

**Decision Summary Document
Pacific Fishery Management Council**

June 23-28, 2016

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. Results of agenda items that do not reach a level of highlight significance are typically not described in the Decision Summary Document. For a more detailed account of Council meeting discussions, see the [Council meeting record and voting logs](#) or the [Council newsletter](#).

Highly Migratory Species Management

International Issues Including Eastern Pacific Ocean Swordfish Status, Report of the North Pacific Albacore Management Strategy Evaluation Workshop, and Recommendations for the 12th Northern Committee Meeting

The Council finalized their response to the Secretary of Commerce determination that the North Pacific swordfish stock in the Eastern Pacific Ocean (EPO) is subject to overfishing per Section 304(i) of the Magnuson-Stevens Act (MSA). Based on current information, West Coast highly migratory species (HMS) fisheries do not harvest the EPO swordfish stock; therefore, the Council concluded that at this time there is no need for domestic regulations to address the relative impact of fisheries managed under the HMS Fishery Management Plan (FMP). As defined in the most recent stock assessment (2014), the EPO stock occurs almost entirely within the Inter-American Tropical Tuna Commission (IATTC) Convention Area, except for a small area within the Western and Central Pacific Fisheries Commission (WCPFC) Convention Area, and the northern limit of the EPO swordfish stock along the North American west coast is well south of the U.S./Mexico border. The Council directed that the stock definition in the HMS FMP be updated to reflect this updated stock distribution information (see Initial Scoping of Biennial Specifications, below). EPO swordfish catch is mostly caught by longline fishing vessels from Japan, Spain, China, Korea, and Taiwan, which together accounted for over 9,200 mt of the total 9,910 mt harvest in the EPO in 2012. The Council therefore recommended that the U.S. Section to the IATTC support measures that eliminate overfishing, by reducing fishing mortality. The Council will submit this recommendation for international action to the Secretary of State and Congress in addition to National Marine Fisheries Service (NMFS).

With respect to U.S. delegations to regional fishery management organizations:

- The Council recommended that the U.S. advance a Pacific-wide approach to rebuilding Pacific bluefin tuna, recognizing that more than 80 percent of the impact on the spawning stock biomass of Pacific bluefin tuna results from Western and Central Pacific Ocean (WCPO) fisheries.
- The Council noted the need for the Northern Committee and WCPFC to adopt additional conservation measures for spawning adults of Pacific bluefin tuna and actions designed to reduce mortality of age-0 fish including reducing fishing effort on spawning grounds in the WCPO. This could be accomplished by a time and area closure of known spawning areas.

- The Council encourages the NC and International Scientific Committee for Tuna and Tuna-like Species (ISC) Plenary to approve the North Pacific albacore management strategy evaluation (MSE) objectives and associated elements developed in the May 24-25, 2016 ISC MSE workshop. As initial MSE results become available, the Council will recommend additional objectives and/or elements for future analyses.
- The Council directed Council staff to prepare a letter to Mr. Michael Tosatto, head of the U.S. delegation to the 12th Northern Committee meeting, August 29-September 1, 2016, with the above recommendations.
- The Council endorsed the U.S. proposal for Pacific Bluefin tuna to be considered at the 90th meeting of the IATTC. The Council supported the proposed Conservation and Management Measures being presented to the IATTC by the United States (see [Proposal-IATTC-90-F-1](#)).

The Council directed its HMS advisory bodies to discuss domestic commercial fishery management measures for Pacific bluefin in 2017-2018, consistent with any new resolution adopted by the IATTC. Domestic regulations would include trigger points, trip limit management, or other management measures to regulate catch in the 2017-2018 biennial period. Advisory body recommendations will be made at the September Council meeting to allow for inclusion in the final rule, implementing the expected IATTC Resolution on Pacific bluefin tuna, which NMFS will publish to be effective in January 2017.

Preliminary Approval of New Exempted Fishing Permits (EFPs)

The Council reviewed one EFP application from Mr. David Stephens to use deep-set buoy gear, which is not currently an authorized gear type under the HMS FMP. The Council requested that the EFP applicant revise the application according to the recommendations and comments in [Agenda Item D.3.a, Supplemental HMSMT Report](#) and [Agenda Item D.3.a, Supplemental HMSAS Report](#). Additionally, the EFP application should contain clarifications on tending and monitoring gear as discussed in [Agenda Item D.3.a, Supplemental EC Report](#). The Council will consider the revised application at its September meeting.

Initial Scoping of Biennial Specifications Including Management Reference Points and Management Measures

The HMS FMP specifies a biennial management cycle during which Council decision-making occurs at its June, September, and November meetings. The Council started this process at the June meeting for management changes in the next biennial period, beginning April 1, 2017. For this period, the Council tasked the HMS Management Team (HMSMT) to:

1. Make “housekeeping” changes to the HMS FMP to update or correct dated information.
2. Clarify maximum sustainable yield, optimum yield, and status determination criteria for management unit species in the HMS FMP and publish up-to-date values for these reference points in the Stock Assessment Fisheries Evaluation (SAFE) document. This process would dovetail with NMFS’ stock status determination process. Further, it could align the process of notifying the Council of stock status findings that trigger action under MSA sections 304(e) and 304(i) (describing Council obligations relative to overfishing and

overfished determinations) with the Council's biennial management cycle. The SAFE would also include updated fishery management unit species descriptions, including identifying both the EPO swordfish stock and the Western and Central North Pacific Ocean stock to reflect the most recent (2014) stock assessment and distribution information for those two stocks.

3. Respond to the requests contained in the Center for Biological Diversity's (CBD) petition for additional domestic actions regarding Pacific bluefin tuna that NMFS referred to the Council including the three items outlined on page 1 of the HMSMT report ([Agenda Item D.4.a, Supplemental HMSMT Report](#)), allowing for scheduling flexibility as the HMSMT requested.

The HMSMT will produce a draft HMS SAFE Report, mark-ups to the HMS FMP, a plan for aligning the biennial management process and NMFS' status determination process, and draft recommendations for a Council response to the CBD bluefin petition for initial consideration at the September Council meeting.

Deep-Set Buoy Gear and Federal Permit Update

The Council tasked its HMSMT to:

1. Develop a range of alternatives for Federal large mesh drift gillnet gear permitting to include the following:
 - a. As soon as possible after Council final action, only fishers authorized to fish with large-mesh drift gillnet gear under state law would be entitled to a NMFS commercial HMS permit endorsed for drift gillnet
 - b. Status quo
2. Develop special conditions for a deep-set buoy gear (DSBG) EFP program for Council consideration at the September 2016 Council meeting, focusing on three areas:
 - a. Schedule consideration of new buoy gear EFPs for any future Council meetings that HMS is otherwise scheduled.
 - b. Develop a list of key data gaps and research needs with regard to DSBG to inform future permit program conditions. The list should also be useful to aid prospective EFP applicants in developing applications. Many of these needs have been identified in HMSMT, HMS Advisory Subpanel, Enforcement Consultant, and California Department of Fish and Wildlife (CDFW) statements and public comments in March and June 2016.
 - c. Outline alternatives to provide incentives for EFP participation including, but not limited to, prioritized eligibility of EFP participants in potential future DSBG permit program.

The Council clarified that the emphasis on continuing development of a DSBG fishery by issuing EFPs does not replace its intent to develop a range of alternatives to authorize the fishery under the HMS FMP consistent with its guidance in March 2016 ([Agenda Item F.3](#)).

Pacific Halibut

Management Scoping of Pacific Halibut Catch Sharing Plan (CSP) Allocation Changes

The Council requested that staff contact the International Pacific Halibut Commission (IPHC) regarding the possibility of estimating the spatial distribution of the Pacific halibut exploitable biomass in Area 2A. This information would be used to inform future development and potential consideration of changes to the CSP. Staff will report on the discussions with the IPHC at the September 2016 Council meeting.

In September 2016, the Council will consider proposed changes for the 2017 CSP and annual fishery regulations with only minor allocation changes among areas or gear groups, according to the procedures outlined in Council Operating Procedure 9. Final action for establishing the 2017 Pacific halibut fisheries is scheduled for the November 2016 Council meeting.

Groundfish Management

Amendment 21 At-Sea Sector Allocation Revisions

The Council adopted the purpose and need for the proposed action - to change the allocations of darkblotched rockfish and Pacific Ocean perch - as provided in [Agenda Item G.2.a, WDFW Report 1](#). They also narrowed the scope of the proposed action to a preferred alternative, which does not change the formal allocations as specified in Amendment 21 of the Groundfish FMP, but manages the amounts allocated to the at-sea whiting sectors as yield set-asides rather than hard bycatch caps. The Council is scheduled to take final action on this initiative in September 2016 with the intent to implement the action by the start of the 2017 primary whiting season on May 15, 2017.

Final Action on Exempted Fishing Permit (EFP) Approval for 2017-2018

The Council adopted for recommendation to NMFS two groundfish EFPs:

- 1) The Nature Conservancy EFP that would allow the use of fishpot gear to target lingcod within the non-trawl RCA
- 2) The San Francisco Community Fishing Association/Platt EFP that would allow the commercial use of mid-water jig gear within the RCA in areas off California.

The recommendations on the jig gear included extension of the southern boundary of the EFP area to Point Conception, the addition of three vessels to the original request, and a requirement for observer coverage on 30 percent of the trips combined with fishermen collecting and arranging for analysis of data on the other 70 percent of the trips. The set-asides for the commercial jig fishery were increased over previous years to accommodate the additional area and vessels for a total of 30 mt for chilipepper and 10 mt for bocaccio. Set-asides for other species were also recommended, as reflected in the commercial jig fish EFP.

Final Action to Adopt Management Measures for 2017-2018 Fisheries

The Council confirmed their April decisions for 2017 and 2018 harvest specifications for all stocks and stock complexes with the following changes:

- **Darkblotched Rockfish:**
Specify the annual catch limit (ACL) to be equal to the acceptable biological catch (ABC) with a P* of 0.45. The ACL values would be 641 mt for 2017 and 653 mt for 2018. Specify an additional 50 mt to the off-the-top deduction as an emergency buffer that may occur in any sector. The remaining yield after the other off-the-top deductions are deducted from the ACL will be allocated to sectors as specified under the FMP Amendment 21 framework.
- **Pacific Ocean Perch (POP):**
Specify ACLs of 281 mt for 2017 and 2018, and adjust the ABCs consistent with a P* of 0.45, as appropriate. Specify an additional 25 mt to the off-the-top deduction as an emergency buffer for unforeseen catch events that may occur in any sector. The remaining yield after the other off-the-top deductions are deducted from the ACL will be allocated to sectors as specified under the FMP Amendment 21 framework.
- **Canary Rockfish:**
Specify the ACL to be equal to the ABC with a P* of 0.45. The ACL values would be 1,714 mt for 2017 and 1,526 mt for 2018. Establish a buffer from the ACL to account for unforeseen events consistent with Buffer Option 1 (ACL Dependent Buffer) as described in [Agenda Item G.4.a, Supplemental GMT Report 2](#), Table 3. The buffer amounts would be 188 mt in 2017 and 0 mt in 2018.

The Council adopted 2017 and 2018 Tribal management measures provided in [Agenda Item G.4.a, REVISED Supplemental Tribal Report 2](#). The Council also confirmed all the preliminary preferred management measures adopted in April with the following changes (the numbers correspond with the items in the action item checklist [[Agenda Item G.4, Attachment 1](#)]):

- #1 (Rockfish Conservation Area (RCA) coordinates) - add Enforcement Consultants recommendation for modifications to RCA lines around Noon Day Rock ([Agenda Item G.4.a, Supplemental EC Report](#));
- #2 (Off-the-top deductions) - include modifications to EFP set-asides for chilipepper and bocaccio for the Emley/Platt commercial jig gear EFP ([Agenda Item G.3, Attachment 2](#));
- #11 (Non-nearshore) - Open Access Sablefish North of 36° N lat. - 300 lbs/day, or one landing per week up to 1,200 lbs, not to exceed 2,400 lbs bimonthly (Alternative 3; [Agenda Item G.4.a, GMT Report 1](#) and [Agenda Item G.4.a, Supplemental GMT Report 2](#));
- #12 (Nearshore) - increase shallow rockfish and deeper nearshore rockfish trip limits south of 40° 10' N lat. to 1,200 lb/2 months (shallow) and 1,000 lb/2 months (deeper) (Alternative 2, [Agenda Item G.4.a, Supplemental CDFW Report 2](#)); and
- #23 (Hotspots) - remove yelloweye rockfish hot spot closures in California ([Agenda Item G.4.a, Supplemental CDFW Report 1](#)).

The Council also adopted amendment language for the groundfish FMP as shown in [Agenda Item G.4, Attachment 6](#) and [Agenda Item G.4, Supplemental Attachment 7](#); and included the

suggested changes recommended by the Scientific and Statistical Committee (SSC) in [Agenda Item G.4.a, Supplemental SSC Report](#).

Preliminary Plans for Review of the West Coast Trawl Catch Share Program and Intersector Allocations Including Comments on Draft Guidance for Catch Share Program Reviews

The Council adopted the process proposed in [Agenda Item G.5, Attachment 1](#), with the following modifications and selections: move the Bellingham hearing to Seattle and the Port Orford hearing to Charleston or Coos Bay; schedule hearings sequentially with no overlap in hearing dates; do not create a special ad hoc analytical team (analytical effort Model 1); rely on the SSC to provide review of the project; and modify the charge for the Community Advisory Board (CAB) to focus on fishing communities and include discussion of improvements for the program. Additionally, for the CAB, the Council will be soliciting nominations for the following seats (number of individuals in parentheses): individual fishing quota (IFQ) trawl participants from Washington (1), Oregon (2), and California (2); IFQ gear switched (1); whiting catcher-processor (1); whiting mothership processor (1); whiting mothership catcher vessel (1); processors (3); at-large (3 from any interest or geographic area). The Council endorsed the staff comments on the NMFS “Draft Guidance for Conducting Reviews of Catch Share Programs” ([Agenda Item, G.5, Supplemental Attachment 3](#)).

Omnibus Groundfish Workload Planning

The Council moved the following measures forward as near term omnibus priorities (item numbers are from [Agenda Item G.6, Attachment 2](#), except Item 71 and the “ramp-up” are provided in the [Agenda Item G.6.a, Supplemental GAP Report](#)): a greenlight policy that would allow mid-biennium increases to the ACL due to improved stock assessment results and a harvest policy ramp-up when a stock is rebuilding (Item 71 and ramp-up); updates to recreational and commercial discard survival rates (items 66 and 69); sablefish and lingcod discard survival credit for the shorebased IFQ program (item 63); year-round coastwide non-whiting midwater trawl fishery (items 57, 58, and 59); allow between-sector trading of quota pounds (items 54 and 55); multi-year average catch policy and resolution of long-term non-whiting surplus carryover provision for the shorebased IFQ program (items 47 and 60).” See the [Agenda Item F.6, Supplemental Attachment 6](#) for additional information on the timing and steps for advancing these issues.

Final Action on Inseason Adjustments

The Council adopted landing limits for the open access sablefish daily trip limit fishery north of 36° N. latitude of 300 lbs. per day, or one landing per week up to 750 lbs., not to exceed 1,500 lbs. bimonthly, starting Period 5 (September 1) through the end of the year. The Council also adopted landing limits in California north of 40° 10' N. latitude for periods 5 and 6 for minor nearshore rockfish and black rockfish of 7,000 lb/2 months, of which no more than 1,200 lb of which may be species other than black rockfish.

The Council also recommended that NMFS monitor the progress of the at-sea whiting fishery and, taking into account other relevant factors, make any Pacific ocean perch (POP) projected to remain uncaught in the research off-the-top deduction available to either at-sea sector that is projected to reach their POP allocation prior to attainment of their whiting allocation. As part of NMFS' consideration of whether the full off-the-top amount of POP will be taken, the Council recommended NMFS take into account current research catch rates in comparison to recent year's catches during the same time period and recent year's total research catches of POP.

Final Action on Stock Assessment Plans and Terms of Reference (TOR) for Groundfish and Coastal Pelagic Species

The Council adopted the 2017 stock assessment priorities, modifications to the three TOR considered under this agenda item, and the stock assessment review (STAR) panel schedule recommended by the SSC as provided in [Agenda Item G.8.a, Supplemental SSC Report](#), with the addition of blackgill rockfish as an update assessment. The specific 2017 assessments adopted under this action are as follows:

Full assessments (grouped as follows for three STAR panels):

- Yelloweye rockfish; lingcod
- Blue rockfish and deacon rockfish; California scorpionfish
- Pacific ocean perch; yellowtail rockfish

Update Assessments:

- Darkblotched rockfish
- Bocaccio rockfish
- Arrowtooth flounder
- Blackgill rockfish

Catch Reports:

- Cowcod rockfish

Final Action on Trawl Catch Share Program Gear Use Regulations for Fishing in Multiple Management Areas

The Council approved, for recommendation to NMFS, Option G3 and sorting Option 2, which would allow vessels to fish in multiple management areas on the same trip and assign catch to management areas pro-rata based on effort in the area on the trip, as described in the [Agenda Item G.9.a, NMFS Report](#). The Council also affirmed that the FMP amendment language, proposed in [Agenda Item G.9, Attachment 1](#) as housekeeping changes, reflected the actions taken by the Council under this agenda item and the trawl gear package approved at the March 2016 Council meeting.

Salmon Management

Sacramento River Winter Chinook Harvest Control Rule Update

The Council received an update on progress from Sacramento River Winter Chinook Workgroup (SRWCW) Co-chair Dr. Peter Dygert, reviewed existing Council recommendations on Sacramento River winter Chinook harvest policy, and heard a report from CDFW on preliminary 2016 spawning ground survey results and ocean salmon fishery tag recoveries. The Council was encouraged by progress and anticipates a more detailed consideration of alternative control rules at its September meeting in Boise, Idaho. The SRWCW is tentatively scheduled to next meet August 16-17, 2016 at the NMFS Southwest Fisheries Science Center in Santa Cruz, California.

Administrative Matters

Legislative Matters

The Council approved the recommendations in [Agenda Item F.1.a, Supplemental Legislative Report](#), including sending the requested letter on H. 4576 with a minor edit on the first page.

Western Region Climate Change Action Plan

The Council expressed support for the Western Regional Action Plan (WRAP), which outlines efforts by the Northwest Fisheries Science Center and Southwest Fisheries Science Center to increase the production, delivery, and use of climate-related information. The Council endorsed the comments on the WRAP provided by the Ad Hoc Ecosystem Workgroup, Habitat Committee, and Highly Migratory Species Advisory Subpanel (see [Agenda Item F.2.b, Ad Hoc Ecosystem Workgroup Report](#), [Agenda Item F.2.b, Supplemental HC Report](#), and [Agenda Item F.2.b, Supplemental HMSAS Report](#)).

Fiscal Matters

The Council adopted a CY 2016 operating budget of \$4,831,268 as recommended by the Budget Committee ([Agenda Item F.3.a, Supplemental Budget Committee Report](#)).

Approval of Council Meeting Record

The Council adopted the meeting records for the March 2016 and April 2016 meetings.

Membership Appointments and Council Operating Procedures (COP)

The Council elected Mr. Herb Pollard Chair and Mr. Phil Anderson Vice Chair of the Pacific Fishery Management Council for the 2016-2017 term, effective August 11, 2016.

The Council announced the appointment by the Secretary of Commerce of Mr. Marc M. Gorelnik (from California) to the Council's at-large seat, replacing Mr. Dan Wolford, who has served the

maximum allowable three consecutive three-year terms. Mr. Gorelnik's appointment will be effective August 11, 2016.

The U.S. Coast Guard announced Rear Admiral Mark Butt has replaced Rear Admiral Richard Gromlich as commander of the 13th Coast Guard District, and as the Coast Guard representative on the Council. In addition, Lt. Commander Jason Brand will be the U.S. Coast Guard 11th district representative on the Enforcement Consultants as well as the third designee for Rear Admiral Butts.

The Council appointed Mr. Pat Pattillo to the Washington at-large recreational seat on the Groundfish Advisory Subpanel.

The Council adopted a modified COP 1, which specifies membership protocol for the Budget Committee, as modified by the Budget Committee recommendations. The Council also adopted a modified COP 9 that adds a financial management cycle. Updated COPs will be posted on the Council's website in the near future.

Future Council Meeting Agenda and Workload Planning

The next meeting of the Council is scheduled for September 2016 in Boise, Idaho. A single-page draft proposed agenda summary will be available on the Council website in the near future, and a draft detailed proposed agenda will be available no later than August 31.

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