

Pacific Council News

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REPORTING ON WEST COAST FISHERIES MANAGEMENT

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AN ACTIVE YEAR: A NOTE FROM THE DIRECTOR

This past year (2023) was a very consequential year for the Council.

Early on, the Council voted to enact some of the most sweeping salmon fishery closures ever seen off California and Oregon. The impacts of these closures has been profound, and yet there was substantial support for them among many west coast stakeholders.

In the middle of the year we learned that North Pacific bluefin tuna are likely to be rebuilt in 2024. This is due in large part to the efforts of the Council's former chair, Dorothy Lowman, and the work she has done in the international arena on behalf of the Council. This is a major success story. Also related to highly migratory species, early in 2023 Congress voted to phase out of the drift gillnet fishery. The Council has been discussing the next steps for this fishery, and will continue this work in 2024 and beyond.

After many years of focusing on what we call "gear switching," the Council has finally adopted a preliminary preferred alternative. This is a very controversial, time-consuming issue concerning the design of the groundfish individual fishing quota program. We are scheduled for a final decision in April.

Over the summer, large fishery closures were enacted in California to reduce catches of nearshore rockfish, especially quillback rockfish. This resulted in major impacts to commercial and recreational fishery stakeholders. The Council wrangled

with this topic throughout the latter half of 2023 and will continue to work on it in 2024.

This Council has some of the best stock assessment scientists in the world helping to support it, and it has not shied away from making tough conservation decisions. However, the quillback stock assessment has continued to be controversial with the Council. A special review of the assessment will take place in late January to help the Council family decide for once and for all the status of the stock and related catch levels.

We continue to invest a substantial amount of time on marine planning. Wind energy plans continue moving forward, but Congress and the Oregon legislature are watching closely and are interested in the many comment letters sent by the Council. In addition, a new Sanctuary will soon be in place off central California. I'm proud of the relationships we have with west coast sanctuaries and our constructive engagement and mutual respect.

Finally, a lot of change is occurring at the Council, and will continue in 2024. This is being driven by the end of Council terms, retirements, financial constraints due to inflation and other pressures, and the ever-evolving nature of Council work. 2024 promises to be another very interesting year. I'm looking forward to what it has in store.

—Merrick Burden, Executive Director

QUILLBACK RETENTION PROHIBITED IN 2023

In November the Council prohibited retention of quillback rockfish in all recreational and commercial fisheries and put closures in place in Federal waters off California for the rest of 2023. These measures aligned with actions taken late this summer by California Department of Fish and Wildlife (CDFW).

Quillback rockfish are a near-shore stock occurring along the west coast from California to Alaska. Recreational fisheries take three-quarters of the quillback harvest in California.

The 2021 quillback rockfish assessment showed that quillback off California are depleted and below the minimum stock size threshold of 25 percent unfished biomass (the threshold at which the stock can be labeled overfished). This led to a one-fish limit in the recreational fishery, as well as reduced commercial limits. However, the cutbacks did not reduce the catch of quillback as much as desired, necessitating further cutbacks this year.

In November the Council heard lengthy public comment on the assessment and rebuilding analyses, including testimony by Dr. Ray Hilborn of the University of Washington and Dr. Mark Maunder. At the request of the Council, the Scientific and Statistical Committee will discuss points raised during public testimony by Drs. Hilborn and Maunder and report back to the Council at its March 2024 meeting in Fresno, California. The Council is scheduled to adopt harvest specifications for California quillback rockfish at that time.



Quillback rockfish (Wikipedia)

On August 7, the state of California had prohibited retention of quillback rockfish statewide in both recreational and commercial fisheries because CDFW predicted that the combined take would exceed Federal harvest limits. Later in August, the state closed the nearshore recreational fishery for several groundfish management areas, with the aim of creating an “offshore only” recreational fishery to reduce quillback mortality. (Continued on page 11).

COUNCIL NEARS FINAL ACTION ON SABLEFISH GEAR SWITCHING

The Council has been considering limiting gear switching—the use of non-trawl gear to catch northern sablefish in the trawl individual fishing quota fishery—since 2017. In November 2023 the Council selected a preliminary preferred alternative for this action.

The preliminary preferred alternative is a [modified version of](#)

[Alternative 2](#) that designates all quota pounds for sablefish north of 36° N. lat. as gear-specific (either for use with trawl gear only, or for use with any gear).

For the preliminary preferred alternative, the Council added a “trigger” to the original Alternative 2. The trigger means that northern sablefish quota pounds would be issued as gear-specific quota pounds only in years when sablefish abundance is lower than it is currently. At lower levels of abundance, the concern is that sablefish will become a “choke” stock for the trawl sector and that gear switching may exacerbate this problem. (For details, [see decision document](#)).

Long-time, or legacy, participants in the northern sablefish quota fishery would receive all their annual quota pounds issued for their eligible quota shares as “any-gear” quota pounds, meaning they could use any gear to harvest the fish. (The requirements for

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The Klamath River before and after the removal of Copco 2 Dam

KLAMATH DAM REMOVAL UPDATE; NEW SALMON WORKGROUP MEETS

The removal of the four lower Klamath River dams began this year with the removal of Copco 2 (the second dam on the river, from the river mouth). Since then, workers have been restoring the river channel below the dam.

Starting in January 2024, the reservoirs for the three remaining dams (JC Boyle, Copco 1 and Iron Gate) will be drawn down. Next, the related facilities and buildings will be removed, and around mid-year, the three dams will be removed. Channel restoration will follow, along with reservoir and tributary restoration, monitoring, and adaptive management. About 400 miles of new habitat will be opened up with the removal of the Klamath dams.

On the Council front, the new Ad-Hoc Klamath River Fall Chinook Workgroup has held several meet-

ings over the fall and winter this year. The workgroup focuses on the technical aspects of Klamath River fall Chinook management during and after dam removal. Meetings have covered tribal perspectives, stock status and management, and how current fisheries are structured.

The workgroup plans to focus on 2024 fishery management in the near term, and in the long-term the workgroup will focus on providing the Council with recommendations on a management framework for this stock as it responds to the changed river environment after the dams have been removed. Additional meetings will occur in the spring and summer of 2024.

TRIBES AND FEDS OPEN POSSIBILITY OF SNAKE RIVER DAM BREACHING

In late December the Federal government announced a series of commitments to fund green energy projects intended to replace the energy generated by the four lower Snake River dams. The projects would be led by four Columbia River treaty tribes: the Yakama Nation, Confederated Tribes of the Warm Springs, Confederated Tribes of the Umatilla, and the Nez Perce Tribe. According to an article in the *Oregonian*, “the plan sets the stage for the breaching of the dams in the next decade: the timespan of about two generations of salmon.”

[NOAA has said](#) that the dams are the main obstacle in preventing 10 of the 16 salmon and steelhead populations in the Columbia River Basin from recovering. This year, the same four tribal governments developed the [Columbia Basin Restoration Initiative](#), which included several members of the Council process.

Washington Governor Jay Inslee and Senator Patty Murray have said that breaching the dams was a crucial part of salmon recovery. They noted that the energy and other services provided by the dams would need to be replaced before the breaching could occur. Congress must approve breaching the dams.

[See the full story in the Oregonian here.](#)

FEDS RECOMMEND \$106.1 MILLION FOR FUNDING SALMON RECOVERY

The Department of Commerce and NOAA have made \$106 million available for salmon and steelhead

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PROGRESS REPORT ON ECOSYSTEM AND CLIMATE INFORMATION INITIATIVE

The Ecosystem and Climate Initiative (an action item under the Council's Fishery Ecosystem Plan) focuses on integrating ecosystem and climate information into Council decision making.

Since March 2023 the Ecosystem Workgroup has been investigating potential "on ramps" to bring ecosystem and climate information into Council management decisions. As part of this effort, it has developed a risk evaluation framework and, as an example, applied it to two groundfish stocks. This framework can help the Council consider ecosystem information when setting harvest limits or other key management decisions. The Ecosystem Workgroup is working with other Council advisory bodies to explore how this tool, and others like it, can be integrated into management decision-making processes and will provide a progress update in March 2024.



An Oregon wetland (Dept. of State Lands)

WETLANDS PROTECTIONS REMOVED FROM CLEAN WATER ACT

A decision by the U.S. Supreme Court changed how "waters of the United States" are defined in the Clean Water Act, leading to reduced protection for U.S. wetlands.

The Supreme Court's decision reversed its 2006 decision that set the standard for wetland protection; that a wetland has a "significant nexus" with a major waterway, such as subsurface connectivity or waters separated by dikes and levees. The decision removes the significant nexus test from consideration when



Pacific yellowfin tuna (NOAA)

identifying tributaries and other waters as federally protected. The Environmental Protection Agency (EPA) has amended the definition of protected waters to include only streams, oceans, rivers and lakes, and wetlands with a "continuous surface connection to major waterways." Effective immediately, more than half of previously regulated wetland acreage and thousands of miles of small streams are no longer regulated under the Clean Water Act.

State regulations related to wetland protection remain in place.

The EPA and the Corps of Engineers hosted a series of public webinars in September to provide updates on the change; they are [posted here](#).

COUNCIL UPDATES ESSENTIAL FISH HABITAT FOR HIGHLY MIGRATORY SPECIES

In November the Council adopted changes to essential fish habitat (EFH) provisions for highly migratory species (HMS), including updated life history summaries, the spatial extent of EFH for HMS, updated Research and Information Needs, and other minor updates. The Council did not adopt any new Habitat Areas of Particular Concern, and did not recommend any new management measures or gear restrictions.

The Council and National Marine Fisheries Service (NMFS) are required to review EFH provisions periodically, and began the review in 2020. The Council determined that there was enough new information to warrant changes, and will send those recommendations to NMFS in early 2024. [See details on the recommendations.](#) ➡

COUNCIL CONSIDERS TARGETED CLOSURES TO PROTECT DEEP-SEA CORAL RESTORATION AND RESEARCH

The Greater Farallones and Monterey Bay National Marine Sanctuary Programs have received \$8.7 million to mitigate damage caused by the 2016 sinking of the YFD-70 drydock in the outer reaches of the Monterey Bay National Marine Sanctuary. As a part of this effort they are encouraging the Council to find ways to protect coral restoration sites from groundfish bottom contact fishing gear.

The Sanctuaries reported to the Council on this process in March and September 2023.

When Sanctuaries want to regulate fishing activities within their boundaries, they must work with Councils to determine how this will be done. In this case the Pacific Council determined that regulations should be developed under the Magnuson-Stevens Act.

In September, the Sanctuaries presented a scope of action for Council consideration, which included 10 areas for potential closure to bottom contact groundfish gear in order to promote coral restoration and research. The Council recommended that three areas (Ano Nuevo, Ascension Canyon, and Sur Ridge) move forward for possible closures. (These areas are already closed to bottom trawl gear, but are open to groundfish pot/trap and long-line fishing gear.)

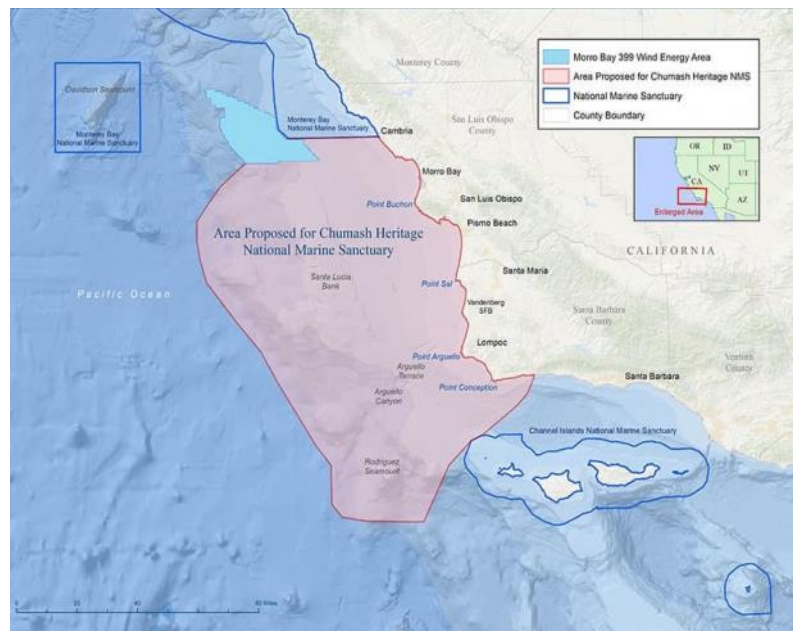
Council staff are analyzing impacts to fishing, habitat, and coastal fishing communities that could result from the closures. To support the analysis, the ONMS has developed an [online mapping tool](#) that allows stakeholders to investigate each area and the potential overlap with fishery and habitat features. The Council also asked NMFS to explore its ability to close these areas to all bottom contact gears, including fisheries managed by the state of California.

In March 2024, the Council will consider a preliminary analysis of the three closures, adopt a range of alternatives, and may adopt a preliminary preferred alternative. Final action is scheduled for June 2024.

CHUMASH HERITAGE NATIONAL MARINE SANCTUARY DESIGNATION

The proposed designation of the Chumash Heritage National Marine Sanctuary is moving forward. In September the Council reviewed the draft Sanctuary designation document and regulations, and commented [in an October 25 letter](#).

The Council concluded that no new fishing regulations were necessary for the Sanctuary, but emphasized that it does not support the Sanctuary's authority to manage fisheries. The Council expressed concerns that limitations on routine vessel discharges



Proposed Chumash National Marine Sanctuary boundaries

could impact normal operations of fishing vessels, and that offshore wind development could have an adverse affect on habitats and the marine ecosystem. The Council invited the Sanctuary to consult with the Council on any future habitat impacts.

At its meeting in October, the Council Coordination Committee (CCC) discussed the process for establishing fishing regulations in sanctuaries. The Pacific Council has a constructive working relationship with the west coast National Marine Sanctuary Program, and this relationship was held up as a possible model for other regions. The CCC plans to continue to work with the Sanctuary program in the coming months to improve sanctuary and fishery management council coordination.

OFFSHORE WIND DISCUSSIONS CONTINUE

On November 10 the Council sent a [43-page letter](#) to the Bureau of Ocean Energy Management (BOEM) in response to BOEM's issuance of Draft Wind Energy Areas (WEAs) off the southern Oregon Coast. In the letter, the Council strongly recommends that BOEM not proceed with the offshore wind energy planning process in Oregon until certain concerns are addressed.

The Council expressed concerns about the planning process for offshore wind energy development off Oregon, stating that discussions about impacts should happen before the public comment period, not at the same time. The Council is concerned about the transparency of the decision-making process and wants more dialogue between BOEM, modeling experts, Council members, and the public.

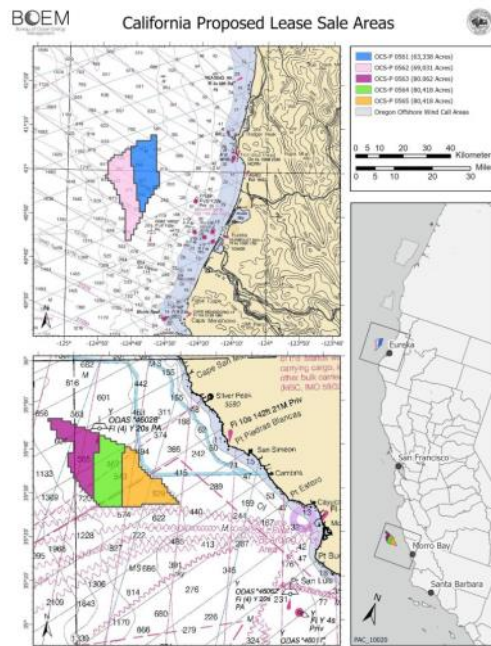
The Council also emphasized the potential negative effects of offshore wind development on tribal communities, especially those with fishing rights, and expressed concerns about the displacement of fisheries, increased vessel traffic, and impacts on habitats and the marine ecosystem. The Council recommended addressing these concerns through further discussions with tribes before finalizing the WEAs.

Other concerns raised in the letter include the lack of certain fishing data, outdated cost of energy values, and incomplete economic data. The Council suggested working with stakeholders to fill these data gaps before finalizing the offshore wind development areas.

Also in November, the Council asked that NMFS inform the Council about any impacts from offshore wind development on NOAA scientific surveys.

Although the Council requested that BOEM pause the process until concerns are addressed, they also provided recommendations for removing specific areas from the draft WEAs, should BOEM move forward anyway. These specific locations were based on fishing activity, habitat, and ecosystem impacts, and are described in detail in the letter.

More Council letters on offshore wind can be found on the Council's [correspondence](#) page. In addition, members of the Oregon Congressional Delegation and Governor Kotek wrote to BOEM in August expressing concern that "the process is not adequately engaging all voices in the planning process" and asking for "in-person meetings in communities that would be impacted by the development of wind energy off of Ore-



Proposed offshore wind lease sites in California. Click for link to full-size version.

gon's South Coast if you move forward with the leasing process."

In ocean waters off California, five offshore wind leases were approved in June 2023. As required by the lease terms, the lease winners developed agency communication plans, tribal communication plans, and fisheries communications plans (which were shared with the Council in September and November).

On December 20, BOEM [announced](#) an environmental review and a notice of intent to develop a programmatic Environmental Impact Statement for California lease sites, with comments due on February 20, 2024.

In other news, California Assembly Bill 525 was signed into law, requiring the preparation of a strategic plan for offshore wind energy developments in Federal waters off California.

Finally, the California Coastal Commission established a working group charged with developing a strategy to address fisheries impacts from the five lease areas off of Humboldt and San Luis Obispo County. Three Council Marine Planning Committee members were selected to be on the working group, which will help keep the Council informed of the group's activities. The working group held an initial meeting in early December.

The next Marine Planning Committee meeting is tentatively scheduled for January 23, 2024, with a report expected at the March Council meeting. 🐟

Highly Migratory Species

REGULATIONS FOR DEEP-SET BUOY GEAR IN PLACE; NEED FOR OBSERVER COVERAGE DISCUSSED

In September, NMFS began issuing limited entry permits for the deep-set buoy gear fishery. The gear has been legal since June 2023, and was extensively tested through exempted fishing permits. This allowed NMFS and the Council to better understand the gear's performance and its effects on the environment while developing management measures for a legal fishery.

Also in September, NMFS informed the Council it would retain the option to put observers on deep-set buoy gear vessels. To do that, NMFS will require fishery participants to notify them before going on a trip. Since extensive testing of the gear in the Southern California Bight has shown the fishery to have low bycatch, observer placement in this area is not crucial, and the Council recommended that NMFS drop the pre-trip notification requirement. This would not prevent NMFS from

placing observers on occasion, but would be less of a burden on fishermen.

LARGE-MESH DRIFT GILLNET FISHERY TRANSITION PROGRAM DEFERRED

The Driftnet Modernization and Bycatch Reduction Act prohibits use of large-mesh drift gillnet gear by December 2027. It also directs NMFS to implement a transition program to compensate large-mesh drift gillnet fishermen for the loss of the fishery, including the opportunity to switch to other, low-bycatch gear. Congress directed NMFS to work with the Council on this matter; however, NMFS has informed the Council that it cannot begin developing the program until it receives the necessary funding from Congress.

In a related note, the Council will need to amend its highly migratory species fishery management plan to remove provisions for the large-mesh drift gillnet fishery by the time the gear is prohibited. The Council

plans to work on the amendment later, to coincide with the December 2027 deadline.

NEW HIGHLY MIGRATORY SPECIES ROADMAP LAYS OUT MANAGEMENT GOALS

The Council's Swordfish Management and Monitoring Plan is being replaced by a new document, the Highly Migratory Species Roadmap. The document focuses on the range of species caught in the large-mesh drift gillnet fishery (rather than just swordfish), accounts for the prohibition of the large-mesh drift gillnet fishery, covers new fishing opportunities, and focuses on exempted fishing permit priorities.

The HMS advisory bodies have already drafted revised goals and action items to include in the roadmap based on joint meetings in September and November. As part of this effort, they discussed details of a future workshop and will continue the discussions in March 2024.

The revised roadmap will sup-

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Upcoming Council meetings	City	Dates	Location	First public comment deadline
March 2024	Fresno, CA	Subcommittees start March 5 Advisory bodies start March 5 Council session begins March 6	DoubleTree by Hilton Fresno Convention Center	February 12, 5 pm
April 2024	Seattle, WA	Subcommittees start April 5 Advisory bodies start April 5 Council session begins April 6	The Westin Seattle	March 22, 5 pm
June 2024	San Diego, CA	Subcommittees start June 6 Advisory bodies start June 7 Council session starts June 8	Doubletree by Hilton Hotel San Diego Mission Valley	May 16, 5 pm
September 2024	Spokane, WA	Subcommittees start September 18 Advisory bodies start September 18 Council session starts September 19	DoubleTree by Hilton Spokane City Center	August 29, 5 pm

COUNCIL ADOPTS HALIBUT CATCH SHARING PLAN CHANGES, 2024 REGULATIONS

For the past year the Council has been looking at long-term halibut management topics—in particular, adding more flexibility in the sport fisheries so that any excess quota projected from one state could be shared with other states inseason; and possibly changing the fixed allocations for the state sport fisheries by shifting a portion of Oregon and Washington’s assigned non-tribal quota to California sport fisheries. The Council also discussed management objectives for non-tribal fisheries, and changes to halibut regulations based on recommendations from the Enforcement Consultants.

In November the Council recommended changes to the Pacific Halibut Catch Sharing Plan that will provide more flexibility inseason for the sport fisheries, improve the document by clarifying the management objectives for the non-tribal fisheries, and make other needed updates. The Council also decided to not make any changes to the fixed allocations to the sport fisheries, so there will be no change to the allocation sharing used in 2023.

Discussion on proposed regulatory changes to require vessel monitoring systems and the use of sea bird avoidance gear is scheduled for June 2024.

In addition, the Council adopted the season structure for the 2024 non-tribal directed commercial halibut fishery and 2024 season structures for halibut sport fisheries and regulations, which included a new subarea off California. Changes to the Catch Sharing Plan and regulations adopted by the Council will be shared with the International Pacific Halibut Commission and National Marine Fisheries Service for approval and implementation. ([See decision document for more details.](#)) ➡

National Policy

NMFS MAY UPDATE SOME NATIONAL STANDARD GUIDELINES

National Marine Fisheries Service (NMFS) may update its guidelines for certain National Standards to the Magnuson-Stevens Fishery Conservation and Management Act—the main act that controls how fisheries are managed in the United States. The changes focus on National Standard 4 (allocation); National Standard 8 (communities) and National Standard 9 (bycatch).

The National Standards themselves are relatively brief, so the NMFS national standard guidelines describe how they should be interpreted and used in the process of managing fisheries.

Recent challenges related to climate change and equity and environmental justice have led NMFS to seek comment on how guidelines

for interpreting these national standards might be changed to ensure they remain relevant. With respect to bycatch, the changes also focus on the “practicability” standard for minimizing bycatch, and whether it is equitable across different fisheries and gear types, as well as waste reduction.

The Council had a wide-ranging discussion on the topic and [sent a letter to NMFS](#) with comments on the proposed changes.

NMFS has held public meetings to gather input on the current guidelines and areas that might benefit from changes. Most of the feedback indicated that changes to the National Standard Guidelines were unnecessary. However, there was some support for changes to National Standards 4 and 9. Notably, there was opposition to changing the definition of fishing communities, as well as concern about the effects of

trawling.

NOAA Fisheries is deciding whether changes are appropriate and, if necessary, will draft a proposed rule for publication in spring 2024. This process would include more public comment opportunities.

NMFS STRATEGIC PLANS MOVE FORWARD

NMFS recently developed a [national strategic plan](#), the regional version of which is the working draft [West Coast Geographic Strategic Plan](#). These documents address all NMFS responsibilities, including those that extend beyond areas of Council authority.

In September the Council provided comments on the draft West Coast plan.

NMFS has also developed a national [Equity and Environmental](#)

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Groundfish, continued from page 2

being designated as a legacy participant are outlined in Alternative 2). All others would receive only a portion of their quota pounds as “any-gear,” and the rest as trawl-only.

Final action on this item is scheduled for April 2024. At that time, if the Council selects this preliminary preferred alternative as its final alternative, it will also need to decide whether quota share owners who are not individuals (for example, non-profits) would or would not have their legacy status terminated over time. (Legacy participants lose that status when they die, sell, or otherwise pass their shares on to someone else).

GROUNDFISH STOCK ASSESSMENTS ADOPTED

In September and November the Council adopted several stock assessments for use in 2025 and beyond (see table, right, for summary). The Council also adopted a single groundfish stock assessment methodology review topic: a review of using near-infrared spectroscopy to estimate fish ages. If approved, the methodology could be used for future groundfish stock assessments.

HARVEST SPECIFICATIONS, MANAGEMENT MEASURES FOR 2025-2026 SET

In November the Council adopted final 2025-2026 overfishing limits (OFLs) and acceptable biological catches (ABCs) for 2025-2026 groundfish fisheries apart from quillback rockfish (*Sebastes maliger*) in California (see [decision document](#)).

The Council removed California quillback rockfish from the

Species	2023 Outcomes (Percent of spawning output relative to what it would be if the population were unfished)
Copper rockfish in California (full assessment)	In precautionary zone (36.6%; below 40% management target)
Black rockfish in Washington (full assessment)	Above target biomass (45%; above 40% management target)
Black rockfish in Oregon (full assessment)	Above target biomass (43%; above 40% management target)
Black rockfish in California (full assessment)	In precautionary zone (37.7%; below 40% management target)
Canary rockfish (full assessment)	In precautionary zone (35.1%; below 40% management target)
Petrale sole (full assessment)	Above target biomass (33.6%; above 25% management target)
Rex sole (date-moderate assessment; less data available than typically used for full assessment)	Well above target biomass (76%; above 25% management target)
Shortspine thornyhead (data-moderate assessment)	In precautionary zone (39.4%; below 40% management target)
Sablefish (limited assessment; limited data used to update)	Well above target biomass (63%; above 40% management target)
Widow rockfish (catch-only projection; projection using catch data only)	Projection has improved
Yelloweye rockfish (catch-only projection)	Projection has improved, based on rebuilding analysis

Summarized results of recent groundfish stock assessments.

nearshore rockfish complexes, but adopted harvest specifications for the remaining nearshore rockfish.

The Groundfish Management Team will continue to analyze

harvest specifications for quillback rockfish off California over the winter. The lower and upper 2025

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harvest specifications for the stock range from an OFL of 1.52 mt to 8.41 mt, and an ABC from 1.3 mt to 5.06 mt. They will also analyze alternatives for rex sole, shortspine thornyhead, and Dover sole.

The Council also adopted a range of management measures, as well as some waypoint corrections, for over-winter analysis (see [decision document](#)).

The Council plans to analyze some new management measures, including development of an open access fishery registration or permit, requiring descending devices for recreational anglers when fishing for groundfish in Federal waters, adjusting the electronic monitoring discard species list so it is consistent, and requiring that all rockfish be sorted to species.

EXEMPTED FISHING PERMITS RECOMMENDED FOR 2025-2026

Two exempted fishing permits (EFPs) were recommended for renewal in 2025-2026. The first is a [proposal](#) by California Dept. of Fish and Wildlife to collect biological data for cowcod in the recreational fishery. In 2025-2026, quillback and yelloweye rockfish will also be collected.

The second EFP, from [West Coast Seafood Processors and Oregon Trawl Commission](#), would collect information on the bycatch of salmon and other species while conducting a midwater trawl fishery targeting widow, yellowtail, chilipepper, and other rockfish species without existing gear, time, and area restrictions. The EFP also does not require the use of selective flatfish trawl gear, and allows the use of small footrope trawl gear, other than selective

flatfish trawl gear, in certain areas.

(An exempted fishing permit is a Federal permit, issued by the National Marine Fisheries Service, that authorizes a vessel to engage in an activity that is otherwise prohibited in order to collect experimental data.)

COUNCIL CONTINUES WORK ON NEW STOCK DEFINITIONS

In June 2023 the Council adopted stock definitions for 14 priority groundfish species that will be included in Amendment 31 to the groundfish fishery management plan. This action was needed because the plan does not meet the requirements of the Magnuson-Stevens Act in defining stocks for managed groundfish. Defining stocks is also necessary to allow NMFS to make status determinations concerning the health and abundance of West Coast groundfish.

Next, the Council will define stocks of the remaining managed species in the plan; consider revisions to stock complexes; and discuss allowing the states to manage certain aspects of some stocks, or removing the stock from Federal management.

The Council will begin scoping for these actions in September 2024. Preparatory work will begin this winter.

WHALE ENTANGLEMENT SOLUTIONS DISCUSSED

In September, the Council discussed requiring more marking of pots and longlines in groundfish fisheries to help scientists identify fisheries with whale entanglements, as well as other ways to reduce entanglements in the fisheries.

Currently, when a whale gets tangled in fishing gear, the fishery where the gear originated can only be identified about half the time. While groundfish gear is required to have some markings (e.g. vessel registration number on the buoy), unless marking is expanded to include line and other markings, there will still be a lot of uncertainty about the origins of entanglements.

In September the Council adopted a range of alternatives for addressing this topic (see [decision document](#)). The alternatives address buoy marking, gear marking, surface gear requirements, escape panels, and surface gear length restrictions.

The Council also recommended developing a “best practices” guide for gear marking and entanglement risk reduction measures. The Council is scheduled to select a preliminary preferred alternative in March 2024 and a final alternative in June 2024.

COUNCIL CONSIDERS HOW TO INCREASE FLEXIBILITY IN LIMITED ENTRY FIXED GEAR FISHERY

In September the Council considered several actions (apart from gear marking) that affect the limited entry fixed gear (LEFG) fishery. Fishery participants have said they would like more flexibility in order to use their quota efficiently.

The potential changes include:

1) Allowing LEFG vessels to use non-trawl gears that are not currently endorsed on their permits. Currently, they can only use the gear endorsed on their permits --longline and/or pot gear. They can also use other non-bottom contact groundfish gear to fish in

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Groundfish, continued from page 10

non-trawl rockfish conservation areas. For example, the Council is thinking about allowing longline-endorsed vessels to use slinky pots; creating a single LEFG permit (removing the specific gear endorsements so that vessels can use either longline or pot gear to harvest their quota), and/or creating a single limited entry non-trawl endorsed permit, so that any permitted vessel can use any legal non-trawl groundfish gear.

2) The Council is considering requiring all LEFG permit owners to report the permit price when a permit is sold to a new owner. This would help scientists and managers gather socioeconomic information to support future program changes and develop a cost recovery program.

3) The Council is considering creating a cost recovery program for the sablefish tier program, as is required by the Magnuson-

Stevens Act. This would mean the owners (or authorized representatives) of the vessel that lands sablefish under the tier program would be responsible for paying the fee, or that the owner of the permit would be responsible.

The Council is scheduled to select a preliminary preferred alternative in June 2024 and a final alternative in September 2024. For a full description of the alternatives, see [this document](#).

NEXT STEPS FOR THE TRAWL CATCH SHARE AND ALLOCATION REVIEWS

The Council is looking into the costs of the catch share fishery, specifically those costs incurred by the industry or NMFS. Phase I of the project focused on industry concerns, costs of program elements, and costs of similar catch share programs elsewhere. The project does not evaluate which NMFS costs are, or

should be, recoverable from industry through cost recovery fees.

A final [Phase I report](#), which includes a discussion of cost savings and future steps, was presented to the Council in September. The report will support a second phase of the effort and will also be useful in the upcoming catch share review and related intersector allocation review.

NMFS funded the second phase of the project, which will focus on the policy decisions and tradeoffs required to reduce program-related costs. It may also explore other ways to improve fishery performance and economic benefits under the program.

A schedule for the catch share and intersector allocation review process is shown [here](#). Scoping is currently scheduled to start at the September 2024 meeting. The exact dates and process may change further going forward. ➡

Quillback, continued from page 2

CDFW urged anglers to use best fishing practices to reduce impacts to quillback rockfish and other prohibited species, including using descending devices when releasing quillback and moving to different fishing grounds or switching targets if too many quillback are being caught.

CDFW has distributed [flyers](#) to help anglers distinguish quillback rockfish from similar looking species, such as China and black-and-yellow rockfish. Take of bronzespotted rockfish, cowcod and yelloweye rockfish are also prohibited year-round.

In November CDFW requested that the Council take action in Federal waters that align with state actions, specifically to prohibit retention of quillback rockfish statewide in the recreational and commercial groundfish fisheries, and to close the “nearshore” recreational groundfish fishery, implementing an ‘offshore only’ fishery in the same areas as the California closures. ➡

TRAININGS IN FISHERIES SCIENCE AND MANAGEMENT TO CONTINUE THIS YEAR

The Marine Resources Education Program (MREP) held a West Coast fisheries management workshop in Santa Cruz in September. The workshop trained 29 participants in fisheries science and management over five days. The next West Coast MREP training has not been announced, although current plans are to hold another five-day training this year. Participation is always free. For more information, see <https://mrep.gmri.org/apply>. ➡

Salmon, continued from page 3

recovery, supporting state and tribal salmon recovery projects across the West Coast. The monies come from the Bipartisan Infrastructure Law and the Inflation Reduction Act. [See this story map for more information. Applications are due March 4.](#)

The funds will support conservation efforts in California, Oregon, Washington, Idaho, and Alaska.

PRESEASON SCHEDULE FOR CALIFORNIA CHINOOK FISHERIES SET

Public hearings for the 2024 salmon season will be held in person in Washington and California, and online for Oregon. The in-person hearings are tentatively scheduled for March 25 in Westport, Washington and Santa Rosa, California. The online hearing for Oregon is tentatively scheduled for March 26.

LOWER ELWHA KLALLAM TRIBE HAS FIRST FISHERY ON POST-DAM-REMOVAL ELWHA

In October, the Lower Elwha Klallam Tribe conducted its first fishery on a free-flowing Elwha River in more than a century.

In 1911 the Elwha River was blocked by two dams that made more than 90% of the river inaccessible to fish, but in 2014 both the Elwha and Glines Canyon dams were removed. At the time, it was

the largest dam removal project ever undertaken.

Although there is a fishing moratorium on the river, the Lower Elwha Klallam Tribe worked with Olympic National Park and the Washington State Department of Fish and Wildlife to allow a small coho fishery this year: 400 fish for tribal and subsistence use.

Until the upcoming removal of the four lower Klamath River dams, the Elwha dam removal was the biggest such project in the world. [See full story in Phys.org.](#)

COUNCIL CLARIFIES PROCESS FOR SOUTHERN RESIDENT KILLER WHALE THRESHOLD

The Council has adopted changes to the Pacific Salmon Fishery Management Plan related to management measures for Southern Resident killer whales. These changes do not reflect any change in Council policy, but clarify the technical process for determining the threshold for Chinook salmon abundance and reporting any changes to this threshold to the Council.

NEW MANAGEMENT FRAMEWORK ADOPTED FOR CALIFORNIA COASTAL CHINOOK

The Council adopted a new management framework for California coastal Chinook, which are listed under the Endangered Species Act. Limits on harvest of the stock have been exceeded in

recent years, despite measures to reduce impacts. This new framework is intended to ensure that the conservation objectives are met. It will be used annually beginning in 2024. The framework is focused on the commercial troll ocean salmon fisheries off California and will include tools such as trip limits, defined fishing periods, quick reporting, and inseason action.

THREE UPDATES MADE TO SALMON MODELING METHODS

In November, the Council approved three updates to salmon modeling methodology. First, they approved an updated approach for modeling fisheries south of Cape Falcon, Oregon for use in the Chinook Fishery Regulation Model. Second, the Council adopted a new model to forecast the abundance of Sacramento River winter Chinook. Last, a new model was adopted to forecast abundance of Oregon production index hatchery coho beginning in 2024. ➡

USEFUL WEBSITE:

The [Protected Seas Navigator](#) is a clearinghouse for all marine regulations that spatially restrict activity—a database and mapping tool with a focus on regulatory information.

INFLATION REDUCTION ACT MONEYS GO TOWARD FISHERIES MANAGEMENT

The Inflation Reduction Act, signed on August 16 by President Biden, provided approximately \$1.2 billion to NOAA in supplemental funding. The funding is dedicated to specific efforts, including \$20M for Councils for climate-related fisheries management. Thus far, funding has helped to advance habitat restoration efforts around the country and additional funding opportunities for habitat restoration are being provided. ➡

HMS, continued from page 7

port innovation and the development of multi-species fishing practices that catch swordfish along with other commercially valuable species. It aims to limit bycatch of unmarketable, prohibited, and protected species in HMS fisheries; to support the economic viability of domestic swordfish and HMS fisheries on the West Coast; and to promote climate-ready fisheries by supporting resilience in fishery operations and fishing communities, flexibility in management approaches, and consideration of the climate impacts of fishing operations.

TWO BIG INTERNATIONAL WINS FOR HMS

The U.S. saw two big wins this year on the international front for species important on the West Coast.

First, for Pacific bluefin tuna, elements were added to an adopted international harvest strategy to specify how the stock should be managed while a long-term management framework is developed. Pacific bluefin has been managed under a rebuilding plan to recover it from a very low stock size, and has been rapidly recovering. These additions to the harvest strategy assure rebuilding will continue until it reaches a healthy level. At that point, a long-term management framework

will come into play.

Second, control rules were incorporated into the international harvest strategy for North Pacific albacore. These rules specify how the stock should be managed if its size declines below a desirable level. This will help prevent the stock declining to such a low level that drastic management action would be required.

EXEMPTED FISHING PERMIT MOVES FORWARD

Since deep-set buoy gear became legal in June, the Council will not be recommending any exempted fishing permits (EFPs) to test variations of the gear until the fishery has operated for two fishing seasons. The Council will consider such proposals in 2025, giving the Council and scientists a chance to see how the fishery is doing before considering changes.

However, the Council did approve two requests related to fishing with the gear at night, which is not permitted under the new regulations. It recommended renewing an existing EFP for this purpose and forwarded a request by another fisherman to collaborate on testing



Opah. U.S. Fish and Wildlife Service.

nighttime gear use. The proponents noted that they will use electronic monitoring to keep track of the gear, preventing loss and ensuring quick retrieval.

COUNCIL DISCUSSES WHETHER OPAH SHOULD BE INCLUDED AS A MANAGED STOCK

In September the Council discussed whether to include opah in the highly migratory species fishery management plan based on a request from its HMS Management Team. The main reason for adding opah to the plan is that landings have been increasing over the years, although there was a big drop in the last couple of years. The Council asked the management team to gather more information on opah should the Council wish to revisit the question in the future. ➡

National policy, continued from page 8

Justice Strategy that includes regional implementation plans. A plan for the West Coast is in the early stages of development. The Council's Ad-hoc Equity and Environmental Justice Committee (EEJC) is helping the Council address environmental justice and equity issues,

including the strategic plan. The committee provided a report in September.

The Council forwarded all of its relevant advisory body reports to NMFS and adopted the EEJC report recommendations that relate to the Council process, including review-

ing Council processes and noting where there improvements might be made to address equity and environmental justice (EEJ) concerns. The Councils plans to develop an EEJ webpage in the future. This topic may be discussed next in April 2024. ➡