

# Decision Summary Document Pacific Fishery Management Council

April 11-16, 2015

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. For a more detailed account of Council meeting discussions, see the [Council meeting record and voting logs](#) or the [Council newsletter](#).

## Habitat

### Current Habitat Issues

The Council directed staff to write three letters on habitat issues. The first letter, to the Department of Interior, will express concerns about current-year water conditions and urge the Department of the Interior to use its authority to release Trinity River water as needed to avoid a fish kill in the Klamath/Trinity Basin. The second letter, recommended originally by the Salmon Advisory Subpanel, will be directed to the California Water Resources Control Board and will ask the Board to manage discharges from Shasta Dam in order to retain an adequate cold water pool for the 2015 winter-run Chinook brood. A third letter addressed to the Humboldt Bay Harbor District will be drafted for the June briefing materials, and will express concerns about the potential effects of proposed aquaculture projects on eelgrass beds, which are both essential fish habitat (EFH) and habitat areas of particular concern for salmon, groundfish, and coastal pelagic species.

## Salmon Management

The Council adopted management measures for 2015 ocean salmon fisheries. Detailed management measures and a press release are posted on the Council's web page at: <http://www.pcouncil.org/2015/04/36482/draft-council-adopted-salmon-management-measures2015/>

### Methodology Review Preliminary Topic Selection

The Council adopted a preliminary list of topics for the 2015 salmon methodology review as follows, lead entities are shown in brackets:

- 1) Update of the Chinook Fishery Regulation Assessment Model (FRAM) base period [Model Evaluation Workgroup (MEW)].
- 2) Update documentation for Chinook and coho FRAM [MEW].
- 3) Evaluation of a management line at Point Reyes for the Klamath Ocean Harvest Model (KOHM), Sacramento Harvest Model (SHM), and Winter Run Harvest Model

[California Department of Fish and Wildlife (CDFW), National Marine Fisheries Service (NMFS)].

- 4) Evaluation of a potential management line splitting the California Klamath Management Zone in the KOHM and SHM [CDFW, NMFS].
- 5) Evaluation of winter Chinook contribution to ocean fisheries north and south of Point Sur [CDFW, NMFS].

In addition, the Yurok and Hoopa Valley Tribes are interested in developing data to support active management of fisheries for Klamath River spring Chinook salmon, but think that this topic will probably not be ready for presentation at the 2015 Methodology Review.

## **Pacific Halibut Management**

### **Final Action on Incidental Landing Restrictions for 2015-2016 Salmon Troll Fishery**

The Council confirmed the existing 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.

## **Groundfish Management**

### **Trawl Cost Recovery Report**

NMFS presented a report on cost recovery rates in the groundfish trawl fishery. The Council expressed appreciation for the increased detail over the previous year's report and asked that the direction of increasing transparency be maintained for next year's report by including breakdown of cost categories into more specific tasks and identifying initial and increasing cost savings resulting from the trawl rationalization program.

### **Salmon Endangered Species Act (ESA) Reconsultation Update**

The Council requested additional information from NMFS in order to further develop the proposed action for the ESA section 7 consultation NMFS plans to reinstate this year for listed Chinook salmon stocks taken in the groundfish fishery. This information includes a description of past section 7 consultations for the groundfish trawl fishery, a breakdown of Chinook catch by fishery sector, and past and present stock composition estimates for Chinook taken in the fishery. The Council expects its advisory bodies to use this information to develop recommendations on the structure of the reconsultation threshold and mitigation measures, including those that could be implemented inseason to prevent the reconsultation threshold from being exceeded.

## **Finalize Methodology Review Council Operating Procedures (COP)**

The Council adopted a final version of COP 25 which formalizes a methodology review process for methodologies that inform Council groundfish decision-making. The final COP 25 includes recommendations from the Scientific and Statistical Committee ([Agenda Item E.4.a, Supplemental SSC Report](#)) and the Groundfish Management Team ([Agenda Item E.4.a, Supplemental GMT Report](#)).

## **Groundfish Essential Fish Habitat (EFH) Amendment Scoping, Including Rockfish Conservation Area (RCA) and Area Adjustments**

The Council identified the following issues. The Council adopted the following with regard to the scope of issues to be moved forward and the development of alternatives to be considered in the future:

1. Identification and distribution (EFH habitat components): Update in Appendix B of the Groundfish Fishery Management Plan (FMP).
  2. Identification and distribution (EFH spatial extent): Retain within the scope of issues to be advanced.
  3. Adverse effects of Magnuson-Stevens Act (MSA) and non-MSA fishing activities on EFH, and minimization measures: Retain within the scope of issues to be advanced, with the exception of:
    - a. Creation of marine reserves for the drift gillnet fishery in the Greenpeace proposal;
    - b. Further changes to “no bottom contact EFH conservation areas”; and
    - c. Application of EFH conservation areas to midwater trawl fisheries.
  4. Non-fishing effects and conservation measures: Retain within the scope of issues to be advanced.
  5. Cumulative Impacts: Include this as part of the National Environmental Policy Act analysis.
  6. Conservation and Enhancement: Do not include this in the scope of issues to be advanced.
  7. Prey Species: Update Appendix B to the Groundfish FMP, but do not include this within the scope of issues to be advanced.
  8. Habitat Areas of Particular Concern: Do not include this within the scope of issues to be advanced.
  9. Research and Information Needs: Retain this within the scope of issues to be advanced. Move prioritized research recommendations from the FMP to an Appendix, to allow for future updates to research and data needs without an FMP amendment.
  10. Review and Revise Process: Retain this within the scope of issues to be advanced. Request that Council staff and NMFS explore how a more detailed description could be developed to implement the process described in the FMP, e.g., through a COP.
  11. Comprehensive trawl RCA adjustments: Retain this within the scope of issues to be advanced.
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12. Allow Year-round Midwater Non-Whiting Fishery: Consider this issue through the 2017-2018 biennial specifications and management process.
13. Remove Small Footrope Restrictions Shoreward of the RCA: Consider this issue through the appropriate biennial specifications and management process with a focus on retaining a small footrope requirement shoreward of a depth contour delineated by coordinates (e.g., the 100-fathom line), and remove any references to the RCA.
14. Close the 60-Mile Bank to Reduce Cowcod Bycatch: Do not include this within the scope of issues to be advanced.
15. Fishing in More than One Individual Fishing Quota (IFQ) Area: Do not include this within the scope of issues to be advanced.
16. Eliminate the Selective Flatfish Trawl Requirement Shoreward of the RCA: Consider this issue through either the Gear Regulations Package or the 2017-2018 biennial specifications and management process.

In addition, the Council adopted the following provisions:

- Ensure clear descriptions of the purpose and need for EFH protection that are separate and distinct from the purpose and need for any proposed modifications to RCAs and/or Groundfish Conservation Areas, as well as any area modifications for the purposes of protecting corals and sponges, as needed.
- Relative to the midwater trawl fisheries (both whiting and non-whiting), request that the industry voluntarily avoid contacting the bottom with trawl gear in EFH conservation areas, continue to monitor and estimate whether bottom contact occurred in a manner similar to what was presented in NMFS [Informational Report 4](#) (in the April 2015 briefing book), and assess whether regulatory measures relative to the use of midwater trawl gear in EFH conservation areas should be considered in the future, as appropriate.
- For all issues that will be advanced, request that NMFS identify the appropriate authority for rulemaking, and provide a report to the Council at its June meeting.
- Request an update and preliminary description of the 'collaborative proposal' for the June Council meeting, with final 'collaborative proposal' to be provided at the September Council meeting.
- Request the Project Team to move forward with developing draft alternatives, including a placeholder for the 'collaborative proposal' and proposals to implement EFH closures within the current RCAs, and provide draft alternatives at the September Council meeting.
- Request that NMFS develop groundfish fishing intensity maps that reflect a more recent timeframe and post-trawl IFQ program implementation (2011-2014) and a synthesis of the proposals that were submitted in 2013.

### **Final Action on Widow Rockfish Reallocation and Divestiture Issues**

The Council selected Alternative 2 as its final preferred alternative on reallocation of widow rockfish quota shares (QS) and a compromise between suboption a) and suboption b) such that

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individual permits will receive an amount that is a midpoint between what they would have received under suboption a) as compared to suboption b). Additionally, the Council recommended that the requirement that QS owners divest down to the widow rockfish QS control limit be implemented 12 calendar months after the commencement of widow QS trading after the reallocation is completed (acknowledging that there is no QS trading in the month of December). The current divestiture deadline for the aggregate nonwhiting control limit will go into effect as scheduled (November 30, 2015) however, when widow QS is reallocated, if the reallocation puts anyone above that aggregate limit, they will have until the widow QS divestiture deadline to bring themselves back within the aggregate QS control limit. Finally, the Council recommended that an opportunity be provided for QS owners to divest themselves of QS by abandoning that QS prior to the divestiture deadline and allowing the abandoned QS to be redistributed to other QS accounts in proportion to the QS holdings for that species in those accounts.

### **Blackgill and Slope Rockfish Reallocation**

The Council adopted the range of blackgill and slope rockfish allocation alternatives recommended by the Groundfish Advisory Subpanel for detailed analysis. These alternatives contemplate removing blackgill rockfish from the Slope Rockfish complex south of 40° 10' N. lat. and allocating the future harvestable surplus of blackgill rockfish and the remaining slope rockfish species in the complex to limited entry trawl and non-trawl sectors, as well as QS allocations of these species to limited entry trawl permits. The Council will discuss alternative QS allocations of blackgill and slope rockfish in June and decide a preferred alternative in September.

### **Inseason Adjustments Including Carryover and Regulatory Amendment to Manage Set-Asides**

The Council recommended instituting 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 recommended that NMFS issue surplus carryover for all non-whiting IFQ species where the annual catch limit (ACL) is less than the acceptable biological catch (ABC), including sablefish north of 36° N. latitude. Surplus carryover for petrale sole is not eligible under the current NMFS policy given that the ACL is equal to the ABC. The Council recommended NMFS issue eligible carryover pounds up to the point where the ACL plus surplus carryover equals the ABC.

### **Final Action to Implement 2015 Pacific Whiting Fishery under the U.S.-Canada Pacific Whiting Agreement**

The Council received a briefing on this year's process to set a total allowable catch of Pacific whiting under the U.S.-Canada Whiting Treaty agreement. The Council also recommended 1,500 mt of Pacific whiting be set aside from the directed fishery allocations to accommodate

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the anticipated catch in research activities as well as the incidental bycatch in non-whiting fisheries.

## **Enforcement Issues**

### **Regulations for Vessel Movement Monitoring**

The Council adopted the purpose and need statements and a range of alternatives for each management measure as presented in the [Council staff public scoping document](#). Under Management Measure 2 of the scoping document, Removal of Derelict Crab Pots from the Rockfish Conservation Area, the Council modified Alternative E to include additional vessel monitoring requirements. The Council also supported the recommendations for further analysis and clarifications provided in the Groundfish Advisory Subpanel Supplemental Report.

## **Coastal Pelagic Species Management**

### **Final Action Adopting the Stock Assessment, Specifications, and Management Measures for the 2015-2016 Pacific Sardine Fishery**

The Council adopted the 2015 stock assessment and approved the biomass estimate of 96,688 metric tons. The Council adopted an overfishing limit of 13,227 mt, selected a P\* buffer of 0.4, and established an ABC of 12,074 mt, an ACL of 7,000 mt, and an ACT of 4,000 mt. A fall 2015 in-season review of incidental catch will be scheduled, so that the Coastal Pelagic Species (CPS) Management Team and the Council can consider revisions for incidental trip allowances.

The Council also adopted the following accountability measures for incidental catch:

- An incidental per landing allowance of 40 percent Pacific sardine in non-treaty CPS fisheries until a total of 1,500 mt are landed
- When the 1,500 mt is achieved, the incidental per landing allowance will be reduced to 30 percent
- When the ACT (4,000 mt) is reached, the incidental per landing allowance would be reduced to 5 percent for the remainder of the 2015-2016 fishing year
- A 2 mt incidental per landing allowance in non-CPS fisheries

Because the biomass estimate is below the cutoff value of 150,000 mt, there will be no directed non-tribal fishery for the 2015-2016 sardine season. The only catch allowed will be Tribal, incidental catch while targeting other species, live bait, research, and other minor sources of mortality.

The Council also reiterated its support of a methodology review for the Southwest Fisheries Science Center Acoustic-Trawl survey.

### **Emergency In-Season Action in the 2014-2015 Pacific Sardine Fishery**

The Council recommended that NMFS close the current Pacific sardine fishery as quickly as possible to stay within the remaining quota. NMFS will immediately work with the states to assess landings and catch rate, to determine a closure date associated with the remaining available quota, such that the directed catch quota will not be exceeded and the 500 mt set aside for incidental take will be protected. After the directed commercial fishery is closed, harvest will be limited to Tribal, incidental catch in other CPS fisheries, and the live bait fishery for the remainder of the 2014-2015 fishing year, which ends June 30, 2015.

### **Finalize Methodology Review Council Operating Procedures (COP 26)**

The Council adopted COP 26, which describes the process for proposing and conducting methodology reviews for CPS.

## **Administrative Matters**

### **Prepare Comments on Proposed Changes to National Standard Guidelines 1, 3, and 7**

The Council directed staff to send a letter to NMFS transmitting the Council's comments on the proposed changes to National Standard 1, 3, and 7 guidelines, including the comments of the Groundfish Management Team and the Enforcement Consultants.

### **Membership Appointments and Council Operating Procedures**

The Council changed the West Coast Groundfish Observer Seat on the Groundfish Management Team to a NMFS Northwest Fisheries Science Center seat and appointed Dr. Andi Stephens to fill the vacancy.

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