



DECISIONS AT THE APRIL 2007 MEETING

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GROUND FISH MANAGEMENT

Amendment 15: American Fisheries Act

The Pacific Fishery Management Council (Council) revisited the range of alternatives for protecting West Coast fisheries from harm caused by new entry by vessels qualified under the American Fisheries Act (AFA). The Council adopted three alternatives for preliminary analysis:

- Alternative 1 Status quo.
- Alternative 2 Prohibit participation in the shoreside, catcher/processor, and mothership sectors of the Pacific whiting fishery by AFA-qualified vessels that do not have a significant historic participation record in those sectors between January 1, 1994 and January 1, 2006.
- Alternative 3 Prohibit participation in the shoreside, catcher/processor, and mothership sectors of the Pacific whiting fishery by AFA-qualified vessels that do not have a significant historic participation record in those sectors between January 1, 1994 and January 1, 2007.

For both Alternative 2 and Alternative 3, “significant historic participation” is defined -

- For catcher/processors (two alternative definitions for analysis) as:
 - a) having caught and processed at least 1,000 metric tons (mt) of whiting in any one qualifying year; or
 - b) having caught and processed at least 1,000 mt of whiting in any one qualifying year subsequent to December 31, 1996.
- For motherships (two alternative definitions for analysis) as:
 - a) having received at least 1,000 mt of whiting in any one qualifying year; or
 - b) having received at least 1,000 mt of whiting in any one qualifying year subsequent to December 31, 1996.
- For catcher vessels in the shore-based or mothership fishery (two alternative definitions for analysis) as:
 - a) having landed at least 500 mt of whiting in any one qualifying year; or
 - b) having landed at least 1,000 mt of whiting in any one qualifying year.

The Council is scheduled to consider analysis of the range of alternatives at the June Council meeting in Foster City, California with the intent to take final action at the September Council meeting.

Consideration of Inseason Adjustments

The Council recommended no inseason adjustments to ongoing 2007 groundfish fisheries at the April Council meeting.

SALMON MANAGEMENT

Methodology Review Process and Preliminary Topic Selection for 2007

The Council adopted the following prioritized list of candidate items that the Scientific and Statistical Committee (SSC) may consider for the 2007 Salmon Methodology Review. Source entities to deliver detailed reports for SSC review are included with each candidate item.

1. Coded wire tag (CWT) representation for lower Columbia River natural coho in the Coho Fishery Regulation Assessment Model (FRAM). *Methodology Evaluation Workgroup (MEW)*
2. CWT representation for lower Columbia River natural tule Chinook in the Chinook FRAM. *MEW*
3. Development of the Recovery Exploitation Rates currently used for Lower Columbia River natural tule Chinook. *National Marine Fisheries Service (NMFS) Northwest Region (NWR) and Northwest Fishery Science Center (NWFSC)*
4. Development of the Recovery Exploitation Rates currently used for Lower Columbia natural coho. *NMFS NWR and NWFSC*
5. Coho FRAM base period development and selection of years for base period averaging for input into the Coho FRAM. *MEW*
6. Sensitivity analyses of the Chinook and Coho FRAMs to major assumptions, including sensitivity to parameters related to mark-selective fisheries. *MEW*
7. Genetic Stock Identification experimental design, including general purpose experimental objectives, proposed statistical sampling design, and sampling protocols, for West Coast ocean salmon fisheries. *NMFS Southwest Fishery Science Center and NWFSC*
8. September 1 maturity boundary (“birth date”) for Klamath River fall Chinook. *Pacific States Marine Fisheries Commission and Salmon Technical Team (STT)*
9. Adding stocks from south of Cape Falcon to the Chinook FRAM. *MEW*

The final list of items will be determined at the September Council meeting, and the Review will occur prior to the November Council meeting.

Final Action on 2007 Salmon Management Measures

The Council adopted recommended salmon management measures off California, Oregon, and Washington for submission to NMFS. The detailed management measures can be viewed on the Council website www.pcouncil.org.

PACIFIC HALIBUT MANAGEMENT

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

Salmon Troll

The Council adopted the same landing restrictions for Pacific halibut caught incidentally in the salmon troll fishery as were in place for 2006:

Beginning May 1, license holders may land no more than one halibut per each three Chinook, except one halibut may be landed without meeting the ratio requirement and no more than 35 halibut may be landed per trip. Halibut retained must be no less than 32 inches in total length (with head on).

A "C-shaped" yelloweye rockfish conservation area (YRCA) is an area to be avoided for salmon troll fishing. NMFS and the Council request that salmon trollers voluntarily avoid this area in order to protect yelloweye rockfish. The area is defined in the Pacific Council Halibut Catch Sharing Plan in the North Coast subarea (Washington Marine Area 3), with the following coordinates in the order listed:

48°18' N latitude; 125°18' W longitude;
48°18' N latitude; 124°59' W longitude;
48°11' N latitude; 124°59' W longitude;
48°11' N latitude; 125°11' W longitude;
48°04' N latitude; 125°11' W longitude;
48°04' N latitude; 124°59' W longitude;
48°00' N latitude; 124°59' W longitude;
48°00' N latitude; 125°18' W longitude;
And connecting back to 48°18' N latitude; 125°18' W longitude

The Council also noted permanent salmon regulations have been modified to designate a mandatory YRCA in the North Coast subarea (Washington Marine Area 3) as closed to commercial salmon fishing. The coordinates of the mandatory YRCA are: from 48°00.00' N latitude; 125°14.00' W longitude to 48°02.00' N latitude; 125°14.00' W longitude to 48°02.00' N latitude; 125°16.50' W longitude to 48°00.00' N latitude; 125°16.50' W longitude and connecting back to 48°00.00' N latitude; 125°14.00' W longitude.

Fixed Gear Sablefish Fishery

The Council adopted the same landing limits on incidental halibut harvest in the fixed gear primary sablefish fishery north of Point Chehalis as were in place for 2006:

Option 1 Status Quo: Beginning May 1, restrict incidental halibut landings to 100 pounds (dressed weight) of halibut for every 1,000 pounds (dressed weight) of sablefish landed and up to two additional halibut in excess of the 100 pounds per 1,000 pound ratio per landing. Retention of halibut allowed beginning May 1.

MARINE PROTECTED AREAS

Review of Oregon Ocean Policy Advisory Council Report

The Council reviewed a report of the Oregon Ocean Policy Advisory Council entitled, *Oregon Coast National Marine Sanctuary Proposal: Status Report*, as well as National Marine Sanctuary Program comments on the report. The Council will send a letter to the Oregon Governor's office conveying comments about the relevant experiences of the Pacific Council in fishery regulation in Sanctuary waters, the Groundfish Advisory Subpanel (GAP) statement on this matter, and the Council's desire for continued coordination with the State of Oregon on the proposal in the future.

ADMINISTRATIVE MATTERS

Magnuson-Stevens Act Reauthorization Implementation

The Council hosted a NMFS scoping session on the role of the SSC, development of annual catch limits and accountability measures, and a revised environmental review process. The Council tasked staff with sending a letter to NMFS by the April 17 deadline for public scoping comments conveying (1) information which demonstrates how the current Pacific Council process of independent scientific review by the SSC and the record of avoiding overfishing by setting responsible catch limits and actively monitoring fisheries inseason by-in-large meet the requirements of the reauthorized Magnuson-Stevens Act (MSA) to end overfishing, as well as, (2) the recommendations of the Legislative Committee, the SSC, Groundfish Management Team (GMT), GAP, Highly Migratory Species Management Team (HMSMT), Highly Migratory Species Advisory Subpanel (HMSAS), STT, and the Salmon Advisory Subpanel. These recommendations include a general endorsement of the Environmental Review Process proposed by the Council Coordination Committee. The Council reviewed an initial draft of a memorandum of understanding (MOU) between Regional Councils in the Pacific,

the U.S. Department of Commerce, the U.S. State Department, U.S. coordination of efforts on international fishery management organizations, and provided guidance to (1) add the Inter-American Tropical Tuna Commission (IATTC) General Advisory Committee (GAC) Chair to the U.S. Delegation to IATTC meetings and (2) in Part V.C.5, change one seat designated to Pacific Council area “albacore troll” to seats designated as “commercial at large,” in a number equal to the number of commercial fishing sector seats from the Western Pacific Fishery Management Council.

Appointments to Advisory Bodies, Standing Committees, and Other Forums, and Changes to Council Operation Procedures a Needed

The Council approved the appointment of Ms. Joanna Grebel to a California Department of Fish and Game position on the GMT, replacing Ms. Susan Ashcraft; and accepted the resignation of Ms. Michele Culver from the Washington Department of Fish and Wildlife (WDFW) position on the HMSMT. WDFW will provide a nomination for a replacement at a later date.

In response to a provision in the reauthorized MSA, the Council adopted a motion, uniform with those passed or to be passed by the other seven regional councils, to establish the Council Coordination Committee. This committee will meet as appropriate to discuss issues of relevance to all councils.

The Council directed staff to develop, for the June meeting, a straw man proposal for developing a groundfish essential fish habitat review process and oversight committee to implement directives in Amendment 19 to the groundfish fishery management plan (FMP).

With regard to selection of members to the Pacific Whiting Treaty Advisory Panel created under the Pacific Whiting Act of 2006, the Council directed that Council members and all pertinent advisory bodies receive the notice requesting nominations when it is issued. In addition, the Council will need to make a recommendation for a representative to the Joint Management Committee, most likely at the June Council meeting.

Ecosystem Fishery Management Plan

Contingent on new additional funding, the Council passed a motion regarding the next steps in development of an Ecosystem FMP. The motion described seats on a modified plan development team and an initial assignment to provide the Council with a concise statement that includes (1) description of the purpose and need, and (2) a list of goals and objectives of an Ecosystem FMP; the statement is to be consistent with the record of consensus Council dialogue at the April 2007 and

November 2006 Council meetings. NMFS also volunteered to provide support and presentations from the NWFSC and SWFSC, as necessary.

Council Three-Meeting Outlook, June 2007 Council Meeting Agenda, and Workload Priorities

The Council provided guidance for the three-meeting agenda outlook and the proposed agenda for the June Council meeting to be held June 9-15, 2007 in Foster City, California. The proposed agenda will be available on the Council website www.pcouncil.org during the month of May 2007.

HIGHLY MIGRATORY SPECIES MANAGEMENT

Exempted Fishing Permit for Longline Fishing in the West Coast Exclusive Economic Zone

The Council recommended NMFS issue an exempted fishing permit (EFP) to allow a single vessel to fish in the West Coast exclusive economic zone targeting swordfish in 2007 only. The purpose of the EFP is to make an initial assessment of the economic viability of longline gear as an alternative to drift gillnet gear with potentially lower bycatch mortality. The EFP would be issued with a range of measures to mitigate environmental impacts. Key mitigation measures include:

- No fishing within 30 miles of the coastline;
- No fishing within the Southern California Bight;
- No fishing north of 45° N latitude;
- Compliance with existing highly migratory species FMP regulations, including protected species conservation measures;
- Mandatory 100% observer coverage;
- A cap on total fishing effort of no more than four trips, 14 sets per trip, 400-1,200 hooks per set (for a maximum of 67,200 hooks deployed overall);
- Fishing conducted between September and December;
- Use of 18/0 circle hooks with 10° offset;
- Use of mackerel bait and light sticks;
- Setting gear at night to reduce seabird mortality.

In addition, the Council recommended a catch cap of 12 striped marlin, and a take cap of one short-finned pilot whale. Caps on humpback and sperm whales and leatherback and loggerhead sea turtles, which are listed under the Endangered Species Act, will be equivalent to any amounts in the Incidental Take Statement that will be part of the Biological Opinion NMFS will prepare for the action. Caps on seabird takes would also be established based on an Incidental Take Statement that is part of the Biological Opinion the U.S. Fish and Wildlife Service may

prepare for this action. If any of these caps are reached before the fishing effort cap or the end of the permitted time period is achieved, any continued fishing authorized under the EFP would cease immediately for the remainder of the year upon retrieval of any gear in the water.

Albacore Fishing Effort Characterization

In response to resolutions adopted by the IATTC and Western and Central Pacific Fisheries Commission (WCPFC), the Council will forward to the U.S. delegations to these organizations, through NMFS, methods to characterize fishing effort on North Pacific albacore. These methods were proposed by the HMSMT and HMSAS and include the number of vessels that participated in the albacore troll/baitboat fishery and a computation of vessel fishing days for commercial fisheries catching albacore for the time period 1996-2006. Together these methods could be used to report historical effort in fisheries catching North Pacific albacore in order to determine whether fishing effort is declining, stable, or increasing. Based on the information provided, the Council concludes that U.S. West Coast effort on North Pacific albacore is not increasing.

Yellowfin Tuna Overfishing

In accordance with section 304(i) in the reauthorized MSA and notification from the NMFS Southwest Regional Administrator, the Council will not develop an FMP amendment to address yellowfin tuna overfishing. As required by the Act, the Council considered the need for additional domestic regulation to address the relative impact of West Coast fisheries and recommended no additional measures. The Council tasked its HMSMT with developing detailed recommendations to the Secretary of State and Congress for international actions to end overfishing. These recommendations will be considered by the Council at a future meeting and finalized within one year, as required by the Act.

Council Operating for Making Highly Migratory Species Recommendations to Regional Fishery Management Organizations

The Council adopted for public review a Council Operating Procedure (COP) describing processes for the Council to develop conservation and management recommendations for HMS that would be communicated to U.S. delegations to Pacific Regional Fishery Management Organizations (RFMO). The COP also describes how NMFS will keep the Council informed of conservation measures adopted by RFMO which may require domestic regulations under the MSA or other applicable law. The Council directed staff to incorporate changes proposed by the HMSAS, as appropriate, prior to circulating the draft COP for public review.

The Council also reviewed a draft MOU (as authorized by Section 503(f) of the MSA) between the Pacific Fishery Management Council, Western Pacific Fishery Management Council, North Pacific Fishery Management Council, Department of Commerce, and Department of State with respect to participation in delegations to RFMO and RFMO advisory committees. It tasked the Executive Director to continue to work with the parties to finalize the MOU. In doing this, it asked the Executive Director to propose (1) adding a provision designating the Chair of the IATTC GAC as a participant in the U.S. delegation to IATTC meetings, and (2) changes to section V.C.5, which designates the composition of the Advisory Committee to the Western Central Pacific Fisheries Commission, whereby the designation of a seat for a Pacific Council area representative of the albacore troll fishery would be changed to commercial at-large representatives in a number equal to the number of seats representing commercial fishing sectors from the Western Pacific Council region.

Council Recommendations on Conservation Measures to be Considered by the Inter-American Tropical Tuna Commission

The Council noted that any recommendations developed under this agenda item would help address the requirement under Section 304(i)(2)(B) of the MSA. However, at this time there is insufficient information for the Council to develop detailed conservation and management recommendations to address overfishing of eastern Pacific yellowfin and Pacific-wide bigeye tuna stocks in advance of the June 2007 IATTC meeting. Nonetheless, the Council agreed on the need to demonstrate that it wishes to participate in formulating recommendations that may lead to proposals before RFMO. For this reason the Council authorized a letter to NMFS containing general recommendations on conservation measures for these stocks and underscoring the Council's concern about continued overfishing of these stocks, which they would like to be considered by the full U.S. delegation. They also tasked the HMSMT with developing additional recommendations over the coming year that can be communicated to the Secretary of State and Congress (as required by the MSA) and to the U.S. delegation to the IATTC in advance of the 2008 IATTC meeting.

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