

Pacific Council News

Spring 2015 | www.pcouncil.org

This newsletter reports on decisions made at the March and April Pacific Fishery Management Council meetings, held in Vancouver, Washington and Rohnert Park, California respectively. The Council recommends commercial & recreational fishery management measures for Federal waters off the coasts of Washington, Oregon, and California. All Council recommendations are subject to approval by National Marine Fisheries Service. [Sign up for other notices here](#). The Council has five public meetings a year. The public comment deadline for the June 2015 Council meeting is May 14; email pfmc.comments@noaa.gov.

<i>Ecosystem</i>	<i>Salmon</i>	<i>Groundfish</i>
<i>Coastal Pelagic Species</i>	<i>Highly Migratory Species</i>	<i>Administration</i>
<i>Enforcement</i>	<i>Halibut</i>	<i>Next Meeting & More</i>

Ecosystem News

- COUNCIL BANS FISHERIES FOR UNMANAGED FORAGE FISH
- CALIFORNIA CURRENT ECOSYSTEM REPORT PRESENTED TO COUNCIL
- NMFS DEVELOPS CLIMATE SCIENCE STRATEGY
- COUNCIL REVIEWS FISHERY ECOSYSTEM PLAN INITIATIVES
- HABITAT REPORT: KLAMATH DROUGHT AND AQUACULTURE IMPACTS

COUNCIL BANS FISHERIES FOR UNMANAGED FORAGE FISH

At its March meeting, the Council prohibited the development of new, directed commercial fisheries for currently unmanaged forage fish without adequate assessments and analyses of potential impacts.

The protection of forage fish was Initiative 1 in the Council's [Fishery Ecosystem Plan](#). The action is intended to recognize the importance of forage fish to the marine ecosystem off the West Coast, and to provide adequate protection for forage fish by prohibiting directed commercial fishing for certain forage fish species while continuing to allow incidental catch of those species.

The Council will amend all four of its fishery management plans to bring unfished and unmanaged forage fish species into the plans as ecosystem component species. After discussion about an appropriate incidental take limit that would not hinder current

fisheries for other species, National Marine Fisheries Service (NMFS) was asked to develop draft regulations for Council review at the September 2015 Council meeting.

CALIFORNIA CURRENT ECOSYSTEM REPORT RELEASED

The third California Current Ecosystem report was presented to the Council in March. The annual report focuses on trends in 22 key environmental, biological, and socioeconomic indicators in the California Current Large Marine Ecosystem, which includes most of the West Coast waters where Council fisheries occur. The report is developed by the Integrated Ecosystem Assessment Team, comprised of staff from the Northwest and Southwest Fisheries Science Centers.

Highlights of the report:

- The Northeast Pacific was dominated by the “warm blob”: record high sea surface temperatures that developed in the Gulf of Alaska and spread to the coast and southward.
- Basin-wide indices trended from El Niño-neutral toward mild El Niño, and the Pacific Decadal Oscillation and North Pacific Gyre Oscillation both shifted from conditions promoting high primary productivity to less productive conditions.
- After a record strong year of coastal upwelling, conditions in 2014 returned to average or slightly below average upwelling. Coupled with the basin scale indices, this would suggest lower primary productivity.
- After several relatively productive years, biomass of energy-rich northern copepod species declined sharply in the fall of 2014.
- Commercial fishery landings increased from 2009-2013, driven largely by Pacific hake and coastal pelagic species; crab and shrimp landings also increased.



The jet stream (NOAA)

Diversification of fishing vessels continued its long-term decline throughout much of the fleet, which may indicate greater risk of highly variable annual revenue. There is some evidence that catch shares have increased vessel safety in the fixed gear sablefish fleet.

[Click here](#) to see the full report.

NMFS DEVELOPS CLIMATE SCIENCE STRATEGY

NMFS has drafted a Climate Science Strategy to address growing demands for climate-related information. The goal is to increase the production, delivery, and use of climate-related information

to inform NMFS and partner activities.

The Strategy focuses on strengthening the collaborative science needed for NMFS and partners to prepare for and respond to changing climate and ocean conditions. The Council sent a letter in support of the climate strategy and describing the Council’s actions to date that relate directly to the strategy.

[Click here](#) to see the Draft NMFS Climate Science Strategy and [click here](#) to see the Council letter commenting on the Strategy.

NMFS: National Marine
Fisheries Service

NOAA: National Oceanic and
Atmospheric Administration

COUNCIL REVIEWS FISHERY ECOSYSTEM PLAN INITIATIVES

At the March Council meeting, the Council reviewed its progress on Fishery Ecosystem Plan Initiatives and adopted a new initiative that focuses on ecosystem indicators. The “Coordinated Ecosystem Indicator Review Initiative” will refine and improve the ecosystem indicators presented in the Annual State of the California Current Ecosystem Report.

The initiatives are part of the Fishery Ecosystem Plan and are intended to bring ecosystem-based principles into the Council decision-making process. The initiatives focus on addressing issues that affect two or more Council fishery management plans, or coordinate major Council policies across plans.

Each year at the Council’s March meeting, the Council and its advisory bodies review progress on the ecosystem initiatives, review potential initiatives, and determine whether they merit Council attention in the coming year.

For the Coordinated Ecosystem Indicator Review Initiative, the Council’s ecosystem advisory bodies will assess the performance of the indicators and how they can be better linked to management decision-making. In addition, the Council asked the Ecosystem Working Group to modify Initiative A.2.8, “Cross-Fishery Management Plan Effects of Climate Shift,” to make it consistent with the NOAA Fisheries Draft Climate Science Strategy. A report on the results of this effort will be provided in September, 2015.

Other current initiatives focus on long-term effects of harvest on age and size distribution of managed stocks, identifying bio-geographic regions, catch and bycatch monitoring, essential fish habitat, safety, human recruitment to fisheries, socioeconomic effects, effects of climate shift, indicators for analyses of Council actions, optimum yield and ecological considerations (new), using climate information for determining closed areas, and developing an indicator of forage base.



The 2002 Klamath fish kill

KLAMATH DROUGHT AND AQUACULTURE IMPACTS DISCUSSED

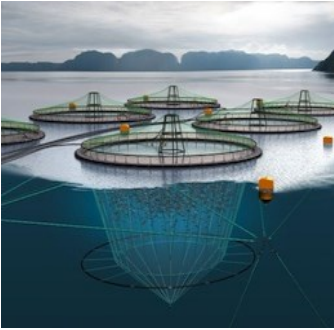
In March and April, the Habitat Committee discussed prevention of fish kills in the lower Klamath River and the Bureau of Reclamation’s plans for flow augmentation in 2015. Current information shows the adult fall Chinook projected run size and hydrologic criteria that trigger additional flows may not be met this summer, but it is difficult to forecast conditions through fall. There is potential for an outbreak of “ich” (*Ichthyophthirius*) in 2015. The Council is sending a letter to the Department of Interior (DOI) regarding protection of Klamath adult Chinook salmon. The letter recognizes DOI’s efforts to develop a long-term plan, expresses concerns about current year water conditions, and urges the DOI to use all authorities to release water as needed to avoid a fish kill this year.

In late December 2014, the DOI released a legal opinion calling for at least 50,000 acre-feet of Trinity Reservoir water to be released annually for the benefit of Humboldt County and downstream water users. The legal opinion was based upon interpretation of the 1955 law that authorized construction of the Trinity River Division of

DOI: Department of Interior
NOAA: National Oceanic and
Atmospheric Administration

the Central Valley Project. The legal opinion reversed a long-held position that the 50,000 acre-feet was not “additional” to the water required to protect Trinity River fish before being available for diversion to the Central Valley. That is, the legal opinion requires this 50,000 acre feet as an additional release.

ROSE CANYON FISHERIES PROJECT



An artist's rendering of an ocean aquaculture project

Don Kent, President of Hubbs-Sea World Research Institute and Chief Executive Officer of Rose Canyon Fisheries, reported to the Council and the Habitat Committee in April on the Rose Canyon Aquaculture proposal, which proposes to raise yellowtail jack, striped bass, and white seabass in floating enclosures. The current proposal would establish the first offshore finfish aquaculture operation in Federal waters. The facility would be located about 4.5 miles offshore in the California Bight. At the sea surface, it could occupy up to about 0.09 square miles, while the anchoring system would encompass up to 3.41 square miles of the sea floor. The Habitat Committee expressed its concerns regarding occurrence and treatment of disease, impacts of feed, displacement of fishing effort, and marine mammal management (e.g., if the pen becomes an attractant).

The proposal is subject to the National Environmental Policy Act and other Federal and state processes, but the timeline for this process is currently unknown.

EELGRASS BEDS AND AQUACULTURE EXPANSION

There are two proposed expansions of aquaculture in eelgrass beds in the Humboldt Bay estuary. As eelgrass and estuaries are habitat areas of particular concern for salmon and groundfish, and these expansions collectively comprise over 20 percent of eelgrass in Humboldt Bay, the Council approved writing a letter on the potential impacts. The projects are proposed by Humboldt Bay Harbor District, affecting about 550 acres, and Coast Seafoods (affecting 980 acres), primarily for culture of oysters and clams. The draft letter will be included in the Council's June briefing book.

Salmon News

COUNCIL SETS 2015 SALMON SEASONS

In April, the Council adopted a set of ocean salmon seasons that provides both recreational and commercial opportunities coastwide. Washington and Oregon fishermen, in particular, will benefit from strong salmon returns in the Columbia River this year. Salmon fisheries in California and Oregon provide access to an expected good return of Sacramento River fall Chinook and Klamath River fall Chinook, while meeting protective measures for Sacramento River winter Chinook, and California Coastal Chinook.

“I am pleased that we were able to provide coastwide commercial and recreational fishing opportunities while meeting or exceeding our conservation goals,” said Council Chair Dorothy Lowman. “It has been impressive to see everyone working together to address our management challenges, including the ongoing drought in California.”

CALIFORNIA AND OREGON SOUTH OF CAPE FALCON, OREGON

An expected abundance of 650,000 Sacramento River fall Chinook, combined with strong coho expectations for the Columbia River, will support ample recreational and reasonable commercial opportunities for ocean salmon fisheries off California and Oregon. The 2015 Columbia River coho abundance forecast in 2015 is over 800,000 fish



Chinook salmon (NOAA)

and will allow for sizable recreational coho opportunities this summer.

The Klamath River fall Chinook abundance forecast for 2015 is over 420,000, an improvement over last year, providing respectable seasons for fisheries in Oregon and California, which are designed to meet conservation objectives and provide adequate spawning populations.

Concerns about the ongoing drought in California led the Council, the state of California and the fishing community to work collaboratively to shape fisheries south of Point Arena, California

in such a way as to provide protections to Sacramento River winter Chinook salmon, while allowing good opportunities to catch the relatively abundant populations of Sacramento and Klamath River fall Chinook.

RECREATIONAL FISHERIES

Recreational fisheries in California and southern Oregon are primarily focused on Chinook salmon and run from May 1 through September 7 in the Brookings/Crescent City/Eureka area. Fisheries further south all opened on April 4 and will continue through November 8 in the Fort Bragg area, through October 31 in the San Francisco area, through September 7 from Pigeon Point to Point Sur, and through July 19 south of Point Sur.

Recreational fisheries off the central Oregon coast will allow Chinook retention from March 15 through October 31. Coho fisheries consist of a 55,000 mark-selective coho quota fishery in mid-summer from Cape Falcon to the Oregon/California border and a 12,500 non-mark selective coho quota fishery in September, open from Cape Falcon to Humbug Mountain.

COMMERCIAL FISHERIES

Commercial fisheries from Cape Falcon to Humbug Mountain, Oregon opened on April 1 and will run through August 27 and September 2 through 30. Fisheries in the Humbug Mountain to California border area will be open April, May, June, July, and August, with Chinook quotas in June (1,800), July (1,000), and August (500). Fisheries from the California border to Humboldt South Jetty will open on September 11 with a 3,000 Chinook quota.

Between Horse Mountain and Point Arena (in the Fort Bragg area), commercial Chinook salmon fisheries will be open for the full month of May, June 15 to 30, July 12 through August 26 and September 1 to 30.

In the area from Point Arena to Pigeon Point (San Francisco), the season will be open in May, June 7 to 30, July 8 to August 29, and the month of September. From Pigeon

Point to the Mexico border (Monterey), the Chinook season will be open May 1 to 31, June 7 to 30, and July 8 to 31. The area between Pigeon Point and Point Sur will also be open from August 1 to 15. There will also be a season from Point Reyes to Point San Pedro, open October 1 to 2, 5 to 9, and 12 to 15.

WASHINGTON AND NORTHERN OREGON (NORTH OF CAPE FALCON)

Fisheries north of Cape Falcon (near Nehalem in northern Oregon) depend largely on Columbia River stocks. Columbia River fall Chinook and coho returns are expected to return at high levels. However, fisheries were constrained by measures to conserve Chinook stocks in Puget Sound and coho stocks in the Queets River and the interior Fraser River Basin.

North of Cape Falcon, there is an overall non-Indian total allowable catch of 131,000 Chinook and 170,000 marked hatchery coho.

RECREATIONAL FISHERIES

A mark-selective Chinook season north of Cape Falcon begins May 30 off the Columbia River and Westport, and May 16 off La Push and Neah Bay. This fishery ends June 12, or when 10,000 marked Chinook are caught in all port areas combined.

The recreational fishery north of Cape Falcon opens to all salmon on June 13 and ends September 30 or when Chinook or coho quotas are reached. The preseason coho quota for all port areas combined is 150,800. For details, please see the season descriptions on the Council website at www.pcouncil.org.

COMMERCIAL FISHERIES

Non-Indian ocean commercial fisheries north of Cape Falcon include traditional Chinook seasons in the May-June timeframe and all-salmon seasons in the late-June-to-September timeframe. The Chinook quotas of 40,200 in May-June and 26,800 in the all-salmon season are moderately higher than the 2014 quotas. The coho quota of 19,200 is a considerable decrease from 2014's quota of 35,200.

Tribal ocean fisheries north of Cape Falcon are similar to 2014 with Chinook and coho quotas of 60,000 and 42,500 respectively.

PROCESS

The decision was forwarded to NMFS for approval and implementation. In addition, the coastal states will decide on compatible state-managed ocean and freshwater fishery regulations at their respective Commission hearings.



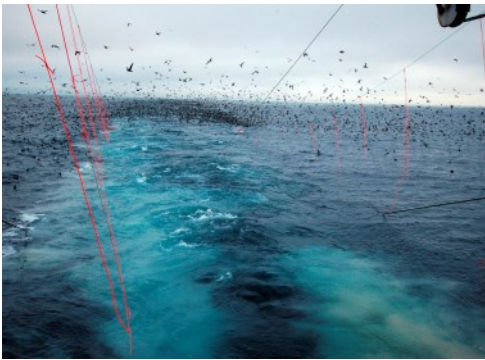
Salmon troller (Washington Trollers Association)

Groundfish News

- COUNCIL AND NMFS DISCUSS ENDANGERED SPECIES ACT RECONSULTATION FOR SALMON AFFECTED BY GROUND FISH FISHERY
- COUNCIL ADOPTS SEABIRD PROTECTION MEASURES FOR GROUND FISH FIXED GEAR VESSELS
- CHANGES TO GROUND FISH ESSENTIAL FISH HABITAT AND ROCK FISH CONSERVATION AREA CONSIDERED
- COUNCIL FINALIZES RECOMMENDATIONS ON WIDOW ROCK FISH QUOTA SHARE REALLOCATION AND DIVESTITURE
- COUNCIL CONSIDERS REALLOCATING BLACK GILL, SLOPE ROCK FISH
- IN SEASON ADJUSTMENTS TO GROUND FISH FISHERIES

COUNCIL, NMFS DISCUSS ESA RECONSULTATION FOR SALMON

In April, NMFS sought input from the Council on take thresholds for species listed under the Endangered Species Act (ESA), and management measures to be invoked if the thresholds are met.



Fishing with streamer lines to deter birds (NOAA)

Under the ESA, Federal agencies must consult with NMFS on activities that may affect a listed species. These interagency consultations, or Section 7 consultations, are designed to ensure that Federal actions do not jeopardize the continued existence of a species or destroy critical habitat. If NMFS determines that an action would jeopardize a species or its critical habitat, NMFS will suggest Reasonable and Prudent Alternatives. NMFS reports these determinations in biological opinions, which may provide exceptions to allow for some take of listed species.

NMFS first issued a biological opinion for the take of listed salmonids in the groundfish fishery on August 10, 1990. Since then, NMFS has reinitiated Section 7 consultation and produced a biological opinion seven times for this action. On January 22, 2013, NMFS Sustainable Fisheries Division requested to reinitiate Section 7 consultation for listed salmonids to address changes in the groundfish fishery, including the trawl rationalization program and the emerging midwater trawl fishery targeting species other than Pacific whiting. NMFS expanded the scope of the request, to address the effects on listed salmonids of all fishing under the Pacific Coast Groundfish Fishery Management Plan, including the Pacific whiting and non-whiting fisheries and all gears.

The Council will receive an update on catch levels and stock composition at its June meeting and is scheduled to provide recommendations to NMFS at its September meeting.

SEABIRD PROTECTION MEASURES ADOPTED

In 2013, the Council adopted seabird bycatch mitigation measures for groundfish fixed gear vessels. A final rule to implement the measures is expected to be published this year. The action is intended to minimize takes of endangered short-tailed alba-

ESA: Endangered Species Act
NMFS: National Marine Fisheries Service
NOAA: National Oceanic and Atmospheric Administration

tross and comply with a 2012 Biological Opinion issued by the U.S. Fish and Wildlife Service.

Washington Sea Grant is holding meetings in West Coast ports to brief fixed-gear fishermen about the results of 2014 research and the current status of North Pacific albatross species, and obtain input from fishermen on seabird avoidance measures. [Visit Washington Sea Grant](#) for more information.

CHANGES TO GROUND FISH ESSENTIAL FISH HABITAT, ROCKFISH CONSERVATION AREA CONSIDERED

In December 2010, the Council initiated a review of Pacific Coast groundfish essential fish habitat (EFH). The review was completed in March 2014, at which time the Council determined that new information warranted possible changes to groundfish EFH.



Sea grasses are “habitat areas of particular concern” for groundfish (NOAA)

The Council has recently considered Rockfish Conservation Area (RCA) changes and other area modifications, which in many cases overlap with EFH closed areas. At its April meeting, the Council asked NMFS and Council staff to begin developing a range of alternatives for consideration in September 2015. In addition to alternatives addressing EFH provisions, revisions to the current RCA boundaries will also be included. As an interim step, a collaborative industry/nongovernmental organization group will

provide preliminary suggestions for RCA and EFH closed area modifications at the June 2015 Council meeting in Spokane, Washington. In addition to spatial overlap, the impacts and benefits of fishing area closures—whether for species protection or habitat conservation—are essentially identical. Therefore, considering both RCA and EFH changes together will be a more efficient approach from both an analytical and a policy perspective.

COUNCIL FINALIZES RECOMMENDATIONS ON WIDOW ROCKFISH QUOTA SHARE REALLOCATION AND DIVESTITURE

In April, the Council finalized recommendations on reallocation of widow rockfish quota shares among quota share owners, and the deadlines by which everyone will need to have their quota shareholdings below control limits.

When the trawl rationalization program was implemented, shares for overfished species such as widow rockfish were allocated to meet fishermen’s bycatch needs based in part on the amount of quota shares they received for non-overfished species. Widow rockfish is no longer overfished, so the program requires the Council to consider reallocating quota shares for widow (and any other overfished species that is subsequently rebuilt). Additionally, at the start of the program, some individuals were given quota shares in amounts that exceeded control limits and a deadline (November 30, 2015) by which they had to divest down to those limits. Because of the Council’s pending consideration of widow reallocation, widow quota shares have not been tradeable, making it impossible for individuals to divest of their excess.

The Council’s recommended reallocation formula for widow rockfish quota shares includes elements similar to the formula used for non-overfished species when the pro-

EFH: Essential fish habitat
RCA: Rockfish Conservation Area

gram was first implemented. A portion of the shares will be allocated based on non-whiting trip landing history, a portion based on whiting trip landing history, and a portion will be equally allocated. Additionally, 10 percent of the widow quota shares will continue to be set aside for the adaptive management program.

The shares allocated for nonwhiting trip widow landing history will be based on 1994-2002 landings. Landings for each year will be measured as a percent of the total fleet landings in that year, and the worst three years will be dropped from the calculations. The shares allocated for whiting trip landing history will be based on the amount of whiting quota shares allocated; widow shares will be allocated in proportion to the amount of whiting shares a given account received at the start of the program. Additionally, approximately 30 percent of the widow quota shares will be allocated equally among all permits.



Widow rockfish in Soquel Canyon (NOAA)

Quota shares were originally distributed based on the activity of limited entry trawl permits. At the start of the program, a quota share account was created for the owners of those permits, and shares were initially deposited into that account. Widow shares will be redistributed among existing accounts based on the history of the limited entry permits originally used to create those accounts.

The Council recommended that individuals be given one year after the widow quota share reallocation is complete to bring themselves below the widow rockfish control limit of 5.1 percent. Additionally, there is a limit of the total amount of nonwhiting quota shares an individual may control (the aggregate nonwhiting species control limit or aggregate limit). This aggregate limit is 2.7 percent and includes widow quota shares. Even though widow shares are not transferable, the Council recommended that individuals be required to divest down to the aggregate limit by the November 30, 2015 deadline. This means that they will need to divest of species other than widow rockfish to bring themselves within the limit. After widow quota shares are reallocated, if any entity is pushed over the aggregate limit by that reallocation, they will have up until the widow divestiture deadline to bring themselves within the aggregate limit.

The Council also recommended that individuals be provided the option of “abandoning” quota shares to bring themselves within the limits by the deadline. This option was provided in response to concerns expressed by the industry that for some species it may not be possible to find willing buyers. Abandoned quota shares would be redistributed among other share owners in proportion to their holdings of the species abandoned, except that no one would be distributed quota shares in amounts that would put them over a control limit.

COUNCIL CONSIDERS REALLOCATING BLACKGILL, SLOPE ROCKFISH

The Council is considering restructuring the Slope Rockfish complex south of 40°10' N. latitude by removing blackgill rockfish from the complex and reallocating the harvestable surplus of both blackgill rockfish and the remaining stocks in the “Slope Rockfish South” complex. Draft alternatives for making this change were chosen for detailed analysis in April.

According to the most recent assessment of blackgill rockfish (2011), the stock is in the precautionary zone, with a 30 percent depletion rate. Therefore, the Council and

NMFS specified very low cumulative landing limits for the non-trawl sectors to reduce any incentive to target blackgill rockfish. As a result, blackgill rockfish landings in the non-trawl sectors have been at a reduced level since 2013, when the regulation was put in place; however, some targeting of blackgill rockfish in the trawl individual fishing quota (IFQ) fishery continues because trawl quotas are managed at the complex level (i.e., the Slope Rockfish South complex) and not the individual stock level.

If blackgill rockfish were removed from the complex and managed separately as a quota species, trawl targeting of blackgill rockfish could be reduced through the trawl allocation of blackgill and IFQ management.



Blackgill rockfish (NOAA)

The Council adopted the range of allocation alternatives recommended by the Groundfish Advisory Subpanel for further detailed analysis at their April meeting. The Council is scheduled to discuss alternatives contemplating quota share allocations of blackgill and the remaining slope rockfish species managed at the complex level to limited entry trawl permits at the June 2015 meeting. Final action on this initiative is tentatively scheduled for the September 2015 Council meeting.

INSEASON ADJUSTMENTS TO GROUND FISH FISHERIES

In 2014, the Council took action under Amendment 24 to designate the following species as ecosystem component species: finescale codling, soupfin shark, spotted ratfish, all endemic skates except longnose skate, and all endemic grenadiers. National Standard 1 guidelines indicate that ecosystem component species should not be targeted, generally not be retained for sale or personal use, not be subject to overfishing, and not determined to be overfished or approaching the overfishing limit. Revised data indicate landings and sales of big skate that were substantially higher than previously estimated. Big skate mortality may have been close to, or exceeded, the component harvest specifications big skate contributed to the Other Fish Complex in 2014.

The Council recommended implementing big skate trip limits for the shorebased IFQ program of 15,000 pounds for the month of June and 20,000 pounds per two months for periods 4-6. The Council is scheduled to reconsider the ecosystem component designation for big skate or embark on a broader consideration for all skates (e.g., explore a skate complex) during the development of the 2017-2018 regulations. Council decision-making on 2017-2018 harvest specifications and management measures begins in September 2015.

The Council also recommended NMFS issue surplus carryover for all non-whiting IFQ species in the shorebased IFQ program where the annual catch limit is less than the acceptable biological catch. The Council recommended NMFS issue eligible carryover pounds up to the point where the annual catch limit plus surplus carryover equals the acceptable biological catch.

IFQ: individual fishing quota
NMFS: National Marine
Fisheries Service

Halibut News

INCIDENTAL CATCH OF PACIFIC HALIBUT IN THE SALMON TROLL AND FIXED GEAR SABLEFISH FISHERIES

The Council confirmed the existing Pacific halibut landing ratios for the commercial salmon troll fisheries will remain in place from May 1, 2015 through December 31, 2015 and April 1-30, 2016, unless modified by inseason action. The limit is no more than one halibut per each four Chinook, except one halibut may be landed without meeting the ratio requirement and no more than 12 halibut may be possessed or landed per trip.

The Council also confirmed the existing Pacific halibut landing restrictions for the sablefish primary fixed gear fishery north of Pt. Chehalis, Washington from April 1, 2015 to October 31, 2015. The limits are 75 pounds dressed weight of halibut for every 1,000 pounds dressed weight of sablefish landed and up to two additional halibut in excess of the ratio per landing.



Bob Emmett passed away on April 27 after a prolonged and valiant fight against cancer. Bob was known for working tirelessly on a number of issues related to fisheries, from forage fish to salmon to predator-prey interactions, and was a leader in his field and an inspiration to many young scientists whom he mentored. He retired from government service last summer.

NMFS: National Marine Fisheries Service

Coastal Pelagic Species News

2015-2016 SARDINE SEASON CLOSED; COUNCIL RECOMMENDS CLOSING REMAINDER OF 2014-2015 SEASON

At its April meeting, the Council recommended closing the 2015-16 Pacific sardine fishery to directed commercial fishing.

Council members heard from scientists that the abundance forecast for the 2015-2016 season, scheduled to start July 1, was below the 150,000 metric ton threshold to support a directed commercial fishery. They also heard testimony from fishery participants and environmental groups before reaching the decision. Small amounts of sardines may be taken incidental to target fishing on other stocks, and the Quinault Indian Nation intends to harvest 1,000 mt—25 percent of their previous years' intended harvest. The Council established an annual catch limit of 7,000 mt to account for Tribal harvest, incidental harvest, and to account for live bait, research, and other minor sources of mortality.

The Council also recommended that NMFS close the current season's directed fishery as quickly as possible, to ensure that catch does not exceed the amount allocated to directed harvest. NMFS subsequently announced a closure as of April 28th, 2015. With the directed fishery closed, an allowance for incidental catch in other coastal pelagic species fisheries kicks in for the remainder of the current fishing year.

Sardines are subject to large natural population swings associated with ocean conditions. In general, sardines thrive in warm water regimes, such as those of the 1930s, and decline in cool water years, like the 1970s. After reaching a recent year peak of about one million metric tons in 2006, the sardine biomass has dropped to an estimated 97,000 metric tons this year.

Highly Migratory Species News

- COUNCIL REVIEWS AND APPROVES EXEMPTED FISHING PERMITS
- COUNCIL POSTPONES FINAL ACTION ON THE DRIFT GILLNET MANAGEMENT, MONITORING PLAN UNTIL JUNE, PENDING ADDITIONAL ANALYSIS
- INTERNATIONAL HIGHLY MIGRATORY SPECIES ACTIVITIES



Pete DuPuy, who passed away in April, was a long-time fixture in the Council process and a tireless advocate for sustainable fisheries.

COUNCIL REVIEWS AND APPROVES EXEMPTED FISHING PERMITS

The Council reviewed five exempted fishing permit (EFP) applications to test alternative gears and methods for the current California large mesh gillnet fishery targeting swordfish. The Council approved [an application](#) submitted by the late Pete Dupuy with John Gibbs and David Haworth to test pelagic longline gear inside the west coast Exclusive Economic Zone under the following conditions: only one vessel to be permitted (as opposed to the three proposed by the applicants); applicants must specify the level of expected fishing effort beyond the first six months of the term of the EFP; fishing is prohibited within 50 miles of the mainland shore and islands; a bycatch limit for marlins is to be developed by NMFS; and the fishery would close for the remainder of the year if the bycatch limit is reached.

The Council also approved [an application](#) submitted by Pflieger Institute of Environmental Research to test buoy gear without additional conditions; and approved [an application](#) submitted by Stephen R. Mintz to test buoy gear, with the requirement that NMFS work with the applicant to identify specific procedures for data collection, analysis, and reporting.

The Council approved the portion of the Tim and Laura Perguson [application](#) involving the testing of buoy gear.

The Council asked that the Alliance of Communities for Sustainable Fisheries application be revised and resubmitted June 2015. Revisions should provide enough detail for the Scientific and Statistical Committee to review the scientific design component of the proposal.

All of the approved EFPs will be subject to 100 percent observer coverage. NMFS will close fishing under any EFP for the rest of the calendar year if there is “take” of an ESA-listed species that is either double the amount of incidental take estimated in an ESA biological opinion prepared for that activity, or 10 animals, whichever is less.

FINAL ACTION ON DRIFT GILLNET MANAGEMENT MONITORING PLAN POSTPONED

The Council has deferred final action on adopting hard caps on certain high priority protected species (including certain whales, sea turtles, and dolphins) for the drift gillnet fishery.

The Council asked the Highly Migratory Species Management Team to analyze a second preliminary preferred alternative proposed by the California Department of Fish and Wildlife. This alternative would establish hard caps on certain protected species, based on observed entanglement in drift gillnet fishing gear. The management team

EFP: Exempted fishing permit
ESA: Endangered Species Act
NMFS: National Marine Fisheries Service

will conduct additional analyses, including looking at how many observers are necessary to estimate protected species bycatch with reasonable accuracy. They will report their results in June 2015, and final action is tentatively scheduled for September.

INTERNATIONAL HIGHLY MIGRATORY SPECIES ACTIVITIES

[NMFS reported](#) on issues that may emerge at the June 30-July 3, 2015, Inter-American Tropical Tuna Commission (IATTC) Annual meeting including conservation measures for silky sharks, shark finning, seabird take in longline fisheries, illegal, unreported and unregulated fishing, and a port inspection regime.



NMFS published a [proposed rule](#) to implement domestic regulations for the resolution on the Conservation of Pacific Bluefin Tuna, which the IATTC adopted in October 2014. The proposed rule, in accordance with the advice from the Council, includes catch and trip limits that apply to U.S. commercial vessels that fish for Pacific bluefin tuna in the eastern Pacific Ocean during 2015 and 2016. The rule proposes a 600 mt catch limit for both years combined, but not to exceed 425 mt in a single year. Further, the rule specifies that if U.S. catch exceeds 300 mt in 2015, then U.S. catch may not exceed 200 mt in 2016. In each year, NMFS is proposing a trip limit of 20 mt until catch is within 50 mt of the catch limit, and a 2 mt trip limit when catch is within 50 mt of the catch limit. NMFS is also developing regulations for the [recreational bag limit reductions](#) adopted by the Council at its November 2014 meeting.

The 11th meeting of the Western and Central Pacific Fisheries Commission occurred in December 2014 in Samoa. Council Chair Dorothy Lowman attended as a U.S. Commissioner accompanied by Executive Director Donald McIsaac and Council Staff Kit Dahl. The Commission adopted seven [Conservation and Management Measures](#).

In November 2014, the Council asked NMFS to prepare two “white papers,” one detailing recreational fisheries for Pacific bluefin tuna in other countries and the second addressing anecdotal reports of increases in fishing capacity and shortcomings in formal catch reporting from China. At the March Council meeting, NMFS provided a [report](#) summarizing responses received from other governments about recreational catch of Pacific bluefin tuna, Japanese website advertising recreational charter fishing for Pacific bluefin tuna, and available information on China’s catch and fishing effort.

IATTC: Inter-American Tropical Tuna Commission

MSA: Magnuson-Stevens Fishery Conservation and Management Act

NMFS: National Marine Fisheries Service

Administrative News

- NMFS PROPOSES CHANGES TO MSA NATIONAL STANDARD GUIDELINES
- LEGISLATIVE REPORT
- NMFS STRATEGIC PLAN
- ADVISORY BODY APPOINTMENTS

NMFS PROPOSES CHANGES TO MSA NATIONAL STANDARD GUIDELINES

NMFS has published a proposed rule to revise portions of National Standard Guidelines for National Standards 1, 3, and 7 of the Magnuson-Stevens Act (MSA):

- (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.
- (3) To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.
- (7) Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

The revisions aim to increase flexibility in setting timelines for rebuilding programs, and to better manage data-limited stocks; to clarify which stocks require conservation and management; to enhance Council efforts to apply ecosystem approaches to management; to provide for more stable fisheries through guidance on multiyear overfishing determinations, phasing in results of new stock assessments, and the carryover of the unused portion of annual catch limits to subsequent years; to define “depleted stocks” to recognize non-fishing-related impacts to fish stocks; and to recommend the Councils re-evaluate the objectives of fishery management plans to ensure they reflect the changing needs of the fishery, including allocation of fishery resources.

The Legislative Committee and Council agreed that the proposed National Standard 1 guideline revisions address some, but not all, Council recommendations for a reauthorized MSA. In addition, because the proposed guidelines are not final and do not have the force of law, the Council recommended all issues identified by the Council should be addressed in a reauthorized MSA.

LEGISLATIVE REPORT

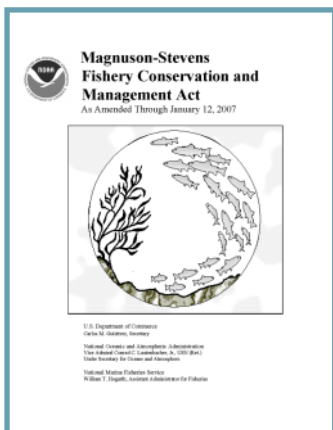
Several new bills geared toward reauthorizing the MSA have been released recently. The House is moving forward with HR 1335, which is very similar to a bill introduced by Rep. Doc Hastings in the last Congress. The Legislative Committee, Council, and advisory bodies will be discussing HR 1335 and other bills at the June meeting.

The Council and Legislative Committee spent some time discussing the current status of the REFI (“Revitalizing the Economy of Fisheries in the Pacific”) Act. The REFI Act passed at the end of the last Congressional session and was signed into law by the President. It lowered the interest rate on the 2003 Federal buyback loan, and once implemented will save the groundfish fleet as a whole around \$1.3 million per year. However, since the Act passed, the situation has become more complicated and the loan has yet to be refinanced. On March 23, 2015, the Council sent [a letter to President Obama](#) and the Office of Management and Budget regarding implementation of the REFI Act, calling on the President and Office of Management and Budget to lift all obstacles to implementation of the bill.

NATIONAL MARINE FISHERIES SERVICE RELEASES WEST COAST REGION STRATEGIC PLAN

NMFS has released a strategic plan for the West Coast that identifies the agency’s priorities for the next five years (2016-2020). The plan will guide internal decision-making and resource allocation.

Primary goals include:



HR: House of Representatives
REFI: Revitalizing the Economy of Fisheries in the Pacific
NMFS: National Marine Fisheries Service

- Ensure communities and businesses have the necessary information, products, and services to prepare for and prosper in a changing environment. (This is a goal of the Department of Commerce)
- (Support) healthy ecosystems, communities, and economies that are resilient in the face of change. (This is a NOAA goal)
- (Support) marine fisheries, habitats, and biodiversity sustained within healthy and productive ecosystems. (This is a NOAA Fisheries goal)
- NOAA Fisheries’ core mandates include ensuring the productivity and sustainability of fisheries and fishing communities through science-based decision-making and compliance with regulations, and recovering and conserving protected resources through the use of sound natural and social sciences.

More details on the NOAA plan are available [here](#).

ADVISORY BODY APPOINTMENTS

In March and April, the Council made the following appointments:

Coastal Pelagic Species: Josh Lindsey will fill the vacant NMFS seat on the Coastal Pelagic Species Management Team resulting from the retirement of Sam Herrick.

Ecosystem: Sarah Williams will replace Alison Agness on the Ecosystem Work Group seat, which was reclassified from a protected resources seat to an additional West Coast Region seat. Tomo Eguchi will replace Rhema Bjorkland as the Turtle Taxon Expert on the Ecosystem Work Group. The Council adopted an updated Council Operating Procedure, which modified the membership of the Ecosystem Work Group.

Enforcement: Sergeant Todd Thompson was designated as an alternate for Lieutenant Tim Schwartz as the Oregon State Police representative on the Enforcement Consultants.

Groundfish: Tyler Turner will replace Wayne Butler as the Oregon Charter representative on the Groundfish Advisory Subpanel (GAP). Robert Mirante will replace Mark Cedergreen as the Washington Charter representative on the GAP. Gretchen Hanshew will replace Sean Matson as one of the NMFS West Coast Region representatives on the Groundfish Management Team (GMT). Melissa Monk will replace Rosemary Kosaka as the NMFS Southwest Fisheries Science Center representative on the GMT. Jerry Leonard will replace Ian Taylor as the NMFS Northwest Fisheries Science Center representative on the GMT. Andi Stephens will fill a vacant NMFS Northwest Fisheries Science Center seat on the GMT.

Highly Migratory Species: Celia Barrosa will replace Heidi Taylor as one of the NMFS West Coast Region representatives on the Highly Migratory Species Management Team.

Scientific and Statistical Committee: Cameron Speir will replace Cindy Thomson as the NMFS Southwest Fisheries Science Center representative on the Scientific and Statistical Committee.

Other: Caren Braby is the alternate for Michele Culver on the Regional Planning Body for the West Coast Region.

GAP: Groundfish Advisory
Subpanel
GMT: Groundfish Management
Team
NMFS: National Marine
Fisheries Service
NOAA: National Oceanic and
Atmospheric Administration

Enforcement News

- REGULATIONS FOR VESSEL MOVEMENT MONITORING
- MANDATORY FISHING VESSEL EXAMS REQUIRED
- NEW “NOTICE OF ARRIVAL” AND “AUTOMATIC IDENTIFICATION SYSTEMS” REQUIREMENTS PUBLISHED
- CARRYING EXCESS LIFE SAVING EQUIPMENT
- TAHUYA RIVER HABITAT DAMAGED
- CLAM THIEF SENT TO PRISON

REGULATIONS FOR VESSEL MOVEMENT MONITORING

In April, the Council discussed four related enforcement management measures: monitoring for continuous transit in the groundfish fishery, removal of derelict crab pots from Rockfish Conservation Areas, fishery declaration enhancements, and movement of individual fishing quota fishpot gear across management lines. The Council considered the purpose and need for management related to these issues and selected a range of alternatives.

The Council adopted purpose and need statements and a range of alternatives for each management measure. This summer, Pacific States Marine Fisheries Commission may test two new vessel monitoring system units that can gather more detailed location information as well as gear deployment information. The Council is scheduled to select preliminary preferred alternatives in September of this year and final preferred alternatives in April of 2016. Implementation of regulations for these measures are intended for Jan 1, 2017.

MANDATORY FISHING VESSEL EXAMS REQUIRED

All fishing vessels that operate three nautical miles beyond the territorial base line (marked on most nautical charts) will have to get an exam before Oct 15th 2015, according to a Coast Guard Headquarters Marine Safety Information Bulletin.

The Coast Guard recommends getting your exam done well before the due date to avoid the rush. Coast Guard dockside examiners say that it normally takes two or more visits to the vessel before issuing the Dockside Exam Decal.

Owners and operators who use the Checklist Generator by printing out a checklist for their particular vessel, and using it to prepare, normally pass on the first visit. [Click here](#) for more information.

NEW “NOTICE OF ARRIVAL” AND “AUTOMATIC IDENTIFICATION SYSTEMS” REQUIREMENTS PUBLISHED

Commercial fishing vessels must now submit a Notice of Arrival prior to arriving in port and must carry an Automatic Identification System.

Submission of Notice of Arrival is required for all commercial fishing vessels greater than 300 gross tons, and/or coming from a foreign port, beginning April 30, 2015.



Sardine skiff (California Wetfish Producers Association)

The Notice of Arrival may be sent to the National Vessel Movement Center at <http://www.nvmc.uscg.gov> (click “Submit NOAD Online” button in upper right corner). You may also email enoad@nvmc.uscg.gov or fax the Notice of Arrival to 1-800-547-8724 or 301-264-2684. [Click here](#) for more information.

In addition, self-propelled commercial fishing vessels, fish tenders and fish processing vessels 65 feet and greater, no matter where they operate, must have an Automatic Identification System installed and operating in compliance with Coast Guard rules no later than March 1, 2016. Either a Class A or Class B Automatic Identification System may be used by

all commercial fishing industry vessels.

"Class A" units cost about \$3,230, where a "Class B" unit averages about \$700, according to the Federal Register. [Click here](#) to visit the U.S. Coast Guard Navigation Center website for more information on automatic identification systems.

COAST GUARD CLARIFIES RULES REGARDING EXCESS LIFE SAVING EQUIPMENT

There has been some concern from the commercial fishing industry that the Coast Guard will not allow excess or unapproved equipment aboard commercial fishing vessels. What does the U.S. Coast Guard have to say about this? The Coast Guard encourages crew to wear personal floatation devices (PFDs) while working on the deck of commercial fishing vessels, even if the equipment is not Coast Guard approved.

Excess equipment, even if it is not Coast Guard-approved, may be kept and used on board a commercial fishing vessel provided the vessel has the PFDs or immersion suits as required by the fishing vessel safety regulations.

TAHUYA RIVER HABITAT DAMAGED

A Mason County, Washington jury has found a Tahuya, Washington man who tried to fill and alter the course of the Tahuya River guilty on all counts. The Attorney General’s Office charged William Cayo, Sr. in Mason County District Court with violation of the water pollution control act, violation of the shoreline management act, and conducting unpermitted hydraulic activities in connection with the alteration of the channel of the Tahuya River in early February 2013. Cayo used an excavator and bulldozer to fill the river channel near his home, and to redirect the river. In all, Cayo filled and graded nearly 1 1/2 acres of river bed.

“In dodging the proper environmental review and planning, Mr. Cayo did serious damage to the Tahuya River and put fish, wildlife, and his downstream neighbors at risk,” Attorney General Bob Ferguson said. “I’m proud of the work of my Environmental Crimes team and our partner agencies to hold Mr. Cayo accountable.”

Ferguson recognized the work of the Environmental Protection Agency, including lead investigator Special Agent Eric Goetz, along with the U.S. Army Corps of Engineers, NOAA, NMFS, state Department of Fish and Wildlife, Department of Ecology, and Mason County.

PFD: Personal floatation device
NMFS: National Marine Fisheries Service
NOAA: National Oceanic and Atmospheric Administration

“Safeguarding Washington state’s rivers and endangered wildlife from individuals who have no regard for the environment or the law is not just our mission but everyone’s responsibility,” said Special Agent-in-Charge Jay M. Green, head of the Environmental Protection Agency’s Criminal Enforcement program in Washington. “Through yesterday’s guilty verdict, the jury sent a clear message that when individuals intentionally damage our state’s waterways and aquatic wildlife, they will be held accountable for their crimes.”

"Safeguarding ESA-listed fish and wildlife populations is one of the agency's top priorities," said Assistant Director William Giles, NOAA Office of Law Enforcement. "This successful prosecution comes at a time when the importance of protecting critical habitat for salmon as well as steelhead is on the minds of many commercial and recreational fishermen throughout the Northwest."

Cayo’s unauthorized work filled a channel of the river, removed a bend, and deepened and straightened another channel.

Under state law, a property owner may work with the county and other agencies to develop a responsible, professional, and effective hydraulic or shoreline project that protects both private property and our natural resources. Unpermitted and improperly designed work in a riverbed or on a shoreline, however, can damage neighboring properties, pollute the river, and kill fish.

The suspect in this case received 30 days in jail on each of the three counts (concurrent), plus 334 days suspended on two counts and 60 days suspended on the third. Imposed fines and costs of \$8,143, plus \$8,500 suspended, two years probation, and an order to follow civil and criminal environmental laws.

CLAM THIEF SENT TO PRISON

In a case that ground away for years, Rod Clark was recently sentenced to 66 months behind bars for his role in stealing clams and oysters from public and private tidelands. He was extradited to King County, Washington from his hiding place in Hawaii. Clark falsified shellfish tags that were intended to trace product back to origin should there be a public health outbreak. The projected value of the heist varies, but estimates are in the million dollar range, resulting in Clark being charged with 17 counts of theft and reckless endangerment. Stolen product was also exported out of state, a violation of the Federal Lacey Act. WDFW Police Detective Paul Buerger was the original case detective, but after his retirement WDFW Detective Brad Rhoden took on the enormous task of getting the case prosecuted and tracking the multiple suspects down. A number of Clark’s co-conspirators were charged and served jail time, but Clark himself fled the state after his arraignment. Detective Rhoden and the King County Prosecutors had to get a warrant from Governor Inslee to get Clark back into Washington State custody.

ESA: Endangered Species Act
NOAA: National Oceanic and
Atmospheric Administration
WDFW: Washington Dept. of
Fish and Wildlife

See the next page for upcoming meetings in the Council process.

Next Council Meeting

The 230th Session of the Pacific Fishery Management Council will be held on June 10-16, 2015, at the DoubleTree by Hilton Spokane City Center, Spokane, Washington. On the agenda:



Spokane Falls (Spokane
Spokesman-Review)

GROUND FISH

- National Marine Fisheries Service Report
 - Permit Stacking Cost Recovery Report
 - Salmon ESA Reconsultation Update
 - Non-Salmon ESA Report
 - Specifications Process for 2017-2018 Fisheries
 - Groundfish Essential Fish Habitat and Rockfish Conservation Area Update
- Inseason Adjustments
 - Final Stock Assessments and Catch Reports
 - Blackgill and Slope Rockfish Quota Share Allocation
 - Rebuilding Revision Rules

HIGHLY MIGRATORY SPECIES

- International Issues including IATTC Meeting and North Pacific Albacore Management Strategy Evaluation
- Final Approval of Resubmitted Exempted Fishing Permit Applications
- Swordfish Management and Monitoring Plan Hardcaps

IATTC: Inter-American Tropical
Tuna Commission

COASTAL PELAGIC SPECIES

- National Marine Fisheries Service Report
- Pacific Mackerel Assessment and Management Measures
- Anchovy Update
- Litigation Settlement Discussion

ECOSYSTEM

- Lenfest Taskforce and Ocean Modeling Forum Update

OTHER TOPICS

- Habitat Report
- Legislative Issues

Upcoming Meetings

GROUNDFISH ENDANGERED SPECIES WORKGROUP

- Date/Time:** May 19-21, 2015, beginning at 1:00 p.m. Tuesday, May 19 and at 9:00 a.m. on Wednesday and Thursday.
- Location:** Regional Administrator's Conference Room, Building 1, NOAA Western Regional Center (Sand Point), Seattle, WA.
- Call-in:** You may also join this meeting by conference line and webinar. To join by phone, participants should dial 888-790-6085, passcode 1730793.
- Purpose:** To review information on take of non-salmonid species listed under the Endangered Species Act in the Pacific Coast groundfish fishery and provide recommendations to the Council on any additional mitigation measures needed, if any, to meet the requirements of the Act.

[See this link for more information.](#)

COASTAL PELAGIC SPECIES MANAGEMENT TEAM WEBINAR

- Date:** May 20, 2015, 9-11 a.m.
- Purpose:** To discuss agenda items on the June Council meeting, plan for completion of the Stock Assessment and Fishery Evaluation document, and discuss future meeting plans

[See this link for information on how to connect to the webinar.](#)

FOUR GROUNDFISH STOCK ASSESSMENT REVIEW (STAR) PANELS

- STAR Panel 1 will review new assessments for canary rockfish and darkblotched rockfish (April 27-May 1, Hotel Deca, Seattle)
- STAR Panel 2 will review new assessments for bocaccio and China rockfish (July 6-July 10, NMFS Southwest Fisheries Science Center, Santa Cruz)
- STAR Panel 3 will review a new assessment for black rockfish (July 20-24, NMFS Newport Research Station, Newport, Oregon)
- STAR Panel 4 will review new assessments for widow rockfish and the kelp greenling population occurring in waters off Oregon (July 27-31, NMFS Newport Research Station, Newport, Oregon)

The purpose of the STAR Panels is to review draft 2015 stock assessment documents and any other pertinent information, work with the Stock Assessment Teams to make revisions, and produce STAR Panel reports for use by the Council and other interested persons for developing management recommendations for 2017 and beyond. [See this link for more information.](#)