

**Decision Summary Document**  
**Pacific Fishery Management Council**  
**September 13-18, 2017**

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](#).

## **Coastal Pelagic Species Management**

### **Acoustic Trawl Survey Methodology Review Terms of Reference**

The Council approved the proposed [terms of reference](#), incorporating recommended edits described in the supplemental [SSC report](#). The Southwest Fisheries Science Center's (SWFSC) acoustic-trawl survey methodology review is scheduled for January 29 - February 2, 2018.

## **Habitat**

### **Current Habitat Issues**

The Council directed staff to send a letter to the California Department of Water Resources and the Federal Energy Regulatory Commission relating to essential fish habitat for fall Chinook and the operation of the Oroville Dam and related facilities.

## **Groundfish Management**

### **Off-Year Science Improvements**

The Council adopted for public review the following [off-year science improvements](#) to be conducted next year by the Scientific and Statistical Committee (SSC): a follow-up workshop on historical catch reconstruction, a workshop on transboundary issues in groundfish stock assessments, a workshop on best practices for modeling conditional age-at-length data, and a follow-up workshop on modeling stock productivity in groundfish assessments. The Council is soliciting feedback on the October workshop on natural mortality sponsored by the Center for the Advancement of Population Assessment Methodology (CAPAM) and from Council staff and the National Marine Fisheries Service (NMFS) science centers on their ability to commit resources to these workshops.

## **Stock Assessment Methodology Review**

The Council adopted for public review the stock assessment methodology review topics recommended by the [Scientific and Statistical Committee](#) (SSC), the [Groundfish Management Team](#) (GMT), and the [Groundfish Advisory Subpanel](#) for a formal methodology review by the SSC next year. They also adopted the [GMT recommendation](#) to conduct a workshop to determine best practices for modeling recreational catch per unit effort data in groundfish assessments. The Council will determine both the off-year science improvements and the methodology review topics recommended concurrently at its November meeting.

## **Coastwide Non-Whiting Midwater Trawl Exempted Fishing Permit (EFP) Final Action and Gear Modification EFP Review**

The Council recommended the use of EFPs to provide exemptions to gear regulations and expand the times and areas in which midwater trawl gear can be used to target non-whiting species. The Council approved provisions and a process for moving forward with a gear and non-whiting midwater trawl EFP (or EFPs) for 2018, as described on the first two pages of the [Staff Report](#), and continuing onto the first four items listed on the third page. Additionally, under the EFP the opportunity to use midwater gear to target non-whiting species would be expanded as follows: prior to May 15, north of 40° 10' N. latitude in all depths (seaward, shoreward, and within the Rockfish Conservation Area [RCA]); and year-round within the RCA south of 40° 10' N. latitude. All midwater trawling will still be prohibited shoreward of the RCA in the area south of 40° 10' N. latitude. Further, pending a review of the salmon preseason forecasts for 2018, the southern boundary of the bottom trawl gear EFP provisions, which includes an exemption to the requirement to use of selective flatfish trawl shoreward of the RCA, could be extended from 42° N. latitude to 40° 10' N. latitude through the end of the year or until such time as the EFP is otherwise modified or closed. All fishing activities south of 42° covered by the EFP (or EFPs) would be subject to an 80 Chinook bycatch limit for the entire year.

## **Flexibility in Annual Catch Limit Management Response, Scoping**

The Council received initial scoping comments and recommendations from the [Groundfish Management Team](#) (GMT) and the [Groundfish Advisory Subpanel](#) (GAP) on implementing a new multi-year annual catch limit (ACL) framework defining and describing overfishing status determination criteria for groundfish stocks in the Groundfish Fishery Management Plan (FMP). They also received GMT and GAP recommendations to pursue an FMP amendment to consider two new carry-over provisions that would allow some portion of unutilized harvestable surplus from one year to the next by increasing year-2 harvest specifications. Both the FMP multi-year ACL framework and the carry-over provisions would increase flexibility in managing fishing impacts relative to ACLs. The GMT, NMFS staff, and NOAA General Counsel will report back to the Council in November under the 2019-2020 biennial harvest specifications and management measures agenda item on analyses needed to move this FMP amendment forward.

## **Electronic Monitoring – Preliminary Pacific Halibut Discard Mortality Rates and Third-Party Review**

The Council adopted for public review the following electronic monitoring preliminary preferred alternatives:

1. The [GMT](#) draft Pacific halibut discard mortality rate (DMR) calculation method based on time on deck for bottom trawl vessels using electronic monitoring.
2. The Third-Party Review model with Pacific States Marine Fisheries Commission acting as either a potential video review provider or as the auditor of the video reviews as discussed in the [NMFS Report](#).

In addition, the Council requested that the Council's Scientific and Statistical Committee review the proposed DMR methodology at the November 2017 Council meeting. The GMT will further develop the DMR suboptions in their [report](#). NMFS will provide a report on its implementation plan for the Third-Party Review model. NMFS and the Council's Groundfish Electronic Monitoring Policy and Technical Advisory Committees will begin developing draft business rules to implement Third-Party video review including the level of video review necessary to audit logbooks and to audit video review providers, as well as the decision points for increasing and decreasing the level of video review based on compliance and other factors.

## **Trawl Catch Share Review, Preliminary Range of Follow-On Actions, and Intersector Allocation**

The Council incorporated into the catch share review document the chapters on research and data needs and recommendations, provided in [Attachment 2](#), and the appendix provided in [Attachment 3](#)--with the addition of the research and data need recommendation provided in the [GMT Report](#).

For follow-on actions, the Council modified its schedule and delayed selection of final preferred alternatives from March 2018 to November 2018, as described in the [Washington Department of Fish and Wildlife report](#). The Council adopted the purpose and need statements provided in [Attachment 4](#), selecting the Community Advisory Board- ([CAB recommended](#)) purpose and need statement on the trawl sablefish area management. The Council provided the following preliminary guidance on each issue:

- At-sea whiting fishery bycatch needs - use the alternatives provided in the [CAB report](#) but limit the reconsideration of trawl/non-trawl allocations to at-sea bycatch species.
- Trawl sablefish management and revising the shoreside individual fishing quota (IFQ) accumulation limits - use the alternatives developed by the CAB.
- Meeting shoreside IFQ sector harvest complex needs - the use the CAB alternatives with the exception of increasing the amounts of quota issued, changing management tools for some species, and providing a relief from vessel quota pound (QP) limits through the use of area restrictions, all of which would be dropped from further consideration.

- For the CAB alternative to provide post-season trading - use the CAB alternative with the inclusion of a trading end date.
- Gear switching – use only the alternatives limiting the amount of QS that could be used by gear switching vessels (or ensure a certain amount of QS be available for use by trawl gear).
- Catcher-processor accumulation limits – use the alternatives contained in [Attachment 4](#).
- Adaptive Management Program (AMP) - continue the AMP QP pass-through until an alternative use of AMP QP is implemented.

With respect to the process for considering follow-on actions, the Council recommended following the process recommendations of the GMT report for each issue except: the trawl sablefish area management, gear switching, and catcher-processor accumulation limits issues. The Council decided to combine the trawl sablefish area management and gear switching issues as part of a single follow-on action, and to move catcher-processor accumulation limits forward as a follow-on issue. The Council also adopted September 15, 2017 as a control date for a limitation on gear switching. Such a control date provides public notice that if the Council adopts restrictions on gear switching it may or may not provide credit for activity after that date in establishing that limitation. A *Federal Register* notice will be published with a full explanation of the control date.

Finally, the Council adopted the FMP Amendment 21-3 language pertaining to at-sea set-asides of darkblotched rockfish and Pacific ocean perch, as provided in [Attachment 5](#).

### **Adopt Final Stock Assessments**

The Council adopted new stock assessments for lingcod, yelloweye rockfish, yellowtail rockfish, blue and deacon rockfishes, and California scorpionfish, as well as catch-only updates for canary and chilipepper rockfishes as recommended by the [Scientific and Statistical Committee](#) (SSC). The Council also requested additional yelloweye rebuilding runs as recommended by the [Groundfish Management Team](#) and the [Washington Department of Fish and Wildlife](#) in time for the September 28, SSC Groundfish Subcommittee review of a new yelloweye rockfish rebuilding analysis.

### **Initial Harvest Specifications and Management Measure Actions for 2019-2020 Management**

The Council adopted the 2019 and 2020 overfishing levels (OFLs), stock categories, and sigma values (current biomass variances used to determine acceptable biological catches [ABCs]) recommended by the [Scientific and Statistical Committee](#). The Council also adopted those remaining harvest specifications with SSC-endorsed OFLs under default harvest control rules (HCRs) as provided in [Supplemental Attachment 6](#). The Council recommended consideration of alternative HCRs and ABCs/annual catch limits (ACLs) as follows:

1. Lingcod in California: ABCs based on an overfishing probability ( $P^*$ ) of 0.45 and decreased ACLs according to the 40-10 adjustment (the stock is below the management target and in the precautionary zone)
2. California scorpionfish: ACLs = ABCs (the default HCR is a constant catch of 150 mt).

The Council adopted the preliminary management measures in Table 1 of [Supplemental GMT Report 1](#). Additionally, the Council adopted consideration for new management measures for the directed commercial Pacific halibut fishery in California and Oregon, and commercial fixed gear groundfish fisheries, with alternatives as follows:

1. Exemption from the non-trawl Rockfish Conservation Area (RCA) or changes in depth restrictions for the directed commercial Pacific halibut fishery
2. Consideration for implementing a requirement to install a vessel monitoring system and declaration requirement for vessels exempt from RCA or depth restrictions in the directed commercial Pacific halibut fishery
3. An alternative to move the non-trawl RCA boundary from 100 fm to 75 fm for vessels participating in the directed commercial Pacific halibut fishery
4. An option to modify the commercial non-trawl RCA 100 fm boundary in Oregon to create cutouts.

The Council also adopted a new management measure alternative to manage a new stock complex comprised of Oregon kelp greenling and Oregon cabezon. The Council also adopted an option to add modifications and/or corrections to existing RCA lines as described in [Supplemental CDFW Report 1](#).

The Council is scheduled to take final action on all 2019-2020 OFLs and ABCs, a final range of ACL alternatives, and a final list of new management measures for detailed analysis at their November meeting. The Council is scheduled to take final action on 2019-2020 harvest specifications at their April 2018 meeting and final action on 2019-2020 management measures at their June 2018 meeting.

### **Final Action on Inseason Adjustments**

The Council recommended that NMFS increase the sablefish trip limits, as soon as possible, as follows:

- Limited entry fixed gear fisheries north of 36° N. latitude - 1,500 lbs per week, no more than 4,500 lbs per 2-month period
- Open access north of 36° N. latitude - 300 lbs daily, or one landing of per week of up to 1,300 lbs, not to exceed 2,600 lbs per 2-month period

The Council also recommended the trawl trip limit tables include a reference to the 22 and 24 inch minimum size limits for lingcod, north and south of 42° N. latitude respectively, which are listed elsewhere in the regulations.

The California Department of Fish and Wildlife [reported](#) higher than anticipated yelloweye rockfish mortality in the California recreational fishery. In order to prevent a fishery closure projected for mid-October, the Council recommended that NMFS restrict the depths open to fishing for the California recreational fishery, except in the Southern Management Area which remains status quo, as follows:

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed				May 1 – Oct 31, <30fm					Oct 1-Dec 31 <20 fm		
Mendocino	Closed				May 1 – Oct 31, <20fm					Oct 1-Dec 31 <20 fm		
San Francisco	Closed				April 15 – Dec 31, <40fm					Oct 1-Dec 31 <30 fm		
Central	Closed				April 1-Dec 31 <50 fm					Oct 1-Dec 31 <40 fm		
Southern	Closed			Mar 1 – Dec 31, <60fm								

Oregon, through state action, closed their recreational groundfish fishery for all species except for flatfish on September 17 to prevent overages of the state recreational harvest guidelines (HG) from reducing opportunity to the Oregon commercial nearshore fishery, and to ensure total removals do not exceed the Oregon ACLs for black rockfish and cabezon (see [ODFW Report](#)). The Oregon recreational fishery also exceeded their Federal harvest guideline of yelloweye rockfish. The Council suggested Oregon proceed with re-opening Option 1 from the [ODFW Report](#), which would allow fishing outside of 40 fathoms from October 1 to December 31 for all bottomfish, with retention of cabezon and black rockfish prohibited, provided the state ensures total mortality for all species will not exceed their Federal ACLs.

## Salmon Management

### Methodology Review Final Topic Selection

The Council approved the proposed Technical Revision to the Marine Survival Index of the Oregon Coastal Natural Coho Work Group Harvest Matrix as a final topic for the 2017 salmon methodology review. The methodology review is tentatively scheduled for a one-day webinar on October 17, 2017. The Council acknowledged the ODFW intent to adjust the commercial salmon fishing boundary between the north and central areas would not require a methodology review. Although initially identified as a topic for potential review in April 2017, the Fishery Regulation Assessment Model documentation updates will not be ready by October 2017 for review.

### Sacramento River Winter Chinook Control Rule, Preliminary Recommendations

The Council received an update from the Sacramento River Winter Chinook Workgroup (SRWC Workgroup) on the progress towards the development of a new harvest control rule, including the results of the analysis performed since the last report in April 2017. The Council adopted for public review four alternative control rules, one of which was a new control rule not previously considered. This new control rule (CR10) was a blending of two existing alternative control rules. The Council also directed the Workgroup to use the median of the forecast distribution, rather

than the mode, in all calculations for control rule analyses. The specific control rules moving forward for public review are CR4, CR5, CR7 and CR10.

Final Council recommendations to NMFS on consultation standards for ESA listed SRWC are scheduled for the November meeting. It is anticipated that a new consultation standard will be in place for 2018 ocean salmon fisheries.

## **Pacific Halibut Management**

### **2018 and Beyond Catch Sharing Plan and Annual Regulation Changes**

The Council adopted for public review proposed changes to the 2018 Area 2A Catch Sharing Plan and annual fishing regulations in Washington and Oregon recreational fisheries. No changes were proposed for California recreational fisheries.

Washington Department of Fish and Wildlife proposed four changes for public review:

1. Retain the current statewide season structure (i.e. manage the North Coast, South Coast and Puget Sound subareas under a common season) with either:
  1. Status quo management where each subarea has its own quota and is managed to remain within that individual quota, or
  2. Shared quota management, where the three sub-areas would be managed under a shared quota to provide for a minimum of four days of a statewide season and then the balance of the shared quota would be distributed to the subareas as usual.
2. Revise the catch sharing calculations for incidental halibut retention in the sablefish fishery north of Pt. Chehalis so that when the Area 2A total allowable catch is less than 1.5M the status quo formula would apply for up to a maximum allocation of 50,000 lbs. When the Area 2A total allowable catch allocation is 1.5M lbs or more, the maximum allocation would increase to 70,000 lbs.
3. Analyze alternatives for annual bag limits ranging from two to six fish per angler.
4. For the Columbia River subarea - change the days open for the all-depth fishery from Thursday through Sunday (4 days) to Thursday, Friday, Sunday (3 days).

Oregon Department of Fish and Wildlife proposed one change for public review regarding the Central Coast Subarea.

1. Maintain status quo, or split the Subarea into a north and south sub-area each with its own allocation. The north/south split would be at the North Florence Jetty. Three Alternatives (1a, 1b, and 1c) were described that would share the allocation between north and south 91/9 percent (1a), 92/8 percent (1.b) and 90.2/9.8 percent (1c).

Although no changes to the non-tribal directed halibut fishery were proposed, the Council asked the states and the International Pacific Halibut Commission to continue investigating options that would move the fishery away from a 'derby'-style fishery. The Council will review analysis and alternatives again in November, but did not anticipate changes for the 2018 fishery. The non-tribal directed halibut fishery discussion continued under Groundfish Initial Harvest Specifications and Management Measure Actions for 2019-2020 Management (see above).

# Ecosystem-Based Management

## Fishery Ecosystem Plan Initiatives: Scoping and Selection

The Council decided to begin work on the Fishery Ecosystem Plan Cross-Fishery Management Plan Climate Initiative based on the scope of work described in the [Ad Hoc Ecosystem Workgroup \(EWG\) Report](#). Over the next year, the EWG proposes organizing a series of webinars on the effects of climate variability/change on the California Current Ecosystem and preparing a report describing major Council decision types that may benefit from increased ecosystem science input. The Nature Conservancy has offered to sponsor a workshop to further the objectives of this initiative, and provide information in support of a climate initiative. The EWG recommends this workshop occur in Spring 2018. At its September 2018 meeting, the Council would consider the input from these activities, its advisory bodies, and the public to narrow and focus the goals of this initiative, including the subject matter of potential Council-sponsored workshops proposed by the EWG.

# Highly Migratory Species Management

## Swordfish Management Project Planning

The Council adopted a revised purpose and need statement for the range of alternatives it adopted in September 2015 related for enhanced monitoring (human observers or electronic monitoring) of the drift gillnet (DGN) fishery as follows:

The purpose of the action is to ensure adequate information is being collected from the DGN fishery to support Council decision-making on management measures. The proposed action is needed to document bycatch and protected species interactions for evaluation of costs and benefits of the use of DGN gear. The evaluation will inform future Council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate the catch versus bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

The September 2015 Council action included protected species hard caps for the DGN fishery, which were not implemented; without a revised purpose and need statement specific to fishery monitoring, NMFS could not further consider fishery monitoring alternatives, since the rationale was tied to hard cap management. The revised purpose and need statement will allow NMFS to further analyze monitoring alternatives, including any use of new or updated technology and consideration of unobservable vessel issues.

## **Recommendations for International Management Activities**

The Council endorsed the outcomes of the Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee meeting for rebuilding the Pacific bluefin tuna stock, and urged the U.S. to continue advocating for aggressive rebuilding of Pacific bluefin tuna at both the WCPFC and Inter-American Tropical Tuna Commission.

NMFS solicited Council recommendations on management measures for the U.S. domestic Pacific bluefin tuna quota. In 2017 catch exceeded 425 mt, the maximum allowed in any one year, and NMFS has prohibited landings for the remainder of the year. Since the U.S. quota is 600 mt for 2017-18, remaining quota for 2018 will be less than 130 mt. For this reason, the Council recommended a very small trip limit of around 1 mt in 2018 to account for incidental catch and discourage a directed fishery. The Council also encouraged NMFS to consider allowing a small amount of incidental landings for the remainder for 2017; otherwise, fish that will be unavoidably caught will have to be discarded.

### **Fishery Management Plan Amendment 4: Status Determination Criteria Final Action**

The Council took final action to adopt [proposed changes to the FMP under Amendment 4](#) including the [additional changes proposed by the Highly Migratory Species Management Team](#) with some [additional modifications](#) to the text.

### **Proposed Deep-Set Buoy Gear Exempted Fishing Permits**

The Council reviewed 13 Deep-Set Buoy Gear Exempted Fishing Permit (EFP) applications and forwarded 12 to NMFS for issuance based on [recommendations from the Highly Migratory Species Management Team \(HMSMT\)](#). Those EFPs recommended for preliminary approval by the HMSMT will be forwarded to NMFS with the expectation that applicants will provide the requested additional information directly to NMFS. NMFS will report back on receipt of the requested information and the Council would then make their final recommendation for issuance of those EFPs.

### **Authorization of Deep-Set Buoy Gear and Federal Permitting**

The Council adopted a [range of alternatives](#) for authorization of deep-set buoy gear and Federal permitting, and provided guidance to the HMSMT on the analysis. The Council is scheduled to review the analysis, further refine the range of alternatives, and possibly select a preliminary preferred alternative at its March 2018 meeting.

## **Administrative Matters**

### **Fiscal Matters**

Council approved the FY 2017 Operational Budget in the amount of \$4,742,753 and the 2016 Audit results. Council staff will provide a 2018 provisional budget for Council consideration in November.

## Membership Appointments and Council Operating Procedures (COPs)

The Council reviewed and approved the following appointments:

- Mr. Phil Anderson was reappointed as the Council representative to the U.S. Section of the Joint Management Committee of the U.S. – Canada Pacific Hake/Whiting Agreement.
- Mr. Rich Lincoln was identified as the designee for the Council Chair appointment to the North Pacific Fisheries Commission.
- Ms. Meisha Key and Dr. Rishi Sharma were appointed to the two vacant at-large seats on the Scientific and Statistical Committee.
- Mr. Alex Letvin was appointed to the vacant California Department of Fish and Wildlife seats on the Salmon Technical Team and the Model Evaluation Workgroup.
- Ms. Melissa Mandrup was appointed to the vacant California Department of Fish and Wildlife seat on the Groundfish Management Team.
- Dr. Kayleigh Somers was appointed to the vacant Northwest Fisheries Science Center seat on the Groundfish Management Team.
- Dr. Andrew Thompson was appointed to the vacant Southwest Fisheries Science Center seat on the Groundfish Management Team.

Mr. Brent Paine has notified the Council of his intent to resign from the Groundfish Advisory Subpanel trawl at-large seat after the November 2018 Council meeting. Council staff will be accepting nominations to replace Mr. Paine for the remainder of the 2015-2018 term.

Additionally, new Council member Mr. Brad Pettinger has resigned his seat on the ad hoc Community Advisory Board and it is anticipated that the Council Chair will appoint a new representative at the November Council meeting.

The Council adopted changes to COP 9 - Schedule 5 regarding the biennial management cycle and activities related to highly migratory species (HMS) management as shown in [Attachment 1](#) contingent upon future approval of Amendment 4 to the HMS Fishery Management Plan by the Secretary of Commerce.

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