

## ENDANGERED SPECIES ACT MITIGATION MEASURES FOR SALMON – FINAL

Under this agenda item, the Council is scheduled to select the final preferred alternatives (FPA) from the preliminary preferred alternatives (PPAs) adopted at the September 2019 Council meeting. These measures address the Terms and Conditions (T&C) of the 2017 National Marine Fisheries Service (NMFS) biological opinion (BiOp) *Reinitiation of Section 7 Consultation Regarding the Pacific Fisheries Management Council's Groundfish Fishery Management Plan* for which there is a Council specified role. As specified in the BiOp, these T&Cs must be addressed within three years of issuance, December 2020.

The Council considered the Range of Alternatives (ROA) at the September 2019 meeting and adopted its PPAs, with a few modifications to several alternatives. The modifications were to the extension of block area closures, Pacific whiting cooperative operational rules, and development of the reserve rule provision. Agenda Item H.9, Attachment 1 is an update of the analysis the Council reviewed at its last meeting and includes a detailed description of the PPAs. The PPAs are summarized below:

1. **Block Area Closure (BAC) for Midwater Trawl Gear** – BACs would be developed as a routine inseason mitigation tool for salmon bycatch in the midwater trawl fisheries in the whiting and non-whiting sectors.
2. **Extension of Block Areas Closures for Midwater Trawl Gear to the Western Boundary of the Exclusive Economic Zone (EEZ) and 700 Fathoms for Bottom Trawl Gear** – Develop regulations to allow for the extension of any block area closure seaward of 250 fathoms south of 46°16'00" N. latitude (WA/OR border) for all trawl gears to the western boundary of the EEZ (for midwater trawl) or to the 700 fathom EFH Conservation Area closure (for bottom trawl).
3. **Selective Flatfish Trawl (SFFT) Net Requirement** – SFFT nets would be available for use as a routine inseason mitigation tool to address salmon bycatch in the groundfish bottom trawl fisheries.
4. **Pacific Whiting Cooperative Rules:**– Develop regulations to allow each whiting sector co-op to develop salmon mitigation plans for approval by NMFS.
  - Include a requirement for annual season summary reporting to the Council and NMFS describing high-salmon bycatch incident information and avoidance measures taken
5. **Automatic Authority for NMFS to Close Trawl Sectors and Preserve 500 Chinook salmon for Fixed Gear and Recreational Fisheries** – Develop an inseason process to would close the trawl sectors as follows:
  - Close the bottom and mid-water trawl sectors upon attainment of 8,500 Chinook salmon
  - Close the whiting sectors upon attainment of 14,000 Chinook salmon
  - Close all trawl fisheries upon attainment of 19,500 Chinook salmon
6. **Reserve Access Rule** – A sector may only access the Reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to it reaching its Chinook salmon bycatch guideline.

- The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by the at-sea whiting sectors would be satisfied upon approval by NMFS of each of those sector's respective co-op salmon mitigation plans.
- The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by the shoreside whiting sector would be satisfied upon approval by NMFS of that sector's co-op salmon mitigation plans provided all participating vessels are members of a shoreside co-op with an approved salmon mitigation plan.
- If there are vessels participating in the shoreside whiting fishery that are not members of a shoreside whiting co-op, then additional actions by the Council or NMFS may be needed to minimize Chinook salmon bycatch (e.g., BACs) prior to allowing access to the reserve by that sector.

The Groundfish Advisory Subpanel, the Groundfish Management Team, and NMFS are expected to provide input on the PPAs for the Council's consideration. Council final action at this meeting is intended to meet the deadline set under the BiOp and to implement measures in 2020.

**Council Action:**

**Adopt Final Preferred Alternatives for Mitigation Measures for Salmon Interactions in Groundfish Fisheries Pursuant to the 2017 NMFS Biological Opinion.**

Reference Materials:

1. Agenda Item H.9, Attachment 1: Initial Review Draft, Preliminary Preferred Alternatives Regulatory Impact Review for Proposed Endangered Species Act Salmon Bycatch Mitigation Measures under the Pacific Coast Groundfish Fishery Management Plan.
2. If Received, Public Comments are Electronic Only ([see e-portal](#)).

Agenda Order:

- H.9 Endangered Species Act Mitigation Measures for Salmon – Final Action      Todd Phillips
- a. Reports and Comments of Management Entities and Advisory Bodies
  - b. Public Comment
  - c. **Council Action:** Adopt Final Preferred Alternatives for Mitigation Measures for Salmon Interactions in Groundfish Fisheries Pursuant to the 2017 NMFS Biological Opinion

PFMC  
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