

Decision Summary Document

Pacific Fishery Management Council

November 3-8, 2018

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](#).

Habitat

Current Habitat Issues

The Council directed staff to draft and send a letter in response to the Bureau of Ocean Energy Management's (BOEM) request for comment on "Call Areas" in Federal waters off the West Coast. The letter will be based on previous Council comments to BOEM.

Salmon Management

Preliminary Rebuilding Plans

The Council reviewed and discussed draft versions of five salmon rebuilding plans currently in development for Sacramento River fall Chinook, Klamath River fall Chinook, Strait of Juan de Fuca natural coho, Queets River natural coho, and Snohomish River natural coho.

The Council approved the draft salmon rebuilding plans for Sacramento River fall Chinook and Klamath River fall Chinook for public review. The draft salmon rebuilding plans for the three coho stocks will continue to be developed in cooperation with the co-managers with an expectation that draft plans will be revised in time for publication in the advanced briefing book for the 2019 March Council meeting.

2019 Preseason Management Schedule

The Council adopted the tentative [2019 salmon management schedule](#) including the tentative dates and sites for the public hearings, except that the California hearing will be held in Ukiah, California.

Coastal Pelagic Species Management

Amendment 17: Live Bait Fishery Allowance – Final Action

The Council adopted a final preferred alternative that will replace the 15 percent pre-specified incidental catch allowance for live bait fishing when a Coastal Pelagic Species (CPS) stock is declared overfished. Rather, live bait fishing will be subject to annual catch limits and other management measures, and the Council may enact further restrictions once a stock falls below the overfished threshold. This action will be implemented as Amendment 17 to the CPS Fishery Management Plan (FMP).

Preliminary Review of New 2019 Exempted Fishing Permits (EFPs)

The Council adopted two EFP proposals for public review with final action scheduled for the April 2019 meeting. The [California Wetfish Producers Association](#) and the [West Coast Pelagic Conservation Group](#) submitted EFP proposals designed to complement existing surveys by assessing CPS abundance information in nearshore waters inaccessible to acoustic-trawl survey vessels.

Review of Fishery Management Plan Management Categories

The Council tasked the CPS Management Team (CPSMT) with developing a proposed process and timeline to modify CPS stock management categories, to provide flexibility relative to revising stock-specific management strategies, and to promote consistency with other Council FMPs. The Council is scheduled to consider the CPSMT's report at the June 2019 meeting. The Council also tasked the Scientific and Statistical Committee (SSC) to periodically review and evaluate the quantity and quality of data to inform CPS stock assessments similar to the categories used for groundfish.

Stock Assessment Prioritization Process

The Council implemented an interim stock assessment prioritization process based on the November [2018 CPSMT Report](#) that includes 1) an opportunity for Council, SSC, CPSMT, CPS Advisory Subpanel (CPSAS), and public input; 2) an opportunity for Council adoption of stock assessment priorities; and 3) recommendations for the appropriate cycle and frequency of assessments. The Council also directed SSC, CPSMT, and CPSAS to work with the Southwest Fisheries Science Center to recommend the appropriate timing and cycle for future CPS stock assessments. Additionally, the Council directed the SSC to review and evaluate the quantity and quality of data to support a stock assessment for the central substock of northern anchovy, and provide their recommendation to the Council in June 2019.

Pacific Halibut Management

Annual Regulations and 2A Catch Sharing Plan Changes – Final Action

The Council adopted final changes to the 2019 Catch Sharing Plan and annual fishing regulations, consistent with the recommendations provided by Washington Department of Fish and Wildlife and Oregon Department of Fish and Wildlife as contained in [Agenda Item F.1.a, Supplemental ODFW-WDFW Report](#) and [Agenda Item F.1.a, Supplemental WDFW Report 1](#). The Council also drafted a letter to the International Pacific Halibut Commission (IPHC) regarding a proposal to change the structure of the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A. IPHC Commissioners will hear the proposal submitted by IPHC secretariat staff at the IPHC interim meeting in November 2019. The Council letter lists a number of issues and concerns regarding the effects of a potential change and suggests that the concerns are addressed prior to implementing change.

Groundfish Management

Cost Recovery Report and Regulations

The Council received reports from National Marine Fisheries Service (NMFS) on cost recovery, and proposed clarifications to existing cost recovery regulations. The Council encouraged NMFS and members of the public to continue to work together to address concerns about criteria for determining whether a cost is recoverable, while taking into account cost savings.

Five-Year Catch Share Follow-On Action FMP and Regulatory Amendments – Final Action

The Council adopted as final the preliminary preferred alternatives listed in [Attachment 1](#) for this agenda item with the following modifications:

At-sea set-asides: while the within-trawl allocation formulas for darkblotched, Pacific Ocean perch and widow rockfish will be removed from the FMP, they will become the default allocation formulas in the event that the Council takes no other actions during the biennial specifications process.

Post-season suspension of the vessel quota pound (QP) limits: During the biennial specifications process, the Council may identify some species for which the vessel QP limits will not be suspended after the season ends.

Catcher-processor accumulation limits: The final preferred alternative accumulation limit (a five permit limit) will come into effect only if the catcher-processor co-op fails to form and catcher-processor catch share system reverts to an individual fishing quota program.

Omnibus Project Prioritization

For prioritization in March 2019, the Council adopted the list of possible new management measures contained in the [joint Groundfish Advisory Subpanel \(GAP\)/Groundfish Management Team \(GMT\) report](#) with the exception of Item 65 on allowing at-sea processors south of 42° N. Lat. Given the work that the GMT will be doing on preliminary cost/benefit analysis and workload assessment on these items as well work in support of the Sablefish Management and Trawl Allocation Attainment Committee, no other items were prioritized for work over the winter. At its March meeting, the Council will consider revising its process for prioritizing new management measures and managing groundfish-related workload.

Endangered Species Act Mitigation Measures for Seabirds – Scoping

The Council adopted a preliminary range of alternatives described in the [Supplemental GMT Report](#) for requiring the use of streamer lines in the commercial longline fishery of the Pacific Coast Ground Fishery for vessels less than 55 feet length overall. Streamer lines deter seabirds from diving on baited hook as the longline is deployed. Regulations for vessels 55 feet and above were implemented in 2015. The measures respond specifically to requirements in the U.S. Fish and Wildlife Service biological opinion for short-tailed albatross. The Council intends to take final action on this issue at its June 2019 meeting.

Inseason Adjustments for 2018 and 2019 – Final Action

The Council considered the most recent data on fishery performance. They recommended for NMFS to adjust trip limits in 2019 for the following fishery sectors to the amounts proposed by the GMT in their report [G.6.a, Supplemental GMT Report 1](#).

Additionally, the Council recommended NMFS establish set-asides for the 2019 Pacific whiting fishery to account for Pacific whiting mortality in research and pink shrimp fisheries at 1,500 metric tons.

The Council was briefed on an error discovered in the 2019/2020 harvest specifications for yellowtail rockfish north of 40° 10' N. latitude, as noted in [G.6, Supplemental Attachment 3](#). A computational error set the acceptable biological catch (ABC) and annual catch limit (ACL) incorrectly. The Council recommended NMFS take the appropriate action to correct the 2019 and 2020 yellowtail rockfish north of 40° 10' N. latitude ABC/ACL and increase the ABC/ACL and

related allocations to the corrected amounts. These amounts are detailed in Table 7 of the [G.6.a, Supplemental Revised GMT Report 1](#).

The Emely/Platt exempted fishing permit (EFP) applicants briefed the Council on the interim results of their EFP to date. The Council noted the importance of moving this new fishing method into an implementation phase as a priority.

Electronic Monitoring (EM) – Review of Existing and Out-of-Cycle Exempted Fishing Permits (EFPs)

The Council recommended an extension of the electronic monitoring EFPs for whiting trawl, fixed gear, non-whiting midwater trawl, and bottom trawl through 2019. No-out-of-cycle EFPs were submitted for Council review.

Endangered Species Act Mitigation Measures for Salmon – Scoping

This agenda item responds to terms and conditions listed in the 2017 biological opinion analyzing the take of Endangered Species Act-listed Chinook salmon in the Pacific Coast groundfish fishery. A number of these requirements were addressed as part of the 2019-20 groundfish biennial harvest specifications and management measures process, but two issues are outstanding. These are implementing inseason measures to limit risk of exceeding bycatch guidelines and developing regulations governing the 3,500 Chinook salmon bycatch Reserve. This Reserve is only intended to address unexpected high bycatch levels, and is not available as a matter of course to allow the sectors to exceed their bycatch guidelines of 11,000 Chinook salmon for the whiting trawl fishery and 5,500 Chinook salmon for all other Pacific groundfish fishery sectors.

The Council directed the GMT to:

- 1) Review and analyze the new management measures listed in [G.8.a, Supplemental GMT Report 1](#),
- 2) Develop a draft process for Reserve access, and
- 3) Report its findings in the advance briefing book for the March or April 2019 Council meeting.

Ecosystem Management

Climate and Communities Initiative Update

The Council endorsed the recommendations and guidance to the ad hoc Ecosystem Workgroup described in [Supplemental Ad Hoc CSI Report 1](#) while noting that accomplishing these tasks for the March 2019 Council meeting may be difficult.

Highly Migratory Species Management

Recommend International Management Activities

The Council agreed to send one member of the Highly Migratory Species Advisory Subpanel (HMSAS) to participate in the March 5-7 North Pacific albacore management strategy evaluation workshop to be held by the International Scientific Committee for Tuna and Tuna-like Species (ISC) in Yokohama, Japan. The HMSAS member will report back to the Council on workshop outcomes.

The Council tasked the Highly Migratory Species Management Team (HMSMT) to work with the HMSAS in summarizing historical North Pacific albacore catch and effort to provide support for Inter-American Tropical Tuna Commission (IATTC) discussions on defining effort. The HMSMT is anticipated to report back on findings at the March 2019 meeting.

In response to [IATTC Resolution C-18-01](#), which establishes a 600 mt 2019-20 commercial catch limit for west coast fisheries catch Pacific bluefin tuna, NMFS is developing regulations for trip limits to ensure the catch limits are not exceeded and the annual sublimit is no more than 425 mt. The Council made recommendations on these regulations at the September 2018 meeting. In November, NMFS reported on the measures it was planning to implement, which incorporate most of the Council's September recommendations (see [Supplemental NMFS Report 2](#)). In response, the Council recommended NMFS incorporate the following changes into the proposed regulations:

- 1) Allow purse seine landings up to 2 mt without pre-trip notifications.
- 2) Reduce the purse-seine pre-trip notification requirement from 48 hours to 24 hours.

Biennial Harvest Specifications and Management Measures – Preliminary Action

The Council endorsed the estimates of status determination criteria for the management unit species in the HMS FMP contained in [HMSMT Report 1](#) and reviewed the notification it received from NMFS that Eastern Pacific Ocean yellowfin tuna is subject to overfishing. The Council will take up its response to this notification in June 2019.

Deep-Set Buoy Gear Authorization – Range of Alternatives and Limited Entry Criteria

The Council adopted a final range of alternatives for authorizing use of deep-set buoy gear (DSBG) as described in [HMSMT Report 1](#), including modifications and the range of qualification rankings found in [Supplemental HMSMT Report 2](#), except that Alternative 3, Stand-Alone drift gillnet (DGN) Permit Trade-in, is removed from the range. The Council also incorporated both the

alternative proposed in [Supplemental HMSAS Report 1](#), and the public comment provided by Ms. Tara Brock in [Supplemental Comment 2](#) as part of the final range of alternatives.

The Council adopted a preliminary preferred alternative for a limited entry permit program for vessels fishing in Federal waters east of 120° 28' 18" W. longitude. As described under Alternative 2 in [HMSMT Report 1](#), all other Federal waters offshore of California and Oregon would be “open access.”

The Council’s preliminary preferred alternative (PPA) is a variation of Alternative 1 described in [Supplemental HMSMT Report 2](#). Alternative 1 provides an ordered list of qualifying criteria to be used to determine the order of applicants to whom a limited entry DSBG permit would be issued. Individuals could only possess one limited entry permit. Fifty permits would be issued initially with up to 25 permits issued annually in subsequent years until either a maximum of 300 permits are issued or NMFS or the Council determines that less than 300 permits should be issued. The Council PPA prioritizes active DSBG EFP and DGN fishery participants. Details of the ranking criteria for permit issuance may be found in the [Council motion](#) for this agenda item.

Administrative Matters

Legislative Matters

The Council directed staff to send a letter on the Advancing the Quality and Understanding of American Aquaculture Act (AQUAA Act) as proposed by the Legislative Committee ([I.1, Supplemental Attachment 7](#)) after consulting with other regional Councils regarding the Council Coordination Committee role in setting regulations on offshore aquaculture.

Fiscal Matters

The Council adopted a 2019 provisional budget of \$4,976,401 for use beginning January 1, and tasked the Executive Director to work with the NMFS West Coast Region to identify and coordinate potential funding for special projects. The Council directed staff to bring a draft 2020-2024 grant narrative and proposed budget to one of the spring meetings for discussion and recommendations.

Membership Appointments and Council Operating Procedures

The Council appreciates all of the nominees’ interest and willingness to serve. The Council reviewed the nominations and appointed Advisory Body representatives for the 2019-2021 Advisory Body term. Additionally, the Council increased the number of California Sport positions on the Salmon Advisory Subpanel from one to two and modified the COPs to require a 30-day

advance notice for requests for alternates for advisory body attendance and to clarify the process for review of such requests.

The Council will solicit nominations for most of the remaining vacancies, including two at-large positions on the Scientific and Statistical Committee, for consideration at the March 2019 Council meeting in Vancouver, Washington. Visit the [Council's Advisory Body Vacancies web page](#) for details.

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