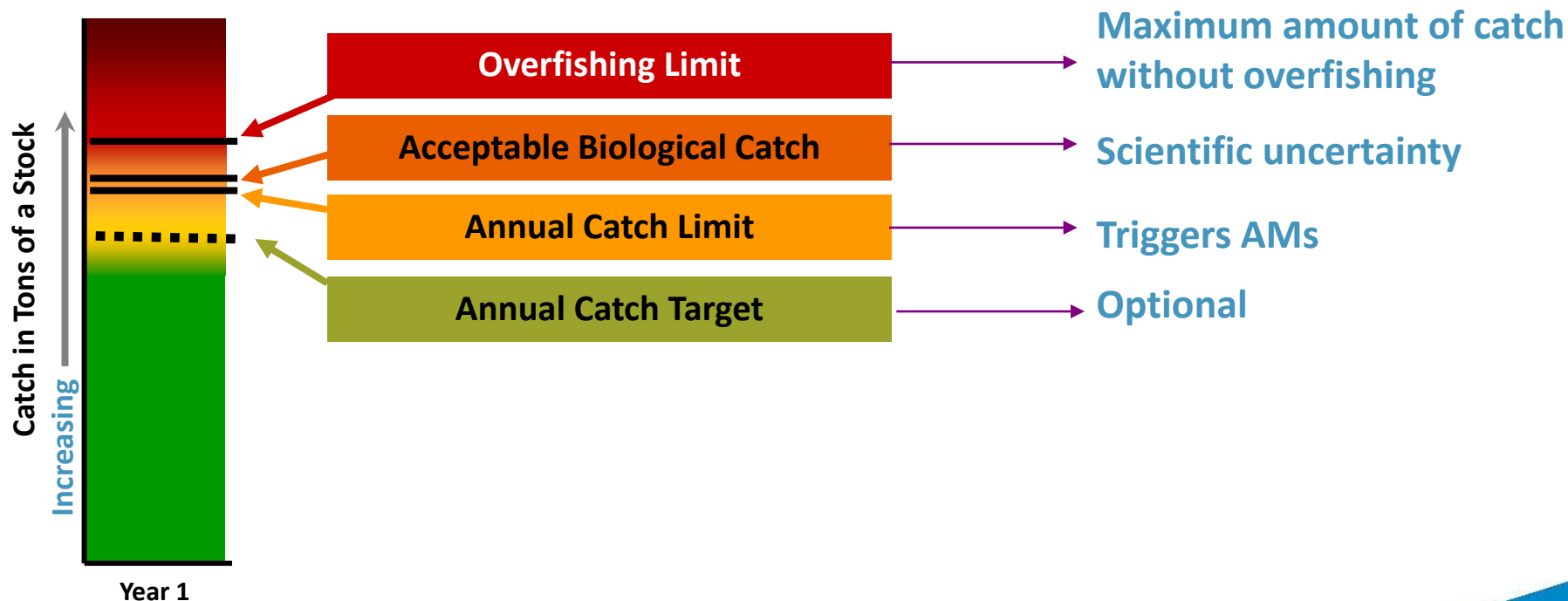
2009 NS1 Guideline Revisions

1. Implementing ACLs & AMs by 2010 and 2011.
2. Describing exceptions to the ACL & AM requirements.
3. Classifying which stocks are in need of conservation and management (i.e., “stocks in the fishery”).
4. Relationship among reference points (e.g., MSY, OY, etc.)
5. SSC’s role in setting ABC.
6. Describing the process of accounting for scientific and management uncertainty
7. Describing the timeframes for implementing rebuilding plans.



Definition Framework

$$\text{OFL} \geq \text{ABC} \geq \text{ACL}$$



ACL Implementation and Concerns

- ❖ Since 2007, NMFS and Councils have implemented ACLs and AMs for all FMPs.
- ❖ Time to look back and determine if there are things we can change to improve the guidelines.
- ❖ Understand there are concerns about the data requirements and flexibility of setting ACLs for some fisheries.
 - Stakeholder meetings and public meetings.
 - 3 Congressional hearing held in 2011.
 - Several Bills have been proposed to revise ACL, AM, and rebuilding provisions in MSA.
- ❖ May be possible to address some of these issues through regulatory or policy processes.



National Standard 1 ANPR

- ❖ Published an Advance Notice of Proposed Rulemaking (ANPR) on May 3, 2012.
 - 90 day comment period ends August 1, 2012.
- ❖ Provides an opportunity to engage the public and solicit comments on the various issues related to NS1.
- ❖ If revisions are made to the NS1 guidelines, it will be a long-term process.
- ❖ Focus on improving the guidelines, as opposed to adding requirements.
 - Thus, we do not anticipate that revisions will cause Councils to revise a significant number of FMPs.
- ❖ Other policy documents could address the issues too.



National Standard 1 ANPR Issues

1. Stocks in a fishery
2. Overfishing and multi-year impacts
3. ACLs and optimum yield
4. Mixed-stock fisheries and optimum yield
5. Scientific and management uncertainty
6. Data poor stocks
7. Acceptable biological catch control rules
8. Catch accounting
9. Accountability measures
10. ACL exceptions
11. Rebuilding progress

Summary

- ❖ We recognize that ACLs have been a significant change in many fisheries and a number of concerns have been raised by stakeholders and Congress.
- ❖ NMFS wants to be responsive to these concerns and believes that a public process of potentially revising the NS1 Guidelines is a good way to consider these issues.
- ❖ If revised, the revisions will focus on improving the clarity and flexibility of the guidelines.
- ❖ Technical guidance reports and policy directives are other alternatives we can consider, as opposed to NS1G revisions.



Potential Comments?

- ❖ Whether the guidelines should be revised at this time or continue to monitor implementation?
- ❖ Comments on specific issues (not limited to those listed), noting real experiences you've had in implementing ACLs and potential solutions.
- ❖ Are there issues that should be addressed, but through some other means such as Tech Memos or Policy Directives?



SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON
ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR) FOR
NATIONAL STANDARD 1 GUIDELINES

The Scientific and Statistical Committee (SSC) reviewed the National Marine Fisheries Service advance notice of proposed rulemaking (ANPR) regarding potential revisions to National Standard 1 (NS1) Guidelines (Agenda Item G.3.a, Attachment 1). In particular, the seven ANPR-identified issues delineated in the Situation Summary (Agenda Item G.3) were discussed. The SSC offers specific comments on several of them below, followed by a general comment on the timing of the ANPR.

ANPR Issues 2 and 7. Although perhaps beyond the scope of this exercise, management strategy evaluations could be used to assess the performance of potential multi-year overfishing limits (OFLs) and acceptable biological catches (ABCs) in comparison to yearly management limits. A more immediate need for the Council may be to simply allow the flexibility to establish multi-year ABCs and annual catch limits (ACLs), e.g. for use in the individual trawl quota (ITQ) groundfish fishery.

ANPR Issue 3. The current NS1 guidelines establish clear definitions and linkages among OFL, ABC, ACL, and annual catch target. However, optimum yield – a key concept in earlier NS1 guidelines – now appears to be an afterthought and its linkage with the aforementioned reference points is unclear.

ANPR Issue 5. The SSC does not consider this issue to be pertinent to the Pacific Council process.

The NS1 Guidelines were updated following the most recent reauthorization of the Magnuson-Steven Fishery Conservation and Management Act (MSA) in 2009. The Council completed amending its fishery management plans (FMPs) to meet the new NS1 requirements only in 2011. Some of the resulting modifications to the Council's FMPs were substantial and required considerable scientific support work – both conceptual and practical – to implement the new NS1 guidelines, e.g. the development of new methods for establishing scientific uncertainty buffers between OFLs and ABCs. The SSC cautions that insufficient time has passed to allow an objective evaluation of the effect of these changes, and that it would be premature to further modify any of the scientific concepts inherent in NS1 at this time. Any such changes would be more appropriate to consider during the next reauthorization of the MSA.

SALMON TECHNICAL TEAM COMMENTS ON ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR) FOR
NATIONAL STANDARD 1 GUIDELINES

National Standard 1 (NS1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) states that conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimal yield (OY) from each fishery for the U.S. fishing industry. The MSA requires the Secretary of Commerce to establish advisory guidelines (which shall not have the force and effect of law) based on the national standards to assist in the development of fishery management plans. The National Marine Fisheries Service (NMFS) advanced notice of proposed rulemaking (ANPR) for NS1 guidelines requests comments and advice on eleven specific issues.

1. Stocks in a fishery. Current NS1 guidelines specify that ecosystem component (EC) stocks are not “in the fishery”, but do not state clearly whether or not designation of essential fish habitat (EFH) is required. This is non-trivial for salmon because ecosystem component species generally have different habitat requirements than stocks in the fishery.
2. Overfishing and multi-year impacts. Salmon stocks consist of multiple age classes, but fisheries impact primarily maturing fish. Assessment data come primarily from catch and spawning escapement, and thus inform the abundance of maturing fish, which is driven by the abundance one, or at most two, year classes. Abundance of individual year classes of a salmon stock can vary widely as a result of environmental fluctuations. This leads to high variability in yearly catches and spawning escapement that is not necessarily indicative of the overall long-term abundance of the stock. For this reason it makes more sense to have a multi-year criterion for determining the status of a stock with respect to abundance, but fishing mortality can be assessed on an annual basis. The STT does not see a need to expand the permissible time frame for specification of overfishing.
3. Annual catch limits and optimum yield. The STT has no comment on this issue.
4. Mixed-stock fisheries and optimal yield. Management of mixed-stock fisheries is challenging, specifically because stocks differ in vulnerability to the fishery and susceptibility to overfishing. However, optimal yield has been defined in the MSA as MSY reduced to account for relevant economic, social and ecological factors. This issue identified in the ANPR appears to confuse OY with MSY. The constraint on harvest of healthy productive stocks resulting from incidental impacts on depressed less productive stocks is a “relevant ecological factor” that causes OY to be reduced from MSY. Rebuilding requirements and ACL do not prevent achieving OY, they prevent achieving MSY by causing OY to be less than MSY.
5. Scientific uncertainty and management uncertainty. The STT agrees with the concern identified in this issue – that explicitly accounting for scientific and management uncertainty may result in ACL that are overly precautionary. Determining whether or not management measures are adequately precautionary should not be based on theoretical considerations, but on actual performance. For salmon fisheries, on stocks that are relatively short lived and the population dynamics are volatile, this is better measured by the frequency with which overfishing occurs and stocks become

overfished than by theoretical considerations. This may not be the case for other fisheries on stocks that are long lived and have greater demographic inertia.

6. Data poor stocks. In developing Amendment 16, we had to deal with the issue of data-poor stocks, and the problems of trying to establish ACL for them. While we would appreciate any additional advice on how to deal with the problem, we were unable to specify ACL or SDC for some stocks other than by proxy. Absent additional guidance, the NS1 guidelines must recognize the impracticality of specifying reference points that cannot be measured or assessed.
7. Acceptable biological catch control rules. Because Pacific salmon are semelparous, and fisheries impact primarily maturing fish, the issue of carry-over in developing ABC control rules is not relevant to this FMP. Most salmon not caught in one year typically spawn and die; they are not available for carry-over.
8. Catch accounting. The STT believes that, to the extent practically possible, all fishery related impacts should be counted against ABC and ACL.
9. Accountability measures. The STT has no comments on guidance for accountability measures.
10. ACL exceptions. While Pacific salmon have a life-cycle that is greater than one year, they share many similarities with stock to which the life cycle exception applies. Pacific salmon have only one reproductive season in their lifetime and the majority of fishery impacts occur on the fish that are maturing. For coho and pink salmon, virtually all fishery impacts occur on a single, maturing age class. For Chinook salmon, spawning escapement is typically dominated by one or two age classes, and the bulk of fishery impacts occur on those same age classes. Because of these similarities, they are subject to the volatile population dynamics and difficulties in predicting abundance that characterize species with a one-year lifespan.
11. Rebuilding progress and revising rebuilding plans. Pacific salmon present special problems in assessing rebuilding. The fisheries are dominated by one, or at most two, year classes, and recruitment can fluctuate widely as a result of environmental variability. In many or most cases, a rebuilding stock will not follow a predictable trajectory, but will rebound when a year class encounters favorable environmental conditions. The STT would welcome additional advice on how to deal with assessing rebuilding progress in these circumstances

Additional comments:

Metrics for specification of ACL. While the MSA requires the specification of annual catch limits, it does not explicitly state that they must be in the form of quotas, or in the metric of numbers or biomass of fish. Current NS1 guidelines describe alternative metrics for SDC including rates and catch levels to determine when overfishing is occurring. The NS1 guidelines also describe the derivation of ABC from an ABC control rule, which is defined as a specified method for determining ABC. Control rules for catch typically specify an allowable catch by applying an exploitation rate to abundance. In the case of salmon, exploitation rates are generally assessed using tagged hatchery indicator stocks. Because different stocks are indistinguishable in the catch, catch cannot be directly monitored for individual stocks. Instead, stock-specific catches are estimated from exploitation rates of indicator stocks, and spawning escapement of unmarked stocks. Thus, exploitation rates are actually a more direct measure of the impact of fishing than are catch estimates. The intent of the ACL requirement in the MSA is to

prevent overfishing. If the management system is demonstrably effective in accomplishing this, flexibility should be exercised in interpretation of the ACL requirement. The STT would like to see this flexibility acknowledged in the NS1 guidelines.

Procedures for developing a rebuilding plan. The NS1 guidelines currently require that a rebuilding plan be prepared and implemented through an FMP, FMP amendment, or proposed regulations (j)(2)(ii)(B). For salmon at least, a rebuilding plan could be implemented more quickly but for the timing requirements of an amendment or regulations. The “default” provisions of the FMP automatically lead to what is an appropriate “interim” rebuilding plan. Our recent experience with Sacramento River fall Chinook is a case in point. We suggest that the NS1 guidelines clarify or provide more flexibility for how recovery plans are developed and implemented.

APPROVAL OF COUNCIL MEETING MINUTES

Draft minutes for the previous two Council meetings are provided for your review and approval in this Agenda Item. The draft March 2012 Council meeting minutes are provided in Attachment 1 and the April 2012 minutes will be provided in Supplemental Attachment 2.

The full record of each Pacific Fishery Management Council (Council) meeting is maintained at the Council office, and consists of the following:

1. The proposed agenda (available online at <http://www.pcouncil.org/resources/archives/briefing-books/>).
2. The approved minutes (available online at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>). The minutes summarize actual meeting proceedings, noting the time each agenda item was addressed and identifying relevant key documents. The agenda item summaries consist of a narrative on noteworthy elements of the gavel-to-gavel components of the Council meeting and summarize pertinent Council discussion for each Council Guidance, Discussion, or Action item, including detailed descriptions of rationale leading to a decision and discussion between an initial motion and the final vote.
3. Audio recordings of the testimony, presentations, and discussion occurring at the meeting. Recordings are labeled by agenda number and time to facilitate tape or CD-ROM review of a particular agenda item (available from our recorder, Mr. Craig Hess, Martin Enterprises, phone [360] 425-7507).
4. All written documents produced for consideration at the Council meeting, including (1) pre-meeting briefing book materials, (2) pre-meeting supplemental briefing book documents, (3) supplemental documents produced or received at the meeting, validated by a label assigned by the Council Secretariat and distributed to Council Members, and (4) public comments and miscellaneous visual aids or handout materials used in presentations to Council Members during the open session (available online at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>).
5. A copy of the Council Decision Document. This document is distributed immediately after the meeting and contains very brief descriptions of Council decisions (available online at <http://www.pcouncil.org/resources/archives/council-meeting-decisions/>).
6. A copy of Pacific Council News. Refer to the Spring Edition for March and April meetings; the Summer Edition for the June meeting, the Fall Edition for the September meeting, and the Winter Edition for the October-November Council meeting (available online at <http://www.pcouncil.org/resources/archives/newsletters/>).

Council Action:

- 1. Review and approve the draft March and April 2012 Council meeting minutes.**

Reference Materials:

1. Agenda Item G.4.a, Attachment 1: Draft Minutes: 212th Session of the Pacific Fishery Management Council (March 2012).
2. Agenda Item G.4.a, Supplemental Attachment 2: Draft Minutes: 213th Session of the Pacific Fishery Management Council (April 2012).

Agenda Order:

- a. Council Member Review and Comments
 - b. **Council Action:** Approve March and April 2012 Council Meeting Minutes
- Dan Wolford

PFMC
5/30/12

DRAFT MINUTES
212th Session of the
Pacific Fishery Management Council
March 2-7, 2012
Doubletree Hotel Sacramento
2001 Point West Way, Sacramento, CA 95815

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A. Call to Order (March 2, 2012; 8:05 a.m.)

A.1 Opening Remarks

Mr. Dan Wolford, Chairman, called the 212th meeting of the Pacific Fishery Management Council (Council) to order at 8:05 a.m. on Friday, March 2, 2012. It was noted that there would be a closed session held after Agenda Item E.1 on Saturday, March 3, 2012, to discuss litigation and personnel matters.

Ms. Vojkovich introduced Dan Yparraguirre, Wildlife & Fisheries Division Deputy Director and Stafford Lehr, Fisheries Branch Chief.

Mr. Phil Anderson introduced Ms. Sarah LaBorde as an official designee of Washington Department of Fish and Wildlife.

A.2 Roll Call

Dr. Donald McIsaac, Council Executive Director, called the role. The following Council members were present:

Mr. Phil Anderson (Washington State Official)
Mr. William L. "Buzz" Brizendine (At-Large)
Mr. Brian Corrigan (U.S. Coast Guard, nonvoting designee)
Mr. David Crabbe (California Obligatory)
Mr. Jeff Feldner (At-Large)
Mr. Cal Groen (Idaho State Official, designee)
Dr. Dave Hanson, Parliamentarian (Pacific States Marine Fisheries Commission, nonvoting designee)
Mr. Mark Helvey (National Marine Fisheries Service (NMFS), Southwest Region (SWR), designee);
Mr. Rich Lincoln (Washington Obligatory)
Ms. Dorothy Lowman, Vice Chair (Oregon Obligatory)
Mr. Dale Myer (At-Large)
Mr. Herb Pollard (Idaho Obligatory)
Mr. Tim Roth (U.S. Fish and Wildlife Service, nonvoting designee)
Mr. David Sones (Tribal Obligatory)
Ms. Marija Vojkovich (California State Official, designee)
Mr. Gordon Williams (Alaska State Official, nonvoting designee)
Mr. Steve Williams (Oregon State Official, designee)
Mr. Dan Wolford, Chair (At-Large)

During the week, the following people were present in their designated seats for portions of the meeting: LCDR Brian Chambers (U.S. Coast Guard, nonvoting designee), Ms. Gway Kirchner (Oregon State Official, designee), Ms. Sarah LaBorde (Washington State Official, designee); Mr. Frank Lockhart (NMFS, Northwest Region (NWR), designee), Mr. David Ortmann (Idaho State Official, designee), Mr. Pat Pattillo (Washington State Official, designee), Mr. Bob Turner (NMFS, NWR, designee), Ms. Marci Yaremko (California State Official, designee).

The following Council member was absent for the entire meeting: Mr. David Hogan, U.S. State Department, nonvoting.

A.3 Executive Director's Report (3/2/2012; 8:12 a.m.)

Dr. McIsaac introduced the following informational reports:

Informational Report 1: Long-Term Effectiveness, Failure Rates, and "Dinner Bell" Properties of Acoustic Pingers in a Gillnet Fishery.

Informational Report 2: Summary of 2011 Climate and Ecological Conditions in the California Current LME.

Supplemental Informational Report 3: Obituary for John Royal.

The Council took a few moments to honor Mr. John Royal by recalling some of their memories of his life with the Council.

Dr. McIsaac introduced information regarding the January 24-26 Council Coordination Committee (CCC) meeting and ideas for improving Council meetings as developed by Council staff (Agenda Item A.3 and Attachment 1). Dr. McIsaac reported on the discussion at the CCC meeting concerning the Managing our Nation's Fisheries 3 Conference, for which our Council has the lead and is working on planning that event for the first week in May of 2013. The conference theme of sustainable fisheries will include issues involved in the Magnuson-Stevens Act reauthorization in 2013. There will be some keynote speakers, council input from each region, and an interactive discussion for findings to improve sustainability of our fisheries to be considered by all the stakeholders. The next step is a briefing at the annual CCC meeting in May and then follow-up with our Council in June.

Regarding 2012 Council funding, Dr. McIsaac reported Congress is still reviewing parts of the 2012 NMFS spending plan which includes part of the funding for regional councils and it has not yet been finalized. NMFS has indicated they are trying to provide councils with funding near the 2011 level. For 2013, NMFS has alerted the regional councils of a significant reduction in the President's proposed budget. The cuts also include proposed consolidation of the NMFS regions on the west coast. The CCC will propose a letter to be sent challenging the budget reduction.

Dr. McIsaac also reviewed some of the improvements that have been made in Council meetings over the past year, including live streaming of Council meetings, the video monitor carrying the live streaming in the hall outside the Council meeting room, and limiting Council meetings to five and one-half days. He also reported on some ideas the staff has developed this year for Council consideration. The primary suggestion concerns facilitating Council actions through improvements in the making of motions.

Dr. John Coon provided a short presentation to the Council regarding facilitating Council actions (Agenda Item A.3, Supplemental Attachment 3) which provided suggestions for procedures that could help make the Council's actions more efficient, effective, and clear. Council members responded favorably to most of the suggestions and also expressed additional suggestions, concerns, and some questions, including: consider making a reference card on how to present motions; mixed feelings about the suggestion of using lead Council members for certain agenda

items, especially in regard to attending advisory body meetings; support for using breaks, time-outs, and staff assistance at strategic moments; and putting motions up on the screen.

Dr. McIsaac expressed his thanks for the Council feedback. Council and staff can react to the suggestions and make the improvements that are obvious.

Dr. McIsaac continued with a review of other staff suggestions, including working toward shorter meetings, which might be aided by reducing the scope of the NMFS' reports, limiting workload to avoid working late nights, reducing supplemental Briefing Book items, and ordering in lunches if needed to facilitate Council actions.

A.4 Agenda

A.4.a Council Action: Approve Agenda

Mr. Myer moved and Mr. Pollard seconded (Motion 1) to approve the agenda as shown in Agenda Item A.4, Proposed March 2012 Council Meeting Agenda. Motion 1 passed unanimously.

[Break for 15 minutes on 3/2/2012 at 9:27 a.m.]

B. Highly Migratory Species Management

B.1 National Marine Fisheries Service Report (3/2/2012; 9:46 a.m.)

B.1.a Agenda Item Overview

Dr. Kit Dahl provided the Agenda Item Overview

B.1.b Regulatory Activities

Mr. Mark Helvey presented Agenda Item B.1.b, Attachment 1: HMS Regulatory Activities Report.

B.1.c Fisheries Science Center Activities

No report for this meeting.

B.1.d Reports and Comments of Advisory Bodies and Management Entities

None.

B.1.e Public Comment

None.

B.1.f Council Discussion

None.

B.2 Update on and Recommendations for International Management Activities (3/2/2012; 9:54 a.m.)

B.2.a Agenda Item Overview

Dr. Kit Dahl provided the Agenda Item Overview and introduced the following reference materials:

Agenda Item B.2.a, Attachment 1: United States and Canada, Treaty on Pacific Coast Albacore tuna vessels and port privileges (with annexes).

Agenda Item B.2.a, Attachment 2: Joint Letter to Mr. David Hogan on U.S. – Canada Albacore Treaty – Joint Position of WFOA & AAFA.

Agenda Item B.2.a, Attachment 3: Report on Negotiations between the U.S. and Canada on the Albacore Treaty by Buzz Brizendine.

Agenda Item B.2.a, Attachment 4: Letter to Russell Smith from Donald McIsaac with Council Recommendations to the U.S. Delegation to WCPFC8.

Agenda Item B.2.a, Supplemental Attachment 5: Meeting of the Permanent Advisory Committee to the U.S. Section to the Western and Central Pacific Fisheries Commission.

Agenda Item B.2.a, Supplemental Attachment 6: Information about Bilateral Negotiations on U.S. –Canada Albacore Treaty.

B.2.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Mark Helvey summarized Agenda Item B.2.b, NMFS Report on International HMS Activities.

Mr. Buzz Brizendine summarized Agenda Item B.2.a, Attachment 3: Report on Negotiations between the U.S. and Canada on the Albacore Treaty.

Mr. Kirt Hughes and Dr. Suzie Kohin presented the HMSMT reports (Agenda Item B.2.b, HMSMT Report, and Agenda Item B.2.b, Supplemental HMSMT Report 2.

Mr. Doug Fricke presented Agenda Item B.2.b, Supplemental HMSAS Report.

B.2.c Public Comment (3/2/2012; 11:03 a.m.)

Agenda Item B.2.c, Public Comment: U.S.-Canada Albacore Treaty.

Agenda Item B.2.c, Supplemental Public Comment 2: Letter from Paul Hill.

Doug Fricke, Washington Troller, Westport, Washington.

Peter Flournoy, American Fisherman's Research Foundation, San Diego, California.

Wayne Heikkila, WFOA, Redding, California.

John Harder, Albacore Fisherman, Monterey, California.

Chip Bissell, American Albacore Fishing Association, Oak View, California (Agenda Item B.2.c, Supplemental Public Comment 3).

Bob Osborn, Recreational Fisherman, Surfside, California.

[Break from 11:55 a.m. to 1:04 p.m.]

B.2.d Council Action: Consider and Adopt Recommendations on International Management Activities Concerning a Management Framework for Albacore Tuna and the U.S. – Canada Treaty. (3/2/2012; 1:05 p.m.)

Ms. Vojkovich sought clarification about how albacore are managed under the U.S.-Canada treaty compared to the Council's role in managing other fisheries. Mr. Feder noted that the implementing regulations for the Treaty are found in sections of the Code of Federal Regulations different from those regulating Federal fisheries on the west coast.¹ This is because this activity is authorized by a different statute giving authority to the Secretary of State in consultation with the Secretary of Commerce. Ms. Vojkovich then asked about the Council's role in recommending management measures for Canadian vessels. Mr. Feder responded that the Council may make recommendations on provisions governing fishing activities by Canadian vessels in U.S. waters under the Treaty.

Mr. Anderson asked what the Federal objective is with respect to renegotiating the Fishing Regime that governs reciprocal access under the Treaty. He noted that the information presented to the Council spoke against agreeing to a renewed Fishing Regime for 2012. Mr. Helvey said no decision has been made and Council input will help form the U.S. position going into the next bilateral meeting scheduled for April 2012. If there is no agreement for 2012, a decision will have to be made on additional information needed to inform future negotiations.

Ms. Vojkovich moved and Mr. Crabbe seconded (Motion 2) that the Council send a letter to NMFS clearly supporting continuation of the U.S.-Canada Albacore Treaty, although the Fishing Regime should be renegotiated consistent with the points made on page 1 of Agenda Item B.2.b, Supplemental HMSAS Report 2. Finally, the U.S. should continue cooperating with Canada on international management objectives and research on North Pacific albacore whether or not a Fishing Regime (reciprocal access agreement) is agreed to.

Ms. Vojkovich noted that the Council is not recommending termination of the Treaty. She hopes that future negotiations can lead to a mutually beneficial agreement. Whether or not a new Fishing Regime is agreed to, all parties are interested in cooperative research on the albacore stock and the west coast fishery.

Mr. Williams asked if the recommendation would include continued data-gathering. Ms. Vojkovich said more information is needed to improve the health and stability of the U.S. albacore fishery.

Mr. Anderson said that the Supplemental Highly Migratory Species Advisory Subpanel (HMSAS) Report emphasizes the need to gather the requisite information about the U.S. fishery before a new Fishing Regime is negotiated. This suggests that the Regime should be suspended long enough to complete this information-gathering.

Based on this comment, Ms. Vojkovich said she would support a friendly amendment to the motion for additional clarification.

¹ Fishing by U.S. vessels in Canadian waters is regulated by 50 CFR 300 Subpart L and Canadian vessels in U.S. waters by 50 CFR 600.530. Other Federal west coast fisheries are regulated under 50 CFR Part 660.

Mr. Anderson moved and Mr. Myer seconded (Amendment 1 to Motion 2) to add the wording that “relative to the Fishing Regime there is a need to renegotiate that element of the treaty, and information gathering and data analysis are needed prior to such a renegotiation. The Council does not support continuing the expired Fishery Regime or attempting to renegotiate the Fishing Regime for implementation in 2012.”

Mr. Anderson described the information presented to the Council showing how much the fishery has changed since the Treaty was first agreed to. Canadian vessels are now larger and deliver less of their fish to U.S. ports, resulting in inequity for U.S. fishermen and ports. In addition, public comment has highlighted the aggressive behavior of Canadian vessels on fishing grounds in U.S. waters. Reaching agreement on an equitable Fishing Regime satisfactory to U.S. interests will take time, and the Council does not want the State Department to rush into agreeing to a Fishing Regime for 2012.

Mr. Brizendine supported the amendment to the motion but asked for clarification of the wording with respect to the status of the Fishing Regime. In response, Mr. Anderson proposed changing the description of the Fishing Regime that ended on December 31, 2011, from “current” to “expired” or “suspended.” (This change has been incorporated into the amendment to the motion transcribed above.)

Amendment 1 to Motion 2 passed (Mr. Helvey abstained). Motion 2 passed as amended (Mr. Helvey abstained.)

Ms. Vojkovich asked if the Highly Migratory Species Management Team (HMSMT) and HMSAS would be involved in the data collection and analysis discussed earlier, or if it would be carried out by others. Mr. Helvey noted that a Data Working Group and Socioeconomic Working Group have been formed with participation from both governments. He expected the HMSMT and HMSAS would advise the Council on their work products when they have been completed.

Mr. Anderson suggested the Council take up these results after the bilateral meeting in April, so that the results of that meeting can be considered in any future Council deliberation.

Mr. Sones noted the lack of support for the Treaty among U.S. fishery participants. He suggested data-gathering and future cooperation with Canada on albacore management should occur in international forums (e.g., the Western and Central Pacific Fisheries Commission (WCPFC) and Inter-American Tropical Tuna Commission (IATTC)).

Ms. Vojkovich turned to the albacore management framework described in Supplemental HMSMT Report 2. She expressed concern with the timeline and tasks proposed by the HMSMT in the Report. She does not believe that work should begin by focusing on domestic management of the albacore fishery, but rather a more general consideration of potential management options that could be proposed at the international level. In this regard she thought that the HMSMT timeline could be truncated to the tasks proposed through November 2012. Mr. Anderson and Ms. Lowman agreed with this assessment.

Mr. Williams noted the difficulty of specifying potential measures and positions in the context of international negotiations.

Ms. Vojkovich discussed some of the timing issues related to the next Northern Committee meeting (provisionally scheduled for September 2-8, 2012) and the September 13-18, 2012, Council meeting. The Northern Committee is scheduled to discuss reference points for North Pacific albacore, and the Council has not been adequately briefed on the potential range of reference points that may be considered. The timeline proposed by the HMSMT could compromise the Council's ability to provide advice to the U.S. delegation to the 2012 Northern Committee meeting. Ms. Vojkovich recommended that the Council receive a report at their June 2012 meeting on these issues. This report would principally focus on international management issues, with ideas for domestic responses following at a later date.

Mr. Anderson recommended any further consideration of a schedule wait until the June Council meeting, when the report outlined by Ms. Vojkovich could help inform the decision.

Ms. Vojkovich agreed and recommended that NMFS convene a meeting that could include HMSMT and HMSAS to develop information on reference points and management responses. Any resulting report would discuss a range of options without recommending a particular course of action at this time. In response to a question from Mr. Williams, Ms. Vojkovich clarified that the options for management responses could include both international and domestic measures. Mr. Helvey emphasized that the report should discuss any such measures in the broadest terms possible.

Dr. Dahl suggested organizing a joint meeting of the HMSMT and HMSAS with participation from the Scientific and Statistical Committee (SSC) HMS Subcommittee and any other subject matter experts from within NMFS identified by Mr. Helvey. Mr. Helvey agreed to assist in organizing resource people for the meeting.

Ms. Vojkovich then turned to the question of recommendations to the U.S. delegations to WCPFC8 (scheduled March 26-30, 2012) and the IATTC Annual Meeting (scheduled for June 18-29, 2012). The Council already provided recommendations for WCPFC8 at their November 2011 meeting (because WCPFC8 was originally scheduled for December 2011).

Ms. Vojkovich moved and Mr. Brizendine seconded (Motion 3) that the Council reaffirm the previous recommendations for the U.S. delegation to WCPFC8 made at the November 2011 Council meeting by means of another letter. (The HMSMT and HMSAS Reports attached to the previous letter do not have to be included in this letter.)

Motion 3 passed unanimously.

Ms. Vojkovich moved and Mr. Anderson seconded (Motion 4) that the Council draft a letter with recommendations to the U.S. Delegation to the IATTC Annual Meeting based on the four recommendations found in Agenda Item B.2.b, Supplemental HMSAS Report on page three.

Ms. Vojkovich said that the recommendations to the IATTC complement those made to the U.S. delegation to WCPFC8, thus encouraging cooperation between the two organizations.

Motion 4 carried unanimously.

B.3 Swordfish Management Data Report and Future Management Recommendations

B.3.a Agenda Item Overview (3/2/2012; 1:58 p.m.)

Dr. Kit Dahl provided the Agenda Item Overview.

B.3.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Kirt Hughes and Dr. Stephen Stohs presented Agenda Item B.3.b, Supplemental HMSMT Report on Management Options for West Coast Swordfish Fisheries; and Agenda Item B.3.b, Supplemental HMSMT Report 2.

Mr. Doug Fricke and Mr. Steve Fosmark presented Agenda Item B.3.b, Supplemental HMSAS Report.

Ms. Tina Fahy, NMFS Protected Resources Division, presented information on the Pacific leatherback sea turtle critical habitat designation and the up listing of the loggerhead sea turtle Pacific DPS.

[Break from 3:04 p.m. to 3:19 p.m.]

Dr. Chukey Sepulveda, Pflegler Institute of Environmental Research, (PIER), presented information on the development and trials of deep-set buoy gear in Southern California.

Mr. Mark Helvey summarized Agenda Item B.3.b, NMFS Report on the West Coast Swordfish Fishery.

Dr. Russ Vetter, NMFS Southwest Fisheries Science Center (SWFSC), described current research aimed at better understanding habitat separation between swordfish and leatherback sea turtles.

B.3.c Public Comment

Geoff Schester, Oceana, presented Agenda Item B.3.c, Supplemental Public Comment 5 “A New Direction for the West Coast Swordfish Fishery” (PowerPoint).

Gary Burke, Commercial Fisherman, Santa Barbara, California.

Steve Scheiblauser, City of Monterey and Rick Algert, City of Morro Bay, presented information from Agenda Item B.3.c, Supplemental Public Comment 4: Letter from City of Morro Bay.

Teri Shore, Turtle Island Restoration Network, Forest Knoll, California, presented Agenda Item B.3.c, Supplemental Public Comment 6: Protecting Marine Species in the West Coast Swordfish and Shark Fishery (PowerPoint).

Tim Mulcahy, Fisherman, Santa Barbara, California.

John Harder, Albacore Troll Fisherman, Monterey, California, presented information from Agenda Item B.3.c, Public Comment letter.

Kathy Fosmark, Fisherman’s Association of Moss Landing, Moss Landing, California.

Steve Fosmark, Fisherman, Moss Landing, California.

Ken Hinman, National Coalition for Marine Conservation, Leesburg, Virginia.

Agenda Item B.3.c, Public Comment by Mr. John Harder (Albacore Troll Fisherman) and Ms. Teri Shore (Turtle Island Restoration Network).

Agenda Item B.3.c, Supplemental Public Comment 2; Letter from World Wildlife Fund.

Agenda Item B.3.c, Supplemental Public Comment 3; Letter from Aquarium of the Pacific.

Agenda Item B.3.c, Supplemental Public Comment 4; Letter from City of Morro Bay.

[Council postponed B.3.d until Saturday, March 3 at 8 a.m. (3/2/2012; 5:10 p.m.)]

B.3.d Council Action: Consider Available Management Data and Determine Whether or Not to Proceed Toward Developing a West Coast Fishery (3/3/2012; 8:02 a.m.)

Ms. Vojkovich moved and Mr. Brizendine seconded (Motion 5) that the Council direct the HMSMT and any appropriate NMFS staff experts with sea turtle and oceanographic data, determine if any changes can be made to the closure dates for, or the southern boundary of, the Pacific Leatherback Turtle Conservation Area (PLCA) to enhance drift gillnet (DGN) fishing opportunities (taking into account the supplemental HMSMT and HMSAS Reports). If the data and analysis show there is any flexibility, then the NMFS Protected Resources and Sustainable Fisheries should determine the next steps in establishing hard take caps for Endangered Species Act (ESA) listed turtles for consideration of establishing them for this fishery.

Ms. Vojkovich noted the Council has considered management changes for the DGN fishery in the past. There appears to be new data since the PLCA was first established to inform consideration of changes to the closure date and southern boundary. She doesn't presuppose a specific outcome of such an evaluation, but it should be used to support future Council considerations. Establishing sea turtle take caps for the fishery would provide some assurance about fishery performance, and insurance that proposed changes would avoid a conservation concern.

Mr. Crabbe asked if the motion precludes extending the PLCA southern boundary southward. Ms. Vojkovich responded that if the analysis suggests a different outcome, that would need to be considered.

Mr. Anderson asked if the criteria that the HMSMT would use for considering the changes to the PLCA include no increase in sea turtle impacts or if it would be broader in scope. Ms. Vojkovich said she assumes there would be no additional turtle impacts, but we won't know the answer to that question until the subject matter experts evaluate the proposal and projected sea turtle impacts.

Mr. Anderson asked if the consideration of sea turtle take caps would be for fisheries throughout the west coast EEZ or just in the time/area that might be considered in a change to the PLCA. He also wondered how this relates to current fishery impacts to sea turtles. Mr. Helvey responded that these questions would be addressed when the proposed action is specified and new information about the distribution of leatherback sea turtles is applied to the proposal.

There was more discussion about how take caps could be established.

Dr. Dahl described how the process for establishing take caps has worked in other circumstances. The caps are based on the incidental take statement in the Biological Opinion evaluating the proposed action. The numbers in the Biological Opinion are then established in regulation as a mitigation measure. Mr. Helvey noted that the Biological Opinion would consider all available information to determine incidental take and whether it avoids a jeopardy determination given the proposed action.

Mr. Williams asked about the timeframe for developing a proposal and bringing it back to the Council. Dr. McIsaac noted that the biennial management process specified in the HMS FMP is scheduled for 2012 in June, September, and November Council meetings. Ms. Vojkovich wondered whether it would be possible to complete this as part of the 2012 biennial process, not knowing the workload involved. Dr. Dahl responded that he didn't think the work could be completed for a Council decision in 2012.

Mr. Anderson thought it would be possible for the HMSMT to bring back a proposal for Council consideration with sufficient information to indicate that it wouldn't increase sea turtle impacts. Then the Council proposal would be subject to a Section 7 consultation with NMFS Protected Resources Division (PRD). The question of take caps for the DGN fishery would be directed to NMFS at the same time.

Ms. Vojkovich said that her motion was intended to capture that process. Mr. Anderson thought the motion did not sufficiently capture this intent and offered an amendment.

Mr. Anderson moved and Mr. Steve Williams seconded (Amendment 1 to Motion 5) to delete the phrase "if the data and analysis show there is any flexibility, then ask" and replace it with "In addition, ask the NMFS Protected Resources and Sustainable Fisheries determine next steps in establishing hard caps for ESA listed turtles for consideration of establishing them for this fishery."

Mr. Anderson stated that this is consistent with the preceding discussion and our Council direction to the HMSMT.

Amendment 1 to Motion 5 carried unanimously.

Mr. Wolford thought the motion was specific to the DGN fishery and impacts to sea turtles; he wondered whether impacts to other protected species would be included in any evaluation. Ms. Vojkovich said that the intent of her motion focused on impacts to sea turtles, but Mr. Anderson thought Council discussion implied that the evaluation include impacts to other species.

Mr. Lincoln said he could not support the motion, because the information presented indicated that a better course would be to transition the DGN fishery to more sustainable fishing practices.

Mr. Helvey spoke in support of the motion.

Motion 5 passed (Mr. Lincoln voted no).

Motion 5 as amended (with some editing for clarity)

The Council directs the HMSMT and any appropriate NMFS staff experts with sea turtle and oceanographic data, to determine if any changes can be made to the closure dates for, or the southern boundary of, the PLCA to enhance DGN fishing opportunities (taking into account the supplemental HMSMT and HMSAS Reports). In addition, the Council asks NMFS PRD and Sustainable Fisheries Division to determine the next steps in establishing hard caps for ESA-listed sea turtles for consideration of establishing them for this fishery.

Mr. Helvey moved and Mr. Lincoln seconded (Motion 6) to have NMFS report to the Council at the March 2013 meeting on the progress of research evaluating the bycatch rates, catch per unit of effort (CPUE), and other useful information about other gear types targeting swordfish, with a view toward considering regulatory changes to expand the list of authorized HMS gear types as part of the 2014 biennial specification process depending on the outcome of the research.

Speaking to his motion, Mr. Helvey noted current research on deep-set longlines targeting swordfish and the buoy fishery.

Dr. McIsaac noted this schedule would miss the biennial process with Council decision-making in 2012.

Dr. Dahl said that the FMP allows some flexibility to shift when the biennial process occurs, so one possibility would be to delay the current cycle to 2013. Mr. Helvey said that NMFS would report back in 2013 with results of this research so the Council could consider authorizing new gear types in 2014.

Ms. Vojkovich expressed concern about the time needed for regulatory changes and preferred not to specify a date for Council decision-making. Mr. Williams concurred, but thought NMFS should report back to the Council in a year. At that time the Council could decide on next steps.

Mr. Anderson moved and Mr. Myer seconded (Amendment 1 to Motion 6) to add “or modify” after the word “expand.”

Mr. Anderson said the Council should maintain flexibility to look at the results of this gear research without necessarily expanding the list. Ms. Vojkovich asked if this includes potentially prohibiting currently legal gear. Mr. Anderson said that is one possible outcome.

Mr. Pollard, Ms. Vojkovich, and Mr. Anderson engaged in a discussion of how carefully the wording of the motion needs to be specified as part of the floor discussion.

Mr. Wolford expressed support for the amendment.

Amendment 1 passed (Mr. Helvey voted no).

Mr. Wolford said he would vote against the amended motion because of his concern about the Council being able to make a decision by 2014.

Motion 6 passed as amended (Ms. Vojkovich and Mr. Wolford voted no).

Motion 6 as amended (with some editing for clarity)

The Council requests NMFS report to the Council at the March 2013 meeting on the progress of research evaluating bycatch rates, CPUE, and other useful information about other gear types targeting swordfish, with a view toward considering regulatory changes to expand or modify the list of authorized HMS gear types as part of the 2014 biennial specification process, depending on the outcome of the research.

[Break from 8:53 a.m. to 9:08 a.m.]

C.1 Comments on Non-Agenda Items

C.1 Comments on Non-Agenda Items

[Council took a portion of public comment on this agenda item out of order on March 2 in response to the travel schedule of two commenters.]

C.1.a Advisory Body and Management Entity Comments (3/3/2012; 9:08 a.m.)

Dr. Cisco Werner, Director, NMFS SWFSC, provided remarks concerning the article forecasting an imminent collapse of the west coast sardine stock in the Proceedings of the National Academy of Sciences (PNAS). He commented that NMFS did not agree with the authors' interpretation of the data. NMFS scientists believe the population is cyclical and capable of large fluctuations and is not in a state of imminent collapse. The PNAS authors' conclusions differ significantly from NMFS scientists in several peer-reviewed analyses. NMFS and Canadian scientists continue to work cooperatively to review current data, and the results of their analyses will be made available to the public when completed.

Mr. Dan Wolford spoke about the FISHSMART Pacific Workshop on Improving the Survival of Released Fish, which is scheduled for May 8-9, 2012 in Portland, Oregon. The workshop deals primarily with methods of reducing barotrauma and thereby increasing survival of released fish in the recreational groundfish fishery.

C.1.b Public Comment

Agenda Item C.1.b, Public Comment 1, Letters regarding Forage Fish.

Agenda Item C.1.b, Public Comment 2, Letter from Bill James, Port San Luis Commercial Fishermen's Association, requesting a change in the open access fishery.

Agenda Item C.1.b, Public Comment 3, Letter from Mike Pettis concerning the fixed gear fishery.

Agenda Item C.1.b, Supplemental Public Comment 4, Little Fish, Big Deal Postcard Campaign.

Agenda Item C.1.b, Supplemental Public Comment 5, Letter from the Coastal Conservation Association (CCA Washington) Regarding Protection of Forage Species.

Agenda Item C.1.b, Supplemental Public Comment 6, Letter to Sanctuary Advisory Council Members from John Hunt regarding Monterey Bay National Marine Sanctuary Collecting Information for PPMC Ecosystem-Based Management.

Agenda Item C.1.c, Supplemental Public Comment 7, Draft Agenda – FISHSMART Pacific Workshop on Improving the Survival of Released Fish Focusing on Barotrauma; May 8-9, 2012; Portland, Oregon.

[The following two comments were taken at 5:10 p.m. on 3/2/2012]

Kathy Fosmark, Fisherman's Association of Moss Landing, Moss Landing, California; regarding the Monterey Bay National Marine Sanctuary.

Geoff Schester, Oceana, Monterey, California; presented information from Agenda Item C.1.b, Supplemental Public Comment 8: "A cold oceanographic regime with high exploitation rates in the Northeast Pacific forecasts a collapse of the sardine stock."

[Council resumed public comment on 3/3/2012]

Bob Alverson, Fishing Vessel Owners Association, Seattle, Washington; requested Council consideration of fixed gear issues (ownership and control).

Shems Jud, Environmental Defense Fund; Tommy Ancona, Steve Bodnar, Joe Bersch (United Catcher Boats); Tom Libby (California Shellfish Company), Kevin James (fisherman), Brad Pettinger (Oregon Trawl Commission); provided a summary of a recent workshop held in Portland, Oregon concerning the current experience in individual quota shares management.

Bill James, Port St. Luis community Fishing Association, presented information from Agenda Item C.1.b, Public Comment 2, Letter from Bill James regarding Open Access Fishery.

Mike Pettis, F/V Challenge, presented information from Agenda Item C.1.b, Supplemental Public Comment 3, Letter from Mike Pettis Regarding Fixed Gear Stacking Provision.

C.1.c Council Discussion and Comments as Appropriate

Mr. Steve Williams, concerning the fixed gear issues brought up by Mr. Alverson, asked where we would address these issues if we chose to.

Dr. McIsaac stated that vessel capacity issues would fall into the biennial management process to provide for a management measure and the next cycle is what comes to mind, since we went narrow on the scope of the current management cycle.

Mr. Ortmann asked if that would be the same answer for Mr. James.

Dr. McIsaac said he believes that would be the same answer.

Regarding Mr. James' issue, Ms. Vojkovich noted that Council staff could probably provide Mr. James with the information from the fishery management plan that would focus what kind of action or amendment would be needed to allow multiple permit holders in the nearshore fishery to use the same vessel.

Regarding Mr. Alverson's issue, Mr. Anderson noted that he believes NMFS has been made aware of the issue and was working on it, but it has been delayed as their priorities have changed.

Dr. McIsaac said he would have the Council staff look at the current regulation process with regard to the issues so that the information would be brought forward to the Council members and interested parties.

[Council concluded the agenda item at 9:57 a.m. on 3/3/12]

D. Coastal Pelagic Species Management

D.1 Exempted Fishing Permits (EFP) for 2012 (3/3/2012; 9:57 a.m.)

D.1.a Agenda Item Overview

Mr. Kerry Griffin provided the Agenda Item Overview and introduced Agenda Item D.1.a, Attachment 1: Northwest Aerial Sardine Survey 2012 Application for Exempted Fishing Permit. He clarified that the EFP research would apply to the second period of directed fishing (July 1 through September 15), after the directed fishery has closed upon harvesting that period's allocation.

Mr. Crabbe asked whether the potential for directed fishing to continue during the entire second period could diminish the opportunity to conduct the research. Mr. Griffin said that it could present a quandary for the proponents, because the vessels that participate typically participate in the EFP research only after the directed fishing closes for that period.

D.1.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Martin Dorn presented Agenda Item D.1.b, Supplemental SSC Report. Ms. Yaremko asked how many point sets are necessary to establish the relationship between surface area and biomass. Dr. Dorn stated that there is no fixed number, but generally more is better. Ms. Yaremko asked if the SSC would be comfortable using the point set data from previous years. Mr. Jagielo responded by stating that the point set data are not pooled across years, and that a separate relationship is established each year. Dr. Dorn said that there is likely enough data at this point to determine how many point sets will still be required, but that the SSC has not yet examined the issue.

Mr. Helvey asked if the SSC had reviewed the new protocol allowing point sets to be photographed at less than 4,000 feet. Dr. Dorn said that the SSC was comfortable with relaxing this requirement.

Dr. Bob Emmett presented Agenda Item D.1.b, Supplemental CPSMT Report.

Mr. Mike Okoniewski presented Agenda Item D.1.b, Supplemental CPSAS Report. He expressed his admiration for the late John Royal, stating that he will be greatly missed.

D.1.c Public Comment

None.

D.1.d Council Action: Adopt EFP Proposals for Public Review

Ms. Yaremko moved and Mr. Crabbe seconded (Motion 7) to adopt the EFP Application as described in Agenda Item D.1.a, Attachment 1 for public review.

Ms. Yaremko commended the dedication to the process and the commitment of the aerial survey proponents, and spoke to the value of the survey to the science of the stock assessment. She also noted that the aerial survey is a burden on industry, and hopes there will be ways to continue the work with funding and support from other sources.

Mr. Wolford said that the value of this EFP is well-established, but that it is time to move this to the normal structure of stock assessment research, rather than considering the EFP research every year.

Mr. Williams asked Ms. Yaremko if the CPSMT request to include the general sampling schedule and other items in its supplemental report would be consistent with her motion. Ms. Yaremko replied yes.

Motion 7 passed unanimously.

[Break on 3/3/2012 from 10:29 a.m. to 10:42 a.m.]

E. Habitat

E.1 Current Habitat Issues (3/3/12; 10:42 a.m.)

E.1.a Agenda Item Overview

Ms. Jennifer Gilden provided the Agenda Item Overview and introduced Agenda Item E.1.a, Attachment 1: Letter on Columbia River Biological Opinion.

E.1.b Report of the Habitat Committee (HC)

Mr. Joel Kawahara presented Agenda Item E.1.b, Supplemental HC Report.

E.1.c Reports and Comments of Advisory Bodies and Management Entities

None.

E.1.d Public Comment

Joseph Bogard, Save our Wild Salmon, Seattle, Washington

E.1.e Council Action: Consider Habitat Committee Recommendations

Mr. Ortmann said the HC and the Council should maintain an aggressive stance on the Army Corps of Engineers levee issue. He believes it is a shortsighted and insensitive policy. There have to be other ways to ensure the safety of the levees. Regarding the Columbia River stakeholder letter, he said he would like to be convinced that this wouldn't duplicate existing

processes. It would be difficult to limit participation in the process. Also, Mr. Thom's suggestion that we look elsewhere for a lead needs our attention.

Mr. Roth supported Mr. Ortmann's comments and a follow-up letter from the HC. Many of our rivers are lined with levees, and sometimes the only salmon habitat is along those levees. To have an edict to denude that vegetation wouldn't benefit fisheries; we need to remind the Corps of their responsibilities regarding ESA and Magnuson-Stevens Act.

Mr. Roth also spoke in favor of the draft U.S. Fish and Wildlife Service/National Oceanic and Atmospheric Administration (NOAA)/state/tribe Climate Adaptation Strategy. The comment period is this week, so there isn't much opportunity for the Council to weigh in officially, but the HC supported the draft and the Council lending its support in the record of discussion would be good. Regarding the Sacramento water issue, we had a frank discussion in the HC about what is happening with B2 water, and the HC has captured it in their report. How this water is managed is very important. The California Department of Fish and Game (CDFG) is conducting monitoring in order to better manage water and fisheries, but there is a lack of funding which needs to be addressed.

The Federal Columbia River BiOp letter is challenging. The draft letter focuses on the FCRS BiOp, but the issue is much broader. Stakeholder involvement is a significant undertaking, as there are many types of stakeholders. These sorts of processes are important and needed, but he is not sure how we pull them off.

Mr. Williams said he believes there needs to be a more collaborative process for this BiOp. If, as Mr. Thom says, NMFS shouldn't lead this, I'm not sure who would. The current process isn't inclusive enough to include all opinions and viewpoints. We have reviewed and modified this letter; I think it is fairly benign in regard to requesting that a collaborative process be considered, but without more clarity we may not have a good picture of what we're asking for. Many stakeholders around this issue do not feel their viewpoints are being heard and feel the process is not effective; it is seen as a closed system. However, I am not convinced that this letter would result in the desired outcome. I don't know a solution, but the future success of this process is in doubt without more collaborative aspects.

Mr. Sones spoke in support of the levee letter. At this point the Columbia River tribes are not comfortable supporting the Columbia letter. They're not opposed, but the tribes are always very concerned about their government-to-government relationship.

Ms. LaBorde supported the call for the Council to remain strong on the levee issue. The Snake Recovery Board brought the technical people who wrote this levee guidance out to see our levees, and they said they had never even thought these things existed. She expressed appreciation that the HC has supported the Climate Adaptation Strategy. For the Columbia BiOp, she agreed that stakeholders feel outside of these processes, but none of these other collaboration examples (Klamath, etc.) already had several salmon recovery plans in place. We already have several salmon recovery plans in place with counties, landowners, irrigators, etc. She didn't think we need another process. She would like to see what actions are being taken to implement the recovery plans that we know are there.

Ms. Yaremko stated that CDFG has issued a notice of intent to sue the Corps of Engineers on their levee policy, and while we support the HC examining and commenting on this, if there is a motion to draft a letter, she would have to abstain.

Dr. McIsaac said there seems to be a consensus on assigning staff to draft a letter to the Army Corps of Engineers. With regards to the BiOp, there is sympathy for the concepts but not strong support for the letter, so we need a motion. Perhaps the HC could bring a revised letter in April with more clarity.

There was consensus on having the Habitat Committee draft a letter to the Army Corps of Engineers on the levee issue.

[This agenda item concluded at 11:35 a.m. on 3/3/2012 and the Council broke for lunch.]

[Council was in Closed Executive session from 12:41 p.m. to 2:42 p.m.]

F. Groundfish Management

F.1 Consider and Plan Necessary Actions for 2012-2013 Pacific Whiting Fishing Seasons, including Potential Impacts from the Pacific Dawn Litigation (3/3/2012; 2:44 p.m.)

F.1.a Agenda Item Overview

Mr. John DeVore provided the Agenda Item Overview and introduced the following documents:

Agenda Item F.1.a, Attachment 1: Executive Summary of Status of the Pacific hake (Whiting) stock in U.S. and Canadian Waters in 2012 and Agenda Item F.1.a, Supplemental Revised Attachment 1.

Agenda Item F.1.a, Attachment 2: Summary judgment in case no. C10-4829-TEH: Pacific Dawn, LLC, et al. v. John Bryson, et al.

Agenda Item F.1.a, Supplemental Attachment 3: Order on the Remedy in case no. C10-4829 TEH: Pacific Dawn, LLC, et al. v. John Bryson, et.al.

Agenda Item F.1.a, Supplemental Attachment 4: Federal Register Notice for Tribal fishing for Pacific Whiting.

Agenda Item F.1.a, Supplemental Attachment 5: Joint U.S. – Canada Scientific Review Group Report.

Agenda Item F.1.c, Supplemental NMFS Report.

Agenda Item F.1.d, Public Comments.

Agenda Item F.1.d, Supplemental Public Comment 2.

F.1.b NMFS Briefing

Mr. Frank Lockhart provided a briefing on the new treaty process for deciding annual Pacific whiting harvest specifications. The final rule for 2012 Pacific whiting harvest specifications and tribal whiting reapportionment will not likely be published before mid-April, more likely in the third or fourth week of April.

Mr. Phil Anderson remarked that the new assessment indicates a lesser biomass than what was estimated last year and it is likely the total allowable catch (TAC) will be significantly less this year. The Scientific Review Group (SRG) report (Supplemental Attachment 5) indicates the uncertainty in the assessment and the problem with too much reliance on the strength of a single year class. Since these reports are just now available, Council recommendations to the Joint Management Committee (JMC) may be general and conceptual in nature.

Mr. Lockhart explained one flaw in this process is the Council and treaty processes are not in synchronization. Ms. Vojkovich asked if this flaw is because this is the first year of the new process, and Mr. Lockhart said yes and the process can be fixed before next year.

Mr. Lockhart briefed the Council on the Pacific Dawn lawsuit and the proposed process for determining a remedy for complying with the court order (Supplemental NMFS Report). He noted that NMFS will likely be publishing an Advanced Notice of Proposed Rulemaking to indefinitely suspend sales of quota shares in the individual fishing quota (IFQ) fishery until the lawsuit remedy is implemented. Ms. Kirchner asked when the Advanced Notice of Proposed Rulemaking is expected to be published and Mr. Lockhart said in a couple of weeks.

F.1.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Frank Lockhart presented Agenda Item F.1.c, Supplemental NMFS Report.

Mr. Rob Jones presented Agenda Item F.1.c, Supplemental GMT Report and Agenda Item F.1.c, Supplemental GMT Report 2.

F.1.d Public Comment

Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

James Walsh, Davis Wright Tremaine, San Francisco, California; spoke to Agenda Item F.1.d, Public Comment Letter from Davis Wright Tremaine LLP regarding Pacific Dawn Litigation and Agenda Item F.1.d, Supplemental Public Comment 2, Plaintiffs' Reply Brief Filed February 13, 2012 in the Pacific Dawn Case.

Steve Hughes, Seattle, Washington, added comments on the Pacific Dawn litigation.

F.1.e Council Action: Council Decisions and Planning as Necessary for Implementation of the 2012-2013 Pacific Whiting Fishing Seasons (3/3/2012; 3:45 p.m.)

Mr. Anderson asked if, in the unlikely event the JMC cannot reach consensus on a coastwide TAC, is there an opportunity for the Council to take this issue up at the April Council meeting. Mr. Lockhart thought that could be done.

Ms. Vojkovich wanted to know from NMFS how much whiting is estimated to be needed for 2012 research activities, and Dr. McClure said she did not know. She said she will quickly check and get back to the Council on this.

Mr. Lockhart said the set-aside recommendation from the Council could be conceptual. After some discussion, Mr. Lockhart said the set-aside could be decided in April.

Mr. Myer moved and Mr. Pollard seconded (Motion 8) to set aside 3,000 mt of whiting to accommodate 2012 research activities and incidental bycatch in the pink shrimp fishery.

Mr. Anderson believes this set-aside is too high for the incidental bycatch in the pink shrimp fishery now that three-quarter inch grates are mandated in the bycatch reduction devices in shrimp trawls.

Mr. Anderson moved and Ms. Kirchner seconded (Substitute Motion 9) to set aside 2,000 mt of whiting to accommodate 2012 research activities and incidental bycatch in pink shrimp and other fisheries.

Mr. Feldner asked when we would know the incidental catch in the 2011 pink shrimp fishery, and Mr. DeVore responded that this will be reported in the 2011 annual mortality report that is scheduled to be published at the end of the year.

Mr. Myer said he will support the motion. Ms. Vojkovich said she supports the motion but would like more information on shrimp trawl bycatch needs.

Substitute Motion 9 carried unanimously.

Ms. Kirchner said she is struggling with advice on the U.S. TAC without SSC guidance on the assessment.

Mr. Sones said he and others are frustrated with the high variability in whiting stock assessments. He recommended we need an annual whiting survey and that Mr. Anderson bring that recommendation to the JMC.

Mr. Lockhart said he will pursue process improvements with the Executive Director to better synchronize the treaty whiting process with the Council process in time for next year.

Chairman Wolford recommended the Council move on to the Pacific Dawn litigation discussion. Mr. DeVore reminded the Council that there is no action scheduled for this at this meeting and that scheduling the process should be considered for Agenda Item I.3 later in the week.

Ms. Vojkovich noted this is going to be a challenging discussion on Wednesday under Agenda Item I.3, since some other actions will need to be postponed to make room for developing a remedy to the Pacific Dawn court order.

Dr. McIsaac said there will be a display of priorities under Agenda Item I.3, and the Council can expect this issue will be proposed for the next three Council meetings. The commitment is to develop alternatives by the March 15 deadline for the April briefing book. Council staff will need to put in as much information for alternatives as possible to be analyzed in June.

[Council break at 4:11 p.m.]

F.2 Briefing on and Limited Actions for Emerging Issues in the 2013-2014 Biennial Specifications Process (3/3/2012; 4:21 p.m.)

F.2.a Agenda Item Overview

Ms. Kelly Ames and Mr. John DeVore provided the Agenda Item Overview, made a PowerPoint presentation (Agenda Item F.2.a, Supplemental Staff PowerPoint), and introduced the following documents:

Agenda Item F.2.a, Attachment 1: Comparison of Harvest Specifications decided in November with proposed revised Harvest Specifications for Lingcod and the Other Fish Complex.

Agenda Item F.2.a, Attachment 2: Deriving estimates of OFL for species in the “Other Fish” Complex.

F.2.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Martin Dorn presented Agenda Item F.2.b, Supplemental SSC Report.

Mr. Tommy Ancona presented Agenda Item F.2.b, Supplemental GAP Report.

The Council questioned the table of overfishing limit (OFL) values for stocks in the Other Fish complex that was presented in the SSC report. They questioned whether the zero values for cabezon in Washington and kelp greenling in Washington and Oregon should be reported, since they infer that the maximum sustainable yield (MSY) harvest level is zero when the truth is there is no approved methodology for estimating OFL contributions for those two stocks. Dr. Dorn said he would contact SSC members and attempt to reach consensus to revise the table and the text in the SSC report to make that more clear. [Council reopened F.2.b to receive the revised SSC report on 3/7/2012 at 8:20 a.m. in which Mr. John DeVore reviewed the changes in Agenda Item F.2.b, REVISED Supplemental SSC Report, concerning the OFL values for individual stocks in the Other Fish complex.]

[Council adjourned for the day.]

F.2.c Public Comment (3/4/2012; 8:18 a.m.)

Ralph Brown, Trawl Fisherman, Brookings, Oregon.

Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon; covered details from Agenda Item F.2.c, Public Comment Letters from North Coast Fishing Association and Oregon Trawl Commission.

Gerry Richter, Point Conception Groundfish Fisherman’s Association, Santa Barbara, California.

F.2.d Council Action: Consider and Adopt Preferred Alternatives for Emerging Issues, Including Specifications for the Other Fish Stock Complex and Lingcod (3/4/2012; 8:25 a.m.)

Ms. Gway Kirchner asked if we are on track with implementing specifications by January 1, 2013 and Mr. Lockhart said yes.

Mr. Anderson moved and Ms. Kirchner seconded (Motion 10) to adopt preferred OFLs, ABCs, and ACLs for lingcod north and south of 40°10' N. latitude as per Agenda Item F.2.a,

Attachment 1 and the Other Fish complex as per Table 1 in Agenda Item F.2.b, Supplemental SSC Report. [Table 1 was not change in the Supplemental Revised SSC Report]

Motion 10 carried unanimously.

Ms. Kirchner called for a discussion of the widow reallocation issue. She asked if resolution of this issue would require a plan amendment and Mr. DeVore said yes. This should be independent of the specifications process and would require suspension of the trading and selling of widow quota shares until the reallocation process is complete. He noted that NMFS is proposing suspension of selling or trading quota shares until the Pacific Dawn case is settled. Mr. Lockhart said it may make sense to suspend quota share trading and selling through the entire year next year. He invited Council discussion on this. He also noted that reallocation becomes more controversial once trading and selling of quota shares begins.

Agenda item F.2 was tabled until later in the week.

[Council break on 3/4/2012 from 8:46 a.m. to 9:01 a.m.]

[Council reopened Agenda Item F.2 on 3/7/2012 at 8:20 a.m.]

Mr. Hanson moved and Mr. Brizendine seconded (Motion 23) to accept Agenda Item F.2.b, REVISED Supplemental SSC Report as a complete replacement to the previous report.

Motion 23 carried unanimously.

[Agenda Item concluded at 8:24 a.m. on 3/7/2012]

F.3 National Marine Fisheries Service (NMFS) Report (3/5/2012; 10:05 a.m.)

F.3.a Agenda Item Overview

Ms. Kelly Ames provided the Agenda Item Overview which referenced the following documents:

Agenda Item F.3.b, Attachment 1: *Federal Register* Notices Published Since the Last Council Meeting.

Agenda Item F.3.b, Attachment 2: Risk Assessment of U.S. West Coast Groundfish Fisheries to Threatened and Endangered Marine Species.

Agenda Item F.3.b, Attachment 3: Endangered Species Act Section 7(a) (2) Biological Opinion and Section 7(a) (2) "Not Likely to Adversely Affect" Determination.

F.3.b Regulatory Activities

Mr. Frank Lockhart spoke to the agenda items in the briefing book. Mr. Tim Roth spoke about the process for the U.S. Fish and Wildlife Service consultation for the groundfish fishery relative to the ESA.

F.3.c Fisheries Science Center Activities

Dr. Michelle McClure and Dr. John Stein presented the Fisheries Science Center Activities Reports and presented Agenda Item F.3.c, Supplemental Science Centers PowerPoint.

F.3.d Reports and Comments of Advisory Bodies and Management Entities

None.

F.3.e Public Comment

None.

F.3.f Council Discussion

None.

[Council concluded this agenda item at 10:49 a.m.]

F.4 Scoping for Amendment 24: Improvements to the Groundfish Management Process (3/5/2012; 10:49 a.m.)

F.4.a Agenda Item Overview

Dr. Kit Dahl presented the Agenda Item Overview which references the following documents:

Agenda Item F.4.a, Attachment 1: Staff White Paper on an FMP Amendment to Change the Groundfish Specifications and Management Measures Process.

Agenda Item F.4.a, Attachment 2: Amendment 24 (Groundfish Harvest Specifications Process Improvement) Ad-Hoc Workgroup.

F.4.b Reports and Comments of Advisory Bodies and Management Entities.

Dr. Martin Dorn presented Agenda Item F.4.b, Supplemental SSC Report.

Mr. Corey Niles presented Agenda item F.4.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item F.4.b, Supplemental GAP Report.

F.4.c Public Comment

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

F.4.d Council Action: Provide Direction for Development and Scheduling of the Amendment 24 Process (3/5/2012; 11:37 a.m.)

As a preamble to offering a motion, Ms. Vojkovich noted the difficulties that have been encountered with process and implementation during past biennial management cycles. This included a Secretarial FMP amendment and late implementation of regulations in 2011, and the complexity of analyses and difficulty in understanding the NEPA document. A lot of staff resources and Council floor time are devoted to these decisions. While developing an FMP amendment will add to workload in the short term, she hoped it would reduce the amount of work needed to implement harvest specifications and management measures in the future.

Ms. Vojkovich moved and Mr. Brizendine seconded (Motion 18, edited for clarity) that:

The Council establish an ad hoc Workgroup as described below, tasked with developing and providing analysis of preliminary alternatives at the November, 2012 Council Meeting, as Amendment 24 to the Groundfish FMP, for further Council consideration. The Workgroup should use the staff White Paper (F.4.a, Attachment 1) to develop alternatives that address the problems and objectives contained in Section 3 of the staff White Paper. The workgroup should also utilize the experiences of other Councils as suggested by Agenda Item F.4.b, Supplemental SSC Report. The Workgroup should also consider the comments in Agenda Item F.4.b, Supplemental GMT and GAP Reports, especially about the idea of delaying the season date until March 1. In addition, each of the alternatives, including the status quo, should specifically include the ideas of standardization and simplification of documents and streamlining internal review and process requirements. The report provided at the November Council Meeting should include a draft purpose and need statement with objectives for Amendment 24.

The Ad hoc Workgroup should be composed of representatives from the entities described in Agenda Item F.4.a, Attachment 2 as “potential seats” (for the GAP, that might be someone not on the GAP but recommended by the GAP). Individuals filling the seats would be appointed by the Council Chair, possibly at the April Council Meeting.

Ms. Vojkovich said her motion allows open-ended consideration of solutions while providing direction on specific items the Council is interested in. She noted that simplifying and standardizing the documentation should be pursued even if no FMP amendment is developed. She then talked about workload considerations, noting that this action should not take precedence, but she thought developing a preliminary range of alternatives could be achieved by November 2012.

Ms. Kirchner supported the motion, noting that the Council and agencies have more to do with fewer resources. Mr. Pollard also supported the motion.

Ms. Vojkovich underscored the importance of participation by NOAA GC staff in the workgroup. In response, Ms. McCall said that NOAA GC would do their best to participate, recognizing severe limits on their time. She will contact NOAA GC attorneys from other regions to see if they could provide input based on their experience with harvest specifications processes used by other Councils.

Mr. Anderson supported the motion, but emphasized that more thought needs to be given to the composition of the workgroup and that this should be finalized at the April Council meeting. Ms. Vojkovich agreed with the comment and discussed participation by Council members. Mr. Anderson then recommended starting the FMP development process with a technical workgroup whose work product would then be submitted for review by a policy-oriented committee with Council member participation. Mr. Wolford asked if the quotation marks around potential seats in the wording of the motion provides sufficient flexibility for the Council to consider workgroup

membership different from what is described in Attachment 2. Ms. Vojkovich responded affirmatively.

Motion 18 carried unanimously.

[This agenda item concluded at 1:21 p.m.]

F.5 Stock Assessment Planning for Management Specifications in the 2015-2016 Fisheries (3/5/2012; 1:21 p.m.)

F.5.a Agenda Item Overview

Mr. John DeVore presented the Agenda Item Overview and introduced the following documents:

Agenda Item F.5.a, Attachment 1: Draft Terms of Reference for the Groundfish and Coastal Pelagic Species Stock Assessment and Review Process for 2013-2014.

Agenda Item F.5.a, Attachment 2: Draft SSC Terms of Reference for Groundfish Rebuilding Analysis.

Agenda Item F.5.a, Attachment 3: Draft Terms of Reference for the Methodology Review Process for Groundfish and Coastal Pelagic Species.

F.5.b Reports and Comments of Advisory Bodies and Management Entities.

Dr. Michelle McClure and Dr. Jim Hastie presented Agenda Item F.5.b, Supplemental NOAA Fisheries PowerPoint, and Agenda Item F.5.b, NMFS Report: Considerations for Selecting Species for Assessment in 2013.

Dr. Martin Dorn presented Agenda Item F.5.b, Supplemental SSC Report.

Mr. Corey Niles presented Agenda Item F.5.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item F.5.b, Supplemental GAP Report.

Dr. Bob Emmett presented Agenda Item F.5.b, Supplemental CPSMT Report.

Mr. Mike Okoniewski presented Agenda Item F.5.b, Supplemental CPSAS Report.

In answer to several questions, Dr. Hastie made the following replies 1) the terms “benchmark” and “full assessment” are equivalent, and 2) data reports evaluate rebuilding progress without doing an assessment; they are reviewed by the SSC and presented to the Council in the stock assessment process (e.g., cowcod data reports have been provided in past cycles since there were no new data to inform an assessment, and the recommendation is to provide data reports for canary and yelloweye in 2013).

Ms. Vojkovich asked why cowcod is on the full assessment list, and Dr. Hastie said the scientists at the NMFS SWFSC have been investigating alternative approaches for assessing cowcod and recommend a review of these new methods.

Mr. Anderson asked why some species like yellowtail rockfish are on the list of full assessments and enhanced data-limited assessments. Dr. Hastie said if any of those species are not done as full assessments in 2013, they are candidate stocks for enhanced data-limited assessments.

Ms. Kirchner asked if the recommended delay in finalizing a stock assessment plan until September would affect today's action and Dr. Hastie said no. He further explained how the schedule could be set to optimize the process.

Dr. McIsaac asked what the potential capacity is for doing enhanced data-limited assessments and Dr. Hastie said the science centers believe 5-10 enhanced data-limited assessments could be done. The review is more expeditious than a STAR panel review.

F.5.c Public Comment

None.

F.5.d Council Action: Adopt Preliminary Guidance for the three Terms of Reference, a List of Stocks to be Assessed, and an Assessment Schedule

Mr. Myer moved and Mr. Lincoln seconded (Motion 19) to adopt for public review the following:

- stocks for full assessment: darkblotched, petrale sole, shortspine thornyhead, longspine thornyhead, cowcod, and aurora rockfish;
- stocks for update assessment: Pacific ocean perch, bocaccio, and sablefish; and
- stocks for data reports: canary and yelloweye.

Ms. Vojkovich said there was intent to do a full assessment of bocaccio if the evaluation this spring compelled that. She asked if a bocaccio assessment could be a full assessment.

Ms. Kirchner moved and Ms. Vojkovich seconded (Amendment 1 to Motion 19) to keep a placeholder for a full assessment of bocaccio.

Amendment 1 to Motion 19 carried unanimously.

Mr. Feldner moved and Ms. Kirchner seconded (Amendment 2 to Motion 19) to add Pacific sanddabs to the list of full assessments.

Amendment 2 to Motion 19 carried unanimously. Motion 19 as amended carried unanimously.

Ms. Vojkovich asked how the list of enhanced data-limited assessments should be decided. After some discussion, it was decided that the decision on enhanced data-limited stock assessments would be made at the September Council meeting after the data-poor workshop is conducted.

[The agenda item concluded on 3/5/2012 at 3:30 p.m.]

F.6 Consideration of Inseason Adjustments (3/6/2012; 8:05 a.m.)

F.6.a Agenda Item Overview

Ms. Kelly Ames provided the Agenda Item Overview and referenced Agenda Item F.6.b, Pacific Coast Fisheries Data Committee (PCFDC) Report on Tracking Landings of Sablefish North of 36° N. Latitude.

F.6.b Reports and Comments of Advisory Bodies and Management Entities.

Ms. Gway Kirchner presented Agenda Item F.6.b, Supplemental ODFW Informational Report.

Dr. Sean Matson presented Agenda Item F.6.b, Supplemental GMT Report and summarized Agenda Item F.6.b, Supplemental NMFS Report.

Mr. Tommy Ancona presented Agenda Item F.6.b, Supplemental GAP Report.

[Council break from 9:05 a.m. to 9:17 a.m.]

F.6.c Public Comment

Mr. Paul Kujala, F/V Cape Windy, Warrenton, Oregon.

Mr. John Corbin, Seaside, Oregon.

Mr. Kevin Dunn, Oregon Trawler, Astoria, Oregon.

Agenda Item F.6.c, Public Comment from Port San Luis Commercial Fishermen's Association (Mr. Bill James).

F.6.d Council Action: Adopt Final Recommendations for Adjustments to 2012 Groundfish Fisheries (3/6/2012; 9:29 a.m.)

Mr. Phil Anderson moved and Ms. Kirchner seconded (Motion 20) to move the shoreward Rockfish Conservation Area (RCA) boundary for periods 3 and 5 from 75 to 100 fm for the area between 40°10' N. latitude and 48°10' N. latitude.

Mr. Anderson had concerns with this proposal, however, the results of the 2011 fishery, as outlined in the Supplemental NMFS Report, indicates the opportunity can be provided (i.e., low bycatch of overfished species as well as low attainment for some of the shoreward target species). He supports providing greater opportunity, especially for Dover sole. The fishery performance in 2011 shows that the fishermen are working hard to be successful and we should provide the opportunity to make it as profitable as possible. We can adapt later, if we need to.

Mr. Frank Lockhart spoke in support of the motion and noted the RCA could be moved back to 75 fm in period 5 if bycatch in period 3 is higher than expected. He said public testimony indicated this inseason adjustment would provide increased access to target species, while allowing the individual accountability afforded by the rationalized fishery to minimize bycatch of overfished species.

Motion 20 carried unanimously.

Mr. Lockhart said the agency is still discussing the 2011 surplus carry-over quota pounds for issuance in 2012. Mr. Lockhart appreciated the input on the matter of transferability, and he will

discuss solutions with his staff. Mr. Lockhart will provide an update at the April 2012 Council meeting.

Mr. Anderson expressed support for improving the accuracy of catch accounting between the primary and daily trip limit sablefish fisheries in the Pacific Fisheries Information Network (PacFIN), including initiating dialogue between the state fishery managers, PacFIN, etc. Dr. Don McIsaac said he will initiate dialogue with the Pacific States Fisheries Marine Commission (PSMFC) to that end.

Ms. Dorothy Lowman acknowledged that NMFS will continue to work on the surplus carry-over issue for April. Ms. Lowman encouraged the agency to consider the importance of surplus carry-over for species like petrale sole and sablefish. The surplus carry-over program makes it so fishermen do not have to fish right up to the limit. Ms. Lowman noted that if fishermen fish up to the limit they will often go over since there is little precision in harvesting, which is what the Council wanted to avoid when they implemented the program. Ms. Lowman also noted that if the agency does not issue surplus carry-over from 2011, there would be a substantial loss in revenue.

Mr. Lockhart appreciated Ms. Lowman's concerns and said the agency is waiting for the 2011 individual vessel accounts to be reconciled before they can make a decision. The agency will report back in April.

[Agenda item was completed on 3/6/2012 at 9:38 a.m.]

F.7 Harvest Set-Aside Flexibility (3/6/2012; 9:38 a.m.)

F.7.a Agenda Item Overview

Mr. John DeVore provided the Agenda Item Overview and briefly reviewed Agenda Item F.7.a, Attachment 1: Draft outline of the Environmental Assessment for Set-Aside Flexibility.

F.7.b Reports and Comments of Advisory Bodies and Management Entities.

Mr. Corey Niles presented Agenda item F.7.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item F.7.b, Supplemental GAP Report.

F.7.c Public Comment

None.

F.7.d Council Action: Adopt Preliminary Alternatives for Managing the Distribution of Unused Harvest Set-Asides (3/6/2012; 9:55 a.m.)

Ms. McCall said there are subtle differences in the alternatives the Council should consider. Greater NEPA analysis is needed to more flexibly manage set-asides as a routine inseason adjustment. The analysis needs to consider the fair and equitable standard ahead of time to consider the flexibility to allocate differently from prescribed allocation percentages. Therefore, the analysis needs to anticipate the needs of sectors in the analysis to allow the flexibility under Alternative 3.

Mr. Myer asked if a hybrid alternative that uses projected catch data as in Alternative 3 and prescribed allocation percentages as in Alternative 2 could be added to the analysis. Mr. DeVore said yes.

Mr. Pollard said the GAP rationale for Alternative 3 was compelling to him in that the inseason reallocation based on sector needs is more equitable.

Mr. Anderson asked what the consequences are if a range of alternatives for analysis is decided today without a preliminary preferred alternative decided. Mr. DeVore responded the Council could select a range of alternatives at this meeting, the preliminary preferred alternative in April, and the final preferred alternative in June.

Ms. Kirchner moved and Ms. Vojkovich seconded (Motion 21) to adopt, as a range of alternatives for analysis in the 2013-2014 harvest specifications and management measures EIS (considered as a preliminary preferred alternative in April and a final preferred alternative in June) for managing the distribution of unused harvest set-asides as per the following: Alternatives 1, 2, and 3 from Agenda Item F.7.a, Attachment 1 and a hybrid alternative that uses the catch projection methodology from Alternative 3 and the prescribed allocations under Alternative 2.

Motion 21 carried unanimously.

[Council concluded this agenda item on 3/6/2012 at 10:24 a.m.]

F.8 Trawl Rationalization Trailing Actions and Allocation Amendments and Actions (3/6/2012; 10:26 a.m.)

F.8.a Agenda Item Overview

Mr. Jim Seger provided the Agenda Item Overview, referencing the following documents:

Agenda Item F.8.a, Attachment 1: Immediate Time Frame Council Priority Trawl Trailing Actions: Descriptions and Next Steps.

Agenda Item F.8.a, Attachment 2: Trawl Rationalization Trailing Actions: Lenders, Draft Council Decision Analysis Document.

Agenda Item F.8.a, Attachment 3: Trawl Rationalization Trailing Actions: Whiting Season Opening Date and Southern Allocation, Draft Council Decision Analysis Document.

Agenda Item F.8.a, Attachment 4: Trawl Rationalization Trailing Actions: Gear Issues, Draft Council Decision Analysis Document.

F.8.b Reports and Comments of Advisory Bodies and Management Entities.

Mr. Frank Lockhart provided information regarding NFMS Status Report of the Trailing Actions.

Ms. Jamie Goen presented information regarding Agenda Item F.8.b, NMFS Report 1: Draft Rulemaking Plan; Agenda Item F.8.b, NMFS Report 2: NMFS Items for PIE2; and Agenda Item F.8.b, NMFS Report 3: NMFS Items for Correction.

Mr. Martin Dorn presented Agenda Item F.8.b, Supplemental SSC Report.
Mr. Dan Erickson presented Agenda Item F.8.b, Supplemental GMT Report.
Mr. Tommy Ancona presented Agenda Item F.8.b, Supplemental GAP Report.
Mr. Bob Farrell with Mr. Dayna Matthews presented Agenda Item F.8.b, Supplemental EC Report.

[Council break from 12:03 p.m. to 1:16 p.m.]

F.8.c Public Comment (3/6/2012; 1:16 p.m.)

Tommy Ancona, trawl fisherman, Fort Bragg, California.
Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.
Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon.
Michael Lake, Alaskan Observers, Seattle, Washington.
Phoebe Higgins, California Fisheries Funds, San Francisco, California.
Brent Paine and Robert Dooley, United Catcher Boats, Seattle, Washington.
James Mize, Phoenix Processor Limited Partnership, Seattle, Washington; presented information contained in Agenda Item F.8.c, Supplemental Public Comment.
John Corbin, Seaside, Oregon.

Mr. Seger outlined information for the Council to consider in their action for this item at the beginning of the next day.

[At 2:01 p.m. Council tabled this agenda item until Wednesday, March 7 at 8 a.m.]

F.8.d Council Action: Refine and Adopt Appropriate Actions and Preliminary Preferred Alternatives as needed (3/7/2012; 8:24 a.m.)

Dr. McIsaac indicated that the GMT statement (Agenda Item F.8.b, Supplemental GMT Report) on the link between ACL attainment and fishery closure language of Item #2, Agenda Item F.8.b, NMFS Report 2, raised some questions. He asked General Counsel or NMFS to speak to the NMFS recommendations in context of the GMT statement.

Mr. Lockhart responded that in the implementation of the trawl rationalization program and regulatory reorganization, the NMFS ability to close the fishery had been lost. Ms. McCall stated that she agreed with the GMT statement that exceeding an ACL may not necessarily constitute a conservation concern; however, implicit in that is also that it may constitute a conservation concern. The language in the FMP that was approved states that a carryover is appropriate as long as there are no conservation concerns. With respect to item 2, the position of the agency is that the ability to close the fishery needs to be in the tool box in case at the end of the day there is a conservation concern. The issue of dealing with carryovers is also being dealt with nationally.

Ms. Vojkovich moved and Mr. Crabbe seconded (Motion 24) to adopt the following preliminary preferred actions and Council direction:

Cost Recovery Rule	
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Cost Recovery	(no action anticipated)
PIE Rule 2	
2. Quota Share/Quota Pound (QS/QP) Control Rules – Safe Harbors	
A. Risk Pools	(no action anticipated)
B. Lenders	
Lending Entities Qualifying for an Exception	PPA = Alt 1 (page 4, Agenda Item F.8.a - Attachment 1)
Scope of the Exceptions Provided	PPA = Alt 3 (page 4, Agenda Item F.8.a - Attachment 1) include the language from Agenda Item F.8.b Supplemental GAP Report, page 2, paragraph 3
3. Other Lender Issues	No action at this time
4. Develop a process to certify new observer providers (see NMFS Report 2)	As in Agenda Item F.8.b - NMFS Report 2
5. Allow a fixed gear permit and a trawl permit to be registered to the same vessel at the same time	PPA = Alt 2 (page 6, Agenda Item F.8.a - Attachment 1)
6. Change the opt-out requirement for QP deficits	PPA = Alt (1) (page 9, Agenda Item F.8.a - Attachment 1)
7. Eliminate double filing of co-op reports	PPA = Alt (1) (page 11, Agenda Item F.8.a - Attachment 1)
Whiting Season Rule	Council Action
8. Whiting season opening date and southern allocation	PPA = Alt (1) (page 12, Agenda Item F.8.a - Attachment 1)

Ms. Vojkovich stated that we have been discussing all of these items in PIE Rule 2 for several meetings. The GAP has been working on these issues along with the TRREC which has been working on some of them. We have had considerable public testimony. The Council has already chosen many of these alternatives and confirmed them in earlier Council meetings. Choosing these as preliminary preferred alternatives takes us to the next level of public comment and achieving our final preferred alternative.

Ms. Kirchner asked about item #5 (allowing fixed-gear and trawl permit stacking) and how that interacts with the at-sea processing exemption that currently exists in the limited entry fixed-gear fishery? Ms. Goen responded that there is a timing issue. If you move forward with #5, given the current regulations, it would allow the vessel with the sablefish at-sea processing exemption to process sablefish in the IFQ fishery.

Ms. Kirchner moved and Mr. Myer seconded (Amendment 1 to Motion 24) to add that under Item #5, “Use of the limited entry fixed-gear (LEFG) exception for processing sablefish at-sea would be prohibited in the IFQ fishery.” Ms. Kirchner stated that we heard quite adamant opposition against allowing the at-sea processing to happen. It's being considered as a loophole

to let somebody get in to do an activity they have not done in the past. If the Council wanted to move forward with this, it should be more of a holistic discussion rather than allowing one person who hasn't participated in the trawl fishery to participate in this manner.

Amendment 1 carried unanimously. Motion 24 as amended carried unanimously.

Ms. Vojkovich moved and Ms. Lowman seconded (Motion 25) that the Council provide the following guidance to NMFS:

Agenda Item F.8.b NMFS Report 2	Council Action
NMFS Items for PIE 2	
Sablefish at-sea processing exemption fix	Discontinue regulation review and revision
Fishery closure language	Needs further discussion with NMFS – issues brought up in GMT report
First receiver site license changes	As stated in Agenda Item F.8.b -NMFS Report 2
Catch monitor certification requirements	As stated in Agenda Item F.8.b -NMFS Report 2
QS permits and transfers	As stated in Agenda Item F.8.b -NMFS Report 2
Start renewal process 9/15 for LE permit, vessel account, and QS permits	As stated in Agenda Item F.8.b -NMFS Report 2
Observer provider certification	Further NMFS/Council staff work needed
Sorting requirements	Further NMFS/Council staff work needed.
Remove 12/15-31 ban on QP transfer	As stated in Agenda Item F.8.b -NMFS Report 2
Trawl permit requirements for vessel accounts	Further NMFS/Council staff work needed.
Clarify processor obligation (could be to >1 MS permit)	As stated in Agenda Item F.8.b -NMFS Report 2
Observer program regulation changes	As stated in Agenda Item F.8.b -NMFS Report 2
Change “permit holder” to “vessel owner”	As stated in Agenda Item F.8.b -NMFS Report 2
Process for changes vessel ownership	As stated in Agenda Item F.8.b -NMFS Report 2
Delete initial issuance regulations	To be handled through NMFS Lawsuit Response
Revise regulations to reflect gear types in FMP	Further NMFS/Council staff work needed

Ms. Vojkovich noted that for all the items she is recommending be moved forward, the NMFS report contained the reasons for why these issues need to be addressed and has laid out exactly how they plan to approach the issues. We received public comment and the GAP report that

endorsed the report as stated here. The Council had a lot of discussion earlier about the fishery closure language and the issue around the term “conservation,” and it sounds like NMFS is still working on that. She wanted to make sure that the issues brought up in the GMT are taken into consideration in coming to a solution that meets all of our needs. Then there are some of the other items in the report that are just not ready to move forward at this time.

Motion 25 carried unanimously.

With respect to Agenda Item F.8.b, NMFS Report 3, Mr. Lockhart reiterated that this was just for information, Council action is not required and NMFS is moving these items forward as corrections.

Ms. Lowman moved and Ms. Kirchner seconded (Motion 26) that the Council provide the following guidance with respect to the gear issues discussed in Agenda Item F.8.a, Attachment 4:

For the following issues and alternatives described on F.8.d, Council Action Template:

1. Consider allowing multiple gears on board a vessel participating in the IFQ fishery
 - a. Allowing multiple gears on board a vessel on the same trip
 - b. Allowing use of multiple gears on a single trip, and
2. Allow trawl gear modifications that increase efficiency and selectivity.

Defer Council Guidance and action until after a one-day workshop dedicated to gear regulations as they apply to the IFQ program as recommended by the Enforcement Consultants (EC) (Agenda Item F.8.b, Supplemental EC Report) where these issues would be fully discussed.

For the Chafing Gear issue, move forward via the most expeditious vehicle with the goal of implementation by January 2013, using Strawdog Alternative 2 as the preferred alternative.

Ms. Lowman stated we’ve heard that some gear modifications will be important for the greater success of the program. However, some may have unintended consequences, and the EC has recommended a workshop to include GMT and GAP members in which to talk about these issues in greater detail. With respect to chafing gear, it is very important that we move ahead with this via the most expeditious vehicle that could get this in place, if possible, by January 1, 2013. Strawdog Alternative 2 will do that. Mr. Lockhart noted that one of the potential vehicles would have the regulation in place by mid-April [2013], on time for the whiting season and that this would seem to be in line with the intent of the January 1, 2013 goal.

Ms. Kirchner asked if this gives the EC the flexibility as to what is discussed in the workshop, such as fishing across lines. Ms. Lowman responded that would be in the scope of the workshop.

Motion 26 carried unanimously.

Ms. Kirchner moved and Mr. Crabbe seconded (Motion 27) that the Council move forward with developing alternatives for re-allocation of widow rockfish quota shares at the permit level. The appropriate process in which to do so and a refinement of the timeframe will be determined at a later date.

Ms. Kirchner stated that the Council heard some discussion earlier about the importance of looking at reallocation of widow rockfish at the permit level. This is potentially more of a targeted fishery, since it has been rebuilt. Since transfer of quota share is about to start, this may be the appropriate time to consider widow quota share reallocation. This is a very important thing to do and to get right. It potentially sets a precedent for how we address overfished species as they become rebuilt. The motion has been left general with respect to the process and timeline to allow this issue to be addressed in future discussion. Suspension of quota share trading has also been omitted from the motion at this point, since we will likely be considering a suspension of all quota share trading for a period of time. Mr. Crabbe commented that this discussion would put the industry on notice with respect to transactions that take place before formal QS trading is allowed.

Motion 27 passed unanimously.

There was a discussion of the sablefish discard mortality issue and that this would be taken up again under consideration of PIE 3 this fall.

Mr. Seger noted that the need to take action on Pacific Dawn issues in a timely fashion would be slowing progress on finalizing some trailing action items.

[This agenda item concluded on 3/7/2012 at 9:08 a.m.]

[Council Break from 9:09 a.m. until 10:58 a.m.]

G. Salmon

G.1 National Marine Fisheries Service (NMFS) Report (3/4/2012; 9:02 a.m.)

G.1.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

G.1.b Regulatory Activities

Dr. Peter Dygert presented Agenda Item G.1.b, Supplemental NMFS PowerPoint: A Bilateral NOAA/Canadian Department of Fisheries and Oceans Evaluation of the Effects of Salmon Fisheries on Southern Resident Killer Whales (SRKW).

Ms Vojkovich asked what the SRKW ESA re-consultation timeframe was. Dr. Dygert replied the SRKW evaluation was scheduled to be completed November 2012, and the Puget Sound Chinook Harvest Management Plan consultation expires April 2013, so if the findings support the need, new consultation standards could be in place by the 2013 management season. Other fisheries could also be affected.

Dr. Dygert presented Agenda Item G.1.c, Southern Oregon/Northern California Coast (SONCC) Coho Recovery Plan Report 1: Instructions for Reviewing the Plan and Submitting Comments: Public Draft SONCC Coho Recovery Plan.

Mr. Bob Turner stated that the Mitchell Act EIS process was being updated and NMFS would determine if a draft supplemental EIS will be released or if a final EIS will be issued; in either case at the end of 2012 or beginning of 2013.

G.1.c Fisheries Science Center Activities

Dr. Pete Lawson and Dr. Steve Lindley presented Agenda Item G.1.c, Genetic Stock Identification (GSI) Report: West Coast Salmon Genetic Stock Identification Collaboration 2011 Winter Season Update.

Mr. Sones asked if the GSI information could be used for inseason management in addition to hindsight. Dr. Lawson replied yes, the scale is fine enough and the processing speed fast enough to have inseason applications.

G.1.d Reports and Comments of Advisory Bodies and Management Entities

None.

G.1.e Public Comment

None.

G.1.f Council Discussion

None.

G.2 Review of 2011 Fisheries and Summary of 2012 Stock Abundance Forecasts (3/4/2012; 10:07 a.m.)

G.2.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and referenced Agenda Item G.2.a, Attachment 1: Excerpts from Chapter 3 of the Pacific Coast Salmon Fishery Management Plan Updated Through Amendment 16.

G.2.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Review of 2011 Ocean Salmon Fisheries, with the following corrections:

- The Sacramento River fall Chinook (SRFC) spawning escapement of 121,742 was updated to 114,741, and the 3-year geometric mean spawning escapement of 85,195 was updated to 83,530.
- The Queets River spring/summer Chinook spawning escapement for 2011 was updated from Not Available to 373, and the 3-year geometric mean spawning escapement of 339 was

updated to 363, which is above the minimum stock size threshold and resulted in the stock not being overfished.

Dr. Kope presented Preseason Report I: Stock Abundance Analysis and Environmental Assessment Part 1 for 2012 Ocean Salmon Fishery Regulations.

Dr. Kope noted that a 2011 spawning escapement estimate for Strait of Juan de Fuca coho had become available, and resulted in a 3-year geometric mean spawning escapement of 17,043, which is greater than the default rebuilt criteria for that stock.

Dr. Kope noted the Salmon Technical Team (STT) concern about over-forecasting SRFC the last three years, and reported the 2012 forecast used only the most recent three years' data to address the recent bias.

Dr. McIsaac asked if the SRFC forecast in 2012 affected achievement of MSY spawning escapement. Dr. Kope replied no, that because of constraints for other stocks, the projected SRFC spawning escapement would exceed MSY and result in the 3-year geometric mean spawning escapement exceeding the default criteria for rebuilt status.

Dr. Pete Lawson presented Agenda Item G.2.b, Supplemental SSC Report.

Ms. Vojkovich presented Agenda Item G.2.b, CDFG Report: Central Valley Chinook Salmon In-River Escapement Monitoring Plan Executive Summary and Introduction, and Agenda Item G.2.b, Supplemental CDFG Report 2.

G.2.c Public Comment

Doug Demko, San Joaquin Tributary Association.

Bill Dawson, Seafood Suppliers Inc, San Francisco, California.

Dave Bitts, Pacific Coast Federation of Fisherman's Association, McKinleyville, California.

Ken Petruzzelli, O'Laughlin & Paris, LLC/ San Joaquin Tributaries Association, Sacramento, California.

Aaron Newman, Humboldt Salmon Commission, Eureka, California.

Duncan MacLean, Half Moon Bay, California.

G.2.d Council Action: Review and Discuss Relevant Fishery Information and Act on Relevant Status Determinations, 2012 Abundance Forecasts, and Annual Catch Limits as necessary (3/4/2012; 1:02 p.m.)

Mr. Anderson moved (Motion 11) that the Council adopt the 2012 forecasts, acceptable biological catch (ABC), and OFLs in Preseason Report I, including corrections made by the STT, as the best available science and as recommended by the SSC. Mr. Feldner seconded the motion.

Motion 11 carried unanimously.

G.3 Rebuilding Plan Consideration for Sacramento Fall Chinook (SRFC) and Strait of Juan de Fuca Coho (3/4/2012; 1:05 p.m.)

G.3.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and referenced Agenda Item G.2.a, Attachment 1: Excerpts from Chapter 3 of the Pacific Coast Salmon Fishery Management Plan Updated Through Amendment 16. He noted that, based on advice from General Counsel, the Council should not adopt a final rebuilding plan at the March meeting, but should adopt rebuilding plan alternatives at the March meeting for analysis and public review, along with the 2012 management alternatives, and take final action at the April 2012 meeting.

Mr. Anderson asked if the Council needed to take action to notify the NMFS Regional Administrator that Strait of Juan de Fuca coho were rebuilt as required under the FMP. Mr. Turner replied that NMFS NWR has already notified NMFS Headquarters that Strait of Juan de Fuca coho were rebuilt, but that NMFS would accept notification from the Council to that effect.

G.3.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Peter Dygert presented Agenda Item G.3.b, Supplemental NMFS Report: Rationale for 2011 SRFC Status Determination.

Dr. Robert Kope presented Agenda Item G.3.b, Supplemental STT Report.

Mr. Pete Lawson presented Agenda Item G.3.b, Supplemental SSC Report.

Mr. Phil Anderson presented Agenda Item G.3.b, Supplemental WDFW Report.

G.3.c Public Comment

Ken Petruzzelli, O'Laughlin & Paris, LLC/ San Joaquin Tributaries Association, Sacramento, California.

G.3.d Council Action: Adopt Rebuilding Plans for Sacramento Fall Chinook and Strait of Juan de Fuca Coho as Necessary (3/4/2012; 1:36 p.m.)

Mr. Turner asked if adopting rebuilding alternatives now would constrain the management alternatives. Mr. Tracy replied that the rebuilding criteria would be used to evaluate the alternatives but would not dictate the construction of the alternatives.

Ms. Vojkovich asked if there was a need to adopt a preliminary preferred alternative. Mr. Tracy replied no, but it may be helpful for guiding public comment.

Ms. Vojkovich moved and Mr. Brizendine seconded (Motion 12) that the Council adopt the rebuilding alternatives, rebuilt criteria, and rebuilding period recommended in Agenda Item G.3.b, Supplemental STT Report.

Mr. Williams asked if the motion included a preferred alternative. Ms. Vojkovich replied no.

Motion 12 carried unanimously.

Mr. Anderson moved (Motion 13) that the Council notify NMFS NW Region that the Strait Juan de Fuca coho stock has been rebuilt, consistent with the Salmon Fishery Management Plan (FMP). Mr. Williams seconded the motion.

Motion 13 passed unanimously.

G.4 Identification of Management Objectives and Preliminary Definition of 2012 Salmon Management Alternatives (3/4/2012; 1:57 p.m.)

G.4.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview. He noted the Council should include alternatives for a SRFC rebuilding plan at some time in the process before final adoption of management measure alternatives on March 7, 2012.

Dr. Dygert presented Agenda Item G.4.c, Supplemental NFMS Report, and Agenda Item G.4.c, Supplemental NMFS Report 2.

Mr. Wolford requested an explanation of the rationale for the Sacramento Winter Chinook control rule breakpoints. Mr. Dan Lawson replied the three-year geometric mean of 500 spawners was identified as a critical level below which additional protective measures would be necessary, and a policy decision was made that those measures would include no impacts from fishing.

Mr. Wolford asked why the Sacramento Winter Chinook control rule was truncated at a low abundance whereas the SRFC control rule declined linearly to zero. Dr. Dygert replied the Sacramento Winter Chinook were an ESA-listed species, but functionally they were similar.

Mr. Wolford asked if nonfishery impacts would be held to zero if fisheries were held to zero. Mr. Lawson replied that there was no such requirement in current ESA consultation standards for nonfishery impacts.

Ms. Vojkovich asked if new ESA consultations were being contemplated for nonharvest activities. Mr. Turner replied those questions were not in the realm of responsibility of the fishery managers and should be answered by others within NMFS.

Dr. McIsaac recommended addressing the issue in a future agenda item.

G.4.b Report of the Pacific Salmon Commission

Mr. Anderson reported the Pacific Salmon Commission (PSC) released 2011 catch reports which indicate actual catch was similar to the 2011 quota in Southeast Alaska, below the quota in Northern British Columbia, and above the quota in the West Coast Vancouver Island, mostly from growth in the recreational fishery. The PSC expected 2012 quotas to be lower than 2011.

Mr. Sones asked if Canadian coho forecasts would be available in time for March Council meetings. Mr. Anderson replied the Canadians had made progress in moving the forecast timeframe up, but not sufficiently to accommodate the Council needs.

G.4.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Anderson presented Agenda Item G.4.c, Supplemental WDFW/Tribal Recommendations.

Messrs. Bruce Jim, Herb Jackson, Chris Williams, and William Slockish, Jr., representing the Columbia River Treaty Tribes, presented Agenda Item G.4.c, Supplemental Tribal Report.

Messrs. Mike Orcutt and Billy Matilton presented Agenda Item G.4.c, Supplemental Hoopa Valley Tribe Report.

Mr. Dave Hillemeier, representing the Yurok Tribe, supported the testimony of the Hoopa Valley Tribe, and recommended 1) ocean and river fisheries take advantage of the large abundance of Klamath River fall Chinook to the extent possible, and 2) the Council send a letter to the Bureau of Reclamation requesting release of sufficient water to prevent a fish kill in the fall similar to the 2002 event.

Mr. Sones presented Agenda Item G.4.e, supplemental Tribal Recommendations.

Messrs. Butch Smith, Jim Olson, Paul Heikkila, Duncan MacLean, Steve Watrous, Mike Sorenson, Richard Heap, and Craig Stone presented Agenda Item G.4.c, Supplemental SAS Report: SAS Proposed Initial Salmon Management Alternatives for 2012 Non-Indian Ocean Fisheries.

Ms. Vojkovich asked why the commercial size limit south of Point Arena dropped from 27 inches to 26 inches. Mr. MacLean replied the intent was to harvest abundant age-3 SRFC, and size limits smaller than that were not a preferred market size.

Mr. Steve Williams asked for the rationale for having a 24 inch size limit in the Oregon Klamath management zone (KMZ) and a lower size limit in the California KMZ. Mr. Heap replied that the California fisheries impact Klamath fall Chinook earlier in the year when the fish are smaller, and with the 20 fish annual limit in Oregon, anglers would be less likely to keep a smaller Chinook.

G.4.d Public Comment

Aaron Newman, Humboldt Salmon Commission, Eureka, California.

Dave Bitts, Pacific Coast Federation of Fisherman's Association, McKinleyville, California.

Ken Petruzzelli, O'Laughlin & Paris, LLC/ San Joaquin Tributaries Association, Sacramento, California.

Mark Gorelnik, Coastside Fishing Club.

Daniel Platt, Fort Bragg, California.

G.4.e Council Action: Council Recommendations for Initial Alternatives for Salmon Technical Team Collation and Description (3/4/2012; 4:44 p.m.)

Mr. Anderson recommended the alternatives in Agenda Item G.4.c, Supplemental SAS Report for the area North of Falcon be forwarded to the STT for collation without modification.

Mr. Steve Williams recommended the alternatives in Agenda Item G.4.c, Supplemental SAS Report for the area between Cape Falcon and the Oregon/California border be forwarded to the STT for collation without modification.

Ms. Vojkovich recommended the alternatives in Agenda Item G.4.c, Supplemental SAS Report for the area south of the Oregon/California border be forwarded to the STT for collation without modification.

Ms. Vojkovich directed the STT provide an assessment of impacts to KRFC, and Sacramento Winter Chinook by age, area, and month.

Mr. Steve Williams directed the STT to include an assessment of closed area GSI sampling.

Mr. Sones recommended the alternatives in Agenda Item G.4.e, Supplemental Tribal Recommendations be forwarded to the STT for collation without modification.

Mr. Tracy recommended the Council provide direction to the STT to include SRFC rebuilding alternatives in the management measure alternatives.

Dr. McIsaac asked if the Council could direct the STT to recommend an appropriate way to include the SRFC rebuilding plan alternatives and analysis in subsequent management measure alternatives. Mr. Tracy replied yes. The Council concurred with Dr. McIsaac's suggestion.

[Council completed this agenda item at 3/4/2012; 4:57 p.m.]

G.5 Council Recommendations for 2012 Management Alternative Analysis (3/5/2012; 4:02 p.m.)

G.5.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

G.5.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item G.5.b, Supplemental STT Report: Collation of Preliminary Salmon Management Alternatives for 2012 Ocean Fisheries.

G.5.c Public Comment

Sarah Bates, California Salmon Council, Eureka, California: recommended one alternative with GSI sampling during closed areas targeting 200 samples per closed area per week and one alternative targeting 200 samples per area per month.

G.5.d Council Direction to the Salmon Technical Team and Salmon Advisory Subpanel on Alternative Development and Analysis (3/5/2012; 5:04 p.m.)

Mr. Anderson directed the STT to analyze the tentative alternatives for non-Indian commercial and recreational fisheries north of Cape Falcon presented in Agenda Item G.5.b, Supplemental STT Report, with changes reflected in Agenda Item G.7.b, Supplemental STT Report.

Mr. Steve Williams directed the STT to analyze the tentative alternatives for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border

presented in Agenda Item G.5.b, Supplemental STT Report, with changes reflected in Agenda Item G.7.b, Supplemental STT Report.

Ms. Vojkovich directed the STT to analyze the tentative alternatives for non-Indian commercial and recreational fisheries south of the Oregon/California border presented in Agenda Item G.5.b, Supplemental STT report, with changes reflected in Agenda Item G.7.b, Supplemental STT Report.

Mr. Sones directed the STT to analyze the tentative alternatives for treaty-Indian commercial fisheries north of Cape Falcon presented in Agenda Item G.5.b, Supplemental STT Report, with changes reflected in Agenda Item G.7.b, Supplemental STT Report.

Mr. Feldner directed the STT to add nonretention GSI sampling in Oregon closed areas south of Cape Falcon between May and October targeting 200 samples per closed area per month. Ms. Vojkovich directed the STT to extend the GSI sampling to closed areas in California.

[Agenda Item was closed at 5:32 p.m.]

Ms. Vojkovich introduced Mr. Chuck Bonham, Director of CDFG, and comments were made by Mr. Bonham.

G.6 Scoping of Amendment 17: Updating Salmon Essential Fish Habitat (EFH) (3/6/2012; 3:23 p.m.)

G.6.a Agenda Item Overview

Mr. Kerry Griffin provided the Agenda Item Overview. He then presented Agenda Item G.6.a, Supplemental Staff PowerPoint, which summarizes Agenda Item G.6.a, Attachment 1: Pacific Coast Salmon Scoping Document: Amendment 17 to the Pacific Coast Salmon Plan, including Essential Fish Habitat and Other Considerations.

G.6.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Kerry Griffin read Agenda Item G.6.b, Supplemental SSC Report into the record.

Mr. Tim Roth presented Agenda Item G.6.b, Supplemental HC Report.

Mr. Duncan MacLean and Dave Bitts presented Agenda Item G.6.b, Supplemental SAS Report.

Mr. Chuck Tracy presented Agenda Item G.6.b, Supplemental PFMC/NMFS Report.

G.6.c Summary of the Pacific Coast Salmon Scoping Document

None.

G.6.d Public Comment

Agenda Item G.6.d, Supplemental Public Comment letter from Oceana (in Briefing Book).
Duncan MacLean, Halfmoon Bay, California.

G.6.e Council Action: Provide Guidance on Development and Scheduling of Preliminary Alternatives for Changes to Salmon EFH and Other Issues as Appropriate (4:20 p.m.)

Mr. Williams said that while the scoping document was clear and focused, he was not clear about how the decision would be made as to whether to include the non-EFH issues in the scope of the amendment. Mr. Griffin suggested that the Council should place trust in NMFS and Council staff to hone in on which items could work in the amendment and which couldn't, and then report back to the Council in September.

Dr. McIsaac suggested that several of the items are essentially housekeeping matters, and that staff would bring more information back to determine the appropriateness of including certain items in the scope of the amendment.

Mr. Lincoln suggested looking at choices relative to workload, and whether putting off certain issues now would necessitate coming back to do another amendment in the near future. He also asked whether we could consider high value ecosystem habitat as habitat areas of particular concern. The value of these ecosystems may be significant with regards to climate change or ecosystem function. Several groups have done an extensive effort to identify areas in the Pacific Northwest that may benefit from additional attention.

Ms. Vojkovich said that at this state it is important to move forward and she would be interested in seeing the information from the SAS included by Council agreement.

The Council discussed whether to include consideration of the SAS recommendation on abundance-based forecasting in the scope of the amendment, and whether or not a formal motion was needed.

Mr. Hanson moved and Ms. Vojkovich seconded (Motion 22) to have the Council adopt the SAS report's ideas to be considered for inclusion in the scope of Amendment 17.

Motion 22 passed on a roll call vote (Mr. Turner, Mr. Pattillo, Mr. Williams, Mr. Myer and Mr. Wolford voted no).

[Council adjourned for the evening on 3/6/2012 at 4:47 p.m.]

G.7 Further Council Direction for 2012 Management Alternatives (3/6/2012; 2:20 p.m.)

G.7.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

G.7.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item G.7.b, Supplemental STT Report, Initial Analysis of Preliminary Salmon Management Alternatives for 2012 Ocean Fisheries. Dr. Kope noted the following correction to Table 5: the impacts on Columbia River natural tule Chinook should be raised by 0.1 percent for all the alternatives.

Mr. Wolford asked how the STT modeled the three fish bag limit in California recreational fisheries. Dr. Kope replied there were no historical data with a three fish bag limit to model, but both effort and catch per effort would be expected to increase. The STT increased the impact rate by 50 percent to account for both sources of increased impacts.

G.7.c Public Comment

None.

G.7.d Council Guidance and Direction.

Mr. Sones directed the STT to analyze the alternatives for treaty-Indian commercial fisheries north of Cape Falcon presented in Agenda Item G.7.b, Supplemental STT Report, with no changes.

Mr. Anderson directed the STT to analyze the alternatives for non-Indian commercial and recreational fisheries north of Cape Falcon presented in Agenda Item G.7.b, Supplemental STT Report, with minor editorial changes reflected in Agenda Item G.8.b, Supplemental STT Report.

Mr. Steve Williams directed the STT to analyze the alternatives for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border presented in Agenda Item G.7.b, Supplemental STT Report, with changes reflected in Agenda Item G.8.b, Supplemental STT Report. The changes included recommendations for inseason action delaying the commercial opening between Cape Falcon and the Oregon/California border from March 15, 2012 to April 1, 2012.

Ms. Vojkovich directed the STT to work with the SAS to reduce Sacramento Winter Chinook impacts to meet the ESA guidance for Alternatives I and II, and to analyze the alternatives for non-Indian commercial and recreational fisheries south of the Oregon/California border presented in Agenda Item G.7.b, Supplemental STT Report, and with changes reflected in Agenda Item G.8.b, Supplemental STT Report.

Mr. Feldner directed the STT to add nonretention GSI sampling in Oregon closed areas south of Cape Falcon between May and October, targeting 200 samples per closed area per week in Alternative II.

Ms. Vojkovich directed the STT to include GSI sampling in the Humboldt south Jetty to Horse Mt. area.

G.8 Adoption of 2012 Management Alternatives for Public Review (3/7/2012; 1:36 p.m.)

G.8.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview. He noted that the Council also needed to adopt SRFC rebuilding plan alternatives for analysis and public review under this agenda item.

G.8.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item G.8.b, Supplemental STT Report: Analysis of Preliminary Salmon Management Alternatives for 2012 Ocean Fisheries.

Messrs. Mike Orcutt and George Kautsky presented Agenda Item G.8.b, Supplemental Hoopa Tribal Report.

Messrs. Chris Williams, Bruce Jim, Herb Jackson, and Wilbur Slockish, Jr. presented Agenda Item G.8.b, Supplemental Tribal Report.

G.8.c Public Comments

E.B. Duggan, Trinity River Guides Association, Willow Creek, California.

Ken Petruzzelli, San Joaquin Tributaries Association, Sacramento, California.

Dr. McIsaac asked what the doubling goal was for the San Joaquin Basin and how projected 2012 escapement or production compared to that goal. Mr. Petruzzelli replied that the Federal and state statutes both required doubling natural production from the 1965-1991 average. The federal statute includes all anadromous species, the state statute is limited to salmonids. The Central Valley fall Chinook goal is 990,000 naturally produced adults and the San Joaquin goal is 75,000 naturally produced adults; the current production is probably nowhere near these goals.

G.8.d Council Action: Adopt Management Alternatives for Public Review (3/7/2012; 2:25 p.m.)

Mr. Sones moved (Motion 35) that the Council adopt for public review the alternatives for treaty-Indian commercial fisheries north of Cape Falcon presented in Agenda Item G.8.b, Supplemental STT Report (Agenda Item G.8.d, Supplemental Tribal Motion). Mr. Lincoln seconded the motion.

Mr. Sones noted that the North of Falcon planning process was just beginning, the 2012 harvest levels for the Alaskan and Canadian Chinook fisheries were yet to be determined by the Pacific Salmon Commission, and Canadian coho forecasts were only preliminary, all of which would affect 2012 fishery impacts and selection of final Council area ocean salmon management measures.

Motion 35 carried unanimously.

Mr. Pattillo moved (Motion 36) that the Council adopt for public review the alternatives for non-Indian commercial and recreational fisheries north of Cape Falcon presented in Agenda Item G.8.b, Supplemental STT Report. Mr. Lincoln seconded the motion.

Motion 36 carried unanimously.

Mr. Williams moved (Motion 37) that the Council adopt for public review the alternatives for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border presented in Agenda Item G.8.b, Supplemental STT Report. Mr. Feldner seconded the motion.

Motion 37 carried unanimously.

Ms. Vojkovich moved (Motion 38) that the Council adopt for public review the alternatives for non-Indian commercial and recreational fisheries south of the Oregon/California border presented in Agenda Item G.8.b, Supplemental STT Report with the following modification: on Page 7 for Alternative III of the Pt. Sur to U.S./Mexico border commercial fishery, delete the September 1-30 fishery. Mr. Brizendine seconded the motion.

Motion 38 carried unanimously.

Ms. Vojkovich moved (Motion 39) that the Council adopt for public review the SRFC rebuilding alternatives in Agenda Item G.8.b, Supplemental STT Report to meet the FMP Amendment 16 requirements. Mr. Steve Williams seconded the motion.

Mr. Steve Williams asked where in the STT report the rebuilding alternative criteria and assessment were located.

Mr. Tracy replied the SRFC rebuilding plan criteria and analysis were in the supplemental management boxes in Tables 1 and 2, and in Table 5.

Motion 39 passed unanimously.

[Agenda item concluded at 2:41 p.m.; 3/7/2012]

G.9 Appoint Salmon Hearing Officers (3/7/2012; 12:09 p.m.)

G.9.a Agenda Item Overview

Dr. John Coon presented the Agenda Item Overview, Agenda Item G.9.a, Attachment 1: Schedule of Salmon Fishery Management Alternative Hearings.

G.9.b Council Action: Appoint Hearings Officers

Mr. Pattillo assigned Mr. Anderson as hearings officer and Mr. Doug Milward as STT representative for Washington.

Mr. Steve Williams assigned Mr. Jeff Feldner as hearings officer and Mr. Craig Foster as STT representative for Oregon.

Ms. Vojkovich assigned Mr. Crabbe as hearings officer and Ms. Jennifer Simon as STT representative for California.

LCDR Chambers presented Agenda Item G.9.b, Supplemental USCG Report.

Mr. Lockhart assigned the following NMFS representatives: Peter Dygert for the Westport hearing, Peggy Mundy for the Coos Bay hearing and Heidi Taylor for the Eureka hearing.

Dr. Coon assigned Mike Burner to staff the Westport hearing and Chuck Tracy to staff the Coos Bay and Eureka hearings.

H. Pacific Halibut

H.1 Report on the International Pacific Halibut Commission (IPHC) Meeting (3/5/2012; 8:02 a.m.)

H.1.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and introduced Agenda Item H.1.a, Attachment 1: IPHC News Release and Agenda Item H.1.a, Attachment 2: 2011 Area 2A Pacific Halibut Allocations.

H.1.b Meeting Summary

Ms. Gway Kirchner presented Agenda Item H.1.b, Meeting Summary: Summary of International Pacific Halibut Commission Meeting.

H.1.c Reports and Comments of Advisory Bodies and Management Entities

Dr. Bruce Leaman and Mr. Gregg Williams presented Agenda Item H.1.c, Supplemental IPHC PowerPoint on the 88th annual IPHC Meeting.

Dr. McIsaac asked if the biomass in the area south of Humbug Mt. is assumed to be zero in the Pacific halibut assessment. Dr. Leaman replied that removals are included in the assessment model, but halibut density and habitat in California waters are not factored in; however, the bias is likely very low, based on distribution patterns in Oregon.

H.1.d Public Comment

None.

H.1.e Council Discussion

Mr. Anderson suggested the IPHC bycatch workshop was not as relevant to Area 2A as originally thought, and asked if Mr. Lockhart would be sending a staff member to the meeting who could report back to the Council. Mr. Lockhart replied yes.

Mr. Wolford clarified that there would be NMFS representation to provide information on the individual bycatch quota program at the bycatch workshop, but not Council representation.

Mr. Anderson recommended the Council establish a workgroup to explore issues in the south of Humbug Mt. area. The workgroup should have representation from each state and be staffed by the Council.

Dr. McIsaac supported the idea of a workshop, provided funding was available, and recommended that NMFS NWR also be included in the workgroup.

Ms. Yaremko supported the idea of a workgroup but suggested it be established in April, after the public had additional opportunity to comment on the composition and objectives of the workgroup.

Mr. Anderson agreed with Ms. Yaremko that establishing the workgroup in April was appropriate, but noted the importance of addressing the issues in September and November 2012 during the process to consider changes to the CSP for 2013. It may be possible to work with the IPHC for a short-term or proxy approach in 2013 while a long-term approach was developed.

H.2 Incidental Catch Regulations in the Salmon Troll and Fixed Gear Sablefish Fisheries (3/5/2012; 9:17 a.m.)

H.2.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item overview and introduced Agenda Item H.2.a, Attachment 1: Summary of Pacific Halibut Incidental Catch Management.

H.2.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Jim Olson and Mr. Paul Heikkila presented Agenda Item H.2.b, Supplemental SAS Report. Mr. John Holloway presented Agenda Item H.2.b, Supplemental GAP Report.

H.2.c Public Comment

None.

H.2.d Council Action: Adopt Public Review Options for 2012

Mr. Anderson moved (Motion 14) the Council adopt for public review the range of landing restrictions for Pacific halibut caught incidentally in the salmon troll fishery as presented in the Agenda Item H.2.b, Supplemental SAS Report, with the following modification to Option 3: the ratio would be one halibut per each five Chinook. Ms. Yaremko seconded the motion.

Mr. Anderson stated his intent was to provide options that would allow Pacific halibut retention in the salmon troll fishery for as much of the season as possible.

Motion 14 passed unanimously.

Mr. Anderson moved (Motion 15) the Council adopt for public review the range of landing restrictions for incidental Pacific halibut retention in the sablefish fixed gear fishery north of Point Chehalis as presented in Agenda Item H.2.b, Supplemental GAP Report with the following modifications: the season dates would be from May 1 – Oct 31; and for Option 1, strike the word “Status Quo.” Mr. Lockhart seconded the motion.

Mr. Anderson stated that the options would provide reasonable to high assurance that halibut retention would be allowed through the end of the sablefish fishery.

Motion 15 passed unanimously.

[Following a break, a motion for reconsideration of this agenda item was made by Mr. Anderson on 3/5/2012 at 9:57 a.m.]

Mr. Anderson moved (Motion 16) the Council reconsider Council Action under Agenda Item H.2. Ms. Kirchner seconded the motion. Mr. Anderson stated his reason to reconsider was because Option 3 for the sablefish fishery was inconsistent with the intent to provide incidental halibut retention in the sablefish fishery; allowing 400 pounds of halibut to be landed without any sablefish would not be incidental.

Motion 16 passed unanimously.

Mr. Anderson moved (Motion 17) the Council adopt the following range of options for public review for incidental Pacific halibut retention in the directed fixed gear sablefish fishery north of Point Chehalis: Option 1 would allow 100 pounds dressed weight of halibut per trip; Option 2 would allow two halibut plus 50 pounds dressed weight of halibut per 1,000 pounds dressed weight of sablefish per trip. The season dates for both options would be May 1 through Oct 31. Ms. Kirchner seconded the motion.

Motion 17 carried unanimously.

H.3 Update on Review of Pacific Halibut Management under the National Environmental Policy Act (NEPA) and Status of Preliminary Alternatives for Incidental Catch Retention of Pacific Halibut in the Limited Entry Fixed Gear Sablefish Fisheries (3/5/2012; 9:35 a.m.)

H.3.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

H.3.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Lockhart presented Agenda Item H.3.b, NMFS Report: National Marine Fisheries Service NEPA Scoping Results on Catch Sharing Plan Implementation and Changes to Incidental Catch Retention of Pacific Halibut in the Limited Entry Fixed Gear Sablefish Fishery.

Mr. John Holloway presented Agenda Item H.3.b, Supplemental GAP Report.

H.3.c Public Comment

None.

H.3.d Council Action: Provided Guidance on the Review, Scheduling, and Further Development of Alternatives for Analysis.

Mr. Lockhart noted that because of workload issues, the soonest NMFS NWR could contribute to advancing this issue would be 2014.

Ms. Kirchner stated her support for keeping the issue alive, but noted Oregon Department of Fish and Wildlife (ODFW) also had workload issues.

I. Administrative Matters

I.1 Approval of Council Meeting Minutes (3/7/2012; 10:58 a.m.)

I.1.a Council Member Review and Comments

None.

I.1.b Council Action: Approve April and November 2011 Council Meeting Minutes

Mr. Myer moved and Ms. Kirchner seconded a motion (Motion 28) to approve Agenda Item I.1.a, Attachment 1: Draft Minutes, 208th Session of the Pacific Fishery Management Council, April 9-13, 2011.

Motion 28 passed unanimously.

Mr. Myer moved and Ms. Kirchner seconded a motion (Motion 29) to approve Agenda Item I.1.a, Attachment 2: Draft Minutes, 211th Session of the Pacific Fishery Management Council, November 2-7, 2011.

Motion 29 passed unanimously.

I.2 Membership Appointments and Council Operating Procedures (3/7/2012; 11:02 a.m.)

I.2.a Agenda Item Overview

Dr. John Coon provided the Agenda Item Overview and referenced the Closed Session A.1.a Attachments 1-7, regarding the membership appointments to Council member designees and vacancies on the advisory bodies and management teams.

Dr. Coon noted supplemental information in the form of a Letter from Washington Department of Fish and Wildlife designating Ms. Sarah LaBorde as the third WDFW Council member designee.

I.2.b Reports and Comments of Advisory Bodies and Management Entities

None.

I.2.c Public Comment

E.B. Duggan, Trinity River Guides Association, Willow Creek, California; requested there be a seat representing Klamath River inside fisheries on the Salmon Advisory Subpanel.

I.2.d Council Action: Consider Changes to Council Operations and Procedures and Appointments to Advisory Bodies

Mr. Lockhart moved and Ms. Kirchner seconded a motion (Motion 30) for the Council to appoint Dr. Daniel Huppert to the vacant at-large position on the Scientific and Statistical Committee. Motion 30 carried unanimously.

Ms. Kirchner moved and Ms. Lowman seconded a motion (Motion 31) for the Council to appoint Ms. Cyreis Schmitt to the ODFW position on the CPSMT. Motion 31 carried unanimously.

Mr. Sones moved and Mr. Pollard seconded a motion (Motion 32) for the Council to appoint Dr. Larry Gilbertson to the tribal position on the Ecosystem Plan Development Team. Motion 32 carried unanimously.

Ms. Vojkovich moved and Mr. Brizendine seconded a motion (Motion 33) for the Council to appoint Ms. Sarah McTee to the conservation position on the CPSAS. Motion 33 carried unanimously.

Ms. Vojkovich moved and Ms. Kirchner seconded a motion (Motion 34) for the Council to terminate the following inactive ad hoc committees:

Groundfish Regulatory Deeming Workgroup
Groundfish Trawl Individual Quota Committee
Salmon Amendment Committee
Trawl Rationalization Tracking and Monitoring Committee
Tule Chinook Workgroup
Vessel Monitoring Committee.

Motion 34 carried unanimously.

Mr. Wolford recognized the new officers of the following committees as voted on at this meeting, and has confirmed the election of the officers without objection.

Committee	Chair	Vice-Chair
GAP	Mr. Tom Ancona	Mr. John Holloway
GMT	Mr. Corey Niles	Mr. Daniel Erickson
HC	Mr. Joel Kawahara	Ms. Fran Recht
HMSAS	Mr. Doug Fricke	Mr. Wayne Heikkila
HMSMT	Mr. Kirt Hughes	Dr. Steve Stohs
SAS	Mr. Butch Smith	Mr. Duncan MacClean
STT	Dr. Robert Kope	Dr. Michael O'Farrell
SSC	Dr. Owen Hamel	Ms. Meisha Key

Dr. McIsaac noted that the process of considering a Klamath River inside fisheries seat for the Salmon Advisory Subpanel (SAS) would be to propose it at the September Council meeting when the Council begins the process of reviewing advisory bodies and selecting members for the next three-year term (2013-2015).

Ms. Vojkovich said she was not sure about the real value of an inside Klamath seat at this time, and would like to consider it further and see a cost analysis for it.

Mr. Roth noted we do have other inside seats on the SAS, and there are significant issues with the fishery and the water issues that an inside seat could provide information on, but agreed that we should understand the costs as well as the benefits.

Dr. Coon noted that in September we will ask the advisory bodies and Council members to look at the Council Operating Procedures and that would be the time to consider this.

[This agenda item concluded at 11:21 a.m. on 3/7/2012]

I.3 Future Council Meeting Agenda and Workload Planning (3/7/2012; 11:21 a.m.)

I.3.a Agenda Item Overview

Dr. Donald McIsaac provided the Agenda Item Overview and introduced:

Agenda Item I.3.a, Supplemental Attachment 3: Pacific Council Workload Planning: Year-at-a-Glance Summary.

Agenda Item I.3.a, Supplemental Attachment 4: Preliminary Proposed Council Meeting Agenda, April 1-6, 2012 in Seattle, Washington.

I.3.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Tommy Ancona presented Agenda Item I.3.b, Supplemental GAP Report. Mr. Dave Bitts presented Agenda Item I.3.b, Supplemental SAS Report.

I.3.c Public Comment

Mr. Ralph Brown, Trawl Fisherman, Gold Beach, Oregon; remarks concerning the need to reallocate widow rockfish.

Mr. Steve Marx, PEW Environment Group, Portland, Oregon; provided information from Agenda Item I.3.c, Public Comment: Letter from Pew Environmental Group requesting action on unmanaged forage species under the Ecosystem Agenda Item in June, (see also Agenda Item C.1.b, Public Comment 1.)

I.3.d Council Discussion and Guidance on Future Meeting Agenda and Workload Planning

Mr. Feldner wondered where we could insert the issues referred to in the information given in Agenda Item F.3 by Mr. Lockhart and public testimony concerning the need for transferability in the sablefish fixed gear fishery. Mr. Lockhart stated that there was no specific proposal for fixing it, and dealing with the Pacific Dawn litigation precluded dealing with it for the next three meetings. Perhaps it could be considered in November.

Ms. Kirchner would like to see a discussion of widow reallocation in April.

Mr. Lockhart stated that he would like to have all of the advisory body groups review the proposed Memorandum of Understanding on Migratory Bird Populations for the April meeting.

Mr. Wolford requested that the Humboldt water agreement be part of the Habitat agenda for April consideration. He was also concerned that there be further discussion of the Sacramento winter-run Chinook impact specifications in April.

Mr. Tim Roth asked for further discussion, clarification, and a letter concerning the request for an additional 50,000 acre-feet of flow in the Klamath River to help prevent a fish kill this fall. He also suggested further efforts toward developing an abundance-based approach for California coastal Chinook as recommended by the SAS, including formation of a workgroup.

Ms. Vojkovich noted previous Council direction that the Fishery Ecosystem Plan (FEP) would not have management authority while Mr. Marx's testimony asked the Council to reconsider that decision and add that capability to deal with protection of forage species. The FEP is not scheduled until the June Council meeting and she wondered where the Council would deal with that issue.

Dr. McIsaac responded that it is his understanding the Ecosystem Plan Development Team (EPDT) will be meeting after the April Council meeting and the Council could give direction to them in April under future agenda planning.

Ms. Kirchner stated her recollection was the Council had decided this issue (protection of forage fish) was to be added to the Coastal Pelagic Fishery Management Plan and there was no need to change the direction of the FEP. Mr. Myer agreed.

Dr. McIsaac stated we can review the record and bring the issue forward in April and provide instructions for the EPDT if necessary at that time.

Dr. McIsaac said he will incorporate the Council's comments into the planning for the future agendas.

[Agenda item concluded at 12:09 p.m.; 3/7/2012]

ADJOURN

The Council adjourned March 7, 2012 at 2:41 p.m.

Dan Wolford
Council Chairman

Date

DRAFT VOTING LOG
Pacific Fishery Management Council
212th Meeting
March 2012

Motion 1: Approve the agenda as shown in Agenda Item A.4, Proposed March 2012 Council Meeting Agenda.

Moved by: Dale Myer
Motion 1 carried unanimously

Seconded by: Herb Pollard

Motion 2: Council to send a letter to the National Marine Fisheries Service clearly supporting continuation of the U.S.-Canada Albacore Treaty, although the Fishing Regime should be renegotiated consistent with the points made on page 1 of Agenda Item B.2.b, Supplemental HMSAS Report 2. Finally, the U.S. should continue cooperating with Canada on international management objectives and research on North Pacific albacore whether or not a Fishing Regime (reciprocal access agreement) is agreed to.

Moved by: Marija Vojkovich

Seconded by: David Crabbe

Amndmnt 1: Add the wording that “relative to the Fishing Regime there is a need to renegotiate that element of the treaty, and information gathering and data analysis are needed prior to such a renegotiation. The Council does not support continuing the expired Fishery Regime or attempting to renegotiate the Fishing Regime for implementation in 2012.”

Moved by: Phil Anderson

Seconded by: Dale Myer

Amendment 1 carried (Mr. Helvey Abstained). Motion 2 carried (Mr. Helvey abstained).

Motion 3: Council reaffirms the previous recommendations for the U.S delegation to WCPFC8, made at the November 2011 Council meeting by means of another letter. (The HMSMT and HMSAS Reports attached to the previous letter do not have to be included in this letter.)

Moved by: Marija Vojkovich
Motion 3 carried unanimously.

Seconded by: Buzz Brizendine

Motion 4: Council to draft a letter with recommendations to the U.S. Delegation to the IATTC Annual Meeting based on the four recommendations found in Agenda Item B.2.b, Supplemental HMSAS Report on page three.

Moved by: Marija Vojkovich
Motion 4 carried unanimously

Seconded by: Phil Anderson

Motion 5: Council to direct the HMSMT and any appropriate NMFS staff experts with sea turtle and oceanographic data, determine if any changes can be made to the closure dates for, or the southern boundary of, the Pacific Leatherback Turtle Conservation Area (PLCA) to enhance drift gillnet (DGN) fishing opportunities (taking into account the supplemental HMSMT and HMSAS Reports). If the data and analysis show there is any flexibility, then the NMFS Protected Resources and Sustainable Fisheries should determine the next steps in establishing hard take caps for Endangered Species Act (ESA) listed turtles for consideration of establishing them for this fishery.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Amndmnt 1: To delete the phrase “if the data and analysis show there is any flexibility, then ask” and replace it with “In addition, ask the NMFS Protected Resources and Sustainable Fisheries determine next steps in establishing hard caps for ESA listed turtles for consideration of establishing them for this fishery.”

Moved by: Phil Anderson

Seconded by: Steve Williams

Amendment 1 carried unanimously. Motion 5 carried (Mr. Lincoln voted no).

Motion 6: To have NMFS report to the Council at the March 2013 meeting on the progress of research evaluating the bycatch rates, CPUE, and other useful information about other gear types targeting swordfish, with a view toward considering regulatory changes to expand the list of authorized HMS gear types as part of the 2014 biennial specification process depending on the outcome of the research.

Moved by: Mark Helvey

Seconded by: Rich Lincoln

Amndmnt 1: After the word “expand” add “or modify.”

Moved by: Phil Anderson

Seconded by: Dale Myer

Amendment 1 carried (Mr. Helvey voted no).

Motion 6 carried (Ms. Vojkovich and Mr. Wolford voted no).

Motion 7: Adopt the EFP Application as described in Agenda Item D.1.a, Attachment 1 for public review.

Moved by: Marci Yaremko

Seconded by: David Crabbe

Motion 7 carried unanimously.

Motion 8: Set aside 3,000 mt of whiting to accommodate 2012 research activities and incidental bycatch in the pink shrimp fishery.

Moved by: Dale Myer

Seconded by: Herb Pollard

Motion 8 was not voted on.

Motion 9: As a substitute motion to Motion 8: set aside 2,000 mt of whiting to accommodate 2012 research activities and incidental bycatch in the pink shrimp and other fisheries.

Moved by: Phil Anderson
Motion 9 carried unanimously.

Seconded by: Gway Kirchner

Motion 10: Adopt preferred OFLs, ABCs, and ACLs for lingcod north and south of 40°10' N. latitude as per Agenda Item F.2.a, Attachment 1 and the Other Fish complex as per Table 1 in Agenda Item F.2.b, Supplemental SSC Report. [Table 1 did not change in the Revised SSC Report]

Moved by: Phil Anderson
Motion 10 carried unanimously.

Seconded by: Gway Kirchner

Motion 11: Adopt the 2012 forecasts, acceptable biological catches (ABC), and overfishing limits in Preseason Report I including corrections made by the STT, as the best available science and as recommended by the SSC.

Moved by: Phil Anderson
Motion 11 carried unanimously.

Seconded by: Jeff Feldner

Motion 12: Adopt the rebuilding alternatives, rebuilt criteria, and rebuilding period recommended in Agenda Item G.3.b, Supplemental STT Report.

Moved by: Marija Vojkovich
Motion 12 carried unanimously.

Seconded by: Buzz Brizendine

Motion 13: Notify NMFS NW Region that the Strait Juan de Fuca Coho stock has been rebuilt, consistent with the Salmon Fishery Management Plan.

Moved by: Phil Anderson
Motion 13 carried unanimously.

Seconded by: Steve Williams

Motion 14: Adopt for public review the range of landing restrictions for Pacific halibut caught incidentally in the salmon troll fishery as presented in the Agenda Item H.2.b, Supplemental SAS Report, with the following modification to Option 3: the ratio would be one halibut per each five Chinook.

Moved by: Phil Anderson
Motion 14 carried unanimously.

Seconded by: Marci Yaremko

Motion 15: Adopt for public review the range of landing restrictions for incidental Pacific halibut retention in the sablefish fixed gear fishery north of Point Chehalis as presented in Agenda Item H.2.b, Supplemental GAP Report with the following modifications: the season dates would be from May 1 – Oct 31; and for Option 1, strike the word “Status Quo.”

Moved by: Phil Anderson
Motion 15 carried unanimously.

Seconded by: Frank Lockhart

Motion 16: The Council reconsider Council Action under Agenda Item H.2.

Moved by: Phil Anderson
Motion 16 carried unanimously.

Seconded by: Gway Kirchner

Motion 17: Adopt the following range of options for public review for incidental Pacific halibut retention in the directed fixed gear sablefish fishery north of Point Chehalis: Option 1 would allow 100 pounds dressed weight of halibut per trip; Option 2 would allow 2 halibut plus 50 pounds dressed weight of halibut per 1,000 pounds dressed weight of sablefish per trip. The season dates for both options would be May 1 through Oct 31.

Moved by: Phil Anderson
Motion 17 carried unanimously.

Seconded by: Gway Kirchner

Motion 18: Establish an ad hoc Workgroup as described below, tasked with developing and providing analysis of preliminary alternatives at the November, 2012 Council Meeting, as Amendment 24 to the Groundfish FMP, for further Council consideration. The Workgroup should use the staff White Paper (F.4.a, Attachment 1) to develop alternatives that address the problems and objectives contained in Section 3 of the staff White Paper. The workgroup should also utilize the experiences of other Councils as suggested by Agenda Item F.4.b, Supplemental SSC Report. The Workgroup should also consider the comments in Agenda Item F.4.b, Supplemental GMT and GAP Reports, especially about the idea of delaying the season date until March 1. In addition, each of the alternatives, including the status quo, should specifically include the ideas of standardization and simplification of documents and streamlining internal review and process requirements. The report provided at the November Council Meeting should include a draft purpose and need statement with objectives for Amendment 24.

The Ad hoc Workgroup should be composed of representatives from the entities described in Agenda Item F.4.a, Attachment 2 as “potential seats” (for the GAP, that might be someone not on the GAP but recommended by the GAP). Individuals filling the seats would be appointed by the Council Chair, possibly at the April Council Meeting.

Moved by: Marija Vojkovich
Motion 18 carried unanimously.

Seconded by: Buzz Brizendine

Motion 19: Adopt for public review the following:

- stocks for full assessment: darkblotched, petrale sole, shortspine thornyhead, longspine thornyhead, cowcod, and aurora rockfish;

- stocks for update assessment: Pacific ocean perch, bocaccio, and sablefish; and
- stocks for data reports: canary and yelloweye.

Moved by: Dale Myer

Seconded by: Rich Lincoln

Amndmnt 1: Include as preliminary for public review a placeholder for a full assessment for bocaccio.

Moved by: Gway Kirchner

Seconded by: Marija Vojkovich

Amendment 1 carried unanimously.

Amndmnt 2: Include as preliminary for public review a full assessment for Pacific sanddabs.

Moved by: Jeff Feldner

Seconded by: Gway Kirchner

Amendment 2 carried unanimously. Motion 19 carried unanimously.

Motion 20: Move the shoreward Rockfish Conservation Area (RCA) boundary for periods 3 and 5 from 75 to 100 fm for the area between 40°10' N. latitude and 48°10' N. latitude.

Moved by: Phil Anderson

Seconded by: Gway Kirchner

Motion 20 carried unanimously.

Motion 21: Adopt, as a range of alternatives for analysis in the 2013-2014 harvest specifications and management measures EIS (considered as a preliminary preferred alternative in April and a final preferred alternative in June) for managing the distribution of unused harvest set-asides as per the following: Alternatives 1, 2, and 3 from Agenda Item F.7.a, Attachment 1 and a hybrid alternative that uses the catch projection methodology from Alternative 3 and the prescribed allocations under Alternative 2.

Moved by: Gway Kirchner

Seconded by: Marija Vojkovich

Motion 21 carried unanimously.

Motion 22: Adopt the SAS report's ideas to be included for consideration in the scoping document for Amendment 17.

Moved by: Dave Hanson

Seconded by: Marija Vojkovich

Motion 22 passed with a roll call vote (Mr. Turner, Mr. Pattillo, Mr. Williams, Mr. Myer and Mr. Wolford voted no).

Motion 23: Council to accept Agenda Item F.2.b, REVISED Supplemental SSC Report as a complete replacement to the previous report.

Moved by: Dave Hanson

Seconded by: Buzz Brizendine

Motion 23 carried unanimously.

Motion 24: Adopt the following preliminary preferred actions and Council direction:

Cost Recovery Rule	
Cost Recovery	(no action anticipated)
PIE Rule 2	
2. Quota Share/Quota Pound (QS/QP) Control Rules – Safe Harbors	
A. Risk Pools	(no action anticipated)
B. Lenders	
Lending Entities Qualifying for an Exception	PPA = Alt 1 (page 4, Agenda Item F.8.a - Attachment 1)
Scope of the Exceptions Provided	PPA = Alt 3 (page 4, Agenda Item F.8.a - Attachment 1) include the language from Agenda Item F.8.b Supplemental GAP Report, page 2, paragraph 3
3. Other Lender Issues	No action at this time
4. Develop a process to certify new observer providers (see NMFS Report 2)	As in Agenda Item F.8.b - NMFS Report 2
5. Allow a fixed gear permit and a trawl permit to be registered to the same vessel at the same time	PPA = Alt 2 (page 6, Agenda Item F.8.a - Attachment 1)
6. Change the opt-out requirement for QP deficits	PPA = Alt (1) (page 9, Agenda Item F.8.a - Attachment 1)
7. Eliminate double filing of co-op reports	PPA = Alt (1) (page 11, Agenda Item F.8.a - Attachment 1)
Whiting Season Rule	Council Action
8. Whiting season opening date and southern allocation	PPA = Alt (1) (page 12, Agenda Item F.8.a - Attachment 1)

Moved by: Marija Vojkovich

Seconded by: David Crabbe

Amndmnt 1: Add that under Item #5, “Use of the limited entry fixed-gear (LEFG) exception for processing sablefish at-sea would be prohibited in the IFQ fishery.”

Moved by: Gway Kirchner

Seconded by: Dale Myer

Amendment 1 carried unanimously. Motion 24 carried unanimously.

Motion 25: Council to provide the following guidance to NMFS:

Agenda Item F.8.b. NMFS Report 2	Council Action
NMFS Items for PIE 2	
Sablefish at-sea processing exemption fix	Discontinue regulation review and revision

Agenda Item F.8.b. NMFS Report 2	Council Action
Fishery closure language	Needs further discussion with NMFS – issues brought up in GMT report
First receiver site license changes	As stated in Agenda Item F.8.b -NMFS Report 2
Catch monitor certification requirements	As stated in Agenda Item F.8.b -NMFS Report 2
QS permits and transfers	As stated in Agenda Item F.8.b -NMFS Report 2
Start renewal process 9/15 for LE permit, vessel account, and QS permits	As stated in Agenda Item F.8.b -NMFS Report 2
Observer provider certification	Further NMFS/Council staff work needed
Sorting requirements	Further NMFS/Council staff work needed.
Remove 12/15-31 ban on QP transfer	As stated in Agenda Item F.8.b -NMFS Report 2
Trawl permit requirements for vessel accounts	Further NMFS/Council staff work needed.
Clarify processor obligation (could be to >1 MS permit)	As stated in Agenda Item F.8.b -NMFS Report 2
Observer program regulation changes	As stated in Agenda Item F.8.b -NMFS Report 2
Change “permit holder” to “vessel owner”	As stated in Agenda Item F.8.b -NMFS Report 2
Process for changes vessel ownership	As stated in Agenda Item F.8.b -NMFS Report 2
Delete initial issuance regulations	To be handled through NMFS Lawsuit Response
Revise regulations to reflect gear types in FMP	Further NMFS/Council staff work needed

Moved by: Marija Vojkovich
Motion 25 carried unanimously.

Seconded by: Dorothy Lowman

Motion 26: Council provides the following guidance with respect to the gear issues discussed in Agenda Item F.8.a, Attachment 4:

For the following issues and alternatives described on F.8.d, Council Action Template:

1. Consider allowing multiple gears on board a vessel participating in the IFQ fishery
 - a. Allowing multiple gears on board a vessel on the same trip
 - b. Allowing use of multiple gears on a single trip, and
2. Allow trawl gear modifications that increase efficiency and selectivity.

Defer Council Guidance and action until after a one day workshop dedicated to gear regulations as they apply to the IFQ program as recommended by the EC (Agenda Item F.8.b, Supplemental EC Report) where these issues would be fully discussed.

For the Chafing Gear issue, move forward via the most expeditious vehicle with the goal of implementation by January 2013, using Strawdog Alternative 2 as the preferred alternative.

Moved by: Dorothy Lowman Seconded by: Gway Kirchner
Motion 26 carried unanimously.

Motion 27: Council to move forward with developing alternatives for re-allocation of widow rockfish quota shares at the permit level. The appropriate process in which to do so and a refinement of the timeframe will be determined at a later date.

Moved by: Gway Kirchner Seconded by: David Crabbe
Motion 27 carried unanimously.

Motion 28: Approve Agenda Item I.1.a, Attachment 1: Draft Minutes, 208th Session of the Pacific Fishery Management Council, April 9-13, 2011.

Moved by: Dale Myer Seconded by: Gway Kirchner
Motion 28 carried unanimously.

Motion 29: Approve Agenda Item I.1.a, Attachment 2: Draft Minutes, 211th Session of the Pacific Fishery Management Council, November 2-7, 2011.

Moved by: Dale Myer Seconded by: Gway Kirchner
Motion 29 carried unanimously.

Motion 30: Appoint Dr. Daniel Huppert to the vacant at-large position on the Scientific and Statistical Committee.

Moved by: Frank Lockhart Seconded by: Gway Kirchner
Motion 30 carried unanimously.

Motion 31: Appoint Ms. Cyreis Schmitt to the ODFW position on the CPSMT.

Moved by: Gway Kirchner Seconded by: Dorothy Lowman
Motion 31 carried unanimously.

Motion 32: Appoint Dr. Larry Gilbertson to the tribal position on the Ecosystem Plan Development Team.

Moved by: Dave Sones Seconded by: Herb Pollard
Motion 32 carried unanimously.

Motion 33: Appoint Ms. Sarah McTee to the conservation position on the CPSAS.

Moved by: Marija Vojkovich Seconded by: Buzz Brizendine
Motion 33 carried unanimously.

Motion 34: Terminate the following inactive ad hoc committees:

- Groundfish Regulatory Deeming Workgroup
- Groundfish Trawl Individual Quota Committee
- Salmon Amendment Committee
- Trawl Rationalization Tracking and Monitoring Committee
- Tule Chinook Workgroup
- Vessel Monitoring Committee.

Moved by: Marija Vojkovich Seconded by: Gway Kirchner
Motion 34 carried unanimously.

Motion 35: Adopt for public review the alternatives for treaty-Indian commercial fisheries north of Cape Falcon presented in Agenda Item G.8.b, Supplemental STT Report (Agenda Item G.8.d, Supplemental Tribal Motion).

Moved by: David Sones Seconded by: Rich Lincoln
Motion 35 carried unanimously.

Motion 36: Adopt for public review the alternatives for non-Indian commercial and recreational fisheries north of Cape Falcon presented in Agenda Item G.8.b, Supplemental STT Report.

Moved by: Pat Pattillo Seconded by: Rich Lincoln
Motion 36 carried unanimously.

Motion 37: Adopt for public review the alternatives for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border presented in Agenda Item G.8.b, Supplemental STT Report.

Moved by: Steve Williams Seconded by: Jeff Feldner
Motion 37 carried unanimously.

Motion 38: Adopt for public review the alternatives for non-Indian commercial and recreational fisheries south of the Oregon/California border presented in Agenda Item G.8.b, Supplemental STT Report with the following modification: on Page 7 for Alternative III of the Pt. Sur to U.S./Mexico border commercial fishery, delete the September 1-30 fishery.

Moved by: Marija Vojkovich Seconded by: Buzz Brizendine
Motion 38 carried unanimously.

Motion 39: Adopt for public review the Sacramento River fall Chinook rebuilding alternatives in Agenda Item G.8.b, Supplemental STT Report to meet the FMP Amendment 16 requirements.

Moved by: Marija Vojkovich
Motion 39 carried unanimously.

Seconded by: Steve Williams

DRAFT MINUTES
213th Session of the
Pacific Fishery Management Council
April 1-6, 2012
Sheraton Seattle Hotel
1400 Sixth Avenue; Seattle, WA 98101

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A. Call to Order (April 1, 2012)

A.1 Opening Remarks

Mr. Dan Wolford, Chairman, called the 213th meeting of the Pacific Fishery Management Council (Council) to order at 2:04 p.m. on Sunday, April 1, 2012. He said there would be a closed session held after Agenda Item E.1 that day to discuss litigation and personnel matters.

A.2 Roll Call

Dr. Donald McIsaac, Council Executive Director, called the roll. The following Council members were present:

Mr. Phil Anderson (Washington State Official)
Mr. William L. “Buzz” Brizendine (At-Large)
Mr. David Crabbe (California Obligatory)
Mr. Jeff Feldner (At-Large)
Mr. Mark Helvey (National Marine Fisheries Service, Southwest Region, designee)
Ms. Gway Kirchner, (Oregon State Official, designee)
Mr. Rich Lincoln (Washington Obligatory)
Ms. Dorothy Lowman, Vice Chair (Oregon Obligatory)
Mr. Dale Myer (At-Large)
Mr. David Ortmann (Idaho State Official, designee)
Mr. Herb Pollard (Idaho Obligatory)
Mr. Tim Roth (U.S. Fish and Wildlife Service, nonvoting designee)
Mr. David Sones (Tribal Obligatory)
RADM Keith Taylor (U.S. Coast Guard, nonvoting)
Mr. Gordon Williams (Alaska State Official, nonvoting designee)
Mr. Dan Wolford, Chair (At-Large)
Ms. Marci Yaremko (California State Official, designee)

During the week the following people were present in their designated seats for portions of the meeting: LCDR Brian Chambers (U.S. Coast Guard, nonvoting, designee); Mr. Brian Corrigan (U.S. Coast Guard, nonvoting designee); Ms. Michele Culver (Washington State Official, designee); Mr. Cal Groen (Idaho State Official, designee); Dr. Dave Hanson, Parliamentarian (Pacific States Marine Fisheries Commission, nonvoting designee) was absent on April 1 and part of April 2; Ms. Sara LaBorde (Washington State Official, designee); Mr. Frank Lockhart (National Marine Fisheries Service (NMFS), Northwest Region, designee); Mr. Bob Turner (NMFS, Northwest Region, designee), Ms. Marija Vojkovich (California State Official, designee).

The following Council member was absent for the entire meeting: Mr. David Hogan, U.S. State Department, nonvoting.

A.3 Executive Director’s Report

Dr. Donald McIsaac reported that the FY 2012 Council funding has not been completely allocated yet; the observer data workshop scheduled for Wednesday evening has been cancelled;

the Electronic Monitoring session is still being held on Tuesday evening; the integrated ecosystem assessment meeting will be held on Wednesday evening; the Chair's Reception will be held tonight in the Cirrus Room at 6 p.m.; and the complex motions worksheet has been distributed to Council members.

A.4 Agenda

A.4. a. Council Action: Approve Agenda

Mr. Ortmann moved and Mr. Pollard seconded (Motion 1) that the agenda be approved as presented in Agenda Item A.4.a with the change that agenda item G.1 be cancelled, as suggested by the Executive Director. Motion carried unanimously.

B. Open Comment

B.1 Comments on Non-Agenda Items (4/1/2012; 2:14 p.m.)

B.1.a Advisory Body and Management Entity Comments

None.

B.1.b Public Comment

Agenda Item B.1.b, Supplemental Open Comment: Comments on CROOS Program.

No public presented oral comments at the meeting.

B.1.c Council Discussion and Comments as Appropriate

None.

C. Habitat

C.1 Current Habitat Issues (4/1/2012; 2:15 p.m.)

C.1.a Agenda Item Overview

Ms. Jennifer Gilden provided the Agenda Item Overview which references the following items:

Agenda Item C.1.a, Attachment 1: Letter on Levee Vegetation.

Agenda Item C.1.a, REVISED Attachment 2: Letter on Klamath Water.

Agenda Item C.1.a, Attachment 3: Letter from Humboldt County on Klamath Water.

C.1.b Report of the Habitat Committee

Mr. Joel Kawahara presented Agenda Item C.1.b, Supplemental Habitat Committee Report.

C.1.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Mike Orcutt presented Agenda Item C.1.c, Supplemental SAS Report.

Mr. Dave Hillemeier presented information regarding the Yurok Tribe, and Mr. Mike Orcutt presented information regarding the Hoopa Tribe.

C.1.d Public Comment

Jason Griffith, Stillaguamish Tribe of Indians, Arlington, Washington.

C.1.e Council Action: Consider Habitat Committee Recommendations (4/1/2012; 3:02 p.m.)

Mr. Ortmann said the levee vegetation letter (Agenda Item C.1.a, Attachment 1) should be sent. The Council concurred.

Regarding the Klamath water letter, Mr. Wolford discussed the reference to 50,000 acre feet of water, and whether that water would put more stress on Sacramento River salmon. He suggested supporting the 50,000 acre feet reference, but qualified it to say that the salmon runs on both the Sacramento and Klamath river systems needed water.

Ms. Yaremko supported the edits to the letter but was not comfortable specifying the mechanism to ensure that flows are maintained.

Mr. Sones said the fish need advocates; the counties and tribes need to work together to support the fish. He supported including the language about the 50,000 acre feet.

Mr. Wolford said this is a difficult year for Klamath fish; he supported including the 50,000 acre feet language.

Mr. Wolford moved and Mr. Sones seconded (Motion 2) that the Council forward the letter as shown in Agenda Item C.1.a, REVISED Attachment 2: Letter on Klamath Water to Ken Salazar, including the strikeouts and revisions, with the following correction:

Therefore, in the event flow augmentation is deemed necessary to maintain the quality of salmon EFH and minimize the likelihood of another fish kill, we recommend you pursue all necessary measures to ensure additional water will be available for release from the Trinity and/or Upper Klamath basins, *including among other things the use of the Humboldt County request for 50,000 acre feet of water from the Trinity Division.*

[Council was on break from 3:17 to 3:29 p.m.]

Mr. Wolford spoke in support of his motion, saying this was needed to reduce the likelihood of a fish kill. Mr. Roth also spoke in support of the motion; the language was artfully done and doesn't limit the Corps' actions, but gives direction. Mr. Crabbe agreed.

Ms. Yaremko moved and Mr. Brizendine seconded to amend the motion (Amendment 1) by making the following edits after the word "ensure": add "an adequate amount of" and strike the italicized wording in the motion.

Ms. Yaremko spoke to her motion, saying the reference to the 50,000 acre feet would raise concerns and could limit the amount of water allocated; spelling out a number isn't necessary and could distract from the main focus of the letter, which is to prevent a fish kill.

Amendment 1 – carried (Mr. Sones, Mr. Lincoln, Mr. Ortmann, Mr. Feldner and Mr. Wolford voted no).

Mr. Ortmann spoke about the importance of including the reference to the 50,000 acre feet in the letter to make it consistent with tribal and Humboldt County concerns.

Mr. Feldner moved and Mr. Ortmann seconded (Amendment 2) to replace the italicized text with “including but not limited to the Humboldt County request for 50,000 acre feet from the Trinity Division.”

Mr. Feldner, Mr. Crabbe and Mr. Wolford discussed this amendment.

Amendment 2 failed on a voice vote.

Ms. Kirchner said she understood the desire to support Humboldt County's request, and moved (Amendment 3), seconded by Ms. LaBorde, that at the end of this section, before the forecasted run size paragraph, add the following:

The Council received the letter from Humboldt County to the Department of the Interior dated March 13, 2012 requesting the release of 50,000 feet of water; we recommend consideration of this request.

Mr. Brizendine was opposed to citing a specific number. Ms. Kirchner said this number was requested by the County, but it could still be stricken.

Amendment 3 failed (Mr. Brizendine, Ms. Yaremko, Mr. Crabbe, Mr. Ortmann, Ms. Kirchner, Mr. Pollard, Ms. LaBorde and Mr. Wolford voted no).

Motion 2, as amended by Amendment 1 (with minor edits, and removing the italicized reference to the 50,000 acre feet of water) – carried unanimously.

Closed Executive Session

[Council was in closed session from 4 p.m. to 4:47 p.m.]

[Council reconvened 4/2/2012 at 8:02 a.m.]

D. Enforcement Issues

D.1 Current Enforcement Issues (4/2/2012; 8:02 a.m.)

D.1.a Agenda Item Overview

Mr. Jim Seger provided the Agenda Item Overview

D.1.b U.S. Coast Guard Annual West Coast Fishing Enforcement Report

RADM Keith Taylor introduced RADM Joseph Castillo (District 11 Commander), LCDR Brian Corrigan, Mr. Dan Hardin, Mr. Brian Chambers, and LCDR Elisa Garrity, as representatives of the U.S. Coast Guard.

LCDR Brian Corrigan and Mr. Dan Harding presented Agenda Item D.1.b, Supplemental USCG Report, and Agenda Item D.1.b, Supplemental USCG Report 2.

D.1.c Reports and Comments of Advisory Bodies and Management Entities

None.

D.1.d Public Comment

None.

D.1.e Council Discussion

Council Members expressed appreciation for the work of the U.S. Coast Guard.

[Council was on break from 9:03 to 9:18 a.m.]

E. Salmon Management

E.1 National Marine Fisheries Service (NMFS) Report (4/2/2012; 9:18 a.m.)

E.1.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

E.1.b Regulatory Activities

Mr. Bob Turner presented Agenda Item E.1.b, Supplemental NMFS Report: NOAA Fisheries / Fisheries and Oceans Canada Workshops to examine the Effects of Salmon Fisheries on Southern Resident Killer Whales, and Agenda Item E.1.b, Supplemental NMFS Report 2: Letter to Chair Wolford Regarding Printed Salmon Regulation Booklets.

Mr. Turner also reported that NMFS has determined listing the upper Klamath Basin Chinook Evolutionarily Significant Unit was not warranted.

E.1.c Reports and Comments of Advisory Bodies and Management Entities

None.

E.1.d Public Comment

None.

E.1.e Council Discussion

None.

E.2 Tentative Adoption of 2012 Ocean Salmon Management Measures for Analysis (4/2/2012; 9:22 a.m.)

E.2.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and referenced the following documents:

Agenda Item E.2.a, Attachment 1: Emergency Changes to the Salmon FMP.

Agenda Item E.2.a, Attachment 2: FR 97-22094: Policy Guidelines for the Use of Emergency Rules.

Agenda Item E.2.a, Attachment 3: Salmon Technical Team Proposed Rebuilding Plan for Sacramento River Fall Chinook.

E.2.b Update of Estimated Impacts of March 2012 Alternatives

Dr. Robert Kope summarized Preseason II: Proposed Alternatives and Environmental Assessment – Part 2 for 2012 Ocean Salmon Fishery Regulations, with the following updates:

- Table 5 page 48, Columbia Lower River Natural Tule exploitation rates were below the 41.0 percent limit for all three Alternatives as a result of Pacific Salmon Commission (PSC) action setting aggregate abundance based management quotas for Canadian and Alaskan fisheries.
- Table 5 page 49, Interior Fraser coho impacts were reduced from 12.0 percent to 11.3 percent in Alternative I, and from 11.3 percent to 10.6 percent in Alternative II as a result of ongoing negotiations in the North of Falcon process.

E.2.c Summary of Public Hearings

Council members provided a summary of the public hearings as follows:

Mr. Dale Myer presented Agenda Item E.2.c, Supplemental Public Hearing Report 1: Westport, Washington.

Mr. Jeff Feldner presented Agenda Item E.2.c, Supplemental Public Hearing Report 2: Coos Bay, Oregon.

Mr. David Crabbe presented Agenda Item E.2.c, Supplemental Public Hearing Report 3: Eureka, California.

E.2.d Recommendations of the U.S. Section of the Pacific Salmon Commission

Mr. Gordy Williams presented Agenda Item E.2.d, Supplemental PSC Report.

E.2.e Recommendations from the North of Cape Falcon Forum

Mr. Phil Anderson reported the North of Cape Falcon process was making progress but was not ready to advance any recommendations. Outstanding issues include compliance with

conservation objectives for Nisqually, Skagit, and Mid-Hood Canal Chinook and Interior Fraser coho.

E.2.f Reports and Comments of Advisory Bodies and Management Entities

Messrs. Herbert Jackson, Bruce Jim, Wilbur Slockish, Jr., and Chris Williams, representing the Columbia River Treaty Tribes, presented Agenda Item E.2.f, Supplemental Tribal Report. Mr. Mike Orcutt presented Agenda Item E.2.f, Supplemental Comments of Hoopa Valley Tribe. Messrs. Butch Smith, Jim Olson, Gerry Reinholdt, Duncan MacLean, Steve Watrous, Mike Sorenson, Richard Heap, and Craig Stone presented Agenda Item E.2.f, Supplemental SAS Report: Proposed 2012 Ocean Salmon Management Measures for Tentative Adoption.

E.2.g Public Comment (4/2/2012; 10:43 a.m.)

Mr. Joel Kawahara, Salmon Troller, Quilcene, Washington.
Mr. Steve Wilson, Salmon Troller, Federal Way, Washington.
Mr. Duncan MacLean, Salmon Troller, El Granada, California.
Mr. Ben Doane, Sport Fisherman, Eureka, California.
Agenda Item E.2.g, Public Comment.
Agenda Item E.2.g, Supplemental Public Comment 2.

[Council suspended this item until afternoon and took a ten minute break at 11:02 a.m. and reconvened with E.3 at 11:26 a.m.]

E.2.h Council Action: Adopt Tentative 2012 Ocean Salmon Management Measures for Analysis (4/2/2012; 2:02 p.m.)

Mr. Anderson moved (Motion 3) the Council adopt for preliminary analysis by the Salmon Technical Team (STT), the management measures for non-Indian commercial and recreational fisheries north of Cape Falcon in Agenda Item E.2.f, Supplemental SAS Report, with changes reflected in Agenda Item E.5.b, Supplemental STT Report, and to model inside fisheries as follows: in area 5 (Strait of Juan de Fuca) the second half of October (October 16-31) would be closed; in area 6 (Port Angeles) change the coho fishery from September 16-13 to a mark-selective fishery for coho; in Area 7 (San Juan Islands) change the October coho fishery from a non-mark-selective to a mark-selective fishery, and; in Hales Pass institute the same closure for the commercial that fishery was in place in 2011. Mr. Myer seconded the motion.

Mr. Anderson stated the changes in the coho quota and inside fisheries were made in an effort to reach the conservation objectives for Interior Fraser coho and Puget Sound Chinook stocks.

Motion 3 carried unanimously.

Mr. Sones moved (Motion 4) that the Council adopt for preliminary analysis by the STT, the management measures for Treaty Indian ocean fisheries north of Cape Falcon in Agenda Item E.2.h, Supplemental Tribal Motion. Mr. Anderson seconded the motion.

Mr. Sones stated the coho quota was intended to make progress toward reaching the conservation objective for Interior Fraser coho, and Columbia River and Puget Sound Chinook stocks.

Motion 4 carried unanimously.

Ms. Kirchner moved (Motion 5) that the Council adopt for preliminary analysis by the STT, the management measures for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border in Agenda Item E.2.f, Supplemental SAS Report, with changes reflected in Agenda Item E.5.b, Supplemental STT Report. Mr. Feldner seconded the motion.

Motion 5 carried unanimously.

Ms. Vojkovich moved (Motion 6) that the Council adopt for preliminary analysis by the STT, the management measures for non-Indian commercial and recreational fisheries south of the Oregon/California border in Agenda Item E.2.f, Supplemental SAS Report with changes reflected in Agenda Item E.5.b, Supplemental STT Report. Mr. Brizendine seconded the motion.

Motion 6 carried unanimously.

Ms. Vojkovich directed the Enforcement Consultants (EC) to consider boilerplate language relative to the genetic stock identification (GSI) sampling during closed time periods.

[This agenda item concluded at 2:35 p.m.]

E.3 Sacramento Winter Run Chinook Impact Specifications (4/2/2012; 11:27 a.m.)

E.3.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

E.3.b NMFS Report

Mr. Rod McInnis reported that the Biological Opinion relating to water management in the Central Valley required a change in management when a trigger of two percent of the forecasted run was observed at the pump site; the two percent was not a limit on impacts, and actual impacts are greater than two percent of the forecasted run.

Mr. McInnis reported that the Sacramento River Winter Chinook (SRWC) Endangered Species Act (ESA) consultation standard control rule requiring zero fishery-related impacts at low abundance levels was a unique requirement among fishery and nonfishery-related consultation standards for other ESA-listed salmon stocks. That requirement was intended to avoid exacerbating a serious population status. The water management consultation standard allowed low levels of pumping (1,500 cubic feet per second) to address health and welfare issues.

Mr. McInnis reported that the threshold of a 3-year geometric mean spawning escapement of 500 SRWC was based on Lindley et al. 2007, which was based on the technical recovery team literature review and, in particular, Allendorf et al. 1997.

Dr. McIsaac asked what the range of pumping was. Mr. McInnis replied that the upper end of the pumping capacity was 15,000 cubic feet per second, and 1,500 represented the lower end to supply domestic use for health and welfare issues.

Dr. McIsaac asked if there were plans to consider revising the 500 spawner threshold, including use of a population viability models. Mr. McInnis replied not until new information was available.

E.3.c Reports and Comments of Advisory Bodies and Management Entities

None.

E.3.d Public Comment

Duncan MacLean, Salmon Troll Fisherman, Half Moon Bay.
Ben Platt, PCFFA, Fort Bragg, California.

E.3.e Council Discussion of Issues Concerning the Fishery Impact Specifications for Sacramento Winter Run

Ms. Vojkovich asked what process the Council could use to provide new information to NMFS that might be used to reinitiate consultation. Mr. McInnis replied the salmon methodology process would probably be appropriate.

Mr. Wolford stated that Council area fisheries do not target Sacramento Winter Chinook any more than water management, and to uniquely single out Council fisheries to be reduced to zero was not justified.

[Council was on break from 12:21 p.m. until 2:02 pm]

E.4 Methodology Review Process and Preliminary Topic Selection for 2012 (4/2/2012; 2:35 p.m.)

E.4.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

E.4.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item E.4.b, Supplemental STT Report.
Mr. Larry LaVoy presented Agenda Item E.4.b, Supplemental MEW Report.
Mr. Duncan MacLean presented Agenda Item E.4.b, Supplemental SAS Report.
Dr. Owen Hamel presented Agenda Item E.4.b, Supplemental SSC Report.
Mr. David Sones presented Agenda Item E.4.b, Supplemental Tribal Comments.

Mr. Wolford asked Dr. Kope if the modified Sacramento Index forecast would include age-structured data. Dr. Kope replied there was probably not sufficient information for an age-

structured analysis yet, but the proposal would be to look at alternatives in light of the recent bias in the forecast.

Ms. Vojkovich asked if the California Coastal Chinook abundance-based management approach was going to be investigated by NMFS scientists in the STT. Mr. Tracy replied the NMFS Southwest Region volunteered to lead the initial investigation of feasibility. She asked Dr. Hamel if the list of methodology topics were in priority order. Dr. Hamel replied generally yes.

In response to the tribal comments concerning the mark selective fishery (E.4.b), Dr. Kope replied that the coho release rates were fairly stable in the charter fleet at around two percent, while the private fleet was more variable at around seven percent. The annual rate of six percent is a conservative value, but the STT will review those rates under topic 3 of the Agenda Item E.4.b, supplemental STT Report.

E.4.c Public Comment

Ben Platt, PCFFA, Fort Bragg, California.

Duncan MacLean, PCFFA, El Granada, California.

Agenda Item E.4.b, Supplemental Public Comment: Letter from Pacific Coast Federation of Fishermen's Association.

E.4.d Council Guidance on Potential Methodologies to Review in 2012

Mr. Wolford moved (Motion 7) that the Council adopt the Salmon Methodology Review process topics for 2012 as presented in Agenda Item E.4.b, Supplemental SSC Report, to add a topic for evaluating a *de minimis* fishery impact allowance for SRWC with the lead agency being NMFS, and to identify this topic as a priority item. Mr. Crabbe seconded the motion.

Mr. Anderson asked if the SRWC topic would be at the same priority as topics 1-3 from the Scientific and Statistical Committee (SSC) Report. Mr. Wolford replied yes.

Mr. Anderson expressed concern that the Council assigning another agency a workload project would exceed the Council's authority. Mr. Wolford agreed, but stated that NMFS suggested this topic would be appropriate for the methodology review process.

Mr. Turner stated that because NMFS must also conduct the ESA consultation, it may be awkward to have NMFS both defend and evaluate such a proposal, and therefore would not be able to support the motion.

Mr. Turner suggested the Council could take an approach similar to that for the lower Columbia River natural tule consultation standard.

[Council was on break 3:26 p.m. to 3:38 p.m.]

Mr. Turner moved to amend Motion 7 (Amendment1) to replace the topic of evaluating a *de minimis* fishery impact allowance for SRWC with a topic to develop recommendations on management methodologies for SRWC that better achieve Council's objective, particularly at low abundance, as a task for the STT. Ms. Vojkovich seconded the motion.

Amendment 1 carried unanimously. Motion 7 carried unanimously.

[Agenda item concluded at 3:42 p.m.]

E.5 Clarify Council Direction on 2012 Management Measures (4/3/2012 4:07 p.m.)

E.5.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview.

E.5.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item E.5.b, Supplemental STT Report: Preliminary Analysis of Tentative 2012 Ocean Salmon Fishery Management Measures.

E.5.c Public Comment

None.

[Council suspended this agenda item until 4:35 p.m. in the afternoon on 4/4/2012]

E.5.d Council Guidance and Direction

Mr. Anderson directed the STT to analyze the management measures for non-Indian commercial and recreational fisheries north of Cape Falcon in Agenda Item E.5.b, Supplemental STT Report, with changes reflected in Agenda Item E.7.b, Supplemental STT Report.

Mr. Sones directed the STT to analyze the management measures for Treaty Indian ocean commercial fisheries north of Cape Falcon in Agenda Item E.5.b, Supplemental STT Report, with changes reflected in Agenda Item E.7.b, Supplemental STT Report.

Ms. Kirchner directed the STT to analyze the management measures for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border in Agenda Item E.5.b, Supplemental STT Report, with changes reflected in Agenda Item E.7.b, Supplemental STT Report.

Ms. Vojkovich directed the STT analyze the management measures for non-Indian commercial and recreational fisheries south of the Oregon/California border in Agenda Item E.5.b, Supplemental STT Report, with changes reflected in Agenda Item E.7.b, Supplemental STT Report.

[Council concluded this agenda item at 4:50 p.m. and resumed with I.5 at 8:00 a.m. on 4/5/2012]

E.6 Southern Oregon- Northern California Coastal Coho (SONCC) Recovery Plan (4/5/12; 11:39 a.m.)

E.6.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and introduced the following Documents for consideration under this agenda item:

Agenda Item E.6.a, Attachment 1: Southern Oregon Northern California Coast Coho Salmon Recovery Plan Summary - Keys to Understanding.

Agenda Item E.6.a, Attachment 2: Council Staff Comments on the Public Review Draft SONCC Coho Recovery Plan.

E.6.b NMFS Report

Ms. Julie Weeder presented Agenda Item E.6.b, Supplemental NMFS PowerPoint.

[Council break from 11:56 a.m. to 1:03 p.m.]

E.6.c Reports and Comments of Advisory Bodies and Management Entities (4/5/2012; 1:03 p.m.)

Mr. Joel Kawahara presented Agenda Item E.6.c, HC Report: Draft Letter to NFMS Recovery Coordinator Julie Weeder, and Agenda Item E.6.c, Supplemental HC Report 2.

Mr. Richard Heap presented Agenda Item E.6.c, Supplemental SAS Report.

E.6.d Public Comment

Ben Doane, Humboldt Area Saltwater Anglers/KMZFC, McKinleyville, California

E.6.e Council Action: Provide Comments on the Plan

Mr. Feldner recommended the Council direct the Salmon Advisory Subpanel (SAS) and Habitat Committee (HC) to draft a letter from the Council to NMFS relating comments from Council staff, the HC and SAS. Mr. Tracy replied the Council could direct staff to complete the task because there is no scheduled meeting of the HC and SAS prior to the comment deadline.

Mr. Turner suggested the Council just forward the Council staff, HC, and SAS reports to NMFS.

Mr. Wolford noted the proposed recovery plan actions were voluntary, but that if a new harvest consultation standard was developed, it would not be voluntary, and asked how a new consultation standard would affect fisheries. Mr. Turner replied that would depend on the new information available, and noted that a recovery standard was different than a jeopardy standard.

Mr. Tracy asked if there were other examples of viable salmonid population-based consultation standards for harvest. Mr. Turner replied yes, including Puget Sound Chinook recovery exploitation rate standards were based on existing habitat productivity estimates.

Ms. Lowman recommended Council staff forward comments from the Council Staff, the HC, and SAS to NMFS. The Council concurred.

[Council concluded this agenda item at 1:35 p.m.]

E.7 Final Action on 2012 Management Measures (4/5/2012; 1:35 p.m.)

E.7.a Agenda Item Overview

Mr. Chuck Tracy provided the Agenda Item Overview

E.7.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item E.7.b, Supplemental STT Report: STT Analysis of Tentative 2012 Ocean Salmon Fishery Management Measures.

Mr. Sones referred the Council to Agenda Item E.7.b, Supplemental Tribal Report 2: Comments of the Hoopa Valley Tribe.

Mr. Stuart Ellis presented Agenda Item E.7.b, Supplemental Tribal Report: Statement of the Columbia River Treaty Tribes.

E.7.c Public Comment

None.

E.7.d Council Action: Adopt Final Management Measures for 2012 Ocean Salmon Fisheries

Mr. Sones moved and Mr. Anderson seconded (Motion 26) that for the 2012 salmon fishery in the area from the U.S./Canada border to Cape Falcon, Oregon, the following management structure be adopted by the Council for the Treaty Indian ocean salmon troll fisheries:

The Treaty Indian ocean troll fishery would have a quota of:

- ✓ 55,000 Chinook and
- ✓ 47,500 coho.

The overall Chinook quota would be divided into a 27,500-Chinook sub-quota for the May 1 through June 30 Chinook only fishery and a 27,500-Chinook sub-quota for the all species fishery in the time period of July 1 through September 15.

The Treaty troll fishery would close upon the projected attainment of either of the Chinook or coho quota.

Any remainder of Chinook from the May/June Chinook only fishery may be transferred on an impact neutral basis to the July-September all species fishery.

Other applicable regulations are shown in Table 3 of STT Report Analysis of Tentative 2012 Ocean Salmon Fishery Management Measures – Agenda Item E.7.b.

Motion 26 carried unanimously.

Mr. Anderson moved (Motion 27) that the Council adopt the management measures and quotas for the commercial and recreational non-Indian fisheries north of Cape Falcon for submission to

the Secretary of Commerce as shown in Agenda Item E.7.b, Supplemental STT Report. Ms. Kirchner seconded the motion.

Motion 27 carried unanimously.

Ms. Kirchner moved (Motion 28) that the Council adopt the management measures and quotas for the commercial and recreational non-Indian fisheries between Cape Falcon and the Oregon/California border as shown in Agenda Item E.7.b, Supplemental STT Report, including the commercial and recreational requirements, definitions, restrictions, or exceptions. Mr. Feldner seconded the motion.

Motion 28 carried unanimously.

Ms. Vojkovich moved (Motion 29) that the Council adopt the management measures and quotas for the commercial and recreational non-Indian fisheries south of the Oregon/California border as shown in Agenda Item E.7.b, Supplemental STT Report, including the commercial and recreational requirements, definitions, restrictions, or exceptions. Mr. Crabbe seconded the motion.

Motion 29 carried unanimously.

Ms. Vojkovich moved (Motion 30) that the Council adopt the current Fishery Management Plan (FMP) control rule and the default FMP rebuilt criteria as the rebuilding plan for Sacramento River fall Chinook, with an expected rebuilding time of one year, as contained in Agenda Item E.2.a, Attachment 3. This results in an expected rebuilding time of one year. Mr. Crabbe seconded the motion.

Ms. Vojkovich noted that the control rule manages SRFC for an exploitation rate not to exceed 70 percent while providing at least 122,000 natural and hatchery adult spawners, and defines allowable levels of *de minimis* mortality when spawning escapement is projected to be below 122,000 spawners. The rebuilt criterion is based on S_{MSY} and uses a 3-year geometric mean of 122,000. Managing for these constraints in 2012 results in a projected rebuilt status in one year, the shortest time possible.

Motion 30 carried unanimously.

[Council concluded this agenda item at 2:08 p.m. and went on break].

F. Pacific Halibut Management

F.1 Final Incidental Catch Recommendations for 2012 Salmon Troll and Fixed Gear Sablefish Fisheries (4/2/2012; 3:42 p.m.)

F.1.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview

F.1.b Reports and Comments of Advisory Body and Management Entities

Mr. Gerry Reinholdt presented Agenda Item F.1.b, Supplemental SAS Report and Agenda Item F.1.b, Supplemental SAS Report 2.

Mr. John Holloway presented Agenda Item F.1.b, Supplemental GAP Report.

Ms. Kirchner asked if the SAS discussed the language in the Catch Share Plan regarding prioritizing incidental catch for the May-June salmon troll fishery. Mr. Reinholdt replied yes, and noted that in the past, remaining allocation to the salmon troll fishery after the May-June fishery could be transferred to the directed commercial halibut fishery.

Ms. Yaremko asked if the SAS considered access of halibut by fisheries with openings later than May 1. Mr. Reinholdt replied yes, that reducing the halibut trip limit would allow more access for such fisheries.

F.1.c Public Comment

Mr. Joel Kawahara, Salmon Troller, Quilcene, Washington.

F.1.d Council Action: Adopt Final Incidental Catch Regulations for 2012.

Mr. Anderson moved (Motion 8) that the Council adopt option 2 in Agenda Item F.1, Situation Summary, as final incidental landing restriction recommendations for 2012 Salmon troll fisheries: beginning May 1, license holders may possess or land no more than one halibut per each four Chinook, except one halibut may be possessed or landed without meeting the 1:4 ratio requirement, and no more than 20 halibut may be possessed or landed per trip. Halibut retained must be no less than 32 inches in total length (with head on). Mr. Lincoln seconded the motion.

Motion 8 carried unanimously.

Mr. Anderson moved (Motion 9) that the Council adopt option 2 From Agenda Item F.1, Situation Summary, as final recommendations for 2012 landing limits on halibut harvest in the fixed gear primary sablefish fishery north of Point Chehalis: beginning May 1, restrict incidental halibut possession and landings to 50 pounds dressed weight) of halibut for every 1,000 pounds (dressed weight) of sablefish landed and up to two additional halibut may be possessed or landed in excess of the 50 pounds per 1,000 pound ratio per landing. Mr. Lincoln seconded the motion.

Motion 9 carried unanimously.

Ms. Kirchner recommended the SAS consider alternatives to the Catch Sharing Plan (CSP) language regarding the priorities for setting landing restrictions in the salmon troll fishery when the opportunity arises in September, 2012. Mr. Wolford recommended it be included in the five-meeting planner under Agenda Item H.5.

Mr. Anderson recommended a coordinated response to the letters received by the State Agency Directors from the International Pacific Halibut Commission (IPHC) (Supplemental Informational Report 3) indicating that a data gathering program for recreational halibut discard was unnecessary for Area 2A. Ms. Kirchner and Ms. Yaremko concurred.

[This agenda item concluded at 4:13 p.m. on 4/2/2012]

G. Coastal Pelagic Species Management

G.1 National Marine Fisheries Service (NMFS) Report

Cancelled.

G.2 Exempted Fishing Permit (EFP) for 2012 Northwest Aerial Sardine Survey (4/2/2012; 4:15 p.m.)

G.2.a Agenda Item Overview

Mr. Kerry Griffin provided the Agenda Item Overview and introduced Agenda Item G.2.a, Attachment 1: West Coast Aerial Sardine Survey 2012 Application for Exempted Fishing Permit, revised. He noted that at the March, 2012 meeting, the Council expressed interest in possibly streamlining the CPS EFP process and suggested that the CPSMT look into that issue.

G.2.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Bob Emmett presented Agenda Item G.2.b, Supplemental CPSMT Report.
Mr. Mike Okoniewski presented Agenda Item G.2.b, Supplemental CPSAS Report.
Dr. Owen Hamel presented Agenda Item G.2.b, Supplemental SSC Report.

G.2.c Public Comment

None.

G.2.d Council Action: Adopt Final EFP Recommendations

The Council discussed the possibility that a relatively high second period harvest allocation could mean that vessels won't be available for EFP research. Mr. Okoniewski expressed optimism that the Northwest Sardine Survey would be able to arrange for fishing vessels to be able to participate in EFP research.

The Council also asked whether Oregon and Washington state permits would be required to land fish in those states. State representatives replied that yes, individual state permits are required to land fish in each state.

Ms. Yaremko moved and Mr. Crabbe seconded (Motion 10) to have NMFS recommend approval of the Exempted Fishing Permit as shown in Agenda Item G.2.a, Attachment 1.

Motion 10 carried unanimously.

Mr. Wolford raised the question of streamlining the EFP process, and Mr. Griffin suggested that the CPSAS and CPSMT could take up the issue at the June Council meeting and report back to the Council then.

[Council concluded this agenda item at 4/2/2012 4:34 p.m.]

[Council reconvened at 4/3/2012 8:04 a.m.]

H. Administrative Matters

H.1 Coastal Marine Spatial Planning Update (4/3/2012; 8:07 a.m.)

H.1.a Agenda Item Overview

Mr. Kerry Griffin provided the Agenda Item Overview and presented the following materials:

Agenda Item H.1.a, Attachment 1: Draft National Ocean Policy Implementation Plan.

Agenda Item H.1.a, Attachment 2: Draft National Ocean Policy Implementation Plan Power Point Briefing to the Council Coordination Committee.

H.1.b Reports and Comments of Advisory Bodies and Management Entities

Dr. John Stein presented Agenda Item H.1.a, Supplemental Attachment 3: National Ocean Policy Update. He said that invitation letters and guidance are being sent to state governors to stimulate the development of regional planning bodies, and that the National Ocean Council values the expertise of regional fishery management councils relative to coastal and marine spatial planning.

H.1.c Public Comment

None.

H.1.d Council Discussion

Mr. Helvey noted that the West Coast Governors Alliance has experienced some turnover and retirements, but that he expected the Alliance to work towards getting points of contact for states, tribes, and councils, to initiate discussions of regional planning body membership.

The Council discussed what qualifies as a “government official” who would then be eligible for membership on the regional planning body. Dr. Stein said that he would have to clarify whether local government employees would qualify.

Ms. Culver asked Dr. McIsaac what would be the Council’s process to determine this. Dr. McIsaac said that the approach would be up to the Council, and a Council Operating Procedure (COP) could be developed within the 1-12 month window.

Mr. Griffin noted that the Council Coordination Committee (CCC) PowerPoint presentation indicates that Federal, State, Tribal, and local government officials who are voting members of regional fishery management councils would be eligible for membership in regional planning bodies.

H.2 Legislative Matters (4/3/2012; 8:26 a.m.)

H.2.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview and introduced the following documents for this agenda item:

Agenda Item H.2.a, Attachment 1: April 2012 Staff Summary of Federal Legislation in the 112th Congress.

Agenda Item H.2.a, Attachment 2: H.R. 1837, the Sacramento-San Joaquin Valley Water Reliability Act.

Agenda Item H.2.a, Attachment 3: Congressional Research Service Report on H.R. 1837, the Sacramento-San Joaquin Valley Water Reliability Act.

Agenda Item H.2.a, Attachment 4: Comparison of CVPIA and H.R. 1837 as amended.

Agenda Item H.2.a, Attachment 5: List of Groups Opposed to H.R. 1837 including the Council.

Agenda Item H.2.a, Attachment 6: July 5, 2011 formal request for Council Comments on H.R. 1837 from U.S. Congresswoman Grace Napolitano.

Agenda item H.2.a, Attachment 7: Draft Council Staff Report on H.R. 1837.

H.2.b Report of the Legislative Committee

Mr. Mike Burner presented Agenda Item H.2.b, Supplemental Legislative Committee Report.

H.2.c Reports and Comments of Advisory Bodies and Management Entities.

Mr. Joel Kawahara presented Agenda Item H.2.c, Supplemental HC Report.

H.2.d Public Comment

Agenda Item H.2.d, Supplemental Public Comment letter from Golden Gate Salmon Association.

H.2.e Council Action: Consider Legislative Committee Recommendations

Chairman Wolford emphasized the bill's potential to influence water use in both the San Joaquin and Sacramento basins, and noted that Council-managed salmon fisheries rely heavily on Sacramento River salmon stocks.

Ms. Lowman moved and Mr. Crabbe seconded (Motion 11) that the Council adopt the recommendations as in Agenda Item H.2.e, Supplemental LC Report as follows:

- 1) Direct the Council Executive Director forward the Council staff report, "*A General Review of Potential Effects of H.R. 1837 the Sacramento-San Joaquin Valley Water Reliability Act, on Central Valley Salmon Productivity and Salmon Fisheries In Ocean and Inland Waters*" (Agenda Item H.2.a, Attachment 7) to Congresswoman Napolitano as amended by the Committee's comments above.
- 2) Direct Council staff to follow up on the economic reports by Southwick Associates as referenced in the letter from the Golden Gate Salmon Association (Agenda Item H.2.d, Supplemental Public Comment).
- 3) Direct Council staff to track H.R.1837 and S.2184 for future Committee consideration.

4) Tentatively schedule a June Committee meeting.

Ms. Lowman stated that it is important for the Council to voice concerns regarding H.R. 1837, and the staff has done a good job with the report to Congresswoman Napolitano. She also felt it would be beneficial for the Council to track and further discuss S. 2184 because of its support for fishery management and its potential for action in Congress this year.

Mr. Groen stated his support for the motion and noted that H.R. 1837 has elements that could become precedent-setting in salmon management and mitigation matters.

Mr. Wolford noted that although H.R.1837 has passed the U.S. House of Representatives, the report is still timely, as the matter is taken up in the U.S. Senate. The Council's obligation was to Congresswoman Napolitano who may pass the report on to others in Congress. Ms. Lowman added that the report is now part of the Council record and will have use and application by others in the Council family and the public.

Motion 11 carried unanimously.

[Council break from 8:40 a.m. to 8:55 a.m.]

H.3 Draft Memorandum of Understanding (MOU) for the Conservation of Migratory Birds (4/6/12; 10:40 a.m.)

H.3.a Agenda Item Overview

Dr. John Coon provided the Agenda Item Overview and outlined the materials for this agenda item:

Agenda Item H.3.a, Attachment 1: Memo from Samuel Rauch to the Pacific Fishery management Council.

Agenda Item H.3.a, Attachment 2: Executive Order 13186.

Agenda Item H.3.a, Attachment 3: Draft MOU between the National Marine Fisheries Service and the U.S. Fish and Wildlife Service.

H.3.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Tim Roth presented Agenda Item H.3.b, Supplemental HC Report.

Mr. Chuck Tracy presented Agenda Item H.3.b, Supplemental SAS Report. He noted that the avian predation cited in the SAS report for the Columbia River also occurs in other areas such as the Sacramento Delta and other coastal estuaries.

H.3.c Public Comment

Agenda Item H.3.c, Supplemental Public Comment (Letter from Audubon Society of Portland, Seattle Audubon Society and California Audubon).

No oral public comment was presented.

H.3.d Council Action: Provide Comments on the MOU.

Mr. Roth noted that he is unsure about the statement in the SAS report, which states the Caspian tern is not native to the Columbia River. Mr. Herb Pollard referred the Council to the website <http://www.birdresearchnw.org/>, which provides information on the significant problem of bird predation at the mouth of the Columbia River.

Mr. Roth moved and Mr. Lincoln seconded a motion (Motion 40) that the Council send a cover letter of support for the draft MOU for the Conservation of Migratory Bird Populations to NMFS by the April 13, 2012 comment period due date and include the Supplemental HC Report (Agenda Item H.3.b) and Supplemental SAS Report (Agenda Item H.3.b) as attachments to the Council letter so that NMFS has the benefit of the Council advisory body comments for their consideration.

Mr. Roth said that the draft MOU is a culmination of the process required by Executive Order 13186 issued in 2001, and the document has been a collaborative effort between the U.S. Fish and Wildlife service and NMFS. Inclusion of the localized concerns identified by the SAS and HC reports should be brought to the attention of the agencies as they complete the document.

Motion 40 carried (Mr. Lockhart abstained).

H.4 Membership Appointments and Council Operating Procedures (4/6/12; 11:08 a.m.)

H.4.a Agenda Item Overview

Dr. John Coon provided the Agenda Item Overview and introduced Agenda Item H.4.a, Attachment 1, March 2012 Council Meeting Motion Establishing an Amendment 24 Ad Hoc Workgroup.

H.4.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Tommy Ancona presented Agenda Item H.4.b, Supplemental GAP Report.
Ms. Marci Yaremko presented Agenda Item H.4.b, Supplemental CDFG Report.

H.4.c Public Comment

Tom Marking, McKinleyville, CA; comments regarding the small allocation of Pacific halibut for California and historically large catches.

H.4.d Council Action: Consider Changes to Council Operations and Procedures and Appointments to Advisory Bodies

Ms. Yaremko moved and Mr. Crabbe seconded (Motion 41) that the Council appoint Mr. Nick Jurlin to the vacant California commercial position on the Coastal Pelagic Species Advisory Subpanel. Motion 41 carried unanimously.

Mr. Sones stated that the tribes were still working to fill the tribal vacancies on the Habitat Committee and Groundfish Advisory Subpanel (GAP) and hope to have nominations ready for June.

Mr. Wolford announced his appointments to the Ad Hoc Groundfish Amendment 24 Workgroup which were as follows:

- Council Staff: Dr. Kit Dahl
- SSC: Dr. Martin Dorn
- Washington Groundfish Management Team (GMT): Mr. Corey Niles
- Oregon GMT: Ms. Lynn Mattes
- California GMT: Ms. Joanna Grebel
- GAP: Mr. Rod Moore (for the GAP)
- NOAA General Counsel: Ms. Mariam McCall
- NMFS Northwest Region (NWR): Mr. Kevin Duffy
- Northwest Fisheries Science Center (NWFSC): Dr. Jim Hastie
- National Environmental Policy Act (NEPA) Coordinator: Ms. Sarah Biegel

[Break from 11:39 a.m. to 1:07 p.m.]

In response to questions on the Pacific halibut issue, Ms. Yaremko stated that the main objective of the workgroup would be guidance on estimating the biomass of Pacific halibut south of Humberg Mountain. The key issue brought up by the IPHC was that biological data was lacking. If the issue of allocation is addressed, then the composition of the workgroup would need to change.

Ms. Kirchner moved and Ms. Culver seconded (Motion 42) that the Council adopt the following objectives and membership composition for the ad hoc South of Humberg Pacific Halibut Workgroup:

Objective #1 Develop a common understanding of halibut biology, the current assessment and apportionment methodology, and data used.

Objective #2 Review of current Area 2A recreational sampling programs and catch and effort estimation methodology.

Objective #3 Evaluate additional available data for use in assessment and apportionment methodology.

Additionally:

- The workgroup will be comprised of representatives from each state, IPHC, NMFS NWR, and Council Staff.
- Council staff to draft a letter to IPHC requesting them to host the meetings of the workgroup.
- In addition, the Council to establish an Area 2A policy ad-hoc committee to discuss policy-related items. The formation of this committee will occur at the June 2012 Council meeting, and the first task will be to develop recommended changes to management of the South of Humberg area for implementation in 2014.

Ms. Kirchner stated that the Council has previously discussed the increased catches south of Humberg Mountain, but there is a lack of common understanding for halibut management and biology in that area which needs to be addressed to move the issue forward. The workgroup, as proposed, is a technical group to look at biological data and sampling issues. To address policy

issues that may arise, another group should be formed to look at management alternatives. The objectives of that group should be developed for the June Council meeting.

Motion 42 carried unanimously.

H.5 Future Council Meeting Agenda and Workload Planning (4/6/12; 1:13 p.m.)

H.5.a Agenda Item Overview

Dr. Don McIsaac presented the Agenda Item Overview, which included the documents needed for consideration of this agenda item:

Agenda Item H.5.a, Attachment 1: Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary.

Agenda Item H.5.a, Attachment 2: Preliminary Proposed Council Meeting Agenda, Jun 21-26, 2012 in San Mateo, California.

Agenda Item H.5.a, Supplemental Attachment 3: Final Motion on an Ecosystem Fishery Management Plan From the June 2011 Council Meeting.

Agenda Item H.5.a, Supplemental Attachment 4: Pacific Council Workload Planning: Year-at-a-Glance Summary.

Agenda Item H.5.a, Supplemental Attachment 5: Preliminary Proposed Council Meeting Agenda, June 21-26, 2012 in San Mateo, California.

Mr. Chuck Tracy presented Agenda Item H.5.a, Supplemental Attachment 6: Salmon Workload Assessment.

Regarding the salmon Amendment 17 workload (Supplemental Attachment 6), Dr. McIsaac recommended the part which proposes to change the season start dates is much simpler and could go forward separately for earlier implementation than the rest of the amendment. He noted the proposed addition of a report on the barotrauma workshop and suggested the SSC could give their initial thoughts on the issue at that time. He also suggested that the CPS EFP process could be streamlined so that it would not require Council action in both March and April.

H.5.b Reports and Comments of Advisory Bodies and Management Entities

Dr. John Coon presented Agenda Item H.5.b, Supplemental SSC Report. Ms. Marci Yaremko presented Agenda Item H.5.b, Supplemental CDFG Report.

H.5.c Public Comment

Steve Marx, Pew Environmental Group, Portland, Oregon; spoke to Agenda Item H.5.c, Supplemental Public Comment 2 concerning time on the June agenda to consider how to move forward on protecting forage fish species.

Ben Enticknap, Oceana, Portland, Oregon; spoke to Agenda Item H.5.c, Supplemental Public Comment 2.

Agenda Item H.5.c, Supplemental Public Comment 2: Letters regarding Forage Species.

H.5.d Council Discussion and Guidance on Future Meeting Agenda and Workload Planning

Mr. Roth stated his support for the June agenda item on forage fish management and a Council determination of where to address this issue, either under CPS or the FEP.

Ms. Culver was in support of dealing with the forage fish. However, the Council's June 2011 motion was clear as to directing the Ecosystem Plan Development Team (EDPT) to draft a plan without regulatory authority which could then be added sometime in the future. She did not want to load the EPDT with the forage fish issue for June. She was concerned that the June agenda looks very heavy and two hours may not be enough for the forage fish issue. The June agenda could be an initial discussion with no assignment at this time to the EPDT. She did not disagree with the points in the California Department of Fish and Game (CDFG) report, but wanted to limit the workload for now.

Ms. Kirchner was also in support of dealing with the forage fish issue in June while trying to limit workload.

Ms. Yaremko clarified that she did not have an expectation of a report from the EPDT on regulatory authority. At the Council's November meeting we requested NMFS take a look at the regulatory authority question and get back to us for mechanisms to prohibit fishing on un-fished species. She would expect that report from NMFS in June and it isn't above and beyond what was requested in November.

Mr. Lockhart confirmed that report was in progress for June.

Dr. McIsaac asked Council members if there were agenda items that could be postponed to September or eliminated to allow room for the forage fish issue.

Council members agreed to keep the forage fish item on the June agenda and suggested removal of the Washington Department of Fish and Wildlife (WDFW) enforcement report, remove or condense the NMFS reports for HMS and CPS and schedule at least three hours for the forage fish agenda item. Ms. Kirchner suggested removing the barotrauma workshop report, however, there was no consensus on that suggestion. Chairman Welford stated that it needed to be a regular agenda item and not a night session in order to task the SSC with initiating a review of the issue.

With the previously suggested changes, Mr. Lincoln noted that there no longer appeared to be a scheduling problem even with the barotrauma item on the agenda. Other Council members agreed.

Mr. Lockhart commented that regarding evening workshops, he would prefer they start a half-hour after the Council meeting adjourns, rather than at 7 p.m.

Ms. Kirchner noted that under previous Council action we adopted a schedule for the widow reallocation for either March or April and did not see it showing under either meeting on the

meeting planner. Dr. McIsaac noted it was mistakenly listed under November and we will make that adjustment to the planner.

[Council concluded this agenda item at 2:23 p.m. on 4/6/2012]

I. Groundfish Management

I.1 National Marine Fisheries Service (NMFS) Report (4/3/2012; 8:55 a.m.)

I.1.a Agenda Item Overview

Ms. Kelly Ames provided the Agenda Item Overview.

I.1.b Regulatory Activities

Mr. Frank Lockhart presented Agenda Item I.1.b, Supplemental NMFS Report: Groundfish and Halibut Notices, 2/13/12 through 3/16/12.

I.1.c Fisheries Science Center Activities

Dr. Michelle McClure and Dr. John Stein presented Agenda Item I.1.c, Supplemental NWFSC Report: Shelf Rockfish Hook and Line Survey. This report detailed the Center for Independent Experts' review of the Center's shelf rockfish hook and line survey. Additionally, they presented Agenda Item I.1.c, Supplemental NMFS PowerPoint which outlined ongoing research and recent publications.

I.1.d Reports and Comments of Advisory Bodies and Management Entities

None.

I.1.e Public Comment

None.

I.1.f Council Discussion

Ms. Marija Vojkovich expressed interest in the allocation report referenced in the NWFSC PowerPoint. Mr. Lockhart said the report was recently released and proposes a process for evaluating commercial and recreational allocations. The Council should consider this information as guidance, but the Council is not required to use the approach.

Ms. Michele Culver asked Mr. Lockhart to elaborate on the timelines for the various upcoming rules. She noted the draft rulemaking plan under Agenda Item I.4 for trawl rationalization trailing items includes the Pacific whiting harvest specifications. Mr. Lockhart said the process has gotten complicated due to changes in workload and priorities. At the last Council meeting, NMFS noted that the Program Improvements and Enhancement Rule 2 would be delayed. The agency discussed the issues that could be combined into different rulemakings. Pacific whiting harvest specifications was one item that could be folded into a larger rulemaking.

I.2 Implementation of the 2012 Pacific Whiting Fishery under the U.S. – Canada Pacific Whiting Agreement (4/3/2012; 9:14 a.m.)

I.2.a Agenda Item Overview

Mr. John DeVore provided the Agenda Item Overview.

I.2.b Joint Management Committee (JMC) Report

Mr. Frank Lockhart presented information regarding the Joint Management Committee (JMC) meeting held in Vancouver, British Columbia. He explained the details in setting the 2012 total allowable catch (TAC) of whiting for U.S. and Canadian fisheries. The Scientific Review Group recommendation was to implement a 2012 hydroacoustic survey. They also recommended there be an annual hydroacoustic survey, although it is recognized that might take some time to implement. Another JMC meeting has been scheduled this year.

Mr. Phil Anderson added the new process was a success from his perspective. He emphasized the importance of the role of industry advisors to the process. Carryover of quota is a central tenet in the Canadian management system where fishermen intentionally leave quota unharvested to be carried over to the next year. Working that into the U.S. harvest specification framework was a challenge, although both U.S. and Canadian delegates were very cooperative and collaborated well. The next step is to develop a Terms of Reference to make the process completely transparent and orderly.

Mr. Wolford asked if the U.S. allocation is fixed in the treaty and Mr. Lockhart said yes.

Mr. Sones asked if the carryover provision was based on the allocation percentage and Mr. Lockhart said the initial allocation is fixed and the carryover provision is based on a percentage of unharvested quota from each country. Mr. Anderson added that there is a 15 percent cap on carryover quota. Both countries had at least 15 percent of unused quota from the 2011 fishery. The carryover provision rules will be a subject of further discussion of the parties.

Mr. Lockhart explained how the U.S. rulemaking process will occur in general. The whiting agreement as originally drafted had the Secretary of Commerce make the final determination on the U.S. TAC. NMFS is now delegated to make the final decision. The final rulemaking first considers whether NMFS accepts the recommendations of the JMC and then considers the final rule to implement regulations. He asked Mr. Kevin Duffy to explain details of the rulemaking process.

Mr. Duffy explained there was a proposed tribal allocation rule published on February 25 that covered the 2012 allocation and the process for tribal reapportionment of quota from tribal to nontribal sectors. The proposed rule is to re-establish the reapportionment rules that were in place in 2010. The agency will decide the tribal allocation which comes off the top of the TAC, as well as the 2,000 mt set-aside recommended by the Council. The final rule is being prepared, and they are targeting a May 1 publication of the rule in the *Federal Register*. The starting dates are a May 15 start to the at-sea fishery and a June 5 start to the shoreside fishery.

I.2.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Dan Waldeck presented Agenda Item I.2.c, Supplemental GAP Report.

I.2.d Public Comment

Agenda Item I.2.d, Supplemental Public Comment.

There was no oral public comment.

I.2.e Council Action: Consider any Necessary Action for Implementation of the 2012 Pacific Whiting Fishery

Mr. Dave Sones asked about the Canadian process to do final rulemaking and Mr. Lockhart said their process is similar to that of the U.S. The JMC has submitted their recommendations to the respective regional administrators in each Federal system.

Mr. Crabbe asked if unused tribal harvest is part of the carryover provision, and Mr. Lockhart said yes.

Mr. Myer asked about a timeline and process for the tribal allocation and when nontribal sectors can have an allocation to develop business plans this year. Mr. Lockhart said the final rule deadline is May 1. Quota will be allocated and individual fishing quota (IFQ) accounts will be populated with quota pounds (QP) after the final rule is published. NMFS has received recommendations from the Makah and Quileute tribes, and negotiations with both tribes are underway.

Mr. Lockhart said that NMFS will also contact the states before the final rule is published. Mr. Anderson said the process for deciding tribal allocations appears to be different this year. The Quileute tribal allocation request came in late this year, which limits opportunity for the states to engage in discussions with NMFS and the tribes before a final rule is published. He was curious if there were conversations between the tribes and NMFS this past winter to understand tribal intent to participate in the 2012 fishery, and Mr. Lockhart said discussions started last fall. The Quileute explained they were unlikely to participate in the 2013 and 2014 fisheries but wanted to further consider their participation in the 2012 fishery. NMFS did not learn of the Quileute allocation request until recently.

[This agenda item concluded at 10:01 a.m. on 4/3/2012 with a break until 10:16 a.m.]

I.3 Tentative Adoption of 2013-2014 Biennial Harvest Specifications and Management Measures (4/3/2012; 10:16 a.m.)

I.3.a Agenda Item Overview

Mr. John DeVore and Ms. Kelly Ames provided the Agenda Item Overview and introduced the following documents for consideration under this agenda item:

Agenda Item I.3.a, Attachment 1: Anticipated Council Actions and References Relevant to Decision Making.

Agenda Item I.3.a, Attachment 2: Preferred 2013 and 2014 overfishing limits (OFLs in mt) and acceptable biological catches (ABCs in mt) and preliminary preferred 2013 and 2014 annual catch limits (ACLs in mt) for west coast groundfish stocks and stock complexes.

Agenda Item I.3.a, Attachment 3: Estimated time to rebuild and spawning potential ratio (SPR) harvest rate relative to alternative 2013-2014 ACLs for overfished west coast groundfish stocks.

Agenda Item I.3.a, Attachment 4: Summary of the Management Measures Analysis.

Agenda Item I.3.a, Attachment 5: Excerpts from the Preliminary DEIS.

Agenda Item I.3.a, Attachment 6: Further Excerpts from the Preliminary DEIS.

Agenda Item I.3.a, Supplemental Attachment 6: Projected Mortality and Allocations Under the Preferred Alternative and a Summary of Longnose Skate and Dogfish Shark Management Measures.

Agenda Item I.3.a, Supplemental Attachment 7: Appendix D – Detailed Management Measure Analysis; 2013-2014 Groundfish Harvest Specifications Preliminary DEIS.

Ms. Kelly Ames and Mr. Jim Seger provided a PowerPoint briefing of detailed information requested by the Council at the April 1 briefing on analyses of biennial specifications and management measures.

There was further discussion and clarification on widow sector allocations, carryover of surplus quota in the IFQ fishery, catch accounting in limited entry and open access sectors, and accumulation limits.

Mr. Seger explained how carryover provisions are structured and implemented in other regions of the country and in Canada.

I.3.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Tim Roth presented Agenda Item I.3.b, Supplemental FWS Report: Proposed Seabird Conservation Measures to Mitigate and Track Expected Impacts on Short-tailed Albatross.

Ms. Marija Vojkovich presented Agenda Item I.3.b, Supplemental CDFG Report.

Mr. David Sones presented Agenda Item I.3.b, Supplemental Tribal Report.

[Council break from 11:46 a.m. until 1:02 p.m.]

Mr. Corey Niles and Mr. Dan Erickson presented Agenda Item I.3.b, Supplemental GMT Report.

Ms. Vojkovich asked for an explanation of Figures 1 and 2 in the GMT report and asked about the secondary axis of coefficients of variation (CVs) of sector catches, and Mr. Niles and Dr. Jason Cope explained the meaning of CVs and discussed the difference in scale of sector catches in both figures. Mr. Lockhart asked about the temporal trends in sector catches, and Mr. Niles said the GMT could provide that information under Agenda Item I.8.

[Council went on break from 2:35 until 2:50 p.m., and resumed with GMT report]

Dr. Owen Hamel presented Agenda Item I.3.b, Supplemental SSC Report.

Mr. Tommy Ancona presented Agenda Item I.3.b, Supplemental GAP Report.

[4/3/2012; 3:59 p.m.—Council tabled Agenda Item I.3 and returned to it at 4:31 p.m., after completing Agenda Item E.5.]

Ms. Vojkovich introduced Agenda Item I.3.b, Supplemental CDFG Report 2.

I.3.c Public Comment (4/3/2012; 4:34 p.m.)

Agenda Item I.3.c, Supplemental Public Comment 2 (Letters from Oceana and Joint letter from Oceana and NRDC).

Donna Parker, Arctic Storm, Seattle, Washington.

James Mize, Phoenix Processor Limited Partnerships, Seattle, Washington.

[Council adjourned for the evening at 5:01 p.m. on 4/3/2012 and reconvened at 8:09 a.m. on 4/4/2012 with I.3.]

Brent Paine, United Catcher Boats, Seattle, Washington.

Mike Deach, Fisherman, Lopez Island, Washington.

Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

Seth Atkinson, National Resources Defense Council, San Francisco, California and spoke to Agenda Item I.3.c, Public Comments and Agenda Item I.3.c, Supplemental Public Comment 3 (letter from NRDC).

Jeff Miles, Fisherman, Port Orford, Oregon.

Bob Alverson, Fishing Vessel Owners Association, Seattle, Washington.

Bill James, Port San Luis Fisherman's Association, Salem, Oregon.

Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon.

[Council break from 9:00 a.m. to 9:15 a.m.]

I.3.d Council Action: Adopt Tentative Preferred Annual Catch Limits and Preliminary Preferred Management Measures and Allocations (4/4/2012; 9:30 a.m.)

Mr. DeVore introduced the Council action on this item as presented on the screen with the relevant Council actions.

Mr. Roth offered corrections on the Agenda Item I.3.b, Supplemental FWS Report: in the first sentence in paragraph 3 – the reference to vessels over 60 feet should be changed to vessels over 55 feet. The goal was to match Alaska regulations, which have 55-foot length regulation. He checked the Alaska regional website to check the regulations and confirmed this.

Ms. Culver explained that the preliminary Draft Environmental Impact Statement (DEIS) provides the background for all her motions. Ms. Culver moved and Mr. Myer seconded (Motion 12) that the Council, in an effort to reduce the analytical workload, ensure that the 2013 regulations are implemented on January 1, 2013, and provide sufficient time for the Council and its advisory bodies to effectively consider major changes to the groundfish harvest specifications, rebuilding plans, stock complexes, and management process, the Council reiterates its intent to

keep the harvest specifications and management measures for 2013 and 2014 as close to the 2012 harvest specifications and management measures (i.e., status quo) as much as possible with minimal exceptions. With regard to Harvest Specifications for all groundfish (Items 1 and 2 in Attachment 1), I move that the Council:

1. Reconfirm the lingcod ABCs for 2013 and 2014 for north of 40°10' N. latitude as 3,036 mt and 2,878 mt, respectively, as described in Agenda Item I.3.b, Supplemental SSC Report.
2. Tentatively adopt preferred ACLs for 2013 and 2014 for all groundfish stocks and stock complexes, as described in Agenda Item I.3.a, Attachment 2 with the exception for lingcod which would have ACLs equal to the ABCs.

Ms. Culver said these harvest specifications use the best available science. For longnose skate, the 2,000 mt ACL will maintain the stock in a healthy status. The vulnerability of this stock to overfishing is relatively low. For sablefish, the ACL is precautionary and is based on a lower ABC which takes into account assessment uncertainty. For widow rockfish, the preliminary preferred alternative (PPA) is confirmed. She appreciates the GAP's creative recommendation (1,650 mt ACL), but it addresses allocation not sustainability of the stock. It keeps the stock from dipping below the minimum stock size threshold (MSST) under the more pessimistic state of nature ($h=0.41$). While the base case represents the best available science, the uncertainty in the steepness for the stock is a reason to specify a precautionary ACL. With regard to the Other Fish complex, the contribution of spiny dogfish is based on a precautionary ABC contribution using a lower P^* (0.3). For canary rockfish, there is a need to modify the rebuilding plan. The preferred ACL maintains the spawning biomass per recruit (SPR) harvest rate and provides a level of harvest that is precautionary, yet robust enough to keep the fishery and dependent fishing communities from suffering avoidable harm. For Pacific ocean perch (POP), the ACLs of 150 mt and 153 mt in 2013 and 2014, respectively maintain the SPR harvest rate and provide a level of harvest that should not cause unavoidable harm to fishing communities.

Ms. Vojkovich asked if the lingcod management line shift to 40°10' N. latitude is confirmed in the motion, and Ms. Culver said yes.

Ms. Kirchner said she supports the motion for the most part; however, she is interested in further exploring canary ACL alternative e under Agenda Item I.8. She asked if that was doable and Mr. DeVore said information regarding the higher canary ACL alternative can be excerpted from the preliminary DEIS and provided under Agenda Item I.8.

Mr. Feldner said he would also like to further explore a widow ACL of 1,650 mt as recommended by the GAP. He asked if a constant catch of 1,650 mt would still project a biomass increase, and Mr. DeVore said the projections for even lower catch levels such as the 1,500 mt ACL show a decline in biomass for the next few years before larger year classes mature and reverse the trend. The request was made at the "mop-up" panel last September to model the highest constant catch scenario for widow that would predict the stock's spawning biomass would stay above the MSST, assuming the more pessimistic state of nature (i.e., steepness assumed to be 0.41). The 1,500 mt ACL was the result. Ms. Lowman asked if a 1,650 mt ACL alternative could be analyzed this week. Mr. DeVore said no, but such an analysis could be done in time for the June Council meeting.

Motion 12 carried unanimously.

Ms. Kirchner moved and Mr. Feldner seconded (Motion 13) to have the GMT and GAP provide further information on the PPA ACL alternative d (i.e., 116 mt and 119 mt in 2013 and 2014, respectively) and ACL alternative e (i.e., 147 mt and 151 mt in 2013 and 2014, respectively) for canary rockfish under Agenda Item I.8.

Ms. Kirchner noted that both ACL alternatives are predicted to rebuild in the same year and she would like more information, particularly on the need of fisheries and fishing communities for more canary yield, to make her decision.

Motion 13 carried unanimously.

Mr. Lockhart asked about the process for deciding preferred ACL alternatives and if there could be some minor changes between now and June. Mr. DeVore explained the proposed action under Agenda Item I.8 is to decide preferred ACLs. However, the Council could make it clear that these are final preferred ACLs or, alternatively, the ACLs decided at this meeting could be characterized as preliminary preferred in the DEIS. We need to come out of the April meeting with enough information to characterize the decision correctly in the DEIS. This allows public understanding of the Council's intent in the DEIS to solicit public comment at the June meeting, where all specifications decisions are finalized.

Mr. Feldner moved and Ms. Kirchner seconded (Motion 14) to further explore a widow ACL of 1,650 mt under Agenda Item I.8.

Mr. DeVore explained the GMT will not be able to run widow stock projections under that alternative by tomorrow. This could be a widow Stock Assessment Team (STAT) assignment for June.

Ms. Culver, Mr. Lockhart, and Ms. Vojkovich spoke in opposition to the motion and explained they don't believe this is an appropriate use of the GMT's time this week.

Motion 14 failed (Mr. Feldner, Ms. Kirchner, and Mr. Pollard voted for the motion).

Ms. Culver moved and Mr. Lincoln seconded (Motion 15) that the Council tentatively adopt the following as part of its PPA:

1. A short-term modification to the within-trawl allocation of widow rockfish for 2013 and 2014 consistent with Option 3, as described in Agenda Item I.3.a, Attachment 4. With a preliminary preferred ACL alternative of 1,500 mt for widow rockfish, this would provide 200 mt of widow rockfish to the at-sea trawl sectors, which would be shared pro rata between the at-sea sectors with 82.8 mt for the mothership sector and 117.2 mt to the catcher-processor sector, and 1,086.2 mt to the shoreside sector. This short-term allocation would sunset on December 31, 2014, and the within-trawl allocation for widow

rockfish would be implemented consistent with Amendment 21 beginning January 1, 2015.

2. The preferred allocations for overfished species for 2013 and 2014 as described in Agenda Item I.3.a, Supplemental Attachment 6, Table 1.
3. The harvest guidelines for black rockfish, blackgill rockfish, and blue rockfish for 2013 and 2014 as described in Agenda Item I.3.b, Supplemental GMT Report (pages 9-10).
4. Harvest guidelines for longnose skate for 2013 and 2014 consistent with a 90 percent trawl, 10 percent nontrawl sharing.
5. Continue to manage spiny dogfish as part of the Other Fish stock complex in 2013 and 2014, and do not set trawl/non-trawl harvest guidelines for spiny dogfish at this time.

With regard to the flexible management of set asides, request the GMT review the materials on this topic and provide recommendations and comments under Agenda Item I.8.

Ms. Culver said she appreciated the comments from the at-sea sector representatives regarding within-trawl allocation of widow. However, she believes the Amendment 21 allocation needs to be reconsidered, and this motion allows further exploration in the next two years. The 200 mt of widow is higher than the 2005-2011 maximum catch by at-sea sectors.

Mr. Wolford asked what the trawl allocation of widow sunsets to in 2015 and Ms. Culver said the allocation would revert back to the Amendment 21 allocation.

Mr. Myer moved and Ms. Vojkovich seconded to amend the motion (Amendment 1 to Motion 15) by striking option 3 and substituting option 1 (FMP Allocation) for the within-trawl widow allocation.

Mr. Crabbe asked about option 3 and the associated workload. Mr. DeVore said the DEIS analyzed all options; however, any option other than the No Action FMP allocation under Option 1 would require an FMP amendment. Mr. Lockhart said there is additional workload with an FMP amendment but, if no other deviations from the expected action are decided, then this could be done by January 1, 2013.

Ms. Culver asked if there were other issues in the specifications package that would require an FMP amendment, and Mr. Lockhart said catch accounting between LE and OA requires an FMP amendment.

Ms. Vojkovich said she supports the amendment and believes the Amendment 21 action considered a rebuilt widow stock. The issue is a dispute of 90 mt a year in 2013-2014 of reallocated widow, which seems somewhat trivial. If widow reallocation remains an issue over time, then we can address solutions later.

Mr. Lockhart spoke against the amendment since it seems this is an allocation dispute that needs more discussion.

Ms. Kirchner said this is a tough issue; she believes things have changed since Amendment 21 was passed and she would like further exploration of within-trawl allocation. Therefore, she is not in favor of amending the motion.

Mr. Myer thought the GAP will not be able to resolve this since they are divided in this issue.

Amendment 1 to Motion 15 carried on a roll call vote (Ms. Kirchner, Mr. Lincoln, Mr. Crabbe, Mr. Feldner, Ms. Culver, and Mr. Lockhart voted no).

Ms. Vojkovich moved and Mr. Brizendine seconded to amend the main motion (Amendment 2 to Motion 15) to analyze a 34 percent trawl-66 percent non-trawl allocation of cowcod south of 40°10' N. latitude.

Ms. Vojkovich said this will set up a buffer for managing cowcod. The 2011 catch data suggest a negligible trawl catch and an increased encounter rate of cowcod in the nontrawl sectors.

Amendment 2 to Motion 15 carried unanimously.

Ms. Vojkovich moved and Mr. Brizendine seconded to amend the main motion (Amendment 3 to Motion 15) to reaffirm the PPA for blackgill to manage the stock in the southern Minor Slope Rockfish complex with harvest guidelines (HGs) of 106 mt in 2013 and 110 mt in 2014.

Amendment 3 to Motion 15 carried unanimously. Motion 15 as amended carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded (Motion 16) that the Council tentatively adopt the following as part of its PPA:

1. The nontrawl RCA configurations for the nearshore and non-nearshore fisheries as described in Agenda Item I.3.b, Supplemental GMT Report (pages 11-12).
2. The recommendations for season dates, bag limits, and area closures for the recreational fisheries in Washington, Oregon, and California as described in Agenda Item I.3.b, Supplemental GMT Report (pages 12-16) and in the preliminary DEIS (Attachment 5).

With regard to trawl RCA configurations for the IFQ fishery, request the GMT include a review of estimated effects on spiny dogfish, and provide recommendations and comments under Agenda Item I.8.

The motion does not include the new California recreational options.

Ms. Vojkovich moved and Mr. Brizendine seconded to amend the main motion (Amendment 1 to Motion 16) to replace the California recreational season structures and RCA configurations as shown in Figures 1 and 2 in Agenda Item I.3.b, Supplemental CDFG Report.

Ms. Vojkovich indicated that the GMT report only shows the dates for 2013; the 2014 date is September 1, not September 2. Relative to the Southern management area, there is a change to the depth to 50 fm instead of 60 fm in 2013-2014.

Amendment 1 to Motion 16 carried unanimously.

Ms. Vojkovich moved and Mr. Wolford seconded to amend the main motion (Amendment 2 to Motion 16) to include the information presented in Agenda Item I.3.b, Supplemental CDFG Report, Page 2. In addition to the management measures discussed under No Action (i.e., groundfish bag limits and size limits), to include the following management measures within the PPA:

- Retention of shelf rockfish within 20 fm or less inside the Cowcod Conservation Area when the recreational season for groundfish is open;
- Increase the recreational sub-bag limit of bocaccio to three fish;
- Removal of the recreational ten inch size limit for bocaccio; and
- Increase the recreational sub-bag limit of greenling to ten fish.

Ms. Vojkovich said these management measures are designed to minimize discard mortalities in the California recreational fishery.

Amendment 2 to Motion 16 carried unanimously.

Ms. Kirchner moved and Mr. Feldner seconded to amend the main motion (Amendment 3 to Motion 16) to adopt Integrated Alternative 1b as described in the preliminary DEIS as the PPA for the nontrawl RCA (i.e., 30 fm RCA, lower trip limits).

Ms. Kirchner said that shifting the shoreward boundary of the nontrawl RCA to deeper water is intended to spread effort across a larger area and reduce the risk of localized stock depletion.

Amendment 3 to Motion 16 carried unanimously. Motion 16 as amended carried unanimously.

Ms. Culver moved and Mr. Myer seconded (Motion 17) that the Council tentatively adopt the following as part of its PPA:

1. The RCA boundary modifications in Washington, Oregon, and California as described in Agenda Item I.3.b, Supplemental GAP Report (pages 6-7).
2. Catch accounting between limited entry and open access as described in Agenda Item I.3.a, Attachment 4.
3. Regulatory correction for moving between the sablefish primary fishery to the daily trip limit fishery, and proposed changes to limited entry and open access bimonthly cumulative landing limits for sablefish, as described in Agenda Item I.3.b, Supplemental GMT Report (page 22).

Implement the No Action alternative for bimonthly cumulative landing limits and RCA boundaries for longnose skate and spiny dogfish, and include the tools necessary for inseason

monitoring and action to implement potential trip limit and RCA changes discussed in Agenda Item I.3.a, Supplemental Attachment 6 (Options 1-6), and exclude Option 7.

Mr. Lockhart asked about the sorting requirement for aurora, rougheye, and shortraker and Ms. Culver said this is not included because she is not sure what is gained by implementing this regulation.

Motion 17 carried unanimously.

Ms. Vojkovich moved and Mr. Crabbe seconded (Motion 18) to adopt Table 8 on page 23 of Agenda Item I.3.b, Supplemental GMT Report that addresses 100 percent attainment of blackgill trip limits south of 40°10' N. latitude.

Motion 18 carried unanimously.

Mr. Lockhart announced his intent to request additional analysis of the sorting requirement for aurora, rougheye, and shortraker under Agenda Item I.8 for the June Council meeting.

Ms. Culver said there were additional issues that need to be explored in the future that were suggested in public comment which were: the carryover provision for bycatch quota; take a hard look at management of spiny dogfish and elasmobranchs for the 2015-2016 cycle; and further explore the owner on board issue for limited entry fixed gear brought up by Bob Alverson (ownership and control issues should be as we have specified for the limited entry trawl fishery).

Mr. Sones moved and Ms. Culver seconded (Motion 19) to tentatively adopt Agenda Item I.3.b, Supplemental Tribal Report.

Mr. Sones said these management measures would meet the needs of the tribes in the 2013-2014 management cycle, and the tribes are comfortable with the analysis for consideration in the DEIS.

Motion 19 carried unanimously.

Ms. Vojkovich announced her interest in eventually changing the Amendment 21 allocation for blackgill in time for 2015 implementation.

Mr. DeVore said that changing trawl lingcod length limits, the shorebased carryover provision, and shorebased IFQ accumulation limits would also come up under Agenda Item I.8. Ms. Culver said these items were specifically omitted from her motions and she would not expect to address these items under Agenda Item I.8.

Mr. Lockhart said that all analyses that are in the DEIS will remain in the DEIS. There is also the ability to adopt a different preferred alternative in June. NMFS will take a hard look at the sorting requirement and the carryover provision between now and June. Mr. Lockhart said he is very interested in looking at canary and the OFS ACLs more closely under Agenda Item I.8 and in June.

Ms. Culver said she agrees and is looking for guidance on specific items for Agenda Item I.8, and wanted to prioritize the issues to be looked at more closely under Agenda Item I.8.

[Council completed this agenda item at 1:21 p.m.]

I.4 Trawl Rationalization Trailing Actions (4/4/2012; 1:21 p.m.)

I.4.a Agenda Item Overview

Mr. Jim Seger provided the Agenda Item Overview and outlined the materials used for decision-making under this agenda item:

Agenda Item I.4.a, Attachment 1: Trawl Rationalization Trailing Actions: Descriptions and Next Steps.

Agenda item I.4.a, Attachment 2: Trawl Rationalization Trailing Actions: Whiting Season Opening Date and Southern Allocation, Draft Council Decision Analysis Document.

Agenda Item I.4.a, Attachment 3: Trawl Rationalization Trailing Actions: Chafing Gear, Draft council Decision Analysis Document.

Ms. Jamie Goen introduced Agenda Item I.4.c, NMFS Trailing Actions: NMFS List of Trailing Actions

I.4.b Report on Electronic Monitoring

Dr. Mark Holliday presented Agenda Item I.4.b, NMFS Electronic Monitoring: 2012 Electronic Monitoring Feasibility Plan and Agenda Item I.4.b, Supplemental NMFS PowerPoint.

Mr. Barry Thom presented information on the Northwest Region Electronic Monitoring Process.

Mr. Randy Fisher and Mr. Dave Colpo presented Agenda Item I.4.b, Supplemental PSMFC Report.

[Council break from 2:24 to 2:43 p.m.]

I.4.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Frank Lockhart updated information on the Council action for application period of exemption for nonwhiting at sea processing, and noted there were two vessels that did qualify for exemption.

Ms. Jamie Goen presented Agenda Item I.4.c, NMFS Draft Rulemaking Plan: Draft Rulemaking Plan.

Dr. Owen Hamel presented Agenda Item I.4.c, Supplemental SSC Report.

Ms. Lynn Mattes presented Agenda Item I.4.c, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item I.4.c, Supplemental GAP Report.

I.4.d. Public Comment

Mr. Paul Kujala, F/V Cape Windy Warrenton, Oregon and presented Agenda Item I.4.d, Supplemental Public Comment.

Mr. Pete Leipzig, Fisherman's Marketing Association. Eureka, California.

Ms. Sarah McTee, Environmental Defense Fund, San Francisco, California presented Agenda Item I.4.d, Supplemental Public Comment 2 – Letter from Environmental Defense Fund.
Mr. James Mize, Phoenix Processor Limited Partnership, Seattle, Washington.

[Council was on break from 3:37 p.m. to 3:50 p.m.]

I.4.e Council Action: Adopt Final Preferred Alternatives as needed and Provide Guidance on other Trailing Actions. (4/4/2012; 3:50 p.m.)

Ms. Culver asked about opportunity for Council input on the study design. Mr. Lockhart indicated that this would be something that would continue to be evolving and that there would likely be opportunity for the Council to provide additional thoughts, though he had not yet identified how that would happen.

Ms. Culver noted that she is not necessarily concerned about increased bycatch of dogfish in the whiting fishery, but noted that there is seasonality in that rate and that she would like to have information about the expected changes in bycatch rates that might be expected with a change in season opening date to May 15.

Ms. Vojkovich moved and Ms. Culver seconded (Motion 20) for the Council to select final preferred alternatives for those trailing actions on which the Council is ready to move forward as in the following table:

PIE Rule 2, Council list (covered in this attachment)	Council Action
1. Allow fixed gear and trawl permits to be registered to the same vessel at the same time.	Page 3 PPA - Agenda Item I.4.a Attachment 1, April 2012
2. Change the opt-out requirement for QP deficits	Page 7 PPA - Agenda Item I.4.a Attachment 1, April 2012
3. Eliminate the double filing of co-op reports	Page 8 PPA - Agenda Item I.4.a Attachment 1, April 2012
5. Chafing gear (also see Agenda Item I.4.a, Attachment 3)	Page 10 PPA - Agenda Item I.4.a Attachment 1, April 2012
PIE Rule 2, NMFS list (covered in Agenda Item I.4.c, NMFS Trailing Actions)	
1. First receive site license changes	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
2. Catch monitor certification requirements	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
3. Start renewal process 9/15 for LE permit, vessel account, and QS permits	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
4. Remove 12/15-31 ban on QP transfer	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
5. Observer provider certification	As indicated in Agenda Item I.4.c

	NMFS Trailing Actions – April 2012
6. Clarify processor obligation	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
7. Observer program regulatory changes	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
8. Change “permit holder” to “vessel owner”	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
9. Process for changes vessel ownership	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012

Item 4 under the Council list on whiting season opening date was removed from the motion.

Ms. Vojkovich said that she didn’t change any of the PPAs from the last Council action. The rationale for the choices are in Agenda Item I.4.a, Attachment 1. With the information listed under Pie Rule 2, we are essentially affirming the Agenda Item I.4.c NMFS Trailing actions that we are in agreement that they should move forward as indicated. Number 5 (Observer Provider Certification) is highlighted as it is the new item that was discussed prior and the language in the document isn’t what would be in federal rule but would follow that process.

Motion 20 carried unanimously.

Ms. Kirchner moved and Ms. Lowman seconded (Motion 21) that the Council recommends suspending transfer of widow rockfish quota share through June 2014. A range of alternatives should be approved at the November 2012 meeting of the Pacific Fishery Management Council. A PPA should be selected at the March or April 2013 meeting and a final preferred alternative should be selected at the June 2013 meeting with the goal of implementation in early 2014.

Ms. Kirchner spoke to her motion stating that suspending the quota share transfer would give us time to implement the rules. She delayed the dates from what was adopted previously, so as to not interfere with other agenda items that would be going on at that time. The final selection in June of 2013 may allow for implementation by January 1, but it may not, so she included June 2014 to allow some time for transfers.

Ms. Vojkovich supported the motion because of the importance of the issue, but was concerned that the Council not be trying to handle too many things at one time. Therefore, she agreed that the delayed schedule was a wise thing.

Mr. Lockhart expressed concern as to whether or not a suspension of widow quota share trading had been properly noticed. Ms. McCall stated it would be better to take final action in June to ensure proper notice.

Ms. Culver supported the motion, and urged the Council to keep the options narrow and build on previous analysis as much as possible.

Ms. Culver moved and Mr. Lincoln seconded (Amendment 1) to strike out “recommend” and replace with “consider,” and add the sentence, “The Council plans to select a final PPA on the suspension of Quota Shares transfer for widow rockfish at the June 2012 meeting.”

Amendment 1 carried unanimously. Motion 21 as amended carried unanimously.

Ms. Culver moved and Ms. Kirchner seconded (Motion 22) that the Council to forward the design consideration as contained in Agenda Item I.4.c, Supplemental SSC Report to NMFS and PSMFC for their consideration in the design of the proposed experiment.

Ms. Culver spoke to her motion, stating that it is important that the Council be able to provide input on the study design; she thought that NMFS would welcome that input. Since they are providing \$400,000 for the experiment, it would be prudent to ensure that the data collected in the experiment would be useful for Council management. And to the extent that we could have input on the design to ensure we collect the information that would help us evaluate the use of electronic monitoring in the future for compliance and/or quota monitoring, she thought that would be beneficial to the Council action.

Ms. Vojkovich moved and Mr. Crabbe seconded (Amendment 1) that the Council include Agenda Item I.4.d, Supplemental Public Comment 2 – Letter from Environmental Defense Fund.

Amendment 1 carried unanimously. Motion 22 as amended carried unanimously.

Ms. Lowman expressed concern that electronic monitoring be included in the Council schedule as we move forward. There had been a strong discussion on the need for human observers for the original program. That will be something the Council will have to carefully reconsider in now including electronic monitoring. From talking with Mr. Fisher, she understands that they see this as a collaborative and adaptive study to be conducted over the summer. So, if there are opportunities and if there is a greater definition to the study design in June that our SSC and our advisory panels could also comment on and provide those for consideration, we should make sure we have that opportunity in the schedule.

Ms. Vojkovich expressed concerns about this moving forward that there hasn’t been mentioned the enforcement aspects of these techniques and consideration of the ability to prosecute infractions. Having this come to the Council on a schedule, having the opportunity to provide feedback and raise issues, is very important for us if we want this to become a tool that we can utilize.

Mr. Seger noted that the Council has left open the Pacific whiting season date and that absent Council action otherwise, he would expect that to come back to the Council for a Final Preferred Alternative in September.

[Council concluded this agenda item at 4:35 p.m.]

I.5 Reconsideration of Initial Individual Fishery Quotas in the Mothership and Shoreside Pacific Whiting Trawl Fisheries. (4/5/2012; 8:07 a.m.)

I.5.a Agenda Item Overview

Mr. Jim Seger provided the Agenda Item Overview and introduced the materials for this discussion:

Agenda Item I.5.a, Attachment 1: February 29, 2012 Letter from Frank Lockhart.

Agenda item I.5.a, Attachment 2: March 16, 2012 Letter from Frank Lockhart.

Agenda Item I.5.a, Supplemental Attachment 3: Guidance for Making Allocation Decisions relating to Catch Shares.

I.5.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Lockhart presented Agenda Item I.5.b, Supplemental NFMS Report: ANPR.

Mr. Tommy Ancona presented Agenda Item I.5.b, Supplemental GAP Report.

I.5.c. Public Comment

Mark Cooper, Cooper Fishing, Inc, Newport, Oregon.

Pierre Marchand, Jessie's Ilwaco Fish, Ilwaco, Washington.

James Walsh, Davis Wright Tremaine LLP, San Francisco, California.

Craig Urness, Joe Plesha, Robert Smith, Mike Story and Tom Libby, Pacific Seafood & Pacific Fishing LLC.

Tim Hobbs, Mid-water Trawlers Cooperative (MTC) & David Jinks, MTC, Newport, Oregon.

Steve Hughes & Chris Peterson, Pacific Dawn Plaintiffs Group.

Jim Seavers, Fisherman, Newport, Oregon.

Brent Paine & Bob Dooley, United Catcher Boats, Seattle, Washington.

Donna Parker, Arctic Storm, Seattle, Washington.

Agenda Item I.5.c, Supplemental Public Comment, Letter from NRC, Inc.

[Council break from 9:29 a.m. to 9:47 a.m.]

I.5.d Council Action: Consider Preliminary Alternatives Responsive to Litigation Requiring Reconsideration of the Allocation of Catch Shares for the Shoreside and Mothership Whiting Fisheries (4/5/2012; 9:47 a.m.)

Mr. Anderson asked questions in the context of the list of seven items for Council consideration for direct allocation of the resource found on page 13 of Agenda Item I.5.a, Supplemental Attachment 3. He noted the Council made its decision in November 2008. Not surprisingly, it took two years to implement in January 2011, and that was fast given the immense complexity of the program.

Mr. Anderson continued that the qualifying periods used in determining the resource allocations were part of a long process—about three to four years. At the same time, the Council considered the American Fisheries Act and put in place Amendment 15 in 2007. He wondered if the options presented for analysis took into account the fact that there were three years that had transpired from the end of the latest qualifying period until we made our decision in 2008, that there were

fisheries in that time, and did we consider the catch history that was a result of that fishing activity during that time frame? He was trying to think about whether or not the Council properly considered all of the factors listed here in 2008. The allegation is that we did not, and that our action was arbitrary and capricious, without a solid rationale. So, in looking at the alternatives, we want to make sure that we have an alternative that covers through 2007, and make sure that we considered the more recent history between our control date and the decisions we made in 2008. The time period between that point in time and 2010 is a little bit more of a struggle to understand.

Mr. Anderson continued that in reading the judge's decision there is a reference to the length of time between our November 2008 decision and implementation in January 2011 being beyond reasonable. Looking at our motions in 2008 (Motions 23 and 24) there was recognition at the time in the record of Council discussion that given the complexity of the program, it would take three years to implement. So we knew about that situation. The question is, should we have considered the fact that fishery activity was going on during that time? The new alternatives should allow us to consider those questions.

Mr. Lockhart agreed those are all good questions and certainly when the decision came forth these were all questions that we had thought about. The first item is that the judge did find that the record did not adequately explain our consideration beyond recent history, beyond 2003 and 2004. The rest of your comments concern if it is possible to just go back in time and explain our actions.

Mr. Anderson responded it was his understanding that the judge said, given the record that was presented in the briefing material, that we didn't adequately explain and fully reflect the rationale on the record for making our decision for the base period. So, in September we need to do a better job of explaining our justification. On top of that, though, is this issue of an unreasonable amount of time having lapsed from the time we made the decision until the time we had the program implemented. Those two issues are key to determining an appropriate range of alternatives that we would have analyzed.

Mr. Lockhart agreed there needs to be a better explanation of our rationale for whatever action the Council takes. With regard to the length of time, if that is an important issue in the decision, we need to clearly explain why it is a fair and equitable decision.

Mr. Anderson responded that his understanding now was that we needed to have a good understanding and rationale on the record for what we did in 2008, and also need to think of the other considerations that have happened since 2008.

Mr. Lockhart agreed that it's not inappropriate to go back and consider the rationale for the initial decision, but you do have to consider what has happened since. There is nothing that says you have to go in one direction or another. The bottom line is that the Council will have to be able to explain why their decision is fair and equitable and meets the requirements of the Magnuson-Stevens Act, as well as meeting the goals of the FMP, including Amendments 20 and 21. The decision also has to be consistent with the court remedy order. Attachment 3 does a

good job of explaining what the Council should look to in deciding what is a fair and equitable allocation. The order does not go back to the decision to allocate to the processors.

Ms. Vojkovich said the comment letter from Natural Resources Consultants (NRC) opted that we should be using a different beginning date for everyone and that's why she wondered about adding 1994 for processors. Mr. Meyer agreed that the Council could consider that.

Mr. Lockhart stated he had presented the minimum range of what the Council has to consider when moving forward. The Council can explore other alternatives and are not limited by that range.

Mr. Anderson moved and Ms. Lowman seconded (Motion 23) that the Council adopt for analysis the alternatives listed on page one of Agenda Item I.5.a, Attachment 2: March 16, 2012 Letter from Frank Lockhart, to respond to the requirement to reconsider the allocation of catch shares for the shoreside and mothership whiting fisheries.

Mr. Anderson said that this motion considers the letter of Mr. Hughes (March 23, 2012) and his suggestions for alternatives to be considered for analysis in response to the directions given by counsel. We need to ensure we have alternatives that look at the control date to November 2008, and those years which were recent history as we reconsider our decision. Myself and others believe we need to look at the period from 2008 through 2010, given the judge's statement that the time period between when we made our decision and when it was implemented may be beyond a reasonable period. Dropping years and those things go beyond what we need to do. We had our analysis of alternatives to drop certain years leading up to our decision in 2008. If we need to go back and look at the analysis for the record of decision as we move to September, we can do that. I am also guided by looking at the catch sharing plan and would like to keep that in mind when we reach a decision. Lastly, we want to ensure our decision in September, as I believe it was in 2008, is fair and equitable, promotes conservation, is determined in such a way that no group, person, or entity receives an undue or excessive share of the resource, and considers the seven items on page 13 of Attachment 2.

Mr. Meyer spoke in favor of the motion and reiterated some of the comments that were heard from people during the testimony. He believes the range of alternatives needs to be crafted as narrow as possible to get a proper analysis and to allow it to be done on time to avoid potentially vacating the whole whiting program. He believes that the proposed range meets that objective. He believes 1994 is an appropriate year to go back to because that's when the limited entry dates started. It's important to analyze the 2003 control data because having that helps to support the principle of the control date. In November 1998 we had consensus on that date as was stated in 6.3.1 of Supplemental Attachment 3. It may not have been 100 percent consensus, but we had a lot of people come up to the table and provide testimony in agreement with the date. The year 2007 is important for a couple of different reasons. First, it was the last full year of fisheries data that we could analyze in the NEPA document prior to making our decision. Also, 2007 was important with respect to Amendment 15 and the American Fisheries Act (AFA). Through the analysis we might see what the benefit was to AFA qualified boats after 2007. Additionally, 2010 is a good bookend in that it gives us the flexibility to consider a more current period. Finally, when I read Mr. Hughes' letter, I had to think a little bit more about the drop years.

Having participated in the trawl individual quota (TIQ) program from the beginning and being with the TIQ Committee, I remember the reason people gave for drop years was that in case they had a breakdown in a mechanical part of their boat or perhaps an injury or sickness to the skipper or the owner of the boat that prevented them from participating, it did not penalize that person for not being able to participate. I believe extending that four years is inappropriate, and that dropping years hurts the participants that are there every year. A vessel that is there every year is showing dependencies on the fisheries.

Mr. Lockhart asked Mr. Anderson if he expects that his motion encompasses, with perhaps the exception of the drop years, the range of options that are in the NRC letter.

Mr. Anderson replied no. The motion encompasses most of it, but not, for example, Alternative 3 for both Harvesters and Processors 1999 through 2008. If you're asking if the analysis is going to include every possible combination of years that are embodied in those alternatives, I guess the answer would be yes, but that's not the intent of my motion. Nor did I think it was the intent of the alternatives that you are recommending to the Council.

Mr. Lockhart replied that he was interested in exploring ways the analysis could potentially look at some of the issues raised in his letter. He is struggling with how they could do that without getting to an infinite number of combinations of the beginning and ending years. He asked for a five-minute recess.

[Council break from 10:33 a.m. to 10:42 a.m.]

Mr. Lockhart said the concept that he was particularly looking at exploring is recent history, but to meet the court-ordered deadline you can't analyze every permutation of every start and end date. He thought the range of alternatives under the current motion do provide a good bookend for Council consideration. However, he thought it would be interesting to have an additional option for analysis that looks at the issue of recent history.

Mr. Lockhart moved and Mr. Pollard seconded (Amendment 1 to Motion 23) to include for analysis, the range of allocation years of 2001 to 2010 in Option 1 of Alternative 3 for Harvesters and Processors on page 2 of Agenda Item I.5.c, Supplemental Public Comment. The amendment includes only the range of years, not any of the other text under Alternative 3.

Mr. Lockhart stated that given the decision and public testimony, we need to have the capability for staff to show us the impact of looking at a range of years that would be more recent than what has been done and to have a different starting year. He was struggling with how to do that without having an infinite number of options and permutations given the range of alternatives in the main motion. His proposed option includes the most recent 10-year period that we can look at and is achievable in the timeframe that we have.

Mr. Pollard noted that in public testimony Ms. Donna Parker said something about displaying the distribution changes that might take place under these different options.

Mr. Lockhart said we can cover that shortly, but wanted to talk about what types of analysis we expect.

In trying to understand the action, Mr. Anderson asked the purpose of looking at an option that does not look at history prior to 2001.

Mr. Lockhart noted the NMFS letter did not look at changing the beginning years, but that he is compelled by public testimony at this and the prior meeting which expresses a belief that the judge's order requires examining a range of years that reflects the recent history of the whiting fishery. Analyzing initial allocation based on the period 2001 through 2010 would provide a good basis for considering which are the most appropriate years for making that initial allocation.

Mr. Anderson stated that the alternatives included in the main motion were intended to look at and include an analysis of more recent history as directed by the court which could be compared to our original decision. By eliminating the years 1994 through 2000, Mr. Lockhart's alternative weights the more recent years more heavily than the alternatives that are in the main motion.

Mr. Lockhart replied that his motion does not include any statistical weighting of any individual year. It basically discounts every year prior to 2001 and that's not considered in the initial allocation.

Ms. Lowman said she believes it does weight the recent years. From the list of things we need to look at we are also supposed to look at historical fishing practices and dependence on the fishery. She has heard no concerns that the inclusion of historical participation was not appropriate. This option would look at nothing except two years prior to when we began to look at this program. This option would diminish consideration of historical commercial fisherman.

Mr. Lockhart noted that we still have the older alternatives that do explore historical fishing practices. This is just adding one more alternative that moves a range of consideration to the most recent 10 years. It's just expanding the consideration that will be before the Council in June and September.

Ms. Kirchner said that part of the reason that so much time was put into developing this very complex program was that there are many moving parts and pieces. As we start looking at changing pieces, it's going to have bigger effects in the program. The program was developed with consideration of each of the parts and pieces and how they interact.

Mr. Anderson asked if there was anything in the judge's decision that indicated we inappropriately considered historic catch participation in the 1990s.

Mr. Lockhart replied no. He is basing this motion on the public testimony that we have received over the past two years and including it so we can weigh the choice of initial allocation between going back to the original years versus going with a more recent time period.

Amendment 1 failed (Mr. Groen, Ms. Kirchner, Mr. Pollard, Mr. Lincoln, Ms. Lowman, Mr. Anderson, Mr. Myer and Mr. Sones voted no). Motion 23 carried unanimously.

The Council Chair asked for further guidance on the analysis.

Ms. Vojkovich stated that one of the things to consider in the allocation guidance document is present participation and dependence on the fishery, including alternative fisheries, especially for the processing portion of this analysis. The other item is that while we are doing our analysis for the shore-based portion of the sector, that we also include the effect of any change in this whiting allocation to the entire shore-based groundfish fishery as a whole.

Ms. Lowman noted that there are a lot of interrelated decisions that have impacts on each other. We have chosen to modify one element, but the elements are interconnected. She wants to be sure that we see the interplay between all of the elements related to this and impacts particularly on coastal communities by any change.

Mr. Lockhart stated that, in spite of the last motion, he is interested in the Council staff being given the flexibility to explore, in a general way, the impact of changing the range of years, the upfront dates. He understands it's not going out as an alternative of the Council; however, he is interested in receiving an analysis on the potential impact of changing the initial year.

Mr. Anderson said that seems like a little different way to get at what you just proposed in a motion that failed. His thinking and voting against the amendment was that our November 2008 decision was challenged and we were told to reconsider that decision. In addition, we are to think about what's happened since then, given the length of time that it took to implement the program. Regarding the analysis, we already have 2008 through 2010 covered, and we will be able to consider the appropriateness or lack thereof in considering those years given the length of time it took to implement the program. Then, we reconsider our 2008 decision with the control date of 2003. We used time periods in the decision that went from 1994 through 2003 and 1997 through 2004. At that time (2008) would we have considered other alternative base years, such as 2001 through 2003, or 2001 through 2004. That, to me, is the question you're posing. Should we have analyzed those other base years, and in our reconsideration should we be looking at them? That is the challenge of our decision, not the challenge of not considering 2008, 2009, or 2010. Did we consider appropriate years? My conclusion is that we would not have just considered three or four years of history by having the first year be 2001. What decision from 2008 does the court say we need to reconsider that had insufficient recognition provided in the record of decision? I have a hard time understanding the merit of doing an analysis on lopping off six or seven years of our base.

Mr. Lockhart stated that he was coming from a different interpretation of where we are right now with respect to the court's guidance. In his mind, in September, the Council has to be able to make a decision on what is a fair and equitable allocation for whiting in the mothership and shoreside sectors. The choice requires that you not only say why your final choice is a good decision, but also what other choices do not have as many of the positive benefits as your final decision. The overall range of alternatives includes the appropriate range. We have a lot in front

of us, but we will not have additional information on what the impacts of changing that initial year may be on that final allocation.

Mr. Lockhart moved and Ms. Vojkovich seconded (Motion 24) that we provide, as guidance to the Council staff, to explore the general impact of changing the initial allocation year.

Ms. Vojkovich expressed concerns about the priority of this proposed analysis and the workload it might entail.

Mr. Lockhart said that the prior motion would have the primary priority for the Council, and in this motion he was looking for a more qualitative discussion of the general impact of the initial years.

Mr. Anderson stated that from his perspective this is too open-ended.

[Council break from 11:18 a.m. to 11:24 a.m.]

Mr. Anderson moved and Mr. Crabbe seconded a substitute motion (Motion 25) to create a fifth alternative that would include all three sectors with a base period of 2000-2010.

Mr. Anderson proposed this alternative to contrast the impacts of using a recent base period with the decision based in 2008. The analysis would include a different start date and be a valuable analysis to show the impacts on the current program and have an additional place from which to judge fairness and equity.

Mr. Lockhart spoke in support of the motion.

Motion 25 carried unanimously.

Ms. Lowman wanted to be sure that we are going to look at the impacts of the capacity of the program and not the full analysis of capacity.

[Council concluded this agenda item at 11:34 a.m.]

I.6 Groundfish Essential Fish Habitat Review (EFHR) (4/5/12; 2:19 p.m.)

I.6.a Agenda Item Overview

Mr. Kerry Griffin provided the Agenda Item Overview.

I.6.b EFHR Committee Report

Mr. Brad Pettinger and Dr. John Stadler presented Agenda Item I.6.b, EFHRC Report and Agenda Item I.6.b, Supplemental EFHRC Report 2.

Ms. Culver asked when Council advisory bodies would be able to review external proposals when they are received. Mr. Griffin said that the job of the EFHRC is to provide a review of the

proposals and report back to the Council. Dr. McIsaac noted that the schedule indicates that any proposals would be available for general review at the April meeting.

I.6.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Joel Kawahara presented Agenda Item I.6.c, Supplemental HC Report.

Mr. Owen Hamel presented Agenda Item I.6.c, Supplemental SSC Report.

Mr. David Sones presented Agenda Item I.6.c, Supplemental Tribal Report.

I.6.d Public Comment

Mr. Ben Enticknap, Oceana, Portland, Oregon.

Mr. Joel Kawahara, Salmon Troll Fisherman, Quilcene, Washington.

Mr. Seth Atkinson, NRDC, San Francisco, California.

Agenda Item I.6.d, Supplemental Public Comment, Letter from Association of Monterey Bay Area Governments.

[Council break from 3:29 p.m. to 3:45 p.m.]

I.6.e Council Action: Consider Request for Proposals and Clarify Other Process Issues (4/4/2012; 3:45 p.m.)

Ms. Culver moved and Ms. Kirchner seconded (Motion 31 [later withdrawn]) for the Council to adopt a revised groundfish EFH schedule as presented in Agenda Item I.6.b, EFHRC Report with the following changes: the advisory bodies would receive the proposals and comments of the EFHRC at the same time they are distributed to the EFHRC for review.

The Council discussed the merits of advisory bodies receiving proposals at the same time that the EFHRC would. Some Council members expressed concern about the motion because it could be viewed as conflicting with the EFHRC's primary function of providing the initial review of external proposals.

Ms. Culver withdrew the motion with the second's consent (Motion 31 withdrawn).

Ms. Culver moved and Ms. Kirchner seconded (Motion 32) that the Council adopt a revised groundfish EFH schedule as presented in Agenda Item I.6.b, EFHRC Report with the following changes: the advisory bodies would receive the proposals and comments of the EFHRC at the April meeting; with final Council action scheduled for June 2013.

Ms. Kirchner asked for clarification about whether there would be preliminary action in April followed by final action in June. Dr. McIsaac responded that there would be no action in April. Rather, the proposals would be distributed in April, with a review opportunity between April and June, and comments and final action in June 2013.

Mr. Griffin clarified that although the EFHRC would be soliciting and evaluating proposals, once the Council takes final action, it would only be a decision to consider changes to EFH. At that point, a Council team would develop a suite of reasonable alternatives that may or may not be based on the submitted proposals.

Motion 32 carried unanimously.

Mr. Sones moved and Mr. Pollard seconded (Motion 33) that the Council should adopt the Request for Proposals drafted by the EFHRC in Agenda Item I.6.b, EFHRC Report, with the following addition: The three standards put forward by the Tribes and reflected in Agenda Item I.6.c, Supplemental Tribal Report, should also be included in the RFP.

Ms. Culver moved and Ms. Kirchner seconded to amend the motion (Amendment 1), such that the first sentence should include—The Council should “adopt for public review.” Ms. Culver said that if the motion passes, the RFP would be amended to add the three bullets. It would then be sent out for public review and brought back before the Council at the September meeting.

Amendment 1 carried unanimously. Motion 33 as amended carried unanimously.

Ms. Culver moved and Ms. Vojkovich seconded (Motion 34) that the Council should adopt option 2, No Recusal; as contained in Agenda Item I.6.b, EFHRC Report.

Ms. Culver spoke to her motion, stating that the EFHRC should be able to manage their disagreements and that at the next meeting of the EFHRC, the Executive Director or Council staff should speak to the committee and express the Council’s desire that the committee focus on their task, and that members respect each other during deliberations.

Mr. Feldner spoke in support and noted that another way to address perceived conflicts would be to disclose potential conflicts to both Council and committee members to consider.

Motion 34 carried unanimously.

Ms. Vojkovich discussed concern that the EFHRC may be focused too much on the proposals that are submitted and not enough on addressing the FMP goals and objectives. She would like to see if the closed areas are really protecting habitat where they should be, and suggested that the EFHRC could be analyzing the effectiveness of existing EFH.

Mr. Lockhart also expressed concern and noted that what we did five years ago (in 2006) was real habitat protection to close 150,000 square miles, and that the EFHRC’s review of that should include a determination of how it is working.

Mr. Griffin responded that analyzing the effectiveness of EFH is not part of the charge as described in the EFH regulations. Rather, the review is designed to seek out information, data, and analyses that have been conducted, and to determine whether the new information might indicate that changes to the existing EFH should be made. He agreed with Mr. Lockhart’s statement that the EFH review is not a chance to reinvent groundfish EFH. Rather, it is a chance to see if the existing identification and descriptions still make sense.

Dr. McIsaac said that with regard to the question of whether existing EFH would be reviewed, COP 22 says that EFH designations as well as closed areas would be reviewed. With regard to

the RFP, the EFHRC will review any proposals that are submitted, prior to reporting back to the Council. Dr. McIsaac said there will be at least some information included that addresses trawl rationalization. With regard to confidentiality issues, he said that there will be some confidential information used, but confidentiality will be protected, especially to the extent that data can be aggregated and used without exposing the confidential information.

Mr. Sones asked whether the review will include consideration of any new management measures that have been implemented in the past five years. Dr. McIsaac said that yes, to the extent that we have data oriented to that, it would be included in the review.

I.7 Consideration of Inseason Adjustments (4/5/2012; 4:45 p.m.)

I.7.a Agenda Item Overview

Ms. Kelly Ames provided the Agenda Item Overview.

I.7.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Frank Lockhart provided an update on the issuance of 2011 surplus carry-over QP into the 2012 vessel accounts in shorebased IFQ fishery. He noted that the surplus carry-over provision was adopted about the same time that the new ACL provisions were being implemented. The Council never discussed the relationship of the surplus carry-over provisions to the new ACL requirements. The agency has been having these discussions and is very close to making a decision for 2012. Any eligible 2011 surplus carry-over QP would be issued with the Pacific whiting QP in late April or early May 2012.

Mr. Lockhart said there are two pieces of the surplus carry-over discussion 1) the upfront design of management measures to meet the ACL and 2) the actual performance of the fishery inseason. NMFS believes that managers must design measures to meet the ACL; however that is different than the inseason performance of the fishery. The National Standards do provide flexibility with regard to exceeding an ACL inseason, however, managers cannot design the management system upfront with an expectation of exceeding the ACL.

Mr. Lockhart said the regulations at 660.140(e)(5) say it's required every year that NMFS determine whether issuing surplus carry-over for each species is within the conservation requirements of the Magnuson-Stevens Act. We currently consider this language to mean that we must ensure that issuance of surplus carry-over is not expected to exceed the ACL. The agency is reviewing this on a species-by-species basis. The agency has decided that you can allocate more than the ACL as long as your management system and projections indicate a likelihood of staying within the ACL. Mr. Lockhart said there does need to be a commitment to stay within the ACL, both up front in the specifications cycle when the measures are developed and under inseason.

Mr. Lockhart said that at this time the agency believes that 2011 surplus carry-over QP will be issued for most species, however, he acknowledged that the agency is struggling with the decision for Pacific whiting, sablefish (north and south), and petrale. He understands that surplus carry-over for these species is very important to industry, and the agency will be making this decision very soon.

Dr. Don McIsaac asked Mr. Lockhart to speak to the focus on the ACL instead of the overfishing limit (OFL). Mr. Lockhart said this question gets to the heart of the two issues: 1) the upfront design of the system, and 2) the actual performance of the fishery. The ACL is an annual catch limit, and the agency believes the Council must design management measures to meet the ACL. Mr. Lockhart acknowledged that it is more crucial if an OFL is exceeded. There is some flexibility to exceed an ACL inseason, however, the agency still believes the Council must design management measures to stay within the ACL.

Ms. Marija Vojkovich presented Agenda Item I.7.b, Supplemental CDFG Report.

Dr. Sean Matson presented Agenda Item I.7.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item I.7.b, Supplemental GAP Report.

I.7.c Public Comment

None.

I.7.d Council Action: Adopt Recommendations for Adjustments to 2012 Groundfish Fisheries, including the Carry Over issue.

Ms. Culver moved and Mr. Lincoln seconded (Motion 35) to adopt the GMT recommendation in Agenda Item I.7.b, Supplemental GMT Report to reduce trip limits in the limited entry sablefish daily trip limit fishery north of 36° N. latitude from “1,300 pounds per week, not to exceed 5,000 pounds per two months” to “1,000 pounds per week, not to exceed 4,000 pounds per two months, beginning May 1, 2012” (Alternative 1, in Table 2).

Ms. Culver spoke to her motion, noting the rationale for the adjustment was clearly presented in the GMT report, and the GAP agreed with the reduction since it would provide meaningful opportunity and prevent a larger decrease later in the year.

Motion 35 carried unanimously.

Ms. Vojkovich made a clarification to the GMT report. She said California is already in the process of increasing the recreational kelp greenling sub-bag limit from 2 to 10 fish within the 10 fish rockfish, cabezon, and greenling bag limit in state waters. She is not making a motion, but is requesting that NMFS adopt conforming regulations, if possible, for 2012. If not, Ms. Vojkovich noted the measure is included in the 2013-2014 harvest specifications and management measures package. Mr. Lockhart said that NFMS will explore the request and talk with California.

Ms. Culver noted that the GMT statement requests some guidance regarding the use of descending devices for cowcod in California. She said the CDFG report indicates this practice, including survival credits for those fish released with descending devices, has already been adopted for 2012 and she would like further clarification (Agenda Item I.7.b, Supplemental CDFG Report). Ms. Vojkovich stated that this is not a regulatory issue, it's a catch accounting issue. CDFG has put the methods in place for 2012 and notified the RecFIN Technical Committee. She assumes the committee will discuss it further, if necessary.

Ms. Culver noted that in the past the GMT developed discard mortality assumptions based on the best available data, which were presented and approved by the SSC, and then adopted by the Council for use in management. These rates are consistently used in all three state recreational fisheries. Once the agreement was reached within the Council process, the discussions occurred within RecFIN. She recommends the same process be followed here. Ms. Culver understands that cowcod is only encountered in California, however, she is concerned about consistency and the level of discussion and consensus that has occurred on this issue to date. She is also concerned about changing the discard mortality rates inseason. Ms. Culver said that in Washington, they have explored the use of different descending devices, and constituents are also interested in survival credits. However, Washington is adhering to the agreement to use the rates developed by the GMT, approved by the SSC, and adopted by the Council for use by RecFIN. Ms. Culver asked Mr. Lockhart if the discard mortality rates were something that could be changed inseason if it was not analyzed previously.

Mr. Lockhart said, in general, if something was not previously analyzed then it is generally not available inseason as a routine management measure.

Ms. Vojkovich asked Mr. Lockhart what type of analysis would be necessary, since it is not a management measure that would be implemented in regulation.

Mr. Lockhart said it depends on the action. He is unclear about the Council action on this issue. If the Council recommends an inseason measure, it would need to be analyzed.

Mr. Wolford said the cowcod descending device matter is not a regulatory action but a matter of catch accounting.

Ms. Ames elaborated on the process that was used in 2009-2010 to develop the discard mortality rates that are currently used.

Mr. Wolford asked about the disposition of the fish under the current discard mortality rates. Ms. Ames confirmed the discard mortality rates estimated surface mortality. Mr. Wolford noted that when release devices are used, the disposition is release at depth. Therefore, it would be appropriate to review rates under this different disposition.

Ms. Gway Kirchner said the Council has not been asked to take any action on this item. She noted that Oregon Department of Fish and Wildlife (ODFW) previously asked for inseason changes which were denied until the next cycle to ensure that adequate analysis was completed. Ms. Kirchner does not see this issue being different.

Ms. Culver added that the catch estimation methodology is described in detail in the Environmental Impact Statement and she is concerned about changing methodology inseason. She supports moving forward to explore the use of descending devices and revising the discard mortality estimates for all three states; however, she asked California to postpone implementation of the new discard mortality assumptions until the 2013-2014 cycle.

Ms. Vojkovich said she believes the discard assumptions are within the purview of the states, especially since cowcod occurs only in California and the revised rates apply to one sector. The agency will be implementing the new rates in 2012.

Ms. Kirchner asked if this issue will be included under Agenda Item I.8 and whether it would receive SSC review.

Ms. Ames noted that the use of descending devices is not currently in the range of alternatives for 2013-2014. She noted that the Council could move forward implementing the 2013-2014 management measures but initiate a separate process for considering this methodology for implementation in the next biennium. The separate process could be discussed later in the week under future meeting agenda and workload planning.

Mr. Lockhart noted that the GMT report only proposes only two options for considering this issue 1) implement the new methodology mid-cycle, or 2) for 2015-2016. Mr. Lockhart noted that some items had been rejected for 2013-2014 since they were out of the range of alternatives currently analyzed.

Dr. McIsaac noted that the Council is interested in good science, which needs to be reviewed to ensure it is the best available. He did not anticipate any regulatory adjustments as a result of this proposal, therefore he recommended the material be submitted for further review.

Ms. Kirchner appreciates Dr. McIsaac's comments about a review of the science, but she is concerned about setting a precedent by dealing with one species and one proposed methodology. ODFW also has data that would inform discard mortality assumptions for fish released at depth. She supports a coordinated effort between the three states to ensure coastwide consistency. She recommends that if the SSC is tasked with reviewing this issue, that it is expanded to include other species and recreational data from all three states.

Ms. Ames recommended that the discussion occur under the future meeting agenda and workload planning.

[Council concluded this item at 5:48 p.m.]

I.8 Adoption of 2013-2014 Biennial Harvest Specifications and Management Measures (4/6/2012; 8:06a.m.)

I.8.a Agenda Item Overview

Mr. John DeVore and Ms. Kelly Ames provided the Agenda Item Overview and presented Agenda Item I.8.a, Supplemental Attachment 1.

I.8.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Corey Niles answered questions regarding Agenda Item I.8.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item I.8.b, Supplemental GAP Report.

Mr. Mike Cenci presented Agenda Item I.8.b, Supplemental EC Report.

I.8.c Public Comment

Seth Atkinson, National Resources Defense Council, San Francisco, California (Agenda Item I.8.c, Supplemental Public Comment).

Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon.

Tommy Ancona, Fisherman Marketing.

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

I.8.d Council Action: Adopt Preferred Harvest Specifications and Preliminary Preferred Management Measures and Allocations (4/6/2012; 9:01 a.m.)

Ms. Michele Culver said in keeping with the Council's intent to keep the harvest specifications and management measures for 2013-2014 as close to the 2012 harvest specifications and management measures (i.e., status quo) as much as possible with minimal exceptions, she moved and Mr. Lincoln seconded (Motion 36) that the Council:

1. Reaffirm its PPA for the lingcod acceptable biological catches (ABC) and ACL and the ACLs for all groundfish stocks and stock complexes for 2013-2014 as adopted under Agenda Item I.3.
2. Reaffirm action taken under Agenda Item I.3 relative to allocations and harvest guidelines (HG); including the tribal requested set-asides, allocations for widow rockfish (Amendment 21), overfished species allocations (including cowcod), black rockfish HG, blackgill rockfish HG, blue rockfish HG, and longnose skate HG. There would be no spiny dogfish HG.
3. Reaffirm action taken under Agenda Item I.3 relative to season structures, rockfish conservation area configurations, and recreational fisheries.
4. Reaffirm action taken under Agenda Item I.3 relative to management measures.

Ms. Culver said her motion reaffirms action taken under Agenda I.3 and includes all of the motions and amendments under Agenda I.3. She specifically wanted to focus discussion on her motion relative to the canary ACL, since the Council requested further information to inform this decision. Based on the GMT report, there does not appear to be sufficient data to distinguish between the higher ACL alternative (147 mt in 2013; 151 mt in 2014) and the preferred alternative (116 mt in 2013; 119 mt in 2014). The GMT indicated the choice of a higher ACL is related to risk and it's a policy call. Ms. Culver agrees with that statement.

Ms. Culver said 12 years ago, when the canary stock was declared overfished, the stock was below 25 percent of unfished biomass. Current depletion is at 23.3 percent, yet the Council has shortened the original T_{TARGET} or the median time to rebuild. Ms. Culver said early in the rebuilding process, the mortality of canary exceeded the optimum yield in several of those years. In recent years (including 2011), however, management performance has improved and the ACL is no longer exceeded. She supports rebuilding in as short of time as possible and increasing the probability of rebuilding by T_{TARGET} .

Ms. Culver noted the requirement to select an alternative with a 50 percent probability of rebuilding by the T_{TARGET} . However, she noted the latest stock assessment and rebuilding analysis indicates that it is impossible, even under a zero harvest strategy. Ms. Culver thinks the

Council should maintain the current SPR harvest rate in the current rebuilding plan. Ms. Culver is sympathetic to the GAP statement and public testimony about the canary quota pound trading issues in the shorebased IFQ fishery; however, she does not believe that increasing the ACL is the appropriate solution since it would modify the SPR and reduce the probability of rebuilding by T_{TARGET} . She said the Council's intent was to maintain status quo as much as possible, including allocations. If the Council is going to consider increases, including allocations, to provide greater comfort for the trawl fisheries, then the Council should be considering changes for other fisheries.

Mr. Sones asked if the motion included the tribal request for set-asides from Agenda Item I.3. Ms. Culver said yes.

Mr. Lockhart spoke in support of the motion, agreeing with Ms. Culver's statements on the canary rebuilding plan.

Mr. David Crabbe said he has been struggling with the canary ACL. He said we are managing to an ACL that increases our probability of rebuilding by T_{TARGET} , however, in reality, the harvest will be well below that number. Therefore, he is struggling with the ACL decision because he would like to provide opportunity to fisherman and support individual accountability.

Mr. Lockhart noted the GMT Report indicated a slow start to the 2011 fishery, but once fishermen became comfortable with the rationalized fishery system, participation increased. In the first four months of 2012, it appears canary is not as restrictive as it was in 2011. Mr. Lockhart said it appears fishermen are managing their risk better since there has been an increase in target species landings. He believes the preferred canary ACL is appropriate at this time, but he would like to explore the issue further in the DEIS for consideration in June.

Ms. Gway Kirchner asked Mr. DeVore to explain the process for choosing the final preferred alternative. Mr. DeVore said Council action in June is restricted to those alternatives analyzed in the DEIS. Any action outside the range analyzed would delay the schedule and implementation of the regulations. If the Council would like to combine the existing alternatives – for example, the higher canary ACL alternative with the preferred POP ACL- we would need that information today to include in the DEIS.

Ms. Mariam McCall supported Mr. DeVore's statement. She said if final Council action in June is outside the range in the DEIS, a supplemental DEIS would be required and the schedule would be modified.

Ms. Kirchner asked whether the Council could delay the choice of a preferred canary ACL alternative at this time. Mr. DeVore said the Council should take action on a preferred alternative – even if it includes a two ACLs options. It is important to signal the Council's intent in the DEIS so the public can provide comment.

Mr. Dan Wolford said the GMT report indicates it is difficult to differentiate between the canary alternatives and he did not anticipate any new analysis in June. Therefore, he does not support identifying two canary ACLs as preferred range in the DEIS.

Mr. Cal Groen asked if the fishery does not operate as anticipated in 2013-2014, is there an opportunity to increase the ACL? Mr. DeVore said normally the ACLs would not be modified until the next biennium (2015-2016); however, there is a point of concern framework in the FMP that could provide the opportunity for a mid-biennium ACL change.

[Council was on break from 9:24 a.m. to 9:40 a.m.]

Mr. Crabbe asked further questions about the DEIS process and identification of a preferred alternative. Ms. McCall reiterated that the DEIS must contain the range of alternatives considered by the Council. Ms. McCall said if final action in June varies from the range in the DEIS, then additional analysis and additional time for public comment would be needed.

Motion 36 carried unanimously.

Ms. Kirchner moved (Motion 37), utilizing Agenda Item I.8.b, Supplemental GMT Report (Table 1, page 8), that staff analyze an alternative that pairs the preferred POP ACL (150 mt in 2013; 153 mt in 2014) with the higher canary ACL (147 mt in 2013; 151 mt in 2014). This alternative should be included in the DEIS, and staff should present the results to the Council in June. Mr. Feldner seconded the motion.

Ms. Kirchner spoke to her motion, noting that several Council members were struggling with this decision. Analyzing this integrated alternative will help Council members make an informed decision in June. Ms. Kirchner said that Mr. Lockhart indicated that trawl fishery performance in 2012 is different than in 2011. In June, we will have nearly six months of data from that fishery, which will also help inform the decision.

Ms. Marija Vojkovich said that she thought the DEIS only included data through December 2010.

Ms. Kirchner said public testimony and the GAP statement spoke to the trawl fishery performance in 2011 and 2012. More information will be available in June.

Mr. DeVore said the 2011 trawl fishery data was included in the DEIS. He also said analyzing a new integrated alternative could be accomplished within the existing DEIS schedule for Council consideration in June.

Ms. Culver said she did not believe the new alternative would provide any more information than alternative 7. She also does not believe the Council should set the canary ACL based on inseason performance of the fishery in 2012.

Motion 37 carried (Ms. Vojkovich, Ms. Culver, Mr. Lincoln, Mr. Myer, and Mr. Wolford voted no).

Ms. Culver said in keeping with the Council's intent to keep the harvest specifications and management measures for 2013-2014 as close to the 2012 harvest specifications and

management measures (i.e., status quo) as much as possible with minimal exceptions, she moved and Mr. Myer seconded (Motion 38) that the Council:

1. Tentatively adopt as its PPA the No Action alternative relative to sorting requirements for aurora, shortraker, rougheye, and blackgill rockfish, as described in Agenda Item I.3.a, Attachments 4 and 5, and Agenda Item I.3.b, Supplemental GMT Report.
2. Tentatively adopt as its PPA the removal of the minimum size limit for lingcod in IFQ fisheries, as described in Agenda Item I.3.a, Attachments 4 and 5.
3. Tentatively adopt as its PPA the No Action alternative relative to modifications to the shorebased-IFQ accumulation limits, as described in Agenda Item I.3.a, Attachments 4 and 5.
4. Request that the National Marine Fisheries Service continue to explore the usage of the IFQ surplus carryover provision and provide an update at the June Council meeting.
5. Request that the GMT and GAP provide further comments and recommendations on the lingcod minimum size limit at the June Council meeting.

Ms. Culver said relative to the sorting requirements that she does not, at this time, see any benefit to the sorting requirement. Further, implementing the sorting requirement would require changes on the state side and within PacFIN including creating new species codes and outreach to the affected parties to ensure sorting is done properly, prior to first weighing. If we explore changes to the stock complexes in the future, it would be appropriate to put people on notice now and plan for the transition. There may be additional information on this management measure coming forward in June, however, at this time she supports the No Action alternative.

Ms. Culver said it is not possible to distinguish biological impacts between the current size limit, reducing the size limit, or removing the size limit. The existing regulations force discards when, according to the stock assessor and the SSC, there is no biological benefit as a result of the size limit. Ms. Culver said when the lingcod stock was declared rebuilt, the stock assessor said the minimum size limit was no longer necessary. She would like the GMT and GAP to comment further on this item in June.

Ms. Culver said relative to the accumulation limits in the shorebased-IFQ fishery, she reviewed the analysis but was not compelled to revise the limits. She also thought revisions to the accumulation limits were more appropriately considered under a trawl rationalization trailing amendment.

Ms. Culver said she would also like NMFS to explore the legal and policy issues related to the shorebased surplus carry-over matters and report back in June.

Mr. Lockhart asked if the quality of the estimates for aurora, shortraker, and rougheye noted in the GMT report would be resolved for the DEIS. Mr. DeVore said Council staff and the GMT have been working on that issue but cannot guarantee that it will be available in the DEIS.

Motion 38 carried unanimously.

Ms. Culver noted that the GMT report contained spiny dogfish bycatch data for the at-sea Pacific whiting sectors, which informs estimated impacts for 2013-2014. Additionally, this information should be considered when discussing options for modifying the Pacific whiting season start dates, which will be discussed under the future meeting planning agenda item.

Ms. Culver also noted the existing regulations exempt mid-water trawl gear from the RCA during the primary whiting season dates, even if they are targeting nonwhiting species (e.g., yellowtail and widow). The impacts of such activities should be considered, especially since the proposed widow ACL is higher and we anticipate a widow rockfish target fishery in 2013-2014. Ms. Culver is not proposing any changes for 2013-2014; she is just acknowledging the emerging fishery.

Ms. Culver moved and Ms. Vojkovich seconded (Motion 39) that the Council tentatively adopt alternative 4 as the preliminary preferred option for flexible management of set-asides.

Ms. Culver spoke to her motion, stating that alternative 4 provides the most flexibility to the Council and NMFS to reallocate any unused portions of the set-asides. This option allows the Council to deviate from the start of the year allocations to help address emerging issues in any sector. Additionally, the option is supported by the GAP.

Motion 39 carried unanimously.

[Council concluded this agenda item at 10:14 a.m.]

ADJOURN

The Council adjourned April 6, 2012 at 2:23 p.m.

Dan Wolford
Council Chairman

Date

DRAFT VOTING LOG
Pacific Fishery Management Council
213th Meeting
April 2012

Motion 1: Approve the agenda as presented in Agenda Item A.4.a with the change that Agenda Item G.1 (Coastal Pelagic Species NMFS Report) be cancelled, as suggested by the Executive Director.

Moved by: Dave Ortmann
Motion 1 carried unanimously.

Seconded by: Herb Pollard

Motion 2: Council to forward the letter as shown in Agenda Item C.1.a, REVISED Attachment 2: Letter on Klamath Water to Ken Salazar, including the strikeouts and revisions, with the following correction:

Therefore, in the event flow augmentation is deemed necessary to maintain the quality of salmon EFH and minimize the likelihood of another fish kill, we recommend you pursue all necessary measures to ensure additional water will be available for release from the Trinity and/or Upper Klamath basins, *including among other things the use of the Humboldt County request for 50,000 acre feet of water from the Trinity Division.*”

Moved by: Dan Wolford

Seconded by: David Sones

Amndmnt 1: Make the following edits after the word “ensure”: add “an adequate amount of” and strike the italicized wording in the motion.

Moved by: Marci Yaremko

Seconded by: Buzz Brizendine

Amendment 1 carried (Mr. Sones, Mr. Lincoln, Mr. Ortmann, Mr. Feldner and Mr. Wolford voted no.)

Amndmnt 2: Replace the italicized text with “including but not limited to the Humboldt County request for 50,000 acre feet from the Trinity Division.”

Moved by: Jeff Feldner

Seconded by: Dave Ortmann

Amendment 2 failed on a voice vote.

Amndmnt 3: At the end of this section, before the forecasted run size paragraph, add the following:

The Council received the letter from Humboldt County to the Department of the Interior dated March 13, 2012 requesting the release of 50,000 feet of water; we recommend consideration of this request.

Moved by: Gway Kirchner

Seconded by: Sarah LaBorde

Amendment 3 failed (Mr. Brizendine, Ms. Yaremko, Mr. Crabbe, Mr. Ortmann, Ms. Kirchner, Mr. Pollard, Ms. LaBorde and Mr. Wolford voted no).

Motion 2 (as amended by Amendment 1) carried unanimously.

Motion 3: Adopt for preliminary analysis by the STT, the management measures for non-Indian commercial and recreational fisheries north of Cape Falcon in Agenda Item E.2.f, Supplemental SAS Report, with changes reflected in Agenda Item E.5.b, Supplemental STT Report, and to model inside fisheries as follows: in area 5 (Strait of Juan de Fuca) the second half of October (Oct 16-31) would be closed; in area 6 (Port Angeles) change the coho fishery from Sept 16-13 to a mark-selective fishery for coho; in Area 7 (San Juan Islands) change the October coho fishery from a non-mark-selective to a mark-selective fishery, and; in Hales Pass institute the same closure for the commercial that fishery was in place in 2011.

Moved by: Phil Anderson
Motion 3 carried unanimously.

Seconded by: Dale Myer

Motion 4: Adopt for preliminary analysis by the STT, the management measures for Treaty Indian ocean fisheries north of Cape Falcon in Agenda Item E.2.h, Supplemental Tribal Motion.

Moved by: David Sones
Motion 4 carried unanimously.

Seconded by: Phil Anderson

Motion 5: Adopt for preliminary analysis by the STT, the management measures for non-Indian commercial and recreational fisheries between Cape Falcon and the Oregon/California border in Agenda Item E.2.f, Supplemental SAS Report, with changes reflected in Agenda Item E.5.b, Supplemental STT Report.

Moved by: Gway Kirchner
Motion 5 carried unanimously.

Seconded by: Jeff Feldner

Motion 6: Adopt for preliminary analysis by the STT, the management measures for non-Indian commercial and recreational fisheries south of the Oregon/California border in Agenda Item E.2.f, Supplemental SAS Report with changes reflected in Agenda Item E.5.b, Supplemental STT Report.

Moved by: Marija Vojkovich
Motion 6 carried unanimously.

Seconded by: Buzz Brizendine

Motion 7: Adopt the Salmon Methodology Review process topics for 2012 as presented in Agenda Item E.4.b, Supplemental SSC Report, to add a topic for evaluating a *de minimis* fishery impact allowance for SRWC with the lead agency being NMFS, and to identify this topic as a priority item.

Moved by: Dan Wolford

Seconded by: David Crabbe

Amndmnt 1: Replace the topic of evaluating a *de minimis* fishery impact allowance for SRWC with a topic to develop recommendations on management methodologies for SRWC that better achieve Council's objective, particularly at low abundance, as a task for the STT.

Moved By: Bob Turner

Seconded by: Marija Vojkovich

Amendment 1 carried. Motion 7 carried unanimously.

Motion 8: Adopt option 2 in Agenda Item F.1, Situation Summary, as final incidental landing restriction recommendations for 2012 Salmon troll fisheries: beginning May 1, license holders may possess or land no more than one halibut per each four Chinook, except one halibut may be possessed or landed without meeting the 1:4 ratio requirement, and no more than 20 halibut may be possessed or landed per trip. Halibut retained must be no less than 32 inches in total length (with head on).

Moved by: Phil Anderson

Seconded by: Rich Lincoln

Motion 8 carried unanimously.

Motion 9: Adopt option 2 From Agenda Item F.1, Situation Summary, as final recommendations for 2012 landing limits on halibut harvest in the fixed gear primary sablefish fishery north of Point Chehalis: beginning May 1, restrict incidental halibut possession and landings to 50 pounds dressed weight) of halibut for every 1,000 pounds (dressed weight) of sablefish landed and up to two additional halibut may be possessed or landed in excess of the 50 pounds per 1,000 pound ratio per landing.

Moved by: Phil Anderson

Seconded by: Rich Lincoln

Motion 9 carried unanimously.

Motion 10: Recommend NFMS issue the Exempted Fishing Permit as shown in Agenda Item G.2.a, Attachment 1, for the West Coast Aerial Sardine Survey.

Moved by: Marci Yaremko

Seconded by: David Crabbe

Motion 10 carried unanimously.

Motion 11: Adopt the recommendations as in Agenda Item H.2.e, Supplemental LC Report.

Moved by: Dorothy Lowman

Seconded by: David Crabbe

Motion 11 carried unanimously.

Motion 12: In an effort to reduce the analytical workload, ensure that the 2013 regulations are implemented on January 1, 2013, and provide sufficient time for the Council and its advisory bodies to effectively consider major changes to the groundfish harvest specifications, rebuilding plans, stock complexes, and management process, the

Council reiterates its intent to keep the harvest specifications and management measures for 2013 and 2014 as close to the 2012 harvest specifications and management measures (i.e., status quo) as much as possible with minimal exceptions. With regard to Harvest Specifications for all groundfish (Items 1 and 2 in Attachment 1), I move that the Council:

1. Reconfirm the lingcod ABCs for 2013 and 2014 for north of 40°10' N. latitude as 3,036 mt and 2,878 mt, respectively, as described in Agenda Item I.3.b, Supplemental SSC Report.
2. Tentatively adopt preferred ACLs for 2013 and 2014 for all groundfish stocks and stock complexes, as described in Agenda Item I.3.a, Attachment 2 with the exception for lingcod which would have ACLs equal to the ABCs.

Moved by: Michele Culver
Motion 12 carried unanimously.

Seconded by: Dale Myer

Motion 13: Task the GMT and GAP to provide further information on the preliminary preferred alternative ACL alternative d (i.e., 116 mt and 119 mt in 2013 and 2014, respectively) and ACL alternative e (i.e., 147 mt and 151 mt in 2013 and 2014, respectively) for canary rockfish under Agenda Item I.8.

Moved by: Gway Kirchner
Motion 13 carried unanimously.

Seconded by: Jeff Feldner

Motion 14: Task the GMT to further explore a widow ACL of 1,650 mt under Agenda Item I.8.

Moved by: Jeff Feldner

Seconded by: Gway Kirchner

Motion 14 failed (Mr. Feldner, Mr. Pollard and Ms. Kirchner voted in favor of the motion).

Motion 15: Tentatively adopt the following as part of its preliminary preferred alternative:

1. A short-term modification to the within-trawl allocation of widow rockfish for 2013 and 2014 consistent with Option 3, as described in Agenda Item I.3.a, Attachment 4. With a preliminary preferred ACL alternative of 1,500 mt for widow rockfish, this would provide 200 mt of widow rockfish to the at-sea trawl sectors, which would be shared pro rata between the at-sea sectors with 82.8 mt for the mothership sector and 117.2 mt to the catcher-processor sector, and 1,086.2 mt to the shoreside sector. This short-term allocation would sunset on December 31, 2014, and the within-trawl allocation for widow rockfish would be implemented consistent with Amendment 21 beginning January 1, 2015.
2. The preferred allocations for overfished species for 2013 and 2014 as described in Agenda Item I.3.a, Supplemental Attachment 6, Table 1.

3. The harvest guidelines for black rockfish, blackgill rockfish, and blue rockfish for 2013 and 2014 as described in Agenda Item I.3.b, Supplemental GMT Report (pages 9-10).
4. Harvest guidelines for longnose skate for 2013 and 2014 consistent with a 90 percent trawl, 10 percent nontrawl sharing.
5. Continue to manage spiny dogfish as part of the Other Fish stock complex in 2013 and 2014, and do not set trawl/non-trawl harvest guidelines for spiny dogfish at this time.

With regard to the flexible management of set asides, request the GMT review the materials on this topic and provide recommendations and comments under Agenda Item I.8.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Amndmnt 1: Strike option 3 and substitute option 1 (FMP Allocation) for the within-trawl widow allocation.

Moved by: Dale Myer

Seconded by: Marija Vojkovich

Amendment 1 carried (Ms. Kirchner, Mr. Lincoln, Mr. Crabbe, Mr. Feldner, Ms. Culver, and Mr. Lockhart voted no).

Amndmnt 2: Analyze a 34 percent trawl-66 percent nontrawl allocation of cowcod south of 40°10' N. latitude.

Moved by: Marija Vojkovich

Seconded by: Buzz Brizendine

Amendment 2 carried unanimously.

Amndmnt 3: Reaffirm the preliminary preferred alternative for blackgill to manage the stock in the southern Minor Slope Rockfish complex with HGs of 106 mt in 2013 and 110 mt in 2014.

Moved By: Marija Vojkovich

Seconded by: Buzz Brizendine

Amendment 3 carried unanimously.

Motion 15 carried unanimously.

Motion 16: Tentatively adopt the following as part of its preliminary preferred alternative:

1. The nontrawl RCA configurations for the nearshore and non-nearshore fisheries as described in Agenda Item I.3.b, Supplemental GMT Report (pages 11-12).
2. The recommendations for season dates, bag limits, and area closures for the recreational fisheries in Washington, Oregon, and California as described in Agenda Item I.3.b, Supplemental GMT Report (pages 12-16) and in the preliminary DEIS (Attachment 5).

With regard to trawl RCA configurations for the IFQ fishery, request the GMT include a review of estimated effects on spiny dogfish, and provide recommendations and comments under Agenda Item I.8.

The Motion does not include the new California recreational options.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Amndmnt 1: Replace the California recreational season structures and RCA configurations as shown in Figures 1 and 2 in Agenda Item I.3.b, Supplemental CDFG Report.

Moved By: Marija Vojkovich

Seconded by: Buzz Brizendine

Amendment 1 carried unanimously.

Amndmnt 2: Include the information presented in Agenda Item I.3.b, Supplemental CDFG Report, Page 2. In addition to the management measures discussed under No Action (i.e., groundfish bag limits and size limits), to include the following management measures within the PPA:

- Retention of shelf rockfish within 20 fm or less inside the Cowcod Conservation Area when the recreational season for groundfish is open;
- Increase the recreational sub-bag limit of bocaccio to three fish;
- Removal of the recreational ten inch size limit for bocaccio; and
- Increase the recreational sub-bag limit of greenling to ten fish.

Moved by: Marija Vojkovich

Seconded by: Dan Wolford

Amendment 2 carried unanimously.

Amndmnt 3: Adopt Integrated Alternative 1b as described in the preliminary DEIS as the preliminary preferred alternative for the nontrawl RCA (i.e., 30 fm RCA, lower trip limits).

Moved by: Gway Kirchner

Seconded by: Jeff Feldner

Amendment 3 carried unanimously.

Motion 16 as amended carried unanimously.

Motion 17: Tentatively adopt the following as part of its preliminary preferred alternative:

1. The RCA boundary modifications in Washington, Oregon, and California as described in Agenda Item I.3.b, Supplemental GAP Report (pages 6-7).
2. Catch accounting between limited entry and open access as described in Agenda Item I.3.a, Attachment 4.
3. Regulatory correction for moving between the sablefish primary fishery to the daily trip limit fishery, and proposed changes to limited entry and open access bimonthly cumulative landing limits for sablefish, as described in Agenda Item I.3.b, Supplemental GMT Report (page 22).

Implement the No Action alternative for bimonthly cumulative landing limits and RCA boundaries for longnose skate and spiny dogfish, and include the tools necessary for inseason monitoring and action to implement potential trip limit and RCA changes discussed in Agenda Item I.3.a, Supplemental Attachment 6 (Options 1-6), and exclude Option 7.

Moved by: Michele Culver
Motion 17 carried unanimously.

Seconded by: Dale Myer

Motion 18: Adopt Table 8 on page 23 of Agenda Item I.3.b, Supplemental GMT Report that addresses 100 percent attainment of blackgill trip limits south of 40°10' N. latitude.

Moved by: Marija Vojkovich
Motion 18 carried unanimously.

Seconded by: David Crabbe

Motion 19: Tentatively adopt Agenda Item I.3.b, Supplemental Tribal Report.

Moved by: David Sones
Motion 19 carried unanimously.

Seconded by: Michele Culver

Motion 20: Select final preferred alternatives for those trailing actions on which the Council is ready to move forward as in the following table:

PIE Rule 2, Council list (covered in this attachment)	Council Action
1. Allow fixed gear and trawl permits to be registered to the same vessel at the same time.	Page 3 PPA - Agenda Item I.4.a Attachment 1, April 2012
2. Change the opt-out requirement for QP deficits	Page 7 PPA - Agenda Item I.4.a Attachment 1, April 2012
3. Eliminate the double filing of co-op reports	Page 8 PPA - Agenda Item I.4.a Attachment 1, April 2012
5. Chafing gear (also see Agenda Item I.4.a, Attachment 3)	Page 10 PPA - Agenda Item I.4.a Attachment 1, April 2012
PIE Rule 2, NMFS list (covered in Agenda Item I.4.c, NMFS Trailing Actions)	
1. First receive site license changes	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
2. Catch monitor certification requirements	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
3. Start renewal process 9/15 for LE permit, vessel account, and QS permits	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012

PIE Rule 2, Council list (covered in this attachment)	Council Action
4. Remove 12/15-31 ban on QP transfer	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
5. Observer provider certification	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
6. Clarify processor obligation	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
7. Observer program regulatory changes	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
8. Change “permit holder” to “vessel owner”	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012
9. Process for changes vessel ownership	As indicated in Agenda Item I.4.c NMFS Trailing Actions – April 2012

Moved by: Marija Vojkovich
Motion 20 carried unanimously.

Seconded by: Michele Culver

Motion 21: Council recommends suspending transfer of widow rockfish quota share through June 2014. A range of alternatives should be approved at the November 2012 meeting of the Pacific Fishery Management Council. A preliminary preferred alternative should be selected at the March or April 2013 meeting and a final preferred alternative should be selected at the June 2013 meeting with the goal of implementation in early 2014.

Moved by: Gway Kirchner

Seconded by: Dorothy Lowman

Amndmnt 1: Strike out “recommend” and replace with “consider,” and add the sentence, “The Council plans to select a final PPA on the suspension of Quota Shares transfer for widow rockfish at the June 2012 meeting.”

Moved By: Michele Culver
Amendment 1 carried unanimously.
Motion 21 as amended carried unanimously.

Seconded by: Rich Lincoln

Motion 22: Forward the design consideration as contained in Agenda Item I.4.c, Supplemental SSC Report to NMFS and PSMFC for their consideration in the design of the proposed experiment.

Moved by: Michele Culver

Seconded by: Gway Kirchner

Amndmnt 1: Include Agenda Item I.4.d, Supplemental Public Comment 2 – Letter from Environmental Defense Fund.

Moved By: Marija Vojkovich
Amendment 1 carried unanimously. Motion 22 carried unanimously.

Seconded by: David Crabbe

Motion 23: Adopt for analysis the alternatives listed on page one of Agenda Item I.5.a, Attachment 2: March 16, 2012 Letter from Frank Lockhart, to respond to the requirement to reconsider the allocation of catch shares for the shoreside and mothership whiting fisheries.

Moved by: Phil Anderson

Seconded by: Dorothy Lowman

Amndmnt 1: Include for analysis under Alternative 3, Option 1 for Harvesters and Processors to look at a range of allocation years for 2001-2010, only including the range of years for analysis. (I.5.c, Supplemental Public Comment, page 2).

Moved By: Frank Lockhart

Seconded by: Herb Pollard

Amendment 1 failed (Mr. Groen, Ms. Kirchner, Mr. Pollard, Mr. Lincoln, Ms. Lowman, Mr. Anderson, Mr. Myer and Mr. Sones voted no).

Motion 23 carried unanimously.

Motion 24: Provide, as guidance to Council staff, to explore the general impact of changing the initial allocation year.

Moved by: Frank Lockhart

Seconded by: Marija Vojkovich

Motion 24 was not voted on.

Motion 25: Create a fifth alternative that would include all three sectors with a base period of 2000-2010.

Moved by: Phil Anderson

Seconded by: David Crabbe

Motion 25 carried unanimously.

Motion 26: For the 2012 salmon fishery in the area from the U.S./Canada border to Cape Falcon, Oregon, the following management structure be adopted by the Council for the Treaty Indian ocean salmon troll fisheries:

The Treaty Indian ocean troll fishery would have a quota of:

✓ 55,000 Chinook and

✓ 47,500 coho.

The overall Chinook quota would be divided into a 27,500-Chinook sub-quota for the May 1 through June 30 Chinook only fishery and a 27,500-Chinook sub-quota for the all species fishery in the time period of July 1 through September 15.

The Treaty troll fishery would close upon the projected attainment of either of the Chinook or coho quota.

Any reminder of Chinook from the May/June Chinook only fishery may be transferred on an impact neutral basis to the July-September all species fishery.

Other applicable regulations are shown in Table 3 of STT Report Analysis of Tentative 2012 Ocean Salmon Fishery Management Measures – Agenda Item E.7.b.

Moved by: David Sones
Motion 26 carried unanimously.

Seconded by: Phil Anderson

Motion 27: Adopt the management measures and quotas for the commercial and recreational non-Indian fisheries north of Cape Falcon for submission to the Secretary of Commerce as shown in Agenda Item E.7.b, Supplemental STT Report.

Moved by: Phil Anderson
Motion 27 carried unanimously.

Seconded by: Gway Kirchner

Motion 28: Adopt the management measures and quotas for the commercial and recreational non-Indian fisheries between Cape Falcon and the Oregon/California border as shown in Agenda Item E.7.b, Supplemental STT Report, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Moved by: Gway Kirchner
Motion 28 carried unanimously.

Seconded by: Jeff Felnder

Motion 29: Adopt the management measures and quotas for the commercial and recreational non-Indian fisheries south of the Oregon/California border as shown in Agenda Item E.7.b, Supplemental STT Report, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Moved by: Marija Vojkovich
Motion 29 carried unanimously.

Seconded by: David Crabbe

Motion 30: Adopt the current FMP control rule and the default FMP rebuilt criteria as the rebuilding plan for Sacramento River fall Chinook, with an expected rebuilding time of one year, as contained in Agenda Item E.2.a, Attachment 3.

Moved by: Marija Vojkovich
Motion 30 carried unanimously.

Seconded by: David Crabbe

Motion 31: [Withdrawn] Adopt revised groundfish EFH schedule as presented in Agenda Item I.6.b, EFHRC Report with the following changes: the advisory bodies would receive the proposals and comments of the EFHRC at the same time they are distributed to the EFHRC for Review.

Moved by: Michele Culver
Motion 31 was withdrawn.

Seconded by: Gway Kirchner

Motion 32: Adopt a revised groundfish EFH schedule as presented in Agenda Item I.6.b, EFHRC Report with the following changes: the advisory bodies would receive the proposals and comments of the EFHRC at the April meeting; with final Council action scheduled for June 2013.

Moved by: Michele Culver
Motion 32 carried unanimously.

Seconded by: Gway Kirchner

Motion 33: Adopt the Request for Proposals drafted by the EFHRC in Agenda Item I.6.b, EFHRC Report, with the following addition: The three standards put forward by the Tribes and reflected in Agenda Item I.6.c, Supplemental Tribal Report, should also be included in the RFP.

Moved by: David Sones

Seconded by: Herb Pollard

Amndmnt 1: The first sentence should include—The Council should “adopt for public review.”

Moved by: Michele Culver

Seconded by: Gway Kirchner

Amendment 1 carried unanimously. Motion 33 as amended carried unanimously.

Motion 34: Adopt option 2, No Recusal; as contained in Agenda Item I.6.b, EFHRC Report.

Moved by: Michele Culver

Seconded by: Marija Vojkovich

Motion 34 carried unanimously.

Motion 35: Adopt the GMT recommendation as shown in Agenda Item I.7.b, Supplemental GMT Report to reduce trip limits in the LE sablefish DTL fishery, north of 36° N. lat. from 1,300 pounds per week, not to exceed 5,000 pounds per two months, to 1,000 pounds per week, not to exceed 4,000 pounds per two months, beginning May 1, 2012, according to Alternative 1 in Table 2.

Moved by: Michele Culver

Seconded by: Rich Lincoln

Motion 35 carried unanimously.

Motion 36: The Council to adopt the following:

1. Reaffirm its preliminary preferred alternative for the lingcod acceptable biological catches (ABC) and annual catch limits (ACL) and the ACLs for all groundfish stocks and stock complexes for 2013-2014 as adopted under Agenda Item I.3.
2. Reaffirm action taken under Agenda Item I.3 relative to allocations and harvest guidelines (HG); including the tribal requested set-asides, allocations for widow rockfish (Amendment 21), overfished species allocations (including cowcod), black rockfish HG, blackgill rockfish HG, blue rockfish HG, and longnose skate HG. There would be no spiny dogfish HG.
3. Reaffirm action taken under Agenda Item I.3 relative to season structures, rockfish conservation area configurations, and recreational fisheries.
4. Reaffirm action taken under Agenda Item I.3 relative to management measures.

Moved by: Michele Culver
Motion 36 carried unanimously.

Seconded by: Rich Lincoln

Motion 37: Utilizing Agenda Item I.8.b, Supplemental GMT Report (Table 1, page 8), that staff analyze an alternative that pairs the preferred POP ACL (150 mt in 2013; 153 mt in 2014) with the higher canary ACL (147 mt in 2013; 151 mt in 2014). This alternative should be included in the DEIS and staff should present the results to the Council in June.

Moved by: Gway Kirchner
Motion 37 carried (Ms. Vojkovich, Ms. Culver, Mr. Lincoln, Mr. Myer, and Mr. Wolford voted no).

Seconded by: Jeff Feldner

Motion 38: Council to:

1. Tentatively adopt as its preliminary preferred alternative the No Action alternative relative to sorting requirements for aurora, shortraker, rougheye, and blackgill rockfish, as described in Agenda Item I.3.a, Attachments 4 and 5, and Agenda Item I.3.b, Supplemental GMT Report.
2. Tentatively adopt as its preliminary preferred alternative the removal of the minimum size limit for lingcod in IFQ fisheries, as described in Agenda Item I.3.a, Attachments 4 and 5.
3. Tentatively adopt as its preliminary preferred alternative the No Action alternative relative to modifications to the shorebased IFQ accumulation limits, as described in Agenda Item I.3.a, Attachments 4 and 5.
4. Request that the National Marine Fisheries Service continue to explore the usage of the IFQ surplus carryover provision and provide an update at the June Council meeting.
5. Request that the GMT and GAP provide further comments and recommendations on the lingcod minimum size limit at the June Council meeting.

Moved by: Michele Culver
Motion 38 carried unanimously.

Seconded by: Dale Myer

Motion 39: Tentatively adopt alternative 4 as the preliminary preferred option for flexible management of set-asides.

Moved by: Michele Culver
Motion 39 carried unanimously.

Seconded by: Marija Vojkovich

Motion 40: Council send a cover letter of support for the draft MOU for the Conservation of Migratory bird Populations to NMFS by the April 13, 2012 comment period due date and include the Supplemental HC Report (Agenda Item H.3.b) and Supplemental SAS Report (Agenda Item H.3.b) as attachments to the Council letter so that NMFS has the benefit of the Council advisory body comments for their consideration.

Moved by: Tim Roth Seconded by: Rich Lincoln
Motion 40 carried (Mr. Lockhart abstained).

Motion 41: Appoint Mr. Nick Jurlin to the vacant California commercial position on the Coastal Pelagic Species Advisory Subpanel.

Moved by: Marci Yaremko Seconded by: David Crabbe
Motion 41 carried unanimously.

Motion 42: Adopt the following objectives and membership composition for the ad hoc South of Humberg Pacific Halibut Workgroup:

Objective #1 Develop a common understanding of halibut biology, the current assessment and apportionment methodology, and data used,

Objective #2 Review of current 2A recreational sampling programs and catch and effort estimation methodology,

Objective #3 Evaluate additional available data for use in assessment and apportionment methodology.

- The workgroup will be comprised of representatives from each state, IPHC, NMFS NWR, and Council Staff.
- Direct Council staff to draft a letter to IPHC requesting them to host the meetings of the workgroup.
- In addition, establish an Area 2A policy ad-hoc committee to discuss policy-related items. The formation of this committee will occur at the June 2012 Council meeting. The first task will be to develop recommended changes to management of the South of Humbug area for implementation in 2014.

Moved by: Gway Kirchner Seconded by: Michele Culver
Motion 42 carried unanimously.

FISCAL MATTERS

The Council's Budget Committee will meet on Wednesday, June 20, 2012, at 1:00 P.M. to consider budget issues as outlined in the Budget Committee Agenda.

The Budget Committee's Report is scheduled for Council review and approval on Tuesday, June 26.

Council Action:

Consider the report and recommendations of the Budget Committee.

Reference Materials:

1. Agenda Item G.5.b, Supplemental Budget Committee Report.

Agenda Order:

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

John Coon
Dave Ortmann

PFMC
05/21/12

BUDGET COMMITTEE REPORT

The Budget Committee (BC) met on Wednesday, June 20, 2012 and received the Executive Director's Budget Report for the third year of the 2010-2014 Cooperative Agreement. The report covered: (1) status of funding for calendar year (CY) 2012; (2) a proposed operating budget for CY 2012 based on the Council's November 2011 guidance; (3) summary of expenditures through May; and (4) expectations for future funding. The BC attendance was as follows:

Present: Mr. Dave Ortmann, Chairman; Dr. Dave Hanson, Ms. Dorothy Lowman, Mr. Dale Myer, Mr. Mark Helvey, and Mr. Dan Wolford

Absent: Ms. Michele Culver and Mr. Frank Lockhart

Nonmembers Present: Dr. John Coon, Ms. Patricia Crouse, Mr. Donald Hansen, Dr. Donald McIsaac, Mr. Rod Moore, Mr. Gerry Richter, and Mr. Steve Williams

Summary of CY 2012 Funding

Dr. McIsaac reported on funding received or expected by the Council under the third year of the 2010-2014 Cooperative Agreement. The Council has received a little more than \$4.1 million for its CY 2012 base funding which is slightly below the CY 2011 level. In addition to the base funding, the Council also received a small amount of designated funding for some highly migratory work (\$6,223) and (subsequent to the BC meeting) \$50,000 from the National Marine Fisheries Service Northwest Region to support additional efforts required by the Pacific Dawn litigation. There is also an expectation of additional funding later in the year to help continue the Council's trailing trawl rationalization actions and for the national fishery conference in 2013, Managing our Nation's Fisheries 3.

Proposed CY 2012 Budget and Status of Expenditures

Based on Council guidance from November 2011 and cost and program updates since then, Dr. McIsaac presented the BC with a proposed CY 2012 operating budget of \$4,378,359. The budget increase over the November 2011 adopted provisional budget (\$148,000) includes additional work required by the Pacific Dawn litigation, advisory body stipends, and travel and meeting costs for several workshops proposed and approved by the Council for 2012. The budget should allow near status quo operations for the Council and Council staff while maintaining a reserve to help protect stable operations in 2013.

Expenditures of the proposed CY 2012 budget are proceeding within normal expectations for the first five months of the year. The staff and BC will consider additional expenditure and income information at the September Council meeting and recommend any other appropriate action at that time.

Preliminary Expectations for Future Funding

Dr. McIsaac reported that the President's proposed budget provides for a \$3.2 million reduction in Regional Fishery Management Council (RFMC) funding from the 2012 level of \$28.4 million. The Senate Appropriations Committee has adopted the 2012 funding level for 2013, but the full Senate has not voted on this matter, while the House has passed a \$7.2 million cut. There is also a threat of additional budget cuts from the sequestration triggered cuts called for in the Budget Control Act signed into law in August 2011. Given the election year and the status of Congressional action, there is obviously significant uncertainty about the RFMC funding level for 2013 and beyond, and uncertainty about when we will actually know the funding level. It is too early for any meaningful speculation about the final amount, however, there is great concern that the 2013 funding level will entail a significant decrease.

Budget Committee Recommendations

Based on the actual funding received in CY 2012, Council guidance from November 2011, and the uncertainties of the budget process for 2013 and beyond, the BC recommends the Council adopt the staff proposed CY 2012 operating budget of \$4,378,359.

PFMC

06/25/12

MEMBERSHIP APPOINTMENTS AND COUNCIL OPERATING PROCEDURES

During this agenda item, the Council has the opportunity to consider changes in the Council Membership Roster, including Council Members, advisory body membership, and also any relevant changes in Council Operating Procedures (COP) or the Council's Statement of Organization, Practices, and Procedures (SOPP).

Election of Council Chair and Vice Chairs

The Council is slated to elect officers at this meeting. COP 1 provides for election of Council officers as follows:

The Chair and up to two Vice Chairs of the Council shall be elected by majority vote of Council members present and voting. Generally, elections are held during the June Council meeting. Officers shall serve one-year terms, which commence August 11 and end August 10 of the following year. Appointments may be renewed for additional one-year terms by majority Council vote at the next June meeting. The Chair may not serve more than two consecutive one-year terms. [Mr. Wolford is in his first term as Council Chair and Ms. Lowman is in her second term as Council Vice Chair.]

Council Members and Designees

The three-year terms for five Council members expire on August 10, 2012. Closed Session A.1.a, Attachment 1 (issued by National Marine Fisheries Service (NMFS) on April 24, 2012) provides a list of the members with expiring terms and the gubernatorial nominations. NMFS will make a decision on the nominees no later than June 27, 2012.

Standing Council Member Committee Appointments

No new resignations, nominations, or other changes were identified by the Briefing Book deadline.

Council Advisory Body Appointments

Scientific and Statistical Committee (SSC)

No new resignations, nominations, or other changes were identified by the Briefing Book deadline.

Management and Technical Teams

Highly Migratory Species Management Team (HMSMT)

The NMFS Southwest Region (SWR) has nominated Mr. Michael Hendrick to fill the vacant NMFS SWR position on the HMSMT (Closed Session A.1.a, Attachment 2). During Closed Session, the SSC Chairman will provide that body's recommendations regarding the nomination.

Advisory Subpanels

Groundfish Advisory Subpanel (GAP)

The tribal fisher position on the GAP remains vacant.

Enforcement Consultants (EC)

In view of the retirement of Special Agent in Charge (SAC) Donald Masters in April, SAC Martina M. Sagapolu will be the acting representative on the EC for the NMFS SWR (Closed Session A.1.a, Attachment 3).

The U.S. Coast Guard District 11 is also replacing its representative (LCDR Elisa Garrity) with LCDR Brad Soule, beginning with the June meeting. Formal notification is expected prior to the June meeting.

Groundfish Allocation Committee (GAC)

No new resignations, nominations, or other changes were identified by the Briefing Book deadline.

Habitat Committee (HC)

The NMFS has nominated Dr. Correigh Greene to replace Dr. Waldo Wakefield as the NMFS Fisheries Science Center representative on the HC (Closed Session A.1.a, Attachment 4).

The tribal government seat on the HC remains vacant.

Groundfish Essential Fish Habitat Review Committee (EFHRC)

No new resignations, nominations, or other changes were identified by the Briefing Book deadline.

Ad Hoc Council Committees

Ad hoc committees are created and terminated by a vote of the Council. Committee members are appointed by the Council chairman based on advice from Council members.

Following the April, 2012 Council meeting, the Council Chair appointed the following members to the ad hoc South of Humberg Pacific Halibut Workgroup: Ms. Heather Reed, Ms. Lynn Mattes, Ms. Deb Wilson-Vandenberg, Ms. Sarah Williams, and Mr. Gregg Williams. Mr. Chuck Tracy will staff the workgroup for the Council.

At its April meeting, the Council also indicated it would consider establishing a policy group to deal with policy-level issues concerning the management of Pacific Halibut south of Humberg Mountain. The Council should consider the establishment of this ad hoc committee and its objectives, duties, and membership under Agenda Item G.6.

Appointments to Other Forums

No new resignations, nominations, or other changes were identified by the Briefing Book deadline.

Changes to Council Operations and Procedures

No changes were identified by the Briefing Book deadline.

Council Action:

Consider the following appointment and membership issues:

- 1. Election of a Council Chair and Vice Chair(s) for the 2012-2013 term.**
- 2. The nomination of Mr. Michael Hendrick for the vacant NMFS SWR position on the HMSMT.**
- 3. The nomination of Mr. Brad Soule to the U.S. Coast Guard District 11 position on the EC.**
- 4. The tribal fisher vacancy on the GAP and tribal governmental position on the HC.**
- 5. The nomination of Dr. Correigh Greene to the NMFS Fisheries Science Center position on the HC.**
- 6. Establishing a policy workgroup to deal with Pacific halibut management issues south of Humbug Mountain.**

Reference Materials:

1. Closed Session A.1.a, Attachment 1: 2012 Gubernatorial Nominations to the Regional Fishery Management Councils.
2. Closed Session A.1.a, Attachment 2: Nomination of Mr. Michael Hendrick to a NMFS SWR position on the HMSMT.
3. Closed Session A.1.a, Attachment 3: Memorandum Regarding Replacement of SAC Donald Masters.
4. Closed Session A.1.a, Attachment 4: Nomination of Dr. Correigh Greene to the NMFS Fisheries Science Center Position on the HC.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. Council Action: Elect Council Chair and Vice Chair(s), Consider Changes to Council Operations and Procedures and Appointments to Advisory Bodies

John Coon

PFMC

06/04/12

AD HOC SOUTH OF HUMBUG PACIFIC HALIBUT POLICY COMMITTEE

At its April 2012 meeting, the Pacific Fishery Management Council (Council) recommended establishing a policy-level ad hoc committee to address allocation and management issues associated with recent increased recreational catch of Pacific halibut in the area South of Humbug Mt., Oregon. The Committee's development of management alternatives would be intended for the September 2013 meeting, when the Council considers proposed changes to the 2014 annual regulations and the Catch Sharing Plan (CSP) for Area 2A. The committee would consider materials developed by the ad hoc South of Humbug Pacific Halibut Workgroup, which was established in April 2012, to develop background information on abundance, assessment, catch estimate and monitoring, and allocation issues. These materials will be available for the September 2012 Council meeting.

At this time, the Council should appoint members of the policy committee and identify Council staff to support the Committee. Committee membership should include representatives from the States of California, Oregon, and Washington, National Marine Fisheries Service Northwest Region, and the International Pacific Halibut Commission (IPHC).

PPMC
06/21/12

EXECUTIVE OFFICE OF THE PRESIDENT
NATIONAL OCEAN COUNCIL
WASHINGTON, D.C. 20503

Agenda Item G.6.a
Supplemental Attachment 2
June 2012

June 8, 2012

Mr. Dan Wolford
Chairman, Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

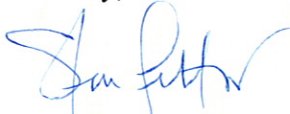
Dear Chairman Wolford,

As Deputy Co-Chairs of the National Ocean Council, we write to request your engagement in working together to improve ocean and coastal health. The National Ocean Policy provides a framework for collaborative, regionally-based marine planning that brings together Federal, State, Tribal, and local authorities, as well as regional fishery management councils (RFMC), to better manage our nation's resources. The Pacific RFMC's assistance in implementing bottom-up regional marine planning in the West Coast region will improve coordination among all coastal and ocean interests, and enhance decision-making that affects the region's economic, environmental, security and social interests.

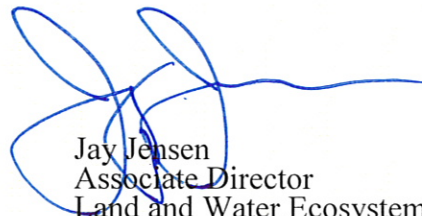
We respectfully invite you identify one of the Pacific Fishery Management Council's Federal, State, Tribal or local government voting members to serve on the Regional Planning Body for the West Coast region. We would appreciate receiving the name of your representative by July 9, 2012. Please respond to either NOCRPB@ostp.eop.gov or fax to 202-456-6546 ATTN: National Ocean Council Staff. If you have any inquiries, please contact Mr. Michael Weiss at (202) 456-3892 or mweiss@ceq.eop.gov.

Thank you for your consideration of this request. We look forward to working with you to realize the National Ocean Policy's vision to ensure that the ocean, our coasts, and the Great Lakes and their communities are healthy and resilient, safe and productive, and understood and treasured.

Sincerely,



Steve Fetter
Principal Assistant Director
Environment and Energy
Office of Science and Technology Policy
Deputy Co-Chair



Jay Jensen
Associate Director
Land and Water Ecosystems
Council on Environmental Quality
Deputy Co-Chair

cc:

Mr. Deerin Babb-Brott, Director, National Ocean Council Office

Dr. Don McIsaac, Executive Director, Pacific Fishery Management Council

FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

This agenda item is intended to refine planning for future Council meetings and workload, especially in regard to the details of the proposed agenda for the September 2012 Council Meeting. The following two attachments are intended to help the Council in the overall agenda planning process and updated supplemental attachments will be provided as needed to reflect the latest information at the time of the agenda item:

1. An abbreviated display of potential agenda items for the next full year (Attachment 1).
2. A proposed September 2012 Council meeting Agenda (Attachment 2).

In addition, Attachment 3 contains the list of science workshops completed or proposed for 2012 as well Scientific and Statistical Committee comments regarding the planning of two workshops (numbers 10 and 11 in the workshop table). The advisory bodies are likely to provide supplemental comments on the planning of these workshops at the Council meeting.

The Highly Migratory Species Management Team has also asked the Council to add an agenda item in November to obtain further guidance on its development of data and recommendations for management changes that might enhance the California swordfish drift gillnet fishery (Agenda Item G.7.b, HMSMT Report).

The Executive Director will assist the Council in reviewing the proposed agenda materials and discuss any other matters relevant to Council meeting agendas and workload. After considering supplemental material provided at the Council meeting, and any reports and comments from advisory bodies and public, the Council will provide guidance for future agenda development, a final proposed September Council meeting agenda, and workload priorities for Council staff and advisory bodies.

Council Tasks:

- 1. Review pertinent reference materials and provide guidance on potential agenda topics for future Council meetings for the Year-at-a-Glance Summary.**
- 2. Provide final guidance on a proposed agenda for the September Council meeting.**
- 3. Identify priorities for advisory body considerations at the next Council meeting as well as any needed direction on workload and workshop planning and priorities.**

Reference Materials:

1. Agenda Item G.7.a, Attachment 1: Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary.
2. Agenda Item G.7.a, Attachment 2: Preliminary Proposed Council Meeting Agenda, September 13-18, 2012 in Boise, Idaho.
3. Agenda Item G.7.a, Attachment 3: Proposed Workshops and SSC Subcommittee Meetings for 2012.
4. Agenda Item G.7.b, HMSMT Report.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. Council Discussion and Guidance on Future Meeting Agenda and Workload Planning

Don McIsaac

PFMC

05/31/12

Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

(Parenthetical numbers mean multiple items per topic; shaded Items may be rescheduled re workload priorities; deletions= struck-out; border=new)

	<u>September 13-18, 2012</u> (Boise)	<u>November 2-7, 2012</u> (Costa Mesa)	<u>March 6-11, 2013</u> (Tacoma)	<u>April 6-11, 2013</u> (Burlingame)	<u>June 20-25, 2013</u> (Garden Grove)
CPS		NMFS Rpt Sardine Mgmt Par. WS Report Sardine Asmnt & Mgmt Meas. Including Tribal Allocation	EFPs: for Pub Rev	EFPs: Final Recom.	NMFS Rpt Mackerel HG & Mgmt Meas.
Groundfish	NMFS Report Inseason Mgmt Adopt Final Stk Assmnt Plan Including Data Mod. Species Process for Seabird Prot. Regs Adopt FPA Whiting Reallocation Trawl Trailing Actions: Scope PIE 3; FPA for Lenders, PIE 2, & Whiting Season Dates; Gear Wrkshp Rpt Phase 1 EFH Rpt; RFP release	NMFS Report Inseason Mgmt (2) Report on Results of Science Workshops Adopt PPA for A-24: New Spx & Mgmt Measure Process Status of Rationalized Fishery Trawl Trailing Actions: Prelim. Alts. for PIE 3 & Widow QS Reallocation; Initial Study Rpt. for Electronic Monitoring	NMFS Report Inseason Mgmt Adopt FPA for A-24: New Spx & Mgmt Measure Process Trawl Trailing Actions: PPA for PIE 3, Widow QS, & Gear Electronic Monitoring Rpt	NMFS Report Inseason Mgmt Pacific Whiting Update Adopt Prelim Spx & Mgmt Meas Process for Fisheries beginning in 2015 Trawl Trailing Actions: FPA for PIE 3 Phase 2 EFH Rpt	NMFS Report Inseason Mgmt Approve Stock Assessments Adopt Final Spx & Mgmt Meas Process for Fisheries beginning in 2015 Trawl Trailing Actions: FPA for Widow QS Reallocation & Gear Final Action on EFH Review
HMS	NMFS Report Routine Mgmt Meas. Changes, SDC, & Ref. Pts. to Public Rev	NMFS Report Routine Mgmt Meas. Changes, SDC & Ref. Pts: Adopt Final Input to Intern'l RFMO	NMFS Report NMFS Swordfish Rpt on Alt. Gear Impacts, Changes to Conserv. Area, & Turtle Hardcaps		NMFS Report Internat'l RFMO Matters Including Albacore
Salmon	LCR ESA Salmon Recovery Plan Method Rev: Adopt Priorities CA Hatchery Review Adopt PPA for May 15 Season Opening (A17) Adopt PPA for EFH (A18)	NMFS Rpt 2012 Method Rev.--Final Adopt FPA for May 15 Opening 2013 Preseas'n Mgmt Schd	NMFS Rpt Approve Rev, Forecasts, & ACLs Approve Rebuilding Plan Alts. 2013 Season Setting (5)	NMFS Rpt 2013 Method Rev.--Identify Topics Adopt FPA for May 15 Opening 2013 Season Setting (3) Adopt FPA for EFH (A18)	
Other	Routine Admin (8) + New Term Habitat Issues ODFW Enforcement Rpt Pac Halibut: PPA CSP Changes Pac. Halibut Bycatch Estimate Pac. Halibut S of H WG Rpt NS 10 (Safety) Proposed Rule	Routine Admin (8) + New Term Habitat Issues Federal Enforcement Priorities Pac Halibut: Adopt Final CSP Changes 5-Yr Research Plan for Pub Rev IEA Impl. Wrkshop Report Adopt Preliminary Fishery Ecosystem Pln for Pub Rev CA Current Ecosystem Rpt Ocean Obsrv. Init. Rpt	Routine Admin (6) Habitat Issues Annual CG Enforcement Rpt Pac Halibut: Prelim Incidntl Regs Pac Halibut: IPHC MTG 5-Yr Research Plan Final Adopt Final Fishery Ecosystem Plan	Routine Admin (6) Habitat Issues Pac Halibut: Final Incidntl Regs CMSP Update	Routine Admin (8) Habitat Issues
Apx. Floor Time	5.2 days	5.8 days	5.2 days	4 days	4 days

PRELIMINARY PROPOSED COUNCIL MEETING AGENDA, SEPTEMBER 12-18, 2012 IN BOISE, IDAHO

Wednesday September 12	Thursday September 13	Friday September 14	Saturday September 15	Sunday September 16	Monday September 17	Tuesday September 18
	A. CALL TO ORDER 9:30 AM 1-4. Opening Remarks and Approve Agenda (30 min) <hr/> B. OPEN COMMENT PERIOD 1. Comments on Non-Agenda Items (45 min) <hr/> HABITAT 1. Current Issues (45 min) <hr/> ENFORCEMENT 1. Current Enforcement Issues: ODFW Fishery Enforcement Report (1 hr) <hr/> SALMON 1. 2012 Salmon Methodology Review: Adopt Final Review Priorities (1 hr) 2. Lower Columbia ESA Recovery Plan: Comments (1 hr 30 min) <hr/> CLOSED SESSION (1 hr)	SALMON 3. Amendment 17-Modify Annual Season Start Date: Adopt Alternatives for Public Review (1 hr) 4. Amendment 18-Update Salmon EFH: Adopt PPA (3 hr) 5. California Hatchery Review Report (1 hr) <hr/> PACIFIC HALIBUT 1. Pacific Halibut Bycatch Estimate for 2013 Groundfish Fisheries: Review & Guidance (1 hr) 2. Pacific Halibut Mgmt South of Humbug Mtn: Workgroup Report & Recommendations (1 hr) 3. 2013 Pacific Halibut Regulations: Adopt Proposed Changes to the CSP for Public Review (1 hr)	GROUNDFISH 1. NMFS Report (1 hr) 2. Stock Assessment Planning—Adopt Final Plan for 2013 (Including Results of Workshop & Direction for Data-Moderate Species) (2 hr 30 min) <hr/> HIGHLY MIGRATORY SPECIES 1. NMFS Report [Including Results of Northern Committee Meeting] (1 hr) 2. Management Reference Points & Measures for 2013-14 Fisheries for Public Review (2 hr) <hr/> ADMINISTRATIVE 1. Legislative Matters (30 min)	GROUNDFISH 3. Phase 1 EFH Report: Adopt Report and Issue RFP (3 hr) 4. Seabird Protection Regulations: Set up Process for Implementation (1 hr 30 min) 5. Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside Whiting Fisheries—Adopt a FPA (3 hr 30 min) <i>(continues on Monday)</i>	GROUNDFISH 5. Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside Whiting Fisheries (2 hr) <i>(continued from Sunday)</i> 6. Trawl Rationalization Trailing Actions: Scope PIE 3; FPA for Remaining PIE 2 Issues, Lenders, & Whiting Season Dates; Review Gear Workshop Results (4 hr) 7. Consider Inseason Adjustments (2 hr)	ADMINISTRATIVE 2. National Standard 10 Proposed Rule: Provide Comments (1 hr) 3. Approve Council Minutes (15 min) 4. Fiscal Matters (15 min) 5. Membership Appointments and COPs (45 min) 6. Future Meeting Agenda and Workload Planning (30 min)
	6 hr 30 min	8 hr	7 hr	8 hr	8 hr	2 hr 45 min
8 am HC 8 am Regulation Workshop 8 am SAS & STT 8 am SSC 11 am Secretariat 2 pm Leg Cmte 3:30 pm Budget Cmte	7 am WA/OR/CA 7 am Secretariat 8 am Chrs Brfg 8 am GAP & GMT 8 am SAS & STT 8 am SSC As Needed EC 6 pm Chair's Reception	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT 8:30 am GMT, SSC GF SubC Mtg 8 am HMSAS & HMSMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT 8 am HMSAS & HMSMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT As Needed EC	7 am WA/OR/CA 7 am Secretariat

Proposed Workshops and SSC Subcommittee Meetings for 2012 Tentative – Depended on funding, dates subject to change □ – Prep. Work Underway, Scheduled to Occur; ▒ – Status of Supporting Analyses Uncertain, Remains a Priority; ▤ – Setbacks exist, Questionable; ■ – Funding or Prep. Not Avail, likely to be canceled or postponed							
	Workshop/Meeting	Potential Dates	Sponsor/ Tentative Location	SSC Reps.	Additional Reviewers	AB Reps.	Council Staff
1	Groundfish/CPS Assessment Process Review (Post Mortem)	COMPLETED Dec. 2011	NWFSC Teleconference/Webinar	2011 STAR Panel Participants.	2011 CIE participation		DeVore Burner
2	Acoustic ROV survey for Rockfishes	COMPLETED Feb. 15-17	SWFSC La Jolla	Dorn, Punt	3 CIE		
3	Groundfish Impact and Economic Model Reviews	Held the day after 2012 SSC sessions	Council Various	GF/Econ Subctes & GMT	None	GMT Reps	Burner, Dahl
4	Clarification on the Conservation Performance of Rebuilding Plans	April 2 SSC Subcommittee/GMT Meeting	Council Seattle	GF/Econ Subctes & GMT reps.	None	GMT Reps	Burner, DeVore, Dahl, Ames
5	CPS Methodology Review – Canadian Survey Data	May 29-31	Council La Jolla	Chair: Punt Conser	CIE: TBD	CPSAS CPSMT	Griffin
6	Data Poor Species Assessment	June 26-29	NWFSC Seattle	Dorn, Punt, Conser	CIE: TBD	GMT GAP	DeVore
7	Pacific Sardine Updated Assess. Review	First Week of Oct	Council Portland	CPS Subcte. Hamel	CPS Subcte.	CPSMT	Griffin

Proposed Workshops and SSC Subcommittee Meetings for 2012

Tentative – Depended on funding, dates subject to change

□ – Prep. Work Underway, Scheduled to Occur; ▒ – Status of Supporting Analyses Uncertain, Remains a Priority;

▤ – Setbacks exist, Questionable; ■ – Funding or Prep. Not Avail, likely to be canceled or postponed

	Workshop/Meeting	Potential Dates	Sponsor/ Tentative Location	SSC Reps.	Additional Reviewers	AB Reps.	Council Staff
8	Salmon Methodology Review	Early-October	Council Portland	Salmon Subcte.	None	STT MEW	Tracy
9	Integrated Ecosystem Assessment – Annual Report and App. to Stock Assessments	Fall 2012	NWFSC/ SWFSC TBD	EBM Subcte.	?	EPDT EAS	Burner
10	Harvest Parameters for Pacific Sardine	Fall – Combine with Sardine Update Rev.?	Council La Jolla?	2-3 TBD	CIE: TBD	CPSMT CPSAS	Griffin Burner
11	Reference Points (Bzero) Workshop II	Summer/Fall	Council Portland	GF Subcte?	CIE/External 1-3:	GMT GAP	DeVore
12	Groundfish Historic Catch Reconstructions	NMFS Rpt. at Council Mtgs – Poss. Workshop in late 2012	Council Meetings - Wrkshp	2-3 TBD	None	GMT GAP	DeVore
13	Assessing Socioeconomic Impacts in Ecosystem-Based Fisheries Management	?	NWFSC Seattle?	Econ and EBM Subctes.?	?	EPDT IEA	Burner
14	Transboundary Groundfish Stocks	Initial Steps in 2012	Council	2?		GMT GAP	DeVore

HARVEST PARAMETERS FOR PACIFIC SARDINE

MANAGEMENT STRATEGY EVALUATION PLANNING WORKSHOP

The SSC CPS Sub-committee is proposing that a workshop be held in autumn of 2012 to plan a management strategy evaluation for Pacific sardine. The primary objectives of the workshop are to determine the overall scope of the analysis and to identify the important features of the models which will be used to represent the sardine population and the ecosystem. Potential participants of the workshop include stock assessment scientists, ecosystem modelers, ecologists, fisheries managers, and fishery and conservation representatives.

Outline / Aim

The primary aim of the management strategy evaluation would be to provide the Council with the trade-offs achieved by alternative OFL/ABC/HG control rules. These trade-offs need to consider performance in terms of fishery yield, resource conservation, and impact on the broader ecosystem (through trophic interactions).

Methodology

Management strategy evaluation involves a number of key steps which can be broadly divided into:

1. Identification of management objectives and quantification of these by means of performance statistics (e.g. average catch, probability the resource drops below a threshold biomass level over a 20-year projection period, impact on abundance of other ecosystem components).
2. Identification of a set of models of the system to be managed (referred to as operating models). This set of models needs to be selected to cover (to the extent possible and feasible given available data) the key uncertainties which may impact the performance of control rules.
3. Identification of candidate OFL/ABC/HG control rules.
4. Projection of the system as reflected in each operating model given catch limits set by each candidate control rule.

Step 1 of the process should be based on Council and advisory body input on specific management objectives. However work can commence based on the stated goals and objectives in the CPS Fishery Management Plan, such as to prevent overfishing, to promote efficiency and profitability in the fishery, and to provide adequate forage for dependent species.

Step 2 of the process is usually the most complicated and involves two main steps: (a) selection of hypotheses which need to be included in the operating model and (b) parameterization of the operating model given available data. The operating model would be selected in particular so that it can make forecasts of the performance statistics selected by the Council. It would be expected that any operating models would include at least the fisheries in Mexico, California, Pacific Northwest, and Canada (as the sizes of fish caught by these fleets differ and because the performance metrics would likely relate to catches by these fleets) and would simulate the outcomes of stock assessments or monitoring in general.

The complexity of any operating model would depend on the objectives to be addressed and the available resources, and might include: (a) an economic component, (b) environmentally-driven productivity and biological processes, in particular the per-capita recruitment rate and

demographic parameters such as growth and maturity, and (c) a model for ecological interactions between Pacific sardine and other ecosystem components (Fig. 1). The ecosystem aspects (if implemented) would have the greatest impact on how long it will take to develop the MSE.

A simple approach would be to construct what amounts to a single-species operating model and supplying ecosystem models such as Atlantis or Ecosim, with catch streams to determine the impacts of removals on other ecosystem components. Inclusion of environmentally-driven productivity could involve allowing for trends and regime-shift changes in productivity. An alternative approach would be to implement the entire MSE within an ecosystem model such as Atlantis or Ecosim (and Atlantis was developed for this purpose), but this could make the task of parameterizing the operating model very substantial (and the task of reviewing the final product more challenging).

Step 3 of the process should be initiated by the CPS Management Team (CPSMT) with further input from other Advisory Bodies, the Council and the Public. As a start, control rules of the form currently applied could be evaluated.

The objective of the proposed workshop is technical in nature, namely to scope the operating models and how they could be parameterized, and is not intended to address policy issues. The International Whaling Commission has developed a protocol for developing MSEs (Punt and Donovan, 2007¹) which could provide a framework for this scoping process. The SSC is willing to work with the SWFSC and CPSMT to establish the timing and scope for the workshop, as well as a list of participants who are willing and able to take on the work needed to implement the MSE.

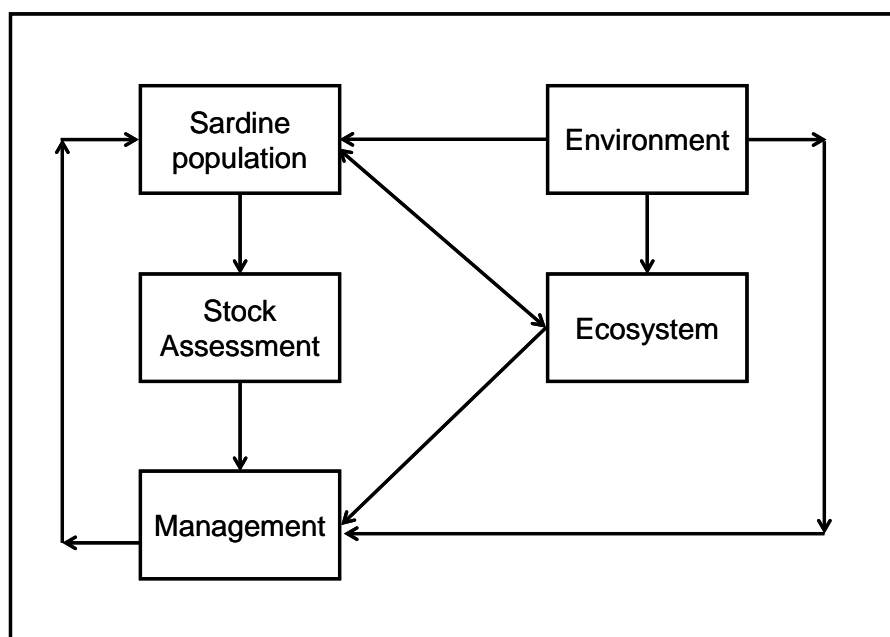


Figure 1. Potential components of a management strategy evaluation for Pacific sardine.

¹ Punt, A.E. and G. Donovan. 2007. Developing management procedures that are robust to uncertainty: Lessons from the International Whaling Commission. *ICES J. Mar. Sci.* 64: 603-612.

WORKSHOP ON ALTERNATIVE APPROACHES TO USING B_0 IN HARVEST CONTROL RULES FOR GROUNDFISH

At its September 2011 meeting, the Council agreed on a list of off-year workshops related to improving groundfish stock assessments for the 2015-16 management cycle. One of the suggested workshops was a workshop on alternative methods to using B_0 in harvest control rules for groundfish species. The Council's harvest control rules depend on estimates of stock size relative to the average abundance of an unfished resource, B_0 , treated as a constant. Changes in stock assessment methods or data inputs can lead to large changes in estimated B_0 (e.g. Pacific ocean perch in 2011) and in some cases to marked changes in depletion levels, overfishing limits, acceptable biological catches, and/or rebuilding times.

In 2006, the Council conducted a Groundfish Harvest Policy Evaluation Workshop, which, among other things, reviewed methods for estimating biomass reference points used in harvest control rules by other Councils. The Pacific Council is the only one that uses B_0 in its harvest policy to calculate proxies for B_{MSY} and the overfished threshold. Other Councils set proxies for B_{MSY} directly. There may be legitimate reasons for why approaches employed by other Councils would not be applicable to West Coast groundfish. For example, in New England, the long history of exploitation precludes the use of B_0 as a useful concept. In the North Pacific, significant increases in recruitment following the 1977 regime shift made it necessary to develop biomass reference levels using recruitment during a more recent time period. The objective of the proposed workshop will be to review alternative methods to using B_0 in harvest control rules and discuss their utility for management of the West Coast groundfish species.

This proposed workshop would build on the 2006 Groundfish Harvest Policy Evaluation Workshop, but would be more focused on the performance of control rules. The goal of this document is to provide a general outline of topics to be covered by the workshop to facilitate its planning and organization. Topics to be covered:

1. **Review of methods to estimate biomass reference points used by different Councils and regions in harvest control rules.** Each Council is dealing with a group of stocks with unique biology and exploitation history, and potentially distinctive patterns of environmental forcing, which in many cases, translates into differences between management systems. Dr. Martin Dorn presented an overview of methods to estimate biomass reference employed by the North Pacific Council and the New England Council at the 2006 Groundfish Harvest Policy Evaluation Workshop. This proposed workshop would review and discuss methods used by the rest of the Councils. The workshop would also look at the methods employed by other countries, including those managed by ICES, Australia and New Zealand. Dr. Martin Dorn expressed his interest to continue to be involved in this project.
2. **Review of alternative methods to estimate B_0 , stock depletion and B_{MSY} proxies.** The 2006 Groundfish Harvest Policy Evaluation Workshop reviewed initial work conducted by Dr. Melissa Haltuch on simulation testing of alternative methods to estimate B_0 , stock depletion and B_{MSY} . Those methods differ in whether and how the stock-recruitment relationship is used, and whether explicit estimators or proxies are used for B_0 . Since then, this work was completed. This proposed workshop would review new results and further discuss the utility of alternative methods to estimate B_0 , stock depletion and B_{MSY} proxies for various groundfish species. Dr. Haltuch expressed her willingness to present her results within the workshop.

3. **Further review of dynamic management reference points.** It is unlikely that an unfished resource would be of constant abundance as ecosystem processes are dynamic across space and time. An alternative “dynamic” approach assumes that an unfished resource would change over time, based on recruitment deviations and the shape of the spawner-recruit relationship. The 2006 Groundfish Harvest Policy Evaluation Workshop reviewed one of the alternatives to the current practice used by the Council, a “dynamic B_0 ” approach. Based on the dynamic B_0 , dynamic reference spawning status is the time series of ratios of estimated spawning output to corresponding estimates of dynamic B_0 . Drs. John Field and Alec MacCall presented this approach in 2006. The results were found to be not yet sufficiently well-tested and developed to form recommendations for changes to how harvest control rules are applied by the Council. This proposed workshop would further discuss dynamic reference points and their utility within the groundfish harvest policy. Dr. MacCall expressed his interest in participating in the workshop.
4. **Next steps.** With several alternatives available to approach biomass reference points, the workshop will discuss further analyses needed to compare performance of the current system used by the Council with that of the alternatives. The workshop will also discuss what criteria should be used to evaluate differences in alternative approaches and what process should be followed if a change to the current system were to take place.

Logistics

The success of the workshop will depend on appropriate background work being conducted. The SSC is willing to work with the Northwest and Southwest Fishery Science Centers to establish the scope for the workshop, as well as discuss a list of participants who are willing and able to take on the work needed. The SSC is also willing to help organize the workshop by nominating members of its Groundfish subcommittee to participate as chair and act as reviewers.

PPMC
05/31/12

Pacific Council Workload Planning: Year-at-a-Glance Summary

(Parenthetical numbers mean multiple items per topic; shaded Items may be rescheduled re workload priorities; deletions= struck-out; border=new)

	September 13-18, 2012 (Boise)	November 2-7, 2012 (Costa Mesa)	March 6-11, 2013 (Tacoma)	April 6-11, 2013 (Burlingame)	June 20-25, 2013 (Garden Grove)
CPS		NMFS Rpt EFH Notice of Intent for 2013 Sardine Mgmt Par. WS Report Sardine Asmnt & Mgmt Meas. Including Tribal Allocation	EFPs: for Pub Rev	EFPs: Final Recom. Inseason Rev of Mackerel Fishery if Needed	NMFS Rpt Mackerel HG & Mgmt Meas.
Groundfish	NMFS Report Inseason Mgmt Adopt Final Stk Assmnt Plan Including Data Mod. Species Process for Seabird Prot. Regs Adopt FPA Whiting Reallocation Trawl Trailing Actions: Scope PIE 3; FPA for Lenders, PIE 2, & Whiting Season Dates; Gear Wrkshp Rpt Phase 1 EFH Review	NMFS Report Inseason Mgmt (2) Report on Results of Science Workshops Prog. Rpt on Barotrauma Credit Adopt PPA for A-24: New Spx & Mgmt Measure Process Status of Rationalized Fishery Trawl Trailing Actions: Scope PIE 3; Prelim Alts Widow QS Reallocation; Scope Electronic Monitoring; Reg. Process	NMFS Report Inseason Mgmt Further Progr. on Barotrauma Adopt FPA for A-24: New Spx & Mgmt Measure Process Trawl Trailing Actions: PPA for PIE 3, Widow QS, & Gear Electr. Monitoring Feasibility Rpt	NMFS Report Inseason Mgmt Pacific Whiting Update Adopt Prelim Spx & Mgmt Meas Process for Fisheries beginning in 2015 Trawl Trailing Actions: FPA for PIE 3 EFH Rev, Analysis, & RFP Rel.	NMFS Report Inseason Mgmt Approve Stock Assessments Adopt Final Spx & Mgmt Meas Process for Fisheries beginning in 2015 Trawl Trailing Actions: FPA for Widow QS Reallocation & Gear Phase 2 EFH Report
HMS	NMFS Report Routine Mgmt Meas. Changes, SDC, & Ref. Pts. to Public Rev	NMFS Report Checkpoint--Leatherback Conserv. Area Closure Dates & Boundary Input to Intern'l RFMO	NMFS Report NMFS Swordfish Rpt on Alt. Gear Impacts, Changes to Conserv. Area, & Turtle Hardcaps	Internat'l RFMO Matters Including Albacore & IATTC	Internat'l RFMO Matters Including Albacore
Salmon	LCR ESA Salmon Recovery Plan Method Rev: Adopt Priorities CA Hatchery Review Adopt PPA for May 15 Season Opening (A17) Adopt PPA for EFH (A18)	NMFS Rpt 2012 Method Rev.--Final Adopt FPA for May 15 Opening 2013 Preseas'n Mgmt Schd	NMFS Rpt Approve Rev, Forecasts, & ACLs Approve Rebuilding Plan Alts. 2013 Season Setting (5)	NMFS Rpt 2013 Method Rev.--Identify Topics Adopt FPA for May 15 Opening 2013 Season Setting (3) Adopt FPA for EFH (A18)	
Other	Routine Admin (8) + New Adv. Term Habitat Issues ODFW Enforcement Rpt Pac Halibut: PPA CSP Changes Pac. Halibut Bycatch Estimate Pac. Halibut S of H WG Rpt	Routine Admin (8) + New Term Habitat Issues Federal Enforcement Priorities Pac Halibut: Final CSP Changes IEA Impl. Wrkshop Report 5-Yr Research Plan for Pub Rev Adopt Preliminary Fishery Ecosystem Pln for Pub Rev CA Current Ecosystem Rpt Ocean Obsrv. Init. Rpt NS 10 (Safety) Proposed Rule	Routine Admin (6) Habitat Issues Annual CG Enforcement Rpt Pac Halibut: Prelim Incidntl Regs Pac Halibut: IPHC MTG 5-Yr Research Plan Final Adopt Final Fishery Ecosystem Plan	Routine Admin (6) Habitat Issues Pac Halibut: Final Incidntl Regs CMSP Update Unmanaged Forage Fish Protection	Routine Admin (8) Habitat Issues
Apx. Floor Time	4.2 days	6.2 days	5.3 days	4.3 days	4 days

PROPOSED COUNCIL MEETING AGENDA, SEPTEMBER 13-18, 2012 IN BOISE, IDAHO

Wednesday September 12	Thursday September 13	Friday September 14	Saturday September 15	Sunday September 16	Monday September 17	Tuesday September 18
		A. CALL TO ORDER 10 AM 1-4. Opening & Approve Agenda (30 min) <hr/> B. OPEN COMMENT PERIOD 1. Comments on Non-Agenda Items (45 min) <hr/> HIGHLY MIGRATORY SPECIES 1. NMFS Report on N. Committee Meeting (1 hr) 2. Mgmt Ref. Points & Measures 2013-14 for Public Rev. (2 hr) <hr/> HABITAT 1. Current Issues (45 min) <hr/> SALMON 1. California Hatchery Review Report (1 hr) <hr/> CLOSED SESSION (1 hr)	SALMON 2. 2012 Salmon Methodology Review: Adopt Final Review Priorities (1 hr) 3. Amendment 17-Modify Annual Season Start Date & Minor Changes: Adopt Alternatives for Public Review (1 hr) 4. Amendment 18-Update Salmon EFH: Adopt Alternatives for Public Review (3 hr) 5. Lower Columbia ESA Recovery Plan: Comments (1 hr 30 min) <hr/> PACIFIC HALIBUT 1. Pacific Halibut Mgmt South of Humbug Mtn: Workgroup Report & Recommendations (1 hr) 2. 2013 Pacific Halibut Regulations: Adopt Proposed Changes to the CSP for Public Review (1 hr)	PACIFIC HALIBUT 3. Pacific Halibut Bycatch Estimate for 2013 Groundfish Fisheries: Review & Guidance (1 hr) <hr/> ENFORCEMENT 1. Current Enforcement Issues: WDFW Fishery Enforcement Report (1 hr) <hr/> ADMINISTRATIVE 1. Legislative Matters (30 min) <hr/> GROUNDFISH 1. NMFS Report (1 hr) 2. Stock Assessment Planning—Adopt Final Plan for 2013 (Including Results of Workshop & Direction for Data-Moderate Species) (2 hr 30 min) 3. Phase 1 EFH Review: Adopt Rpt & Analysis Elements (2 hr) <i>(continues Monday)</i>	GROUNDFISH 3. Phase 1 EFH Review: Adopt Rpt & Prioritize Analysis Elements (1 hr) <i>(continued from Sunday)</i> 4. Seabird Protection Regulations: Set up Process for Implementation (1 hr 30 min) 5. Consider Inseason Adjustments (2 hr) 6. Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside Whiting Fisheries—Adopt a FPA (3 hr 30 min) <i>(continues on Tuesday)</i>	GROUNDFISH 6. Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside Whiting Fisheries (2 hr 30 min) <i>(continued from Monday)</i> 7. Trawl Rationalization Trailing Actions: Scope PIE 3; FPA for Remaining PIE 2 Issues, Lenders, & Whiting Season Dates; Review Gear Workshop Results (3 hr) <hr/> ADMINISTRATIVE 2. Approve Council Minutes (15 min) 3. Fiscal Matters (15 min) 4. Membership Appointments and COPs (45 min) 5. Future Meeting Agenda and Workload Planning (30 min)
		5 hr	8 hr	8 hr	8 hr	4 hr 15 min
5 pm Unload Truck	8 am HC 8 am Regulation Workshop 8 am SAS & STT 8 am Selected GMT, SSC Econ & GF SubCmtes 11 am Secretariat 2 pm Leg Cmte 3:30 pm Budget Cmte	7 am WA/OR/CA 7 am Secretariat 8 am Chrs Brfg 8 am GAP & GMT 8 am SAS & STT 8 am SSC As Needed EC 6 pm Chair's Reception	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT 8 am SSC 8 am HMSAS & HMSMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT 8 am HMSAS & HMSMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT As Needed EC	7 am WA/OR/CA 7 am Secretariat 8 am GAP & GMT As Needed EC

Agenda Item G.7.a
Sup. Attachment 5
June 2012

Possible Regulation Amendment Process for Consideration of Electronic Monitoring as a Replacement for the 100% Observer Coverage Requirement

<u>Time</u>	<u>Process Considerations</u>	<u>Comments</u>
Summer 2012	<ul style="list-style-type: none"> NMFS/PSFMC Feasibility Project Field Season 	See project description presented at the April 2012 Council meeting and initial status report at the June 2012 Council meeting
Nov 2012	<ul style="list-style-type: none"> Council considers aspects of alternatives that do not depend on the outcome of the NMFS/PSMFC project <ul style="list-style-type: none"> Initial study design for the 2013 at-sea and shoreside field season Consider <ul style="list-style-type: none"> Need for logbooks and other sensor equipment and integration with cameras Provision for an audit system (appropriate levels and relative risks) Funding needs and distribution of program costs Consequences of failure to report discard events (e.g. paying for increased review or requirement to carry observer) Impacts on supply and costs for remaining observers 	
Mar/Apr 2013	<ul style="list-style-type: none"> Consider results of 2012 NMFS/PSMFC Finalize 2013 study design Refine regulatory process plan Scoping of regulatory alternatives and infrastructure changes 	Consider whether any regulatory changes should be pursued, if the NMFS/PSMFC field project demonstrates potential feasibility (for just Whiting catcher vessels?)
Summer 2013	<ul style="list-style-type: none"> Execute at-sea and shoreside field studies 	
Nov 2013	<ul style="list-style-type: none"> Consider initial results of 2013 field season Adopt regulatory alternatives for analysis 	
June 2014	<ul style="list-style-type: none"> Consider full analysis of alternative in the context of previous rationale for 100% observer coverage Select preliminary preferred alternative 	
Sept 2014	<ul style="list-style-type: none"> Select final preferred alternative 	
Sept 2014 through 2015	<ul style="list-style-type: none"> Secretarial approval process and implementation, including <ul style="list-style-type: none"> Regulation drafting and paperwork reduction act submissions Securing contracts for video review Commercial installation and testing Observer program adjustments 	
Jan 1, 2016	<ul style="list-style-type: none"> Implementation of regulatory changes, if any 	

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON ADDING PACIFIC LEATHERBACK CONSERVATION AREA CHANGE TO A FUTURE COUNCIL AGENDA

The Highly Migratory Species Management Team (HMSMT) met in Portland on April 30 – March 2, 2012, in part to address the Council’s assignment to determine if any changes can be made to the closure dates for, or the southern boundary of, the Pacific Leatherback Conservation Area (PLCA) to possibly enhance California swordfish drift gillnet fishery (DGN) opportunities. In addition, the Council requested NMFS to determine the next steps for establishing hard take caps for Endangered Species Act (ESA) listed sea turtles in the DGN fishery to mitigate bycatch impacts.

Given the need to examine both fisheries dependent and independent data sources to adequately assess the impacts of the potential changes under consideration, the HMSMT discussed involving scientists at the NMFS Southwest Fisheries Science Center in the evaluation. The scientists have expertise in: 1) the life history, foraging ecology, and movement of Pacific leatherback turtles, 2); the spatial-temporal habitat distribution of target swordfish and non-target species, and 3) the metrics and statistical requirements for rare-event sampling. Staff from the NMFS Southwest Region (SWR) Protected Resources Division and the SWR Observer Program will also be invited to assist with the ESA and hard take cap elements of the assignment.

The HMSMT would like to clarify the scope of the Council’s assignment in regards to evaluation of changes to the closure dates or the southern boundary. Namely, is our assignment narrowly limited to look at closure dates or the southern boundary as independent elements or would it be appropriate to consider the changes in combination? (i.e., with an “and/or” approach). In addition, there was some discussion of whether other changes could be considered if supported by the best available science.

Given these uncertainties about the assignment, the HMSMT requests time on the Council’s regularly scheduled November 2012 meeting to obtain more specific guidance on this assignment. At that time the HMSMT would be able to provide a summary of available information relevant to the development of alternatives to modify the PLCA area and/or time period closures. This information will help the Council determine the scope of the action and alternatives.

PFMC
05/31/12

COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON
FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

The Coastal Pelagic Species Advisory Subpanel (CPSAS) discussed ideas for a more streamlined and efficient process for considering exempted fishing permit (EFP) research proposals. The CPSAS supports the Coastal Pelagic Species Management Team's (CPSMT) proposal (Agenda Item G.7.b, Supplemental CPSMT Report 2), and concurs that it would result in a better EFP process.

PFMC
06/23/12

COASTAL PELAGIC SPECIES MANAGEMENT TEAM REPORT ON FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

Mechanisms for streamlining the coastal pelagic species exempted fishing permit process.

At its April 2012 meeting, the Council expressed a desire for a more efficient process for considering and approving exempted fishing permit (EFP) proposals in coastal pelagic species (CPS) fisheries. Specifically, the Council noted that the northwest aerial sardine survey had come before the Council for consideration for several consecutive years, and was on the agendas for both the March and April Council meetings each year. Given the need to use Council floor time carefully, the Council suggested that a more streamlined EFP process would accomplish this aim, and asked the Coastal Pelagic Species Management Team (CPSMT) and Coastal Pelagic Species Advisory Subpanel (CPSAS) to report back to the Council on options.

There is no existing Council Operating Procedure (COP) on the CPS EFP process, which has been guided by agenda planning. The EFP set-aside is typically adopted at the November meeting, with initial consideration of the EFP proposal(s) in March, and final action in April. The Council considers input from the CPSAS, the CPSMT, and public comment, in establishing the EFP set-aside amount.

In the future, the CPSMT recommends flexibility for the Council to adopt a shorter process, depending on whether an EFP research proposal is new, or is ongoing and previously approved by the Council. For ongoing EFP research, the Council could adopt a two-meeting process, with preliminary consideration in November and final action in March. For EFP proposals that are new or substantially changed from prior years, the Council could retain a three-meeting process in which initial proposals (and request for an EFP set-aside) are presented in November, with proposal review in March and April.

In both cases, the Council would have the flexibility to schedule either one or two meetings, subsequent to the November meeting, at which to consider EFP proposals.

November Council meeting:

- EFP proponents submit a proposal and a request for a specific EFP set-aside. (For ongoing EFP research proposals, proponents may submit the prior year's research plan and a cover letter explaining any expected changes to the sampling plan, as well as any other pertinent information).
- Council adopts a set-aside, and may comment on proposals.

March or April Council meeting:

- EFP proponents submit a final version of the proposal, including a cover letter explaining how it is different from the previous year's plan, or from the preliminary proposal submitted in November.
- Council takes final action, by recommending (or not) that NMFS approve the EFP.

The Council could also follow this two-meeting schedule for new EFP proposals, or utilize three meetings when deemed necessary. This process allows for a more efficient consideration of EFP proposals. In addition, by requesting proposals in November, the Council will be better informed with regard to making sardine management decisions, especially with respect to decisions on an EFP set-aside.

PFMC
06/23/12

COASTAL PELAGIC SPECIES MANAGEMENT TEAM
REPORT ON HARVEST PARAMETERS WORKSHOP

The current environmental parameter in the Sardine Harvest Control Rule, SST at Scripps Pier, is no longer considered valid (McClatchie et al. 2010). As such, the Control Rule in the Sardine Harvest Guideline needs to be revisited. Both the Coastal Pelagic Species Management Team (CPSMT) and the Coastal Pelagic Species Advisory Subpanel (CPSAS) have identified this as a research priority.

The SSC CPS subcommittee has proposed a workshop to be held in fall of 2012 to plan a management strategy evaluation (MSE) for Pacific Sardine. The CPSMT supports the SSC proposed workshop and will work with the SSC to hold this workshop. However, the CPSMT proposes that a one day scoping meeting take place before the full MSE workshop. The CPSMT suggests that this scoping meeting occur after the 2012 Trinational Sardine Forum in late November in Seattle, WA.

McClatchie, S., R. Goericke, G. Auad, and K. Hill. 2010. Re-assessment of the stock–recruit and temperature–recruit relationships for Pacific sardine (*Sardinops sagax*). Can. J. Fish. Aquat. Sci. 67: 1782–1790.

PFMC
06/23/12

GROUNDFISH MANAGEMENT TEAM REPORT ON THE FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

The GMT reviewed Agenda Item G.7.a. Attachment 1, Preliminary Year-at-a Glance Summary and offers the following regarding upcoming Council meetings and anticipated workload for GMT members for Council consideration.

The table below summarizes various work tasks GMT members are involved with over the summer and fall. These tasks are related to discussions and preparation of materials required by Council initiatives (e.g., South of Humberg workgroup). Individual GMT member's efforts are spread out across the various tasks so that not all of the Team is working on each one although there is overlap for some Team members. We request specific guidance if the Council has different expectations. Per usual, Council staff requests the flexibility to adjust team priorities and schedules if new issues develop.

Table 1. Overview of GMT participation in Council issues June through December 2012.

GMT Participation in Council Tasks	June	July	Aug	Sep	Oct	Nov	Dec
Amendment 24 workgroup							
Data Poor Workshop and stock assessment planning							
Commercial gear workshop							
EFH review							
Finalize analysis for FEIS							
Fishery management responsibilities							
Preliminary barotrauma report							
Reconsideration of whiting catch share allocations							
Review and comment on draft regulations for 2013-2014							
Seabird protection regulations							
SSC recreational model review preparation WA and CA							
South of Humberg P. halibut workgroup							
Stakeholder meetings re: potential changes to the CSP for 2013							
Trawl trailing amendments							

In addition to the items that the GMT has been formally tasked with (Table 1.), there are other issues that have been raised during this meeting and over the course of the Council's 2013-2014 SPEX discussions that we would like to note for Council consideration. For example under

Agenda Item D.3.b., Supplemental GMT Report, we expressed interest in a joint session with the SSC on proposed changes to the Terms of Reference (Agenda Item) and related issues at the September meeting.

Regarding potential revisions to National Standard 1 (NS1) Guidelines ([Agenda Item G.3.a, Attachment 1](#)) if the comment period is extended and the Council wants the GMT to provide further input on potential comments it would be an additional item to include prior to the September Council meeting.

The GMT would like also like Council support to begin initial work on the stock complex evaluation. Under the NMFS report, the NWFSC identified this fall as a good time for their staff to engage in such an effort.

Under Agenda Item D.9 NMFS proposed working with Council staff and the GMT on resolutions to carryover issues.

PFMC
06/26/12

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON
FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

Under this agenda item the Highly Migratory Species Management Team (HMSMT) is asking for an agenda item to be placed on the November agenda which would involve clarification of the Council's assignment to the HMSMT to see if changes could be made to the closure dates or the southern boundary of the Pacific Leatherback Conservation Area (PLCA) to enhance opportunities in the California swordfish drift gillnet fishery. The HMSMT would also like to clarify if its assignment could include other recommended changes if supported by the best available science. To fulfill this assignment the HMSMT would like to include scientists from the National Marine Fisheries Service (NMFS) Southwest Fisheries Science Center and staff from the Protected Resources Division and the Observer Program of the NMFS Southwest Region.

The Highly Migratory Species Advisory Subpanel (HMSAS) strongly supports putting this item, as requested, on the Council's November agenda. The HMSMT would be utilizing the skills of scientists who have expertise in the life history, foraging ecology, and movement of Pacific leatherback sea turtles; spatial-temporal habitat distribution of swordfish; and metric and statistical requirements for rare event sampling.

The HMSAS would also like to point out that starting the HMSMT on this project is particularly timely since NMFS will this coming week be presenting an update to the Western Pacific Fishery Management Council on rulemaking in the Hawaiian shallow-set longline fishery for swordfish, which, if approved, would allow an increase in take from 18 leatherback sea turtles to 26 and from the current 17 to 35 for loggerheads. Clearly, such a rulemaking should be considered Pacific-wide to avoid inequities which might arise between the two Councils.

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON FUTURE
COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

The Highly Migratory Species Management Team (HMSMT) has interpreted the Council's assignment to evaluate changes to the Pacific Leatherback Conservation Area southern boundary or closure dates as elements to be considered both in combination, or separately (i.e. with an "and/or" approach). In addition, should the HMSMT through its assessment of the best available science identify alternative closed area and/or time modifications, those which merit consideration by the Council will be reported upon. Based on this interpretation, the HMSMT will proceed with developing alternatives. If this interpretation is not correct, the Council should schedule time on the November Council agenda to provide further direction per Agenda Item G.7.b, Supplemental HMSMT Report. The HMSMT will report on progress at the March 2013 meeting.

PPMC
06/22/12



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, Washington 98115

JUN 7 2012

Phil Anderson, Director
Washington Department of Fish and
Wildlife
600 Capitol Way N
Olympia, WA 98501

Charlton H. Bonham, Director
California Department of Fish and Game
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

Roy Elicker, Director
Oregon Department of Fish and Wildlife
3406 Cherry Avenue N.E.
Salem, OR 97303

Virgil Moore, Director
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707

Dear Directors:

The Pacific Fisheries Management Council (Council) is considering an amendment to the Salmon Fishery Management Plan (FMP) that would, among other things, modify the schedule for setting annual management measures for ocean salmon fisheries beginning in 2014. Before we proceed further with this initiative, it would be useful to know whether you think that a change in schedule would have a substantive effect on the fishery or complicate the states' process for adopting conforming regulations.

Currently, the Council and advisory bodies meet in the first or second week of April to develop their recommendation to the National Marine Fisheries Service (NMFS) for the salmon fishing season which starts May 1st and the following year's fisheries that are anticipated prior to May 1st of the next year (subject to change at the March Council meeting). Because some of the fisheries, largely north of Cape Falcon, are constrained by international agreements with Canada, Council-area fisheries cannot be set until population forecasts and fisheries in Alaska and Canada are set. Information regarding northern fisheries is usually not available until immediately before the April Council meeting, limiting our ability, under the current schedule, to do the necessary planning through the North of Falcon process, and to provide accurate assessments of fishery constraints at public hearings. I understand this timing problem is likely to persist. NMFS and the Council are considering a shift in the date of the April meeting and a corresponding shift in the starting date of the ocean salmon "regulatory year." Under consideration is rescheduling the April Council meeting to the third full week of April and shifting the start of the salmon regulatory year from May 1st to May 15th, beginning in 2014. Annual management measures would set fisheries beginning May 15th of that year and also set the following year's fisheries that are anticipated prior to May 15th of the next year (subject to change at the March or, possibly, April Council meetings). We do not anticipate any substantial impact to the fishing community from such a scheduling change, as May fisheries would continue as before.

Moving the April Council meeting to the third week in April would provide more time after the March Council meeting to develop briefing materials and obtain public comment on alternative



management measures, and would result in less compressed travel schedules for those involved in the Council process.

The purpose of this letter is to advise you of this potential schedule change and inquire as to whether this change would impact the state's ability to develop and implement conforming regulations. As NMFS works with the Council on this amendment, I would also be interested to know whether you foresee any other substantive effects that might occur as a result of the proposed change in schedule. We anticipate proposing this amendment at the September 2012 Council meeting. The briefing book deadline for that meeting is August 23rd. We would therefore need to know well in advance of this date if the states have any concern regarding this proposal. Please feel free to contact me or Peter Dygert, Salmon Harvest Management Branch Chief (206-526-6734 or peter.dygert@noaa.gov) regarding any concerns or questions you may have on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Turner", with a long horizontal flourish extending to the right.

Robert Turner
Assistant Regional Administrator
Salmon Management Division

cc:

Pat Patillo, WDFW
Doug Milward, WDFW
Steve Williams, ODFW
Eric Schindler, ODFW
Marija Vojkovich, CDFG
Jennifer Simon, CDFG
Scott Barrow, CDFG
Cal Groen, IDFG
Don McIssac, PFMC



June 9, 2012

Mr. Dan Wolford, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: **Agenda Item G.7.b** Future Council Meeting Agenda and Workload Planning: HMSMT
Report

Dear Chairman Wolford and Council Members:

Oceana is writing to reiterate our continued opposition to any consideration of expanding the drift gillnet fishery targeting thresher sharks and swordfish off the U.S. West Coast. In its June 2012 report (Agenda Item G.7.b), the Highly Migratory Species Management Team has requested further clarity from the Council regarding its assignment to explore potential management changes to the Pacific Leatherback Conservation Area, "to possibly enhance California swordfish drift gillnet fishery opportunities". Given the critically endangered status of Pacific leatherback sea turtles, the indiscriminate bycatch of sharks, common molas, and other fish, plus the take of whales, seals and dolphins in this fishery, **we request that Council move expeditiously to phase-out and close this destructive West Coast fishery, not consider alternatives to expand it.**

With respect to the Pacific Leatherback Conservation Area (PLCA), ten years of implementation have proven that this time and area closure is working to avoid leatherback sea turtle takes. Although there have been very low levels of observer coverage in recent years (approximately 12% of sets observed), there has been only one observed take of a leatherback sea turtle since the PLCA was implemented in 2001. We do remain concerned by the low level of observer coverage and we expect that true number of leatherback takes is higher. That said the PLCA appears to be doing what it was intended to do; protect leatherback sea turtles from driftnet takes.

Despite statements by some at the National Marine Fisheries Service that the western Pacific nesting population of leatherback sea turtles is stable, this species which has roamed the Earth's oceans for millions of years, is in fact critically endangered and at high risk of extinction. Leatherbacks disappeared from India before 1930 and declined to near zero in Sri Lanka by 1994. The leatherback's former western Pacific fortress in Malaysia has been effectively extirpated. Importantly, regarding the Indonesian nesting population, which migrates to foraging grounds off our shores, we have received the following communication from the lead scientist working in the region indicating the population is in fact at great risk of extinction:

"Preliminary analysis of comprehensive data (which has been collected since 2005) indicates a significant decline (over 7 year period) in the number of [leatherback sea turtle] nests at Bird's Head Papua - Indonesia. These data combined with previous historical reported data (1981 - 2004) for Bird's Head indicate a steady decline in this population over the past quarter century."

- Correspondence from Ricardo Tapilatu, State University of Papua, Indonesia, to Oceana. Received May 30, 2012.

We urge the Council to direct NMFS to communicate with researchers working in the region to get current factual information on the status of this nesting population. Clearly, this information combined with the data compiled through the recent critical habitat designation process shows that leatherbacks are in more trouble than they were at the time of the last Biological Opinion, and that the existing driftnet fishery overlaps significantly with leatherback critical habitat and migration routes. This is not the time to be considering weakening current leatherback sea turtle protections.

Importantly, under the Magnuson Stevens Act, the National Marine Fisheries Service and PFMC are responsible for minimizing bycatch. Despite serious attempts over the last two decades to reduce bycatch, this fishery continues to take unacceptable levels of non-target fish and marine mammals, including an estimated 16 sperm whales in 2010.¹ This take of sperm whales exceeds the Potential Biological Removal for this species and warrants elevation of this fishery to "Category I" under the Marine Mammal Protection Act. Further, the most recent data summary shows that for every swordfish caught, there were 27 common molas discarded and the fishery discarded more blue and salmon sharks combined than swordfish landed.² This is the only major fishery on the U.S. West Coast targeting large pelagic sharks; over five mako and thresher sharks were landed for every swordfish in 2010 and with no clear population estimates for these shark populations.

We urge the Council to immediately end this effort to expand the driftnet fishery. If, however, the Council chooses to move forward with an analysis of alternatives, we request you direct the HMST to look at alternatives to: 1) phase out and prohibit the use of drift gillnet gear; 2) expand the area of the PLCA to include all leatherback sea turtle migratory routes and foraging grounds; 3) consider experimental gear, like buoy gear, so long as it is significantly different from the pelagic longline gear that NMFS has already tried, but failed to advance in recent years; 4) consider approaches to restrict the importation of swordfish by nations not meeting U.S. standards under the Marine Mammal Protection Act; and 5) evaluate the human health costs of the swordfish fishery due to the consumption of mercury found in West Coast swordfish. We also expect that there will be a full NEPA process, including an Environmental Impact Statement before any further actions are taken by the PFMC.

Sincerely,



Ben Enticknap
Pacific Project Manager

cc. Chuck Bonham, Director, California Department of Fish and Game
Rod McInnis, Southwest Regional Administrator, NMFS
Kirt Hughes, Chair, Highly Migratory Species Management Team

¹ Carretta, J. and Enriquez, L. 2012. Marine Mammal and Seabird Bycatch in California Gillnet Fisheries in 2010. NMFS Administrative Report LJ-12-01. February 2012.

² NMFS California/Oregon Drift Gillnet Observer Program Observed Catch – 2010/2011 Fishing Season.
<http://swr.nmfs.noaa.gov/psd/20102011.pdf>