

SALMON ENDANGERED SPECIES ACT (ESA) REINITIATION OF CONSULTATION WORKSHOP REPORT

At the April 2015 meeting, National Marine Fisheries Service (NMFS) briefed the Council on its intention to reinitiate consultation under Section 7 of the Endangered Species Act (ESA) to evaluate the take of listed Chinook salmon in the Pacific Coast Groundfish Fishery (Agenda Item E.3, April 2015). In June 2015, NMFS presented a detailed report on salmon bycatch in the groundfish fishery and briefed the Council in more detail on the development of the biological opinion that documents the analyses and conclusions of the consultation process (Agenda Item D.3, June 2015). NMFS proposed holding a workshop prior to the September meeting; to this end, NMFS conducted a webinar on July 29 to solicit input from fishery managers and stakeholders. Agenda Item H.6.a, NMFS Report 1 is a summary of the input from the webinar. For the webinar NMFS was especially interested in soliciting stakeholder views on the following issues:

- The current salmon bycatch framework, which includes salmon bycatch and bycatch rate thresholds to determine when bycatch has reached a level that merits reinitiating the Section 7 consultation.
- Measures to reduce salmon bycatch and increase the chance that a threshold is not reached.
- The effectiveness of current management measures intended to reduce salmon bycatch in the groundfish fishery.
- Likely near- to medium-term changes in the conduct of the groundfish fishery that could affect salmon bycatch.

To begin the Section 7 consultation, NMFS needs to define the proposed action. In the last biological opinion, the proposed action was “the continuing implementation of the Pacific Coast Groundfish Fishery Management Plan.” However, NMFS recognizes that the groundfish fishery, and especially the shoreside individual fishing quota trawl and at-sea whiting sectors that take most of the salmon, have undergone substantial changes in recent years with the implementation of Amendment 20, the Pacific Coast Groundfish Fishery Management Plan (trawl rationalization). For this reason, NMFS is seeking guidance on how to characterize the fishery going forward as it relates to salmon bycatch. Better characterizing the nature of the fishery is likely to result in a more robust biological opinion and will reduce the likelihood that it will have to be reinitiated in the near term.

The proposed action should take into account actions that the Council anticipates taking in the groundfish fishery which could affect salmon bycatch rates (e.g., distribution of the fleets relative to area, depth, and time; changes in gear technology). The Council could also consider actions to reduce salmon bycatch under the authority of Magnuson-Stevens Act National Standard 9 (*Conservation and management measures shall, to the extent practicable, (A) minimize bycatch and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.*) The Council could use this authority to implement measures intended to reduce salmon bycatch below the level that would trigger future reinitiation of Section 7 consultation under the ESA, for example. Such measures could be especially relevant when considering management changes potentially affecting salmon bycatch.

To assist the Council in developing its description of the proposed action, NMFS provides examples in Agenda Item H.6.a, NMFS Report 2. Agenda Item H.6.a, NMFS Report 3 responds to a request from the Council's Groundfish Management Team for additional Chinook catch per unit effort data.

Once NMFS is satisfied that the proposed action is appropriately described, it will begin drafting the biological opinion. The draft document will be made available for Council input at a future meeting.

Council Action:

- 1.) Consider Workshop Report and New Information on Salmon Bycatch in the Pacific Coast Groundfish Fishery.**
- 2.) Provide Guidance on the Biological Opinion Proposed Action for Ongoing Management of the Groundfish Fishery Taking into Account Salmon Bycatch.**

Reference Materials:

1. Agenda Item H.6.a, NMFS Report 1: Report of the Public Work Session on the Effects of the Pacific Coast Groundfish Fishery on ESA listed Pacific Salmon.
2. Agenda Item H.6.a, NMFS Report 2: A Draft Proposal for Managing Salmon Bycatch in the Groundfish Fishery.
3. Agenda Item H.6.a, NMFS Report 3: Chinook Catch per Unit Effort for the Bottom Trawl and Non-Whiting Midwater Trawl Fisheries.

Agenda Order:

- H.6 Salmon Endangered Species Act (ESA) Reinitiation of Consultation
Workshop Report Kit Dahl
- a. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** 1) Consider Workshop Report and New Information on Salmon Bycatch in the Pacific Coast Groundfish Fishery and 2) Provide Guidance on the Biological Opinion Proposed Action for Ongoing Management of the Groundfish Fishery Taking into Account Salmon Bycatch

PFMC
08/19/15