
**DECISIONS OF THE
PACIFIC FISHERY MANAGEMENT COUNCIL
MARCH 5-10, 2011**

COASTAL PELAGIC SPECIES MANAGEMENT

Exempted Fishing Permits

The Council received one exempted fishing permit (EFP) proposal (for aerial survey work in Pacific Northwest waters) and adopted it for public review, with several revisions. These revisions include a change in the amount of fish requested, from 2,100 mt to 2,700 mt; incorporation of nine of the recommendations from the Coastal Pelagic Species Management Team (CPSMT) in Agenda Item C.1.b, Supplemental CPSMT report, absent recommendation number 6 and absent the second recommendation #2); and with a modification of the first recommendation #2, reflecting that although it should be a priority to complete aerial survey work during the closure between periods 2 and 3, the applicants may continue into the 3rd period. The Council has scheduled final action for the April Council meeting.

MARINE PROTECTED AREAS

Olympic Coast National Marine Sanctuary Management Plan Review

The Council approved the draft letter to the Olympic Coast National Marine Sanctuary recommended by the Habitat Committee (see Agenda Item D.1.c, Draft Letter), with minor revisions. The letter is to be transmitted prior to March 25.

HABITAT

Current Habitat Issues

The Council directed the Habitat Committee to further investigate plans by the Corps of Engineers to modify their national standards for vegetation management on levees, and to report back to the Council at a future meeting.

PACIFIC HALIBUT MANAGEMENT

Incidental Catch Regulations in the Salmon Troll and Fixed Gear Sablefish Fisheries

The Council adopted the following public review options for the 2011 incidental halibut catch in the salmon troll fishery:

Salmon Troll Fishery

- Option 1 Status quo - no more than one halibut per three Chinook landed, with one additional halibut landed without meeting the 1:3 ratio, and no more than 35 halibut per trip.
- Option 2 No more than one halibut per two Chinook landed, with one additional halibut landed without meeting the 1:2 ratio, and no more than 35 halibut per trip.
- Option 3 No more than one halibut per four Chinook landed, with one additional halibut landed without meeting the 1:4 ratio, and no more than 25 halibut per trip.

Fixed Gear Sablefish Fishery

The Council confirmed that there are insufficient halibut available for allocation of incidental catch retention to the fixed gear sablefish fishery.

Preliminary Alternatives for Incidental Catch Retention of Pacific Halibut in the Limited Entry and Open Access Fixed Gear Sablefish Fisheries

The Council recommended advancing alternatives for Pacific halibut bycatch retention in fixed gear sablefish fisheries south of Point Chehalis, Washington, but to restrict application of alternatives for retention to the limited entry fixed gear sablefish sector, and to limit viable alternatives to those that do not increase impacts on yelloweye rockfish. National Marine Fisheries Service will consider further development of alternatives, possible incorporation of the issue into a NEPA review of the Area 2A catch sharing plan, and provide a process update to the Council in April, 2011.

SALMON MANAGEMENT

Review of 2010 Fisheries and Summary of 2011 Stock Abundance Forecasts

The Council reviewed 2011 stock abundance forecasts. All available forecasts for Council managed salmon stocks were adopted for use in modeling 2011 ocean salmon fisheries.

Identification of Stocks not Meeting Conservation Objectives

The Council reviewed the most recent information on relevant stocks meeting the conservation alert threshold (forecasted to not achieve the goal in 2011) and the overfishing concern threshold (not meeting the conservation goal for the three most recent years). There were no stocks that triggered a conservation alert or overfishing concern in 2011. After reviewing the natural spawning escapement level for Klamath fall Chinook, the Council formally acknowledged that this stock has achieved the rebuilding criteria, thus ending its status in the overfishing concern category.

Sacramento River Fall Chinook Overfishing Assessment

The Council reviewed the overfishing assessment completed by the Salmon Technical Team and Habitat Committee for Sacramento River fall Chinook, and accepted the STT recommendations to consider the stock not overfished and that overfishing did not occur in 2007-2009. The STT based their recommendations on the preliminary preferred alternative for status determination criteria in Salmon FMP Amendment 16. Further, based on preliminary information showing that the Sacramento River fall Chinook spawning escapement in 2010 was within the goal range of 122,000-180,000 adult spawners, the Council declared the overfishing concern status for this stock to be ended and that the stock is not currently in an overfished condition.

Adoption of 2011 Management Alternatives for Public Review

Three alternatives for ocean salmon fisheries were adopted for public review. Detailed information on these fisheries is available on the Council website, <http://www.pcouncil.org/salmon/current-season-management/#adopted>. The Council will develop a preferred alternative for all ocean salmon fisheries for the May 1, 2011 through April 30, 2012 season at its April 9-13, 2011 meeting in San Mateo, California.

The Council also recommended that National Marine Fisheries Service take inseason action to delay the Cape Falcon to Oregon/California Border commercial salmon fisheries from March 15 to at least April 15, and to open the Horse Mt. to U.S./Mexico border recreational fishery on April 2.

Salmon Hearings Officers

The Council appointed the following officers to the three salmon hearings on 2011 salmon season options. All hearings will begin at 7:00 p.m.

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- *The Chateau Westport, Westport, WA* –Mark Cedergreen representing the Council and Peter Dygert representing National Marine Fisheries Service (NMFS);
- *Coos Bay Red Lion Hotel, Coos Bay, OR* – Rod Moore representing the Council and Peggy Busby representing NMFS;

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- *Red Lion Hotel Eureka* –David Crabbe representing the Council.

Process for Implementing 2011-2012 Specifications and Management Measures

In June 2010, the Council adopted final preferred alternatives for harvest specifications and management measures for the 2011-2012 groundfish fisheries. Council action included the adoption of Amendment 16-5 to the groundfish fishery management plan, which proposed to modify all existing overfished species rebuilding plans, institute a new rebuilding plan for petrale sole, modify the status determination criteria for flatfish, and establish a new precautionary harvest control rule for flatfish (see [2010 Summer Newsletter](#)). In a letter dated December 27, 2010, National Marine Fisheries Service (NMFS) disapproved proposed Amendment 16-5 in its entirety (see [Agenda Item H.1.a, Attachment 1](#)). NMFS is anticipated to use emergency authority to implement specifications related to Amendment 16-5 for 2011 and requested the Council reconsider Amendment 16-5 for implementation of the 2012 specifications and management measures. The final rule for 2011 and 2012 measures not related to Amendment 16-5 are anticipated to be implemented in April 2011.

Under Agenda Item H.2, NMFS announced the availability of the final environmental impact statement (FEIS) for the 2011-2012 harvest specifications and management measures, which is published on the NMFS [Northwest Region's website](http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/NEPA-Documents/index.cfm) (<http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/NEPA-Documents/index.cfm>) and the [Council's web site](http://www.pcouncil.org/groundfish/current-season-management/upcoming-harvest-specifications-regulations-and-seasons) (<http://www.pcouncil.org/groundfish/current-season-management/upcoming-harvest-specifications-regulations-and-seasons>). The Environmental Protection Agency published, the FEIS on March 11. Included in the FEIS is a new NMFS preferred alternative for 2011 and 2012 with a 17 metric ton (mt) annual catch limit (ACL) for yelloweye rockfish and a 3 mt cowcod ACL. The remaining harvest specifications contained in the NMFS preferred alternative are the same as the Council's final preferred alternative. Management measures contained in the NMFS preferred alternative are the same as the Council's final preferred alternative, except the NMFS preferred alternative does not include modifications to the Cowcod Conservation Area (CCA) recommended by the Council which would have changed the CCA boundary from 20 to 30 fathoms and provided for the retention of shelf rockfish.

The Council re-affirmed their support for the original adoption of harvest specifications for yelloweye rockfish (i.e., a 20 mt annual catch limit (ACL) and a 17 mt annual catch target). Further, the Council

re-affirmed their adoption of a 4 mt cowcod ACL and the changes to management measures in the CCA.

Pacific Whiting Harvest Specifications for 2011

The Council adopted the 2011 Pacific whiting stock assessment recommended by a stock assessment review (STAR) panel and the SSC. The assessment, conducted in a collaborative effort by Canadian and U.S. scientists, forwarded two models (SS and TINSS). The SSC determined both model results were equally plausible and recommended key management quantities such as the MSY harvest level (i.e., overfishing limit or OFL) and stock depletion in 2011 (126% of virgin biomass) using a blended result from both models. The Council adopted the SSC-recommended coastwide (U.S. + Canada) OFL of 973,700 mt for 2011 fisheries. Likewise, a coastwide annual catch limit/optimum yield (ACL/OY) of 393,751 mt was adopted for 2011 fisheries. Under the terms of the U.S.-Canada Pacific whiting treaty, the U.S. allocation of the coastwide ACL/OY is 73.88% of the coastwide ACL/OY, which equates to 290,903 mt. The National Marine Fisheries Service is consulting with the treaty tribes for their 2011 allocation, which will be set aside from the U.S. ACL/OY. The Council also decided to set aside 3,000 mt of Pacific whiting yield to accommodate incidental bycatch in non-whiting fisheries and research catch this year. The whiting sector allocations (i.e., 24% to motherships, 34% to catcher-processors, and 42% to shoreside whiting) will be determined once the treaty allocation is decided.

Consideration of Inseason Adjustments

The Council considered the most recent information on the status of ongoing fisheries and recommended that the National Marine Fisheries Service (NMFS) implement the following inseason adjustments.

- For the limited entry fixed gear sablefish daily trip limit fishery north of 36° N. latitude: implement a limit of 2,000 lb per week not to exceed 6,500 lbs/2 months starting in period 4 through the end of the year.

Trawl Rationalization Trailing Actions and Allocation Amendments

The Council made the following decisions on trawl rationalization trailing actions:

- Groundfish fishery management plan (FMP) Amendment 21 allocations replacement of FMP Amendment 6 allocations: The Council specified as its preliminary preferred alternative (PPA) that the Amendment 21 Trawl/Nontrawl allocations should supersede and replace the Amendment 6 Limited Entry/Open Access allocations. Further, the Council specified that flexibility be provided to make changes to set asides for research catch, incidental open access, experimental fishing permits, and the tribal whiting set-asides through routine inseason adjustments in response to new information. Additional specificity will be developed regarding the set aside issues, however, the Amendment 21/6 allocation issue will move forward on its own if the set-aside issue becomes too complex and threatens to delay action on the Amendment 21/6 allocation issue.
- Halibut allocation: The Council specified Alternative 1 from Agenda Item H.5.a, Attachment 3 as its PPA. This alternative sets a trawl bycatch mortality allocation of 15% of the total catch exploitation yield, not to exceed 130,000 pounds through 2014 and not to exceed 100,000 pounds starting in 2015. Additional detail on the alternative can be found in Agenda Item H.5.a, Attachment 3.
- Severability of Mothership Catcher Vessel Catch-History/Sector-Endorsements from Limited Entry Trawl Permits: The Council specified Alternative 1 from Agenda Item H.5.a, Attachment 4 as its PPA. This alternative would allow the catch history and sector endorsements to be separated from limited entry trawl permits (but such endorsements could not be separated from their catch history). Additional detail on the alternative can be found in Agenda Item H.5.a, Attachment 4.
- Other Program Improvements and Enhancement Rule: The Council received a report from NMFS on a number of issues that may need to be covered in a program improvements and enhancement (PIE) rule. These issues include such topics as vessel movement between the limited entry and open access fishery and catch accounting, as well as corrections of minor errors in the regulations. Some of the issues may require FMP amendments and may affect sectors other than the trawl sector. At its April meeting the Council will receive a full presentation on candidate issues for the PIE Rule.
- April meeting risk pool session: At its April meeting, the Council will hold an informational session on overfished species and halibut risk pools. ***Groups that are forming risk pools and***

desire to make a short presentation to the Council should contact Jim Seger at the Council office no later than March 23, 2011.

- At its April meeting, the Council will discuss the composition and charge for an ad hoc committee that would advise the Council on technical corrections and other fixes needed in the trawl rationalization regulations. The recommendations of this group would be used to develop the next set of trailing actions, to be taken up after Council work on the current high priority actions is completed.

ECOSYSTEM BASED MANAGEMENT

Ecosystem Fishery Management Plan

The Council scheduled action for its June 2011 meeting to adopt the Ecosystem Plan's statement of purpose and need and to provide guidance on whether the plan should have regulatory authority and management unit species. The Council tasked its advisory bodies with the review of the September 2010 and March 2011 Ecosystem Plan Development Team reports, public comments received under J.1 in March of 2011, and other pertinent materials prior to preparing statements for the June Briefing Book on the topics scheduled for Council action in June.

ADMINISTRATIVE MATTERS

Legislative Matters

The Council directed the Executive Director to submit Legislative Committee and Habitat Committee comments regarding the Department of Commerce and NOAA Aquaculture Policies by the April 11, 2011 deadline. The Council letter will request an extension of the public comment period and will convey initial findings that the policies should not apply to Pacific salmon hatchery practices; the policies do not cite adequate science or include strategic guidance on the implementation of sustainable aquaculture, and the policies should more clearly identify how NOAA will collaborate with local, state, and regional entities, including regional fishery management councils and the West Coast Governors' Agreement.

Membership Appointments and Council Operating Procedures

The Council confirmed the appointment of LT David Anderson to the Oregon State Police position on the Enforcement Committee and appointed Ms. Deb Wilson-Vandenberg to the California Department of Fish and Game position on the Ecosystem Plan Development Team.

In response to two recent resignations of Groundfish Advisory Subpanel (GAP) members, the Council directed staff to issue a call for nominations to the positions of (1) processor at-large and (2) open access north of Cape Mendocino. The nominations will be considered by the Council at its June meeting. The Council Chairman appointed Ms. Susan Chambers to serve as an interim processor at-large. While no interim appointment was made for the northern open access vacancy, the southern open access member, Mr. Daniel Platt, will serve as the primary representative for all open access until the northern vacancy is filled. Mr. Gerry Richter, who holds a fixed-gear at-large position on the GAP, is also familiar with the open access fishery and can serve as an additional interim point of contact.

Future Council Meeting Agenda Workload Planning

The proposed agenda for the April 9-13, 2011 Council meeting will be available on www.pcouncil.org during the week of March 14.

PFMC
3/15/2011

