



# Pacific Council News

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## Council Maintains Status Quo for Whiting Allocation; Other Trailing Actions

After reconsidering whiting catch share allocation, in November the Council affirmed the status quo as its preferred alternative, meaning that no changes will be made to the initial whiting catch share allocations. The Council continued work on other actions related to the trawl rationalization program, and will ask NMFS for support for finalizing additional trailing actions.

### Reconsideration of Individual Whiting Allocations

Last spring, the Council began reconsidering initial allocations of individual whiting quota under the trawl catch shares program, in response to a court decision in the Pacific Dawn case (for more details on this case, see <http://tinyurl.com/a2hbxhr>). In September, after considering new informa-

tion and public comment, the Council voted 11-0 to recommend the status quo as the central part of its final preferred alternative on this issue.

As part of this process, the Council recommended that the moratorium on quota share trading that was originally set to expire at the end of 2012 be extended to January 1, 2014. The Council also delayed a provision to allow the transfer of mother-ship catcher vessel whiting catch history assignments, and related endorsements, separate from limited entry permits. This provision will be implemented September 1, 2014.

The initial allocations made at the start of the program resulted in some entities receiving quota amounts in excess of control limits. These quota share owners originally had two years, after trading starts, to divest

themselves of their excess. The Council recommended that the divestiture periods be extended to December 31, 2015 for the shorebased quota shares and August 31, 2016 for the mother-ship catcher vessel catch history assignments.

The recommendations were transmitted to NMFS on October 30th. NMFS will determine whether or not the recommendation is consistent with the Magnuson-Stevens Act and, if not, how to proceed.

### Widow Rockfish Reallocation

Now that widow rockfish have been declared "rebuilt," there are opportunities to target widow rockfish that did not exist when quota shares were initially allocated. The limited entry program states that "when an overfished species is rebuilt or a species becomes overfished,

*Continued on page 19*


## Council to Discuss Groundfish Barotrauma Mitigation Measures in April

The Council is exploring how to reduce barotrauma of rockfish when they are released using descending devices in the recreational fishery.

In looking at possible regulations, the Council decided

to analyze how canary rockfish, cowcod and yelloweye rockfish can be helped by using the mitigation devices.

A subgroup of the Scientific and Statistical Committee and the Groundfish Management

Team will refine the analysis and analyze an alternative that simplifies the depth stratification and mortality rates presented at the November Council meeting. The Council plans to take final action on this issue at its April, 2013 meeting in Portland. 

**Changes to the Newsletter:** We are considering making changes to the newsletter. Instead of developing both the newsletter and *The Line* (our one-page news summary) four times a year, we would create an enhanced version of the newsletter, with more background information, related stories, and photos, twice a year, while releasing *The Line* after every Council meeting. Please send your comments and thoughts on this proposal to [Jennifer.Gilden@noaa.gov](mailto:Jennifer.Gilden@noaa.gov).

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# Salmon

## Hatchery Program Review Recommends Many Changes to Hatchery Practices

In August, the U.S. Fish and Wildlife Service released a review of 19 anadromous fish hatchery programs in California's Central Valley and in the Klamath and Trinity Rivers. The study, funded by Congress, was designed to evaluate how the programs could be operated to meet harvest goals and achieve species conservation goals for steelhead and Chinook and coho salmon. Eleven scientists, known as the California Hatchery Scientific Review Group, conducted the study.

The goal of the review was to ensure that hatcheries were helping to recover and conserve naturally spawning salmon and steelhead populations, and/or supporting sustainable fisheries with little or no harm to natural populations.

The review recommended several changes to hatchery practices, including improving broodstock management to



produce genetically diverse fish appropriate to a given basin; reevaluating the size and release strategy of hatchery programs to prevent inappropriately high levels of hatchery returns and to reduce rates of straying; improving incubation, rearing and fish health procedures to increase

survival and reduce the risk of disease; increasing monitoring and evaluation of hatchery programs to assess their impacts on natural stocks and determine if programs are meeting their goals; and reducing the effect of hatchery operations on habitats and organisms in their watersheds.

"These recommendations provide useful guidance to state and Federal policy makers, and will inform how salmon and steelhead hatcheries in California are operated," said Dan Castleberry, Assistant Regional Director for Fisheries with Service's Pacific Southwest Region.

Policymakers from agencies and Tribes will use the recommendations to work with the entities that operate hatcheries. More information, including the report and recommendations, can be found online at [www.CAhatcheryreview.com](http://www.CAhatcheryreview.com).

## Lower Columbia ESA Salmon and Steelhead Recovery Plan Issued

In September, the National Marine Fisheries Service requested that the Council and its advisory bodies comment on the Public Review Draft Proposed Endangered Species Act Recovery Plan for Lower Columbia River Coho Salmon, Lower Columbia River Chinook Salmon, Columbia River Chum Salmon, and Lower Columbia River Steelhead.

The Recovery Plan is based largely on recovery plans developed by the states of Washington and Oregon, and a plan for the White Salmon River, an estuary recovery plan module, and a hydropower module.

The Council sent a letter to National Marine Fisheries Service with comments on the Recovery Plan, focusing on mitigation issues, avian predation, and consistency in characterization of threats to listed stocks from habitat, hatcheries, harvest, and hydropower operations.

November salmon briefing book materials are at <http://tinyurl.com/Nov12BB>.



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*Advancing Sustainability*

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### **For more information:**

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# Salmon

## The Salmon Preseason Management Schedule Has Begun; Technical Team Meetings Planned for January

The Council approved a tentative preseason salmon management schedule for 2013. The Salmon Technical Team will meet January 22-25 to draft the *Review of 2012 Ocean Salmon Fisheries* and again February 19-22 to draft *Preseason Report I*, which summarizes key salmon abundance estimates.

The Council is scheduled to develop salmon regulatory alterna-

tives for the 2013 season at their March 6-11 meeting in Tacoma, Washington. Public hearings on the alternatives will be held in Westport, Washington and Coos Bay, Oregon on March 25 and in Eureka, California on March 26. The Council is scheduled to adopt final 2013 salmon fishery regulatory measures at their April 6-11 meeting in Portland, Oregon. 

Nov. 3-7, 2012	The Council and advisory entities meet to consider changes to methodologies used in the development of abundance projections or regulatory alternatives.
Jan. 22-25, 2013	The Salmon Technical Team (STT) meets in Portland to draft the <i>Review of 2012 Ocean Salmon Fisheries</i> . This report summarizes seasons, quotas, harvest, escapement, socioeconomic statistics, achievement of management goals, and impacts on species listed under the Endangered Species Act. (Available online February 8.)
Feb. 19-22	STT meets in Portland to complete <i>Preseason Report I: Stock Abundance Analysis and Environmental Assessment Part 1: 2013 Ocean Salmon Fishery Regulations</i> . This report provides key salmon stock abundance estimates and level of precision, harvest, and escapement estimates when recent regulatory regimes are projected on 2013 abundance, and other pertinent information to aid development of management options (February 28 print date, March 1 mailed to the public and available online).
Feb. 23 - March 4	State and tribal agencies hold constituent meetings to review preseason abundance projections and range of probable fishery options.
March 6-11	Council and advisory entities meet at the Hotel Murano in Tacoma, WA to adopt 2013 regulatory alternatives for public review. The Council addresses inseason action for fisheries opening prior to May 1 and adopts preliminary alternatives on March 7, and final alternatives for public review on March 11.
March 12-16	The STT completes <i>Preseason Report II: Proposed Alternatives and Environmental Assessment Part 2: 2013 Ocean Salmon Fishery Regulations</i> (March 19 print date, March 20 available to the public).
March 12-31	Management agencies, tribes, and public develop their final recommendations for the regulatory alternatives. North of Cape Falcon Forum meetings are tentatively scheduled for March 13-14 and March 26-28.
March 20	Council staff distributes <i>Preseason Report II</i> to the public. The report includes the public hearing schedule, comment instructions, alternative highlights, and tables summarizing the biological and economic impacts of the proposed management alternatives.
Mar. 25-26	Public hearings are held in Westport, Washington (March 25); Coos Bay, Oregon (March 25); and Eureka, California (March 26). Comments on the options will also be taken during the April Council meeting in Portland.
Apr. 6-11	Council and advisory entities meet to adopt final regulatory measures at the Sheraton Portland Airport Hotel in Portland. <i>Preseason Report II</i> , results from the public hearings, and information developed at the Council meeting is considered during the course of the week. The Council will tentatively adopt final regulatory measures for analysis by the STT on April 6. Final adoption of recommendations to NMFS is tentatively scheduled to be completed on April 10.
Apr. 12-20	The STT and Council staff completes <i>Preseason Report III: Analysis of Council-Adopted Management Measures for and Environmental Assessment Part 3: 2013 Ocean Salmon Fishery Regulations</i> (April 19 print date, mailed to the Council and available to the public April 21). Council and NMFS staff completes required National Environmental Policy Act documents for submission.
Apr. 21	Council staff distributes adopted ocean salmon fishing management recommendations, and <i>Preseason Report III</i> is made available to the public.
May 1	NMFS implements Federal ocean salmon fishing regulations.

# Salmon

## Salmon Methodology Review Conducted


Each year, the Scientific and Statistical Committee and Salmon Technical Team complete a methodology review to help assure that the Council uses the best available science to determine the impacts of salmon management. The review is also used as a forum to review updated stock conservation objective proposals.

A methodology review was held on October 10-11 in Portland, and looked at implementation and assessment of proposed bias-corrections methods for

mark-selective fisheries in the coho fishery regulation assessment model (FRAM); review of modifications to Chinook FRAM size limit algorithms implemented to allow evaluation of changes to size limits; impacts of mark-selective ocean recreational fisheries on Washington Coast coho stocks; revision to the marine survival index for the Oregon Coast natural (OCN) coho workgroup matrix; and comparison of two methods for estimating coho salmon encounters and release mortalities in the ocean mark-selective fishery.

In November, the Council approved methodology changes for preseason bias correction and postseason assessment of coho mortalities in mark-selective fisheries, as well as a new marine survival indicator for the OCN coho harvest matrix that uses OCN jack returns to Mill Creek on the Yaquina River. If this life cycle monitoring site fails to provide a reliable estimate of marine survival, the Council approved the use of the existing hatchery coho smolt-to-jack survival as the default value. The Council further specified

that the new OCN marine survival indicator is approved for use only in 2013, pending next year's methodology review where this matter is anticipated to be a high priority.

The Council is considering holding a workshop on abundance-based management for California coastal Chinook stocks, and will discuss alternative harvest control rules for Sacramento River winter-run Chinook at the April 2013 and September 2013 Council meetings. 

## Council Adopts Alternatives for Salmon Essential Fish Habitat Review; Next Up in April 2013

At the September 2012 meeting, the Council considered a suite of draft preliminary alternatives for possible changes to Pacific Coast salmon essential fish habitat (EFH). The alternatives stemmed from the periodic EFH review for Pacific Coast salmon, and were developed in response to the Council's April 2011 conclusion that new information warrants an update of salmon EFH, through a fishery management plan amendment process. Pacific Coast salmon EFH applies to Chinook, coho, and Puget Sound pink salmon. Sockeye salmon, chum salmon, pink salmon from outside of Puget Sound, and steelhead

are not managed by the Council and therefore do not have Council-established EFH. The Council considered and adopted the suite of alternatives for further analysis and public review. Several distinct areas of changes to EFH are being considered:

*Distribution:* Several 4th Field Hydrologic Units (sub-basins) are being considered for new areas of EFH, based on new distribution information. For example, coho salmon have been reintroduced into the South Fork Clearwater hydrologic unit, so that watershed could be designated as EFH, based on the Council's standards. There




Salmon in their habitat. (NOAA photo by John McMillan)

are 12 such cases for Puget Sound pink, coho, and Chinook salmon, spanning all four states.

New information indicates one hydrologic unit likely never had coho salmon distribution,

*Continued on page 9*

## Salmon Fishery Management Plan Amendment 17 Adopted; Makes Changes to Annual Regulatory Cycle

In September, the Council adopted Amendment 17 to the fishery management plan (FMP), which included specification of maximum fishing mortality threshold for Quillayute fall coho, and minor changes to the FMP to meet current practices, technology, regulatory protocol, or to correct inconsistencies between Council final action under Amendment 16 and the final published FMP. 

# Halibut

## Council Looks at Pacific Halibut Management South of Humbug Mountain

In response to recent unusually high harvests of Pacific halibut off Southern Oregon and Northern California, the Council initiated a process to determine how best to incorporate the area south of the Oregon/California border into the International Pacific Halibut Commission stock assessment, determine the effect of including that area in the Area 2A apportionment, and establish methods to manage the fishery south of Humbug Mt. to comply with allocation provisions of the Catch Sharing Plan and the overall total allowable catch apportioned to Area 2A.

The Council established the ad hoc South of Humbug Pacific




*Humbug Mountain (Wikipedia)*

Halibut Workgroup to help develop an understanding of the biological, assessment, monitoring, and allocation issues involved in the management of this area, and how they relate to Area 2A and other management

areas.

The workgroup completed a report and presented it to the Council in September. The Council directed the workgroup to procure estimates of Pacific halibut catch-per-unit effort

from the National Marine Fisheries Service Groundfish Trawl Survey, and to refine the estimates of bycatch from the West Coast Groundfish Observer Program.

The newly-established South of Humbug Policy Committee will use the workgroup report to support development of policies and methods to account for Pacific halibut abundance and distribution in California waters, estimating and monitoring recreational Pacific halibut catch in California waters, and ensuring compliance with catch allocation south of Humbug Mtn. 

## Halibut Discards Drop 87 Percent in Limited Entry Bottom Trawl Fishery

The halibut bycatch estimates for the 2011 groundfish trawl and fixed gear fisheries in International Pacific Halibut Commission (IPHC) Area 2A waters include information from the groundfish observer program and effects of the groundfish area closures in 2011. The National Marine Fisheries Service provided bycatch estimates to the IPHC prior to the November in-


terim meeting of the IPHC for use in establishing the 2013 halibut total allowable catch.

Estimated discard mortality from all sectors and gears of the 2011 individual fishing quota fishery was 87 percent less than the estimated discard mortality from the 2010 limited entry bottom trawl fishery. There are two likely explanations for this drop. First, individual bycatch quotas for Pacific halibut might have

increased incentives to avoid halibut bycatch. Second, during 2011, the fleet was experimenting with halibut excluders.

The 2011 estimate of Pacific halibut mortality in the limited entry non-sablefish endorsed longline sector was much greater than in any prior year. The 2011 open access fixed gear longline sector exhibited a decline in estimated halibut mortality compared to the 2010

estimate. Estimated halibut mortality in all other non-IFQ sectors are well within the range observed in previous years.

After discussion with the IPHC, the Council affirmed that the 2011 bycatch mortality estimate of 105,986 pounds net weight would be used in the IPHC's catch limit setting process for 2013, which is less than the 130,000 pounds used in 2012. 

## 2013 Pacific Halibut Regulations Adopted

In November, the Council adopted the following changes to the Area 2A Pacific Halibut Catch Sharing Plan:

**Recreational Columbia River subarea:** Change the days of the week for the spring fishery to Friday through Sun-


day; keep the early season open until 80 percent of the subarea allocation is reached, removing the provision that would close the early season on the third Sunday in July.

**Oregon central coast subarea:** Reduce the open

days per week in the nearshore fishery from seven days to three days (Thursday through Saturday); include an Area 2A total allowable catch (TAC) trigger of 700,000 pounds to reallocate the summer all-depth quota to the spring all-depth (75 percent) and nearshore (25 percent)

fisheries. At any 2A TAC above 700,000 pounds, status quo allocation remains.

### **Salmon Troll fishery:**

Allow incidental catch in the salmon troll fishery beginning in April 1, 2014 to better align with salmon seasons. 

# Groundfish

## Workgroup Recommends Improvements to Groundfish Biennial Management Process


As previously reported in this newsletter, the Council is considering changes to its biennial groundfish management process to reduce workload and ensure timely implementation of regulations. This spring, the Council formed the Ad Hoc Amendment 24 Workgroup, which developed recommendations for changes to the process. In November the Council

reviewed the Workgroup's report and expressed its intention to finalize process changes in March 2013.

A key change would be to develop a long-term evaluation of the environmental impacts of establishing harvest specifications and management measures. This long-term view would allow streamlined evaluations when the Council

considers new information every two years.

The Workgroup pointed out that many changes could be made without amending the groundfish fishery management plan (FMP). In March 2013, the Council plans to consider changes that would involve an FMP amendment. For example, new rules for revising overfished species rebuilding plans could

require an amendment. If the Council decides on an amendment, it may take another Council meeting to finalize the changes. Nonetheless, the Council's objective is to use a revised process for developing harvest specifications and management measures for fisheries beginning in 2015 and beyond, which begin in earnest in September 2013. 


## Eight Stocks to be Fully Assessed in 2013; Thirteen to Receive Partial or Updated Reviews

At its September meeting, the Council selected a stock assessment plan for 2013 to inform management for 2015 and beyond. Eight stocks were selected for full assessment (darkblotched rockfish, petrale sole, shortspine thornyhead, longspine thornyhead, cowcod, aurora rockfish, roughey rockfish, and Pacific sanddabs), one stock (bocaccio) for an update assessment, a prioritized list of nine stocks for data-moderate assessment (brown rockfish, China rockfish, copper rockfish,

English sole, rex sole, sharpchin rockfish, striptail rockfish, vermilion rockfish, and yellowtail rockfish), and three stocks (canary rockfish, Pacific ocean perch, and yelloweye rockfish) for catch reports. Data-moderate assessments are a refinement over the approved "data-poor" methods that use catch data to inform harvest specifications. Data-moderate assessments incorporate one or more indices of abundance (e.g., survey or catch-per-unit-effort indices) to provide information on stock

status and to inform harvest specifications (the Council will decide how to use these results to inform stock status at their March 2013 meeting). Catch reports are not assessments but are an evaluation of recent catches relative to harvest limits adopted as part of a rebuilding plan.

The Council also adopted three terms of reference (TOR) for guiding the process, and a schedule of stock assessment review panels to review full and data-moderate assessments. The

first TOR specifies how the next assessment process should occur and defines the roles and responsibilities of various entities contributing to this process; the second guides the development of rebuilding analyses that are used to develop harvest specifications and rebuilding plans for overfished species; and the third guides how new methods are reviewed and recommended for scientific activities that inform analyses used in management decision-making. 

### March Public Comment and Briefing Book Deadlines

The next Council meeting will be held March 6-11, 2013, at the Hotel Murano in Tacoma, Washington. Comments received by **11:59 p.m. on February 7** will be included in the briefing books mailed to Council members prior to the March meeting. Comments received by **11:59 p.m. on February 25** will be distributed to Council members at the onset of the March meeting. For more information on the briefing book, see <http://www.pcouncil.org/council-operations/council-meetings/current-meeting/>.

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# Groundfish

## USFWS Proposes Mandatory Steamer Lines for Longline Vessels 55 Feet and Over


In September, the Council reviewed draft biological opinions prepared by the National Marine Fisheries Service (NMFS) Protected Resources Division and the US Fish and Wildlife Service (USFWS) considering the effects of West Coast groundfish fisheries on threatened and endangered marine species, including marine mammals, sea turtles, fish, and seabirds. Both agencies also submitted draft reasonable and

prudent alternatives, terms and conditions, and conservation recommendations for Council consideration. These include measures to reduce interactions, establish a workgroup to develop future recommendations, generate standards for data collection, and create a reporting cycle.

Relative to seabird protection regulations, the USFWS proposes mandatory steamer lines for longline vessels 55 feet or greater in length to reduce

the incidental take of seabirds, while maintaining the voluntary program for smaller vessels. The proposed regulations are intended to be similar to the Alaska steamer line regulations for Federal waters. The USFWS recommends regulations be implemented as soon as practical, but not to exceed a two-year transition period.

The USFWS biological opinion was recently finalized, and the NMFS biological opinion

is expected to be finalized by the end of 2012. At its April 2013 meeting, the Council is scheduled to adopt for public review the proposed steamer line regulations. The Council will also provide input to the proposed NMFS-sponsored Pacific Coast Groundfish and Endangered Species Workgroup, which will further refine the terms and conditions presented in the biological opinions. 


## Council Adopts Phase I Groundfish Essential Fish Habitat Report

At the September meeting, the Council heard a presentation on the groundfish essential fish habitat (EFH) review Phase 1 Report. The Council also considered a revised request for proposals (RFP) to modify groundfish EFH and an outline of a synthesis to support the evaluation of current EFH.

The Council adopted the Phase 1 Report, thereby concluding Phase 1 of the EFH review, and supported the NMFS-led effort to provide a synthesis of information presented in the Phase 1 Report. That synthesis effort is underway, with a report scheduled for the April 2013 Council meeting. The Council also expressed support for a revised RFP (with minor modifications) but opted to delay issuance until after completion of the NMFS-led synthesis effort.

Finally, the Council approved the inclusion of an addendum to the Phase 1 Report, proposed by the Essential Fish Habitat Review

Committee (EFHRC). The addendum contains clarifying information about data and mapping products, proposes information and research needs, and suggests language describing Tribal marine fisheries. The Council approved the addendum with minor changes, and pending a legal review of the language that describes the Tribal marine fisheries.

After NMFS presents the synthesis product at the April 2013 meeting, the process will move into Phase 2. The Council will issue the RFP soliciting proposals for possible changes to EFH, and the EFHRC will compile proposed changes and present them in the Phase 2 Report, tentatively scheduled for November 2013. At that point, if the Council determines that new information warrants changes to groundfish EFH, it would then launch a fishery management plan amendment process. 

## Groundfish Inseason Adjustments for 2013

In considering inseason adjustments to groundfish fisheries, the Council recommended changes to the proposed sablefish trip limits for the 2013 limited entry and open access fixed gear fisheries for sablefish north of 36° N. latitude.


For the limited entry fishery, the limits will change from "1,100 lb per week, not to

exceed 4,200 lb per 2 months" to "950 lb per week, not to exceed 2,850 lb per 2 months" for Periods 1-6.

For the open access fishery, the limits will change from "300 lb per day or one landing per week up to 610 lb per week, not to exceed 1,220 per 2 months" for Periods 1-6 to "300 lb per day or one landing per week up

to 700 lb, not to exceed 1,400 per 2 month" for Periods 1-5 and "300 lb per day or one landing per week up to 300 lb, not to exceed 600 lb per 2 months" for Period 6.

Additionally, the Council recommended changes to the Washington recreational fisheries for 2013 to reduce yelloweye rockfish mortality: For Marine


Areas 3 (La Push) and 4 (Neah Bay), restrict the recreational bottomfish fishery to the area shoreward of 20 fathoms from May 1 to September 30, except on days open to the halibut fishery. On days that the halibut fishery is open, no bottomfish except lingcod, Pacific cod, and sablefish can be retained seaward of 20 fathoms. 

# Coastal Pelagic Species

## Exempted Fishing Permit Application Process Changes

The Council adopted a new process to consider exempted fishing permit (EFP) research proposals. EFP proponents should now notify the Council of new proposals in November, and final action will be scheduled for March.

For EFP proposals that are similar to previous EFP activities, proponents must submit a letter of intent, along with a copy of the

previous year's final proposal. For EFP activities that are new or substantially different from previous years, the proponents must submit a full proposal. The Council will then take final action at the March meeting, with the option of scheduling final action at the April meeting, if the Council sees the need for additional review time by its advisory bodies. 

## Pacific Sardine Stock Assessment Shows Biomass of 659,539 Metric Tons

The 2012 sardine assessment shows a biomass estimate of 659,539 metric tons (mt). The Council adopted an over-fishing limit of 103,284 mt, a P\* value of 0.40, and a corresponding acceptable biological catch (ABC) of 94,281 mt. The Council set an annual catch limit equal to the ABC and an annual catch target (ACT) equal to the harvest guideline of 66,495 mt. The ACT is in effect the maximum allowable directed harvest, after which directed fishing is closed.

The table above contains the harvest period allocations


for 2013 as recommended by the Council. The values in the table will be adjusted accordingly should the Quinault Nation and the National Marine Fisheries Service (NMFS) determine a Tribal allocation different than the initial 9,000 mt requested or if the 3,000 mt exempted fishing permit set aside is not fully allocated or used.

The Council recommended that incidental catch limits dur-

**HG = 66,495 mt; Tribal set-aside = 9,000 mt; potential EFP set-aside = 3,000 mt**  
**Adjusted HG = 54,495 mt**

	Jan 1- Jun 30	Jul 1- Sep 14	Sep 15 - Dec 31	Total
Seasonal Allocation (mt)	19,073 (35%)	21,798 (40%)	13,624 (25%)	54,495
Incidental Set-Aside (mt)	1,000	1,000	1,000	3,000
Adjusted (Directed) Allocation (mt)	18,073	20,798	12,624	51,495

ing closed periods and rollover provisions for quota overages and underages remain the same as prior years, with the exception of increasing the allowable percentage of sardine in mixed loads from 30 percent to 40 percent, after the directed sardine fishery has closed.

Finally, the Council approved the West Coast Vancouver Island trawl survey results for potential use in future Pacific sardine stock assessments, when the proposed methodology is followed and there are a sufficient number of years of data collection. 

### Salmon Essential Fish Habitat, continued from page 5

and therefore may have its EFH designation removed.

**Impassable barriers:** Currently, about 45 large dams represent the upstream extent of EFH in their respective watersheds. However, several dams now have fish passage, and are therefore being considered for removal from the list, which would then

allow for EFH designations upstream of the dams. To provide clarity, the Council will consider modifying the criteria used to determine whether a dam should be the upstream extent of salmon EFH.


**Fishing and non-fishing effects:** The Council adopted ten new non-fishing activities that may af-

fect EFH. If approved, these will be added to the 21 non-fishing activities that are currently listed as possibly affecting EFH.

NMFS and Council staff will also update the list of fishing activities that may adversely affect EFH.

In addition, the Council will consider ways to update Pa-

cific salmon EFH in the future without having to amend the fishery management plan. This would provide a more efficient way to make minor, non-controversial changes.

The Council is scheduled to adopt final preferred alternatives at the April 2013 meeting in Portland, Oregon. 

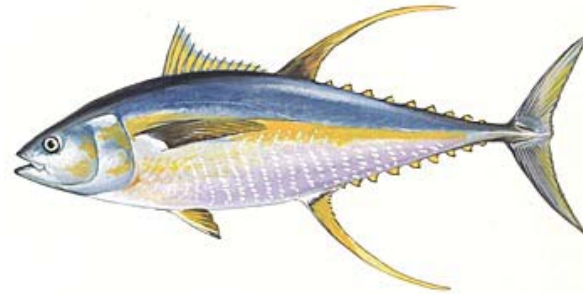
*Bragging may not bring happiness, but no man having caught a large fish goes home through an alley. –Ann Landers*

# Highly Migratory Species

## Western and Central Pacific Fisheries Commission Looks to Conserve Bigeye, Yellowfin, Skipjack Tunas

The Ninth Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC9) took place December 2-6, 2012, in Manila, Philippines. Council member Marija Vojkovich attended the meeting as a U.S. Commissioner along with Executive Director Donald McIsaac and staffer Kit Dahl.

The annual meeting covered many issues, including conservation and management



measures, monitoring, control, and surveillance. Perhaps the most important outcome was a new conservation and man-

agement measure (CMM) for bigeye, yellowfin, and skipjack tuna to replace the measure agreed to

in 2008. Bigeye tuna is subject to overfishing in the Western and Central Pacific as a result


of targeting by longline fisheries, and incidental catch when purse seine vessels set their nets around fish aggregating devices (FADs). Fishing FADs results in a higher catch of juvenile fish, worsening the overfishing problem. The longline fishery, which generally catches bigger fish, is regulated with catch limits by country, and fishing mortality in those fisheries has been sufficiently reduced.

*Continued on page 17*

## US and Canada To Meet to Discuss Albacore Treaty

In November, the Council encouraged the U.S. and Canada to meet as soon as possible to discuss an agreement for reciprocal access to albacore fishing waters in 2013. As of this writing, the State Department has proposed several dates in January 2013 for a bilateral meeting between the two governments, but no meeting date has been set.

The U.S.-Canada Albacore Treaty allows vessels from the two countries to enter the Exclusive Economic Zone of the other country to fish for albacore tuna. The last agreement expired without the

two countries agreeing to a replacement, so there was no reciprocal access in 2012. Many more Canadian vessels fish in U.S. waters under this agreement than U.S. vessels in Canadian waters, so the lapse of the agreement had a bigger impact on Canadian albacore harvesters. However, U.S. fishing vessels were barred from entering Canadian ports, for example to deliver to processors or pick up crew, hurting some operators' business operations. U.S. processors that bought albacore from Canadian vessels in past years could also have been hurt if overall landings to their ports went down in 2012. 

## Billfish Conservation Act Becomes Law; Council Comments on Act to Refinance Groundfish Loan

The Council's Legislative Committee met September 13 to review legislative matters of interest to the Council.

In a letter dated August 23, 2012, Congressman Mike Thompson (CA) and Congresswoman Jamie Herrera-Beutler (WA) requested Council comments on H.R. 6362, the Revitalizing the Economy of Fisheries (REFI) in the Pacific Act of 2012, which is aimed at easing the financial burden to groundfish fishermen through refinance of the existing loan funding the Pacific Coast Groundfish Fishery Fishing

Capacity Reduction Program. The bill was introduced in the U.S. House of Representatives on September 10, 2012, but was not voted on before Congress adjourned on January 2.


The Council supported the bill's efforts to ease financial burdens to groundfish fishermen by refinancing the existing loan funding the limited entry trawl fishery buyback under the Fishing Capacity Reduction Program. The Council conveyed its comments on H.R. 6362 to Congressman Thompson, Congresswoman Herrera-Beutler, and the bill's cosponsors.

Although Congress was on break during most of the fall, they also passed, and the President signed, the Billfish Conservation Act of 2012 (H.R. 2706/S 1451), which 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.

Violators are subject to a maximum civil penalty of \$100,000 for each violation, with each day of a continuing violation constituting a separate offense. The state of Hawaii and

the Pacific Insular Area (U.S. territories), are exempted.

Billfish are defined as blue marlin, striped marlin, black marlin, sailfish, shortbill spearfish, white marlin, round-scale spearfish, Mediterranean spearfish, or longbill spearfish. Swordfish are not considered billfish under this definition.

This bill was opposed by most of the Highly Migratory Species Advisory Subpanel at the June 2012 meeting. It was signed into law on October 4, 2012. 

# Ecosystems and Habitat


## Draft Fishery Ecosystem Plan Approved; Ecosystem Reports Presented

The Council modified and approved a preliminary Fishery Ecosystem Plan (FEP) and tasked the Ecosystem Plan Development Team with incorporating elements of several advisory body statements. The Council also revised the Purpose and Need section of the FEP to reflect Council intent to use the

FEP as an informative rather than prescriptive document. The inaugural Annual State of California Current Ecosystem Report was presented to the Council in November and, along with the FEP, is a key vehicle for bringing ecosystem-based management principles into the Council's management process.

A public review draft of the FEP is expected in early 2013, well in advance of Council consideration of a final FEP scheduled for the April of 2013.

The California Current Integrated Ecosystem Assessment (IEA) program results contributed to the State of the

California Current Ecosystem Report. A proposed NMFS workshop in 2013 will focus on incorporating IEA results into the Council process and developing a mechanism for IEA review by the Scientific and Statistical Committee and other advisory bodies. 

## Habitat: California Sanctuaries Propose Closing “Donut Hole”

The Habitat Committee discussed a proposed action by the Gulf of the Farallones National Marine Sanctuary to adjust the boundary of Monterey Bay National Marine Sanctuary to include an area currently excluded from the Sanctuary off the coast of San Mateo County. This area is known as the “donut hole,” and extends from the Golden Gate Bridge to Pacifica, CA and offshore approximately six miles. The Farallones Sanctuary manages the area of the Monterey Bay Sanctuary north of the San Mateo/Santa Cruz County line.

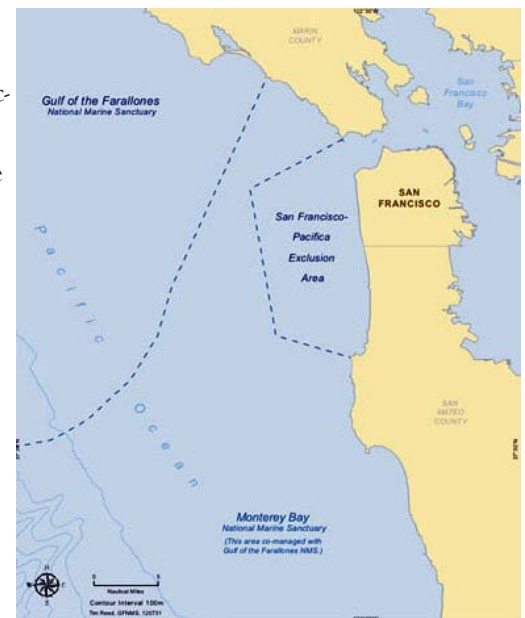
This area was excluded from the Monterey Bay Sanctuary when the sanctuary was designated in 1992 because of concerns related to sewage discharges, high vessel traffic, and dredge spoil disposal. The Gulf of the Farallones National Marine Sanctuary Advisory Council has determined that these concerns are no longer valid, given improvements in effluent water quality, increasing numbers of marine mammals and sharks in these waters, and other developments. Therefore, they have requested that Sanctuary staff initiate a process to include the excluded area within the boundaries of the Monterey Bay Sanctuary.

A *Federal Register* notice requesting public comment was issued

in August, 2012 with an October deadline. The Sanctuary's proposed timeline for release of the draft environmental impact statement (EIS) and proposed rule is March or April 2013.

The Council sent a letter to the Sanctuary asking that the EIS clarify how the proposed action will differ

from the status quo. The Council will discuss this issue further in April. 



The “donut hole” (center)

## Council Updating Research and Data Needs Document; Will Finalize in March 2013


The Council's Research and Data Needs document is scheduled for final adoption in March 2013. The Council continually identifies research and data needs across its fishery management plans through a variety of processes, including stock assessment and fishery management cycles. Roughly every five years, the Council

documents priority needs and communicates them to organizations that may be able to support additional research.

In September, the Council reviewed an initial draft Research and Data Needs document. Currently, Council staff are revising the document based on advisory body comments.

The document will be posted on the web for public review before the March 2013 Council meeting. The Council expects to work with National Marine Fisheries Service to coordinate future strategic research planning.

The Council last approved a Research and Data

Needs document in 2008. The document, when adopted, is intended to record and communicate the Council's research and data needs through 2018 to ensure continued well-informed Council decision-making into the future and to fulfill the Council's responsibilities under the Magnuson-Stevens Act. 

## Enforcement Corner

### A Roundup of Enforcement Stories from Around the West Coast

**Foreign Crab Thieves in Washington:** The U.S.-Canada Border is well marked along Boundary Bay, a waterway popular for commercial and recreational crab fishing near the town of Blaine, Washington. While the commercial season for *Metacarcinus magister* (Dungeness crab) is only open on the North side this time of year, that doesn't stop foreign fishing vessels from poaching thousands of pounds of Dungeness crab south of the border. Standing in the path of these thefts are Washington Dept. of Fish and Wildlife officers assigned to the North Sound Marine Detachment. One Tuesday, three officers searched for unmarked closed season groundlines in a patrol vessel. A strategy commonly used to avoid detection by fish and wildlife police, "ground-lines" are multiple crab pots attached to a common line without surface buoys. They are illegal by Washington State law, which requires that each crab pot be attached to its own marked and registered buoy. With today's technology, poachers can find their gear later by returning to coordinates recorded by a GPS device and then deploying a grappling hook. So enforcement officers have to use the same technique as they do to find illegal gear: drag for it, but without the advantage of coordinates.

Although they are flying blind, these fish cops are pretty successful. Either that or the problem is worse than we thought. Either way, within 30 seconds of dropping a grappling hook down on this fishing expedition, officers hooked their first groundline of the patrol. As they pulled in the 10-pot string, they observed that another unmarked ground-line had been laying on top of that one. Yet a third unmarked groundline was located and pulled before the officers ran out of deck space and sunlight. A total of 50 high-end commercial crab pots were seized. No buoys or any type of identification was observed on the gear, which was also a violation, but typical of the clandestine nature of this activity.

Not all such patrols are reactive. A few days later, two officers decided to follow the border along the Strait of Georgia up to the "Apex" and approach Pt. Roberts from the west. As the officers neared the Apex they observed a large buoy with Canadian commercial crab markings on it well inside the U.S. waters. The officers

continued a half mile north and observed a Canadian commercial crab vessel actively pulling a groundline of crab pots in 400 ft of water. The officers boarded the vessel and informed the crew that they were within U.S. waters. One officer remained onboard the



*We don't manage Dungeness crab, but we still like to eat them.*

vessel as it continued to pull the 40-plus pots on the groundline, while the other followed in the patrol vessel marking each pot's location on a GPS plotter. When the commercial vessel finished pulling all its gear, the officers told the skipper that they were seizing all his crab from that set. The skipper began to argue, stating that he had set his gear on the Canadian side of the line and that the tide had pushed his vessel into the U.S. as he was pulling the gear.

The officer educated the skipper, pointing out that they were drifting towards Canada at 0.5 knots. The officers believed that when the vessel first began to pull the gear, they were further inside U.S. waters than when they made contact. The skipper will be cited with several commercial crabbing violations including no limited entry commercial license and closed season possession of crab.

After dealing with the Canadian crabber, the officers continued on to Pt. Roberts, where they observed several buoys and fenders in the water that looked like Canadian recreational crab gear illegally set across the border within the U.S. The officers pulled up to a small white boat fender and began to pull up the line. They soon realized that this was attached to a ground-line that stretched south into the U.S. Further investigation of more of the buoys revealed more groundlines within U.S. waters. The officers contacted other officers who arrived just before dark in a larger patrol vessel to pull the offending gear. While waiting for the larger patrol vessel, the two officers tested their endurance and pulled a ten pot ground-line by hand. In total, officers seized 73 high-end commercial crab pots that were illegally fishing within the U.S. They offloaded the pots from the patrol vessel to a car trailer by hand at a dock at Pt. Roberts.

**Steelhead Abuse:** A Tillamook, Oregon state trooper was watching anglers on Three Rivers when he saw three subjects that were snagging Chinook salmon and steelhead at the mouth of Ce-

## Appointments to Council Advisory Bodies

In September, the Council appointed Ms. Chelsea Protasio to a California Department of Fish and Wildlife (CDFW) position on the Coastal Pelagic Species Management Team, Mr. Robert Leos to a CDFW position on the Groundfish Management Team, and Mr. Colby Brady to the National Marine Fisheries Service Northwest Region position on the Groundfish Management Team.

The Council changed the Council Operating Procedures to change the Washington, Or-

egon, and California trawl seats on the Groundfish Advisory Subpanel to one bottom trawl, one mid-water trawl, and two at-large seats, and to add a tribal seat to the Coastal Pelagic Species Management Team.

The Council also made the following appointments to the 2013-2015 Advisory Body terms:

### Coastal Pelagic Species

*California Commercial Seats:* Mr. David Haworth, Ms. Terry Hoinsky, Mr. Nick Jurlin; *Oregon Commercial Seat:* Mr. Eugene Law; *Washington*

*Commercial Seat:* Mr. Robert Zuanich; *California Processor Seat:* Ms. Diane Pleschner-Steele; *Oregon Processor Seat:* Mr. Mike Okoniewski; *Washington Processor Seat:* Mr. Richard Carroll; *California Sport/Charter Seat:* Captain Paul Strasser; *Conservation Seat:* Ms. Sarah McTee.

### Ecosystem Advisory

**Subpanel:** *California Seats:* Ms. Kathy Fosmark, Mr. Donald Maruska, Vacant; *Oregon Seats:* Mr. Ben Enticknap, Mr. Scott McMullen, Mr. Frank Warrens; *Washington Seats:* Mr. Paul Dye,

Dr. Terrie Klinger, Mr. Nate Stone.

### Habitat Committee:

*Commercial Fishery Seat:* Mr. Joel Kawahara; *Sport Fishery Seat:* Ms. Liz Hamilton; *Conservation Seat:* Dr. Douglas DeHart; *Northwest or Columbia River Tribal Seat:* Vacant; *California Tribal Seat:* Mr. Mike Orcutt; *Public At-Large:* Mr. Stephen Scheiblaue.

### Groundfish Advisory Sub-

**panel:** *Fixed Gear At-Large Seats:* Mr. Bob Alverson, Ms. Michele Longo-Eder, Mr. Gerry Richter; *Bottom Trawl Seat:* Mr. Tommy

*Continued on page 16*

## Recipe: Dungeness Crabcakes with Green Cocktail Sauce

### Ingredients:

- 10 slices white bread
- 3/4 cup chopped fresh flat-leaf parsley
- 1 large egg yolk
- 2 teaspoons fresh lemon juice
- 2 teaspoons Worcestershire sauce
- 1 1/2 teaspoons hot pepper sauce
- 7 teaspoons Dijon mustard
- 1/2 teaspoon paprika
- 1/2 teaspoon dried thyme
- 1/2 teaspoon celery seeds
- 1/4 teaspoon freshly ground black pepper
- 5 tablespoons olive oil
- 1 pound fresh cooked Dungeness crabmeat, picked over for bits of shell and cartilage with claw meat and large pieces left whole
- 1/4 cup chopped onions
- 1/4 cup seeded and chopped green bell peppers
- 1/4 cup seeded and chopped red bell peppers
- Unsalted butter, for pan frying, about 6 tablespoons
- *Green Cocktail Sauce*, recipe follows
- 4 to 8 lemon wedges

### Directions

Tear up the bread and pulse in a food processor to make fine, soft crumbs (about 6 cups.) Put crumbs in a shallow pan and mix in 1/2 cup of the chopped parsley (reserving the rest). Set aside.

In a food processor, combine the egg yolk, lemon juice, Worcestershire, hot pepper, mustard, paprika, thyme, celery seeds, and black pepper. With the motor running, slowly add

the oil through the feed tube in a steady stream until the mixture emulsifies and forms a mayonnaise. Remove and refrigerate.

Squeeze as much liquid as possible out of the crabmeat, onions and bell peppers. In a large bowl, combine the onions and bell peppers with remaining 1/4 cup parsley. Add the chilled mayonnaise and crabmeat and toss lightly to combine. Add 1 cup of the bread crumb mixture and combine. Do not overwork or the crabcakes may get gummy. Gently form 8 patties and roll them lightly in the remaining bread crumbs.

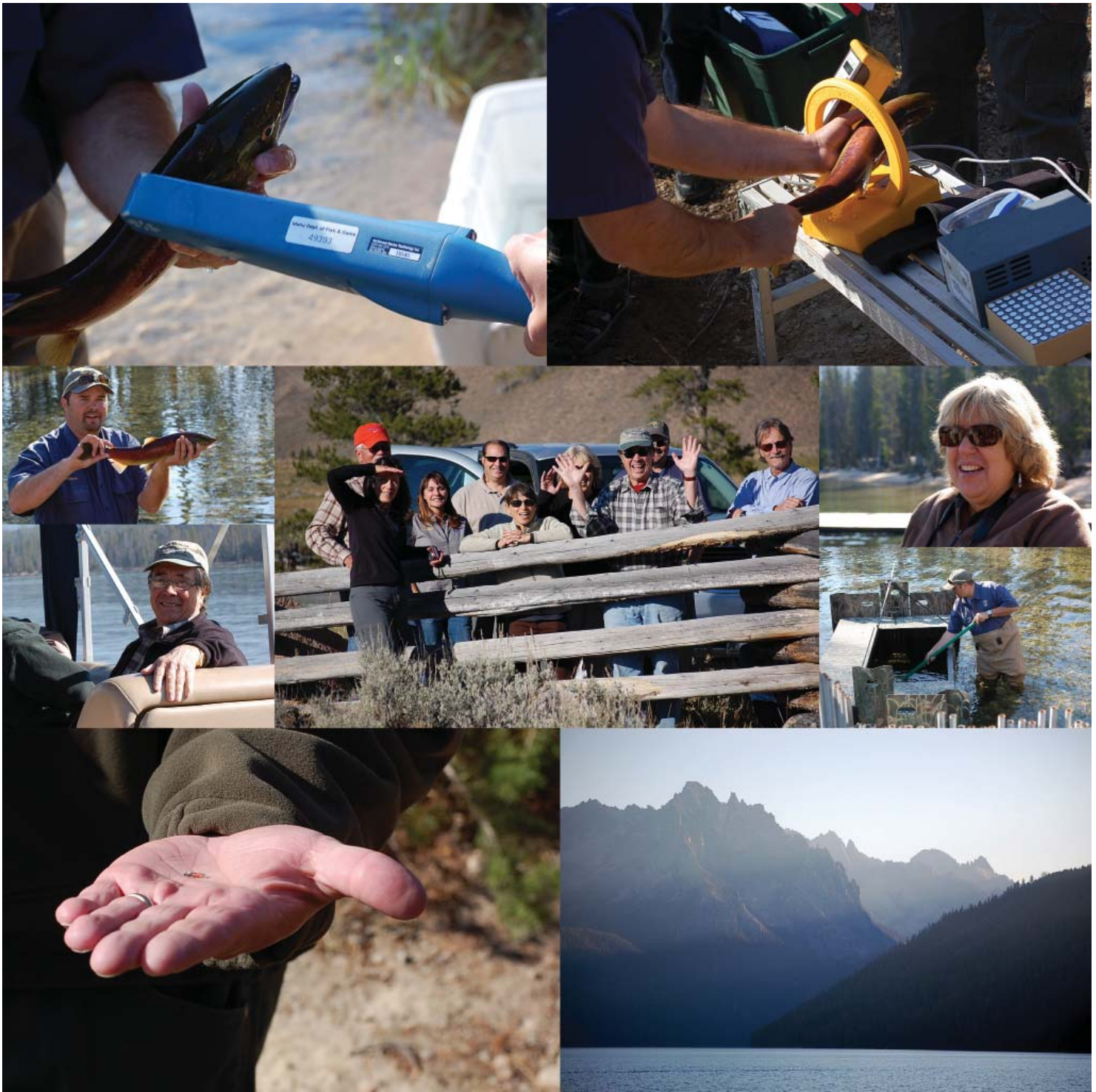
Preheat oven to 425 degree. Using a nonstick saute pan and butter as needed, panfry the crabcakes, in batches, until golden brown on both sides and place them on a baking sheet as they are browned, put them in the oven until they are heated all the way through, 5 to 8 minutes. Serve with a cocktail sauce and a lemon wedge.

Note: The crabcakes hold together better if prepared a day ahead and stored in the refrigerator before cooking. Store them in the pan of bread crumbs, covered with plastic wrap.

### Green Cocktail Sauce:

- 8 ounces tomatillos, husked and cut into quarters
- 2 tablespoons rice wine vinegar
- 1 tablespoon sugar
- 2 teaspoons green hot pepper sauce
- 1 teaspoon chopped garlic
- 1 teaspoon mustard seeds, toasted
- 1 teaspoon peeled and grated fresh horseradish

Puree tomatillos and drain liquid. Mix with remaining ingredients. Source: FoodNetwork.com (<http://tinyurl.com/ad3hcn5>)



In September, Idaho Dept. of Fish and Game (IDFG) hosted a tour of the Snake River Sockeye Captive Broodstock Program. Several Council members, staff, and advisory body members attended. The program was created to conserve and rebuild the Redfish Lake sockeye salmon stock in the Sawtooth Valley of central Idaho. Restoration efforts today are focused on Alturas, Pettit, and Redfish lakes. Photos, from top (clockwise): Checking for a coded wire tag to determine whether a fish is wild or hatchery stock; checking for a PIT tag (PIT tags track the movement of fish through the Columbia Basin dams); Council Vice Chair Dorothy Lowman; IDFG Senior Fisheries Manager Mike Peterson checking a fish trap for sockeye; the Sawtooth mountains; a PIT tag; Council member Jeff Feldner; Mike Peterson explaining the program. Center: tour attendees. Facing page: IDFG boat on Redfish Lake; fish with radio telemetry tag, which will tell researchers where the fish spawn in the lake; Council Deputy Director Chuck Tracy releasing a fish into the lake; Executive Director Don McIsaac; Habitat Committee member Arlene Merems (Oregon Dept. of Fish and Wildlife); the Sawtooth mountains; IDFG hat; IDFG logo; inserting a radio telemetry tag (the fish is anesthetized); Council member Herb Pollard (IDFG - retired). Center-bottom: Mike takes a genetic sample of an anesthetized fish before releasing it into the lake. For more information on the program, see <http://tinyurl.com/ay9y76h>.



## New Coast Guard Safety Rules Now in Effect for Vessels Operating Outside Three Mile Line

Beginning October 16th of 2012, all commercial fishing, fish tender and fish processing vessels that operate (or transit) more than three nautical miles offshore must be able to demonstrate full compliance with the existing fishing industry vessel safety regulations found in 46 C.F.R. Part 28, via a mandatory safety examination. While there are a few options of how to demonstrate this compliance, having a current Commercial Fishing Vessel Safety Decal (not more than two years old), is the most straightforward method.

This examination requirement is one of several new mandates established by the Coast Guard Authorization Act of 2010. While there is additional background on these pending mandates on [www.fishsafe.info](http://www.fishsafe.info), the Authorization Act establishes a mandatory examination requirement if you operate beyond three nautical miles of the baseline of the U.S. territorial sea or the coastline of the Great Lakes, regardless of whether your vessel is State-registered or Federally-documented. It also applies to vessels operating anywhere with more than 16 individuals on board and to fish tender vessels engaged in the Aleutian Trade.

The most straightforward way to demonstrate compliance will be by having a current Commercial Fishing Vessel Safety Decal. As of October 16th, a valid decal is honored as proof of compliance. Two additional methods include having a "Form CG-5587" signed by a Coast Guard examiner, or having a signed letter of compliance from an accepted third party organization (marine surveyor) as proof that your vessel passed an examination and is compliant with the current regulations.


To arrange for an examination, or to obtain more information

on the other compliance methods, please contact your local Coast Guard Sector, Marine Safety Unit, or Field Office. You may also request an examination through a link on the [www.fishsafe.info](http://www.fishsafe.info) website. If you have any additional questions, please contact Mr. Jack Kemerer, Chief of the Fishing Vessels Division at Coast Guard Headquarters (CGCVC3@uscg.mil), or a District program coordinator listed on the website.

The Coast Guard is updating regulations that apply to all U.S. commercial fishing vessels, fish processing vessels, and fish tender vessels. When the updates are finished, a new Coast Guard Certificate of Compliance form will be issued at the end of an examination. In the interim, the Coast Guard will accept a valid safety decal or signed exam form.

In summary, if you operate your vessel beyond the "three-mile line" as of October 16, 2012, you must be able to demonstrate your vessel is in compliance with current safety regulations. Therefore, if your vessel has not recently been examined dockside, or it has never undergone a safety exam, you should complete a biennial safety examination as soon as possible.

Also, if you are entering fishery operations for the first time on or after October 16, 2012, your vessel must pass an exam before it begins commercial fishing operations.

Finally, if you operate beyond the "three-mile line" after October 16th without the vessel being in compliance with the current regulations, your operation may be subject to enforcement action, including civil penalties, termination of the vessel's voyage, or other operational controls. 

### Appointments, continued from page 10

Ancona; *Mid-Water Trawl Seat*: Ms. Heather Mann; *Trawl At-Large Seats*: Mr. Brent Paine, Mr. Kevin Dunn; *Open Access South of Cape Mendocino Seat*: Mr. Daniel Platt; *Open Access North of Cape Mendocino Seat*: Mr. Jeffery Miles; *Processors At-Large Seats*: Ms. Susan Chambers, Mr. Tom Libby; *At-Sea Processor Seat*: Mr. Dan Waldeck; *California Charter South of Point Conception Seat*: Mr. Louis Zimm; *California Charter North of Point Conception Seat*: Mr. Bob Ingles; *Oregon Charter Seat*: Mr. Wayne Butler; *Washington Charter Seat*: Mr. Mark Cedergreen; *Sport Fisheries At-Large Seats*: Mr. John Hol-

loway, Mr. Dave Seiler, Mr. Tom Marking; *Conservation Seat*: Mr. Shems Jud; *Tribal Seat*: Mr. Steve Joner.


**Highly Migratory Species Management:** *Commercial Troll Seat*: Mr. Wayne Heikkila; *Commercial Purse Seine Seat*: Mr. August Felando; *Commercial Gillnet Seat*: Mr. Steve Fosmark; *Commercial Fisheries At-Large Seats*: Mr. Pete Dupuy, Mr. Doug Fricke, Mr. William Sutton; *Processor South of Cape Mendocino Seat*: Mr. Steve Foltz; *Processor North of Cape Mendocino Seat*: Mr. Pierre Marchand; *California Charter Seat*: Mr. Mike Thompson; *Washington/Oregon Charter*

*Seat*: Ms. Linda Buell; *Private Sport Seat*: Mr. Bob Osborne; *Conservation Seat*: Mr. Charles Farwell; *Public At-Large*: Ms. Pamela Tom.

**Salmon Advisory Sub-panel:** *California Troll Seat*: Mr. Aaron Newman; *Oregon Troll Seat*: Mr. Paul Heikkila; *Washington Troll Seat*: Mr. Jim Olson; *Commercial Gillnet Seat*: Mr. Kent Martin; *Processor Seat*: Mr. Gerald Reinholdt; *California Charter Seat*: Mr. Craig Stone; *Oregon Charter Seat*: Mr. Mike Sorenson; *Washington Charter Seat*: Mr. Butch Smith; *California Sport Seat*: Mr. Marc Gorelnik; *Oregon Sport Seat*: Mr. Richard

Heap; *Washington Sport Seat*: Mr. Steve Watrous; *Idaho Sport Seat*: Dr. Richard Scully; *Washington Tribal Seat*: Vacant; *California Tribal Seat*: Mr. Dave Hillemeier; *Conservation Seat*: Mr. Jim Hie.

**Scientific and Statistical Committee** *At-Large*: Dr. Vladlena Gertseva, Dr. Selina Heppell, Dr. Daniel Huppert, Mr. Tom Jagielo, Dr. Todd Lee, Dr. André Punt, and Dr. William Satterthwaite.

The Council also appointed Mr. Alan Sarich to fill the tribal seat on the Coastal Pelagic Species Management Team. 

## Coming Up at the March 2013 Council Meeting

The next Council meeting will be held in Tacoma, Washington on March 6-11 2013. The Briefing Book will be available on the Council website in late February ([www.pcouncil.org](http://www.pcouncil.org)).

### Groundfish

- National Marine Fisheries Service (NMFS) Report
- Status determination criteria for data-moderate stocks
- Inseason adjustments, including carryover
- Amendment 24 (improved management process)

### Salmon

- Approve review of 2012 fisheries & Preseason Report I on 2013 stock abundance forecasts &

status determinations

- Adopt 2013 management alternatives for public review
- NMFS report

### Pacific Halibut

- Report on the Annual International Pacific Halibut Commission Meeting
- South of Humbug Policy Committee report
- Adopt incidental troll catch recommendations for public review

### Highly Migratory Species

- NMFS Report including alternative gear impacts
- Swordfish management report on changes to turtle conservation area and take caps
- International matters including US/Canada albacore treaty, WCPFC Northern Committee albacore rules, and IATTC.

### Coastal Pelagic Species

- Approve final 2013 exempted fishing permit(s)

### Other

- Council info session: Groundfish Amendment 24 (improved management process)
- Habitat issues
- Approve final five-year research plan
- Annual USCG fishery enforcement report

*"I never drink water because of the disgusting things that fish do in it." –W. C. Fields*

*Western and Central Pacific Fisheries Commission report, continued from page 10*

However, the purse seine fishery is mainly managed with effort limits, which have not reduced fishing mortality enough to end overfishing.


The meeting resulted in an interim measure for 2013 and a long-term plan to bring the fishing mortality rate on bigeye down to the maximum sustained yield level by 2017. Long-term measures will be developed in 2013 and considered by the full Commission in December 2013. The interim measure for 2013 continues longline catch limits by countries. A three-month seasonal prohibition on setting on FADs in the purse seine fishery is included, with two options for an additional closure period. (Scientific evaluation indicates that a six-month FAD closure would be necessary to end bigeye tuna overfish-

ing.) Additional measures are intended to limit overall fishing effort in the purse seine fishery.

There were a number of other important outcomes of the meeting. A conservation and management measure to limit catch of Pacific bluefin tuna in 2013, another overfished species, was adopted. Another measure prohibits setting purse seine nets on a tuna school when a whale shark is sited in its midst and establishes safe handling and release guidelines in the event one is accidentally encircled. This proposal was originally put forward by Australia in 2010 but until now concerns about whether skippers could intentionally avoid encircling these large sharks stymied adoption of a protection measure. The adopted measure was sponsored jointly with Japan,

one of the countries concerned about the question of whether "intentionality" could be determined. The Commission also agreed to a proposal developed by the IATTC describing how to manage vessels that fish in the area in Eastern Pacific where the Convention Areas of the two organizations overlap.

At its November 2012 meeting the Council made recommendations for U.S. positions at the WCPFC meeting. The Council emphasized that adopted measures should be equitable and enforceable, noting that compliance by all member countries is a weak link and that the WCPFC is developing mechanisms to track how well members are complying. At WCPFC9, the current compliance monitoring scheme was extended through 2013. Under

the scheme the Commission Secretariat compiles compliance reports for each member based on information they submit. A summary report based on this information is then reviewed by the Commission. The measure envisions a set of responses by the Commission to non-compliance by a member, but this element has not yet been implemented. The U.S. has been seeking a permanent measure which, eventually, would describe specific responses by the Commission to non-compliance by members. Another weakness of the scheme is that it relies on self-reporting by members. As the scheme is developed mechanisms to confirm member submitted information would be an important component. 

*Enforcement report, continued from page 12*

dar Creek. The trooper watched one subject as he caught a steelhead with his hands and threw the fish onto the bank. The subject then put a hook in the fish's mouth and returned the fish to the river, proceeding to fight the fish to exhaustion, land the fish, then kick it into the water, where it floated downstream belly up. He snagged multiple fish, placed one fish on another person's harvest tag, and continued to fish after retaining a daily limit of steelhead.

Upon contact with this subject, he told the trooper that this was the only way to catch fish in Three Rivers. The subject was taken into custody and lodged in the Tillamook County Jail on charges of Angling Prohibited Method - Snagging, Borrowing Angling Harvest Card, Continuing To Angle After Retention Of Bag Limit, Fail To Release Fish Unharmed, and Unlawful Possession Steelhead. The other two subjects were cited and released for Angling Prohibited Method - Snagging and Loaning Angling Harvest Card.

**Halibut Patrol:** Two Newport, Oregon state troopers conducted an all-depth halibut

ocean patrol on Chicken Ranch and Stonewall Banks, 27 miles offshore. In the 10 boats and

Lingcod (three fish seized), one for Exceeding the Daily Limit of Halibut (one fish seized), three

her residence early in the morning and was arrested without incident in front of her home.

She was then booked into jail. • Wardens along the Central California coast went to court on a case involving a deck hand on a local charterboat in possession of a coho salmon. He was found guilty in the Oakland Superior Court and chose 107 hours of community service instead of a \$1070 fine. They also assisted the Monterey County Sheriff's Department with a search warrant in Carmel Valley. The property owner was under



*Perfectly legal halibut fishing (WDFW)*

23 anglers they contacted, the troopers discovered that off-shore compliance was low. They issued four citations for Fail to Validate Halibut Harvest Card, one for Possession of Altered Harvest Tag, one for Continuing to Angle after Limits, one for Unlawful Possession of Arrowtooth Flounder (one fish seized), and two for Angling Prohibited Method - Barbed Hooks. They also issued nine warnings for license and angling violations. Additionally, the troopers issued three anglers in one boat criminal citations, one for Unlawful Possession of Canary Rockfish (three fish seized), one for Unlawful Possession of

for Fail to Validate Salmon Harvest Card, and one for Continuing to Angle after Limits. They also warned one angler in the boat for Unlawful Possession of Greenstriped Rockfish (one fish seized) and one for Unlawful Possession of Yelloweye Rockfish (one fish seized). The Troopers donated all of the seized fish to the Lincoln County Food Share.

**California Shorts:** California Dept. of Fish and Wildlife wardens in Southern California assisted agents from NOAA-Office of Law Enforcement on an arrest warrant for a subject who was being investigated for labeling vitamin products as Harp Seal Oil. The subject left

investigation for illegally growing marijuana. In addition to cultivation, the owner was involved in illegal streambed alterations and water rights violations. • An officer completed three undercover salmon purchases from an unlicensed person dealing in undocumented salmon caught by unrelated commercial fishermen. Four officers arrested the suspect after completing a cash deal for the salmon. Officers recovered 23 whole fish, smoked/processed salmon, salmon roe, cash, coolers, marijuana, and a 1993 Subaru for forfeiture processes. The suspect will be charged for felony fish dealing in the 1st degree. 🐟

*Trawl rationalization trailing actions, continued from page 1*

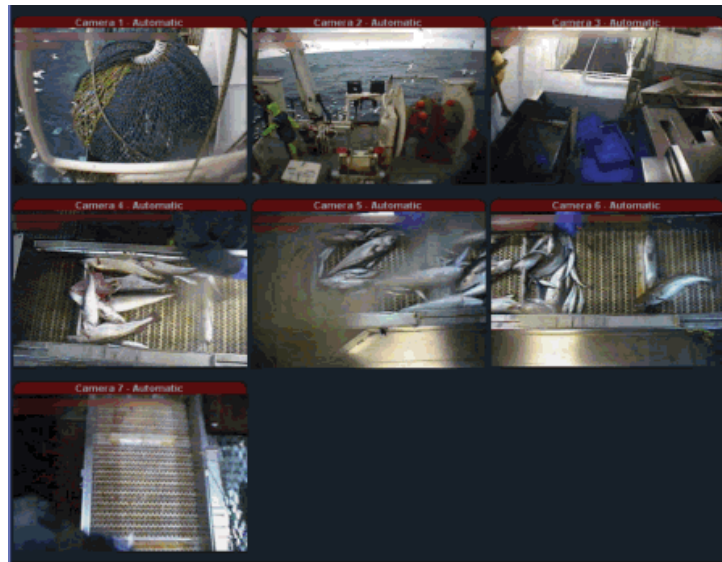
there may be a change in the quota share allocation within a sector.” The Council is considering whether and how widow quota share allocations might be adjusted, and recommended that the moratorium on trading of widow quota shares be extended until any changes to widow rockfish quota share reallocation are fully implemented. Originally, the Council was scheduled to adopt alternatives for analysis at its November 2013 meeting, but due to time and staffing constraints, the issue was postponed indefinitely.

### Electronic Monitoring

The cost of observer coverage is a major concern to the fleet, particularly for smaller vessels and vessels fishing out of smaller communities. Reimbursement of expenses for observer coverage is expected to end sometime after 2013. Replacing observers with electronic monitoring equipment may help ease these concerns. A field study on electronic monitoring is being carried out by Pacific States Marine Fisheries Commission and is expected to continue in 2013. A workshop on the subject will be held February 25-27, 2012. At the April 2013 Council meeting, the Council will hear a report on the 2012 study results, and begin scoping on the electronic monitoring issue. However, even if electronic monitoring is a feasible solution, it is unlikely to be in place before 2015.

### Cost Recovery Program

In September 2011, the Council finalized the structure of the trawl rationalization cost recovery program, which is expected to begin in the spring of 2013. Fees will be recovered from that date forward, not retroactively.



*An example of electronic monitoring screen shots from Archipelago Marine Research Ltd.*

actively. The initial amounts to be recovered will not exceed more than 3 percent of exvessel revenue for the shorebased sector, 2 percent for the mothership sector, and 1 percent for the catcher-processor sector.

In order to create a more efficient system that integrates with the current buyback loan fee system, cost recovery for trawl rationalization will cover all species of groundfish rather than just species covered by individual fishing quota and at-sea sector Pacific whiting. The Council encouraged NMFS to use the same form for buyback and trawl rationalization cost recovery, in order to ease the paperwork burden on participants. The Council also agreed with NMFS that if the owner or operator of a vessel registered to a mothership or catcher/processors-endorsed limited entry permit is not the same as the limited entry permit owner, and the owner or operator of the vessel is found to be responsible for non-payment, then the limited entry permit could still be renewed.

### Chafing Gear

The Council approved a provision to allow the sides and bottom of the cod-end on mid-water trawl gear to be covered with a single panel of chafing gear over the entire length of the cod-end to reduce wear and prolong the life of the cod-end. The change was made to restore fishermen's ability to use chafing gear to what it was before a recent reinterpretation of the regulations, and to allow them to use the same nets in Alaska and on the West Coast. Current regulations were recently re-interpreted as requiring that chafing gear can only cover the last 50 meshes of the codend. As previously interpreted, chafing gear coverage was allowed the entire length of the codend but was restricted to 50% of the circumference of the codend; and individual panels of the chafing gear could be no more than 50 meshes.

### Safe Harbors for Lenders


The Council sought to clarify which entities qualify as lenders entitled to an exception from the quota share control limit, as well as the nature of the exemptions. The Council

recommended specifying that for the purpose of the control rule exception, “banks and other financial institutions” be restricted to entities “regularly or primarily engaged in the business of lending and not engaged in or controlled by entities whose primary business is the harvest, processing, or distribution of fish or fish products.” With respect to the exception provided, the Council recommend that it be limited to matters related to the cause, delay, or prevention of the transfer of quota (paragraphs (c) and (g) of 660.140(d)(4)). Other exceptions for lenders currently included in the control rule would be eliminated.

### Whiting Season Opening Date

The Council recommended a single coastwide opening for the whiting season of May 15. Currently the whiting season for the at-sea sector (mothership and catcher-processor) opens on May 15, and the shorebased fishery in the north opens on June 15. Additionally, there are early season openings for the shore-based fishery in California. If approved, the recommendation for a single coastwide opening would not be implemented until the 2014 season.

### Whiting Surplus Quota Pound Carryover Provision

The Council held a workshop to discuss whiting surplus quota pound carryover provisions. A surplus carryover of 2011 quota pounds was not allowed in 2012. The Council recommended that the 2012 process, which resulted in no carryover, be followed for future years, but that the issue be revisited as part of the five-year program review. 

## Schedule of Events

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

### Salmon Technical Team Work Sessions

**Purpose:** To draft "Review of 2012 Ocean Salmon Fisheries, Stock Assessment and Fishery Evaluation Document for the Pacific Coast Salmon Fishery Management Plan" (January) and "Preseason Report I-Stock Abundance Analysis and Environmental Assessment Part 1 for 2013 Ocean Salmon Fishery Regulations" (February).

**Date:** January 22-25 and February 19-22, 2013

**Location:** Pacific Fishery Management Council office, Portland, OR

**Contact:** Mike Burner ([mike.burner@noaa.gov](mailto:mike.burner@noaa.gov))

### Highly Migratory Species Management Team

**Purpose:** To consider a regulatory limit on the annual number of incidental take interactions allowed in the California drift gillnet fishery, and to begin work on the next Stock Assessment and Fishery Evaluation document.

**Date:** January 23-25, 2013

**Location:** NMFS Southwest Fisheries Science Center, La Jolla, CA

**Contact:** Kit Dahl ([kit.dahl@noaa.gov](mailto:kit.dahl@noaa.gov))

### Coastal Pelagic Species Management Team & Advisory Subpanel Conference Call

**Purpose:** To discuss the Council's Fishery Ecosystem Plan, which is scheduled to be adopted at the Council's April 2013 meeting, and to discuss other matters.

**Date:** January 29, 2013

**Location:** Pacific Fishery Management Council, Portland, OR (listening station).

**Contact:** Kerry Griffin ([kerry.griffin@noaa.gov](mailto:kerry.griffin@noaa.gov))

### Workshop on Pacific Sardine Management Strategy and Harvest Control Parameters

**Purpose:** To discuss management of sardine stocks and new information regarding the stocks.

**Date:** February 5-8, 2013

**Location:** Scripps Institution of Oceanography, La Jolla, CA

**Contact:** Kerry Griffin ([kerry.griffin@noaa.gov](mailto:kerry.griffin@noaa.gov))

### Workshop on Electronic Monitoring for Vessels Participating in the Groundfish Trawl Catch Share Program

**Purpose:** To discuss management of sardine stocks and new information regarding the stocks.

**Date:** February 22-27, 2013

**Location:** Portland, OR

**Contact:** Jim Seger ([jim.seger@noaa.gov](mailto:jim.seger@noaa.gov))



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