



REVISED – 09/19/2006

PACIFIC FISHERY MANAGEMENT COUNCIL
7700 NE AMBASSADOR PLACE, SUITE 101
PORTLAND, OR 97220

DECISIONS AT THE SEPTEMBER 2006 MEETING www.pcouncil.org

Groundfish Management

Groundfish Bycatch Work Plan

The Council tasked Council staff with recommending additions and adjustments to the current Bycatch Work Plan document, with the intent of sending a revised document out for public review and final action at a future Council meeting.

Open Access Fishery Limitation: Planning for a Possible Fishery Management Plan (FMP) Amendment

The Council decided to pursue an FMP amendment process to limit entry in the open access groundfish fishery using a federal permitting system. A new control date of September 13, 2006 was set whereby any open access catch made after this date may not be considered for qualification for a limited entry permit. The Council and member government agencies will start drafting a work plan for this amendment process in the coming months. The Council scheduled further decisions for the April 2006 Council meeting.

FMP Amendment 15 (American Fisheries Act Provisions)

The Council revisited alternatives developed in 2001 for protecting West Coast fisheries from adverse impacts from the American Fisheries Act. The Council decided to move forward expeditiously with completing Amendment 15 for use in the 2008 fishery and scheduled revising, with intent toward simplifying, action alternatives at the March 2007 Council meeting. The Council also voted to request National Marine Fisheries Service (NMFS) enact an emergency rule to be implemented for the 2007 season that prohibits sector-specific participation by American Fisheries Act qualified vessels that did not participate in the Pacific whiting fishery prior to December 31, 2005.

Exempted Fishing Permits for 2007 Fisheries

The Council adopted for public review three exempted fishing permit (EFP) applications which all test various hook and line gear configurations designed to selectively target chilipepper rockfish in federal waters off central California. Specified elements of the EFP applications recommended by the Council include overfished species' bycatch caps as in the following table (which include sub-caps of 100 lbs of canary rockfish per vessel in each EFP); a provision that EFP activities must occur seaward of 80 fm; 100% observer coverage with the cost of observers borne by EFP participants; and a

standardized data collection and reporting format coordinated by the California Department of Fish and Game and the NMFS Northwest Fisheries Science Center.

	Bocaccio	Canary	Cowcod	Darkblotched	Widow	Yelloweye
EFP # 1	3.3 mt	300 lbs	50 lbs	0.4 mt	0.7 mt	50 lbs
EFP # 2	7.3 mt	400 lbs	225 lbs			225 lbs
EFP # 3	1.6 mt	100 lbs	50 lbs			50 lbs
Total	12.2 mt	800 lbs	0.1 mt	0.4 mt	0.7 mt	0.1 mt

The Council will solicit public comment on these proposed EFPs and consider final adoption at their November meeting.

Trawl Individual Quotas: Stage I Alternatives and Progress Report on Stage II

The Council directed its Groundfish Allocation Committee (GAC) to meet and develop recommendations on refining trawl individual quota (TIQ) alternatives and other key elements described in the Stage I document. This meeting is preliminarily scheduled for December 12-14, 2006. The Council added an option for management of each of the whiting sectors using co-operatives to the alternatives being analyzed. The Council also confirmed a meeting of the GAC for October 18-19 to develop recommendations for groundfish intersector allocation alternatives. Analytical work on TIQ alternatives and elements adopted by the Council will continue and be used in support of the December 12-14 GAC meeting. Matters from advisory body statements from the September Council meeting will also be similarly addressed.

Fishery Management Plan Amendment 10 (Shore-Based Whiting Monitoring)

The Council deferred final action on Amendment 10, with the understanding the 2007 fishery will be conducted under an exempted fishing permit. The Council will review monitoring program alternatives and draft proposed regulations at its November meeting and schedule final action such that in 2008 the fleet will be monitored in accordance with federal regulations and not under an EFP. A public meeting will be organized by NMFS prior to the November Council meeting to engage industry members in a discussion of the development of the new federal regulations for the shore-based sector; the location is yet to be determined. A separate meeting in Seattle will be scheduled by NMFS before the November Council meeting in order to engage industry in a discussion on the use of cameras on catcher vessels.

Final Consideration of Inseason Adjustments

The following inseason adjustments were made to ongoing 2006 groundfish fisheries:

- Close the open access daily trip limit fishery north of 36° N lat. for sablefish on October 1.
- Increase the open access and limited entry daily limit in the daily trip limit fishery south of 36° N lat. for sablefish to 500 lbs on October 1. The weekly limit of 1,050 lbs remains unchanged.
- Increase the period 6 sablefish and petrale sole trip limits for large and small footrope gear in the limited entry trawl fishery as follows: 70,000 lbs/ 2 months for petrale sole and 20,000 lbs/ 2 months for sablefish.
- Increase the widow rockfish cap in ongoing non-treaty whiting trawl fisheries from 200 mt to 220 mt.
- Reduce the canary rockfish cap in ongoing non-treaty whiting trawl fisheries from 4.7 mt to 4.0 mt.
- Prohibit retention of vermilion rockfish in federal waters off Oregon to conform to state regulatory action.

Inseason Chinook Bycatch Trigger for the Pacific Whiting Fishery and Technical Correction to the Acceptable Biological Catch for Petrale Sole in the 2007-08 Harvest Specifications and Management Measures

The Council adopted an inseason Chinook salmon bycatch trigger for 2007-2008 Pacific whiting fisheries to allow NMFS to enforce the Ocean Salmon Conservation Zone if the bycatch of Chinook salmon approaches 11,000 fish. This action would prohibit the whiting fishery shoreward of the management line approximating the 100-fm contour if needed to conserve Chinook salmon.

The Council also adopted a technical correction to the 2007 acceptable biological catch (ABC) for petrale sole. The correctly-specified petrale sole ABC is 3,025 mt.

<i>Habitat</i>

Current Habitat Issues

The Council tasked Council staff with sending a letter to sport fishing groups on the fishery management relationship between groundfish recreational fishing regulations and groundfish essential fish habitat designations. The Council placed a joint meeting of the Scientific and Statistical Committee and Habitat Committee subcommittees on the tentative November Council meeting schedule.

Highly Migratory Species Management

Changes to Routine Management Measures

The Council adopted for public review a range of alternatives for routine management measures, with final action scheduled for the November Council meeting. There are alternatives for each of three actions under consideration: 1) change in vessel marking requirements to exempt recreational commercial passenger fishing vessels; 2) bag limits for albacore and bluefin tuna; and 3) change in the northern boundary of the leatherback sea turtle conservation area.

For bag limits, the range of alternatives is only for California recreational fisheries.

Detailed descriptions on the various alternatives will be available on the Council's website www.pcouncil.org in the relatively near future.

National Marine Fisheries Service Report

The Council directed staff to prepare an amendment to the Highly Migratory Species FMP (Amendment 1), addressing overfishing of bigeye tuna in the eastern Pacific Ocean, that would be available for public review on October 6, 2006. The Council will take final action to adopt the FMP amendment at the November Council meeting.

Marine Protected Areas

Fishery Regulations within Channel Islands National Marine Sanctuary (CINMS)

The Council directed Council staff to develop new alternatives to extend state fishery regulations into federal waters within the CINMS, under Magnuson-Stevens Act (MSA) authority. The new alternatives may be from any Council FMP or other MSA avenue and should include a schedule for a potential amendment process. The Council will consider further action at the November Council meeting.

Review of CINMS Draft Environmental Impact Statement (DEIS) Regarding Fishery Closures

The Council reviewed the DEIS and proposed rule and directed Council staff to submit a letter to the CINMS:

1. Noting the Council's intent to pursue fishery regulations through the MSA to achieve the proposed marine protected areas (see Agenda Item F.1);
2. Requesting language to insure it is clear CINMS regulations on fishing and any associated changes in the CINMS Designation Document, (a) sunset automatically when MSA fishery regulations are adopted, and (b) do not allow for

- any future fishery regulation authority beyond this specific action;
3. Requesting that economic impacts be updated with more current information; and
 4. Eliminate or minimize any changes in the CINMS Designation Document.

The Council will also request clarification on the process by which the CINMS intends to respond to any future Council management actions within the Sanctuary.

Pacific Halibut Management

Proposed Changes to Catch Sharing Plan and 2007 Annual Regulations

The Council adopted for public review several proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan in Washington waters.

In the north coast subarea recreational halibut fishery opening in June:

- 1) Constrain the second opening to two specific areas:
 - a) within WDFW marine catch area 4B; and
 - b) shoreward of a modified line approximating 30 fathoms along the outer coast.
- 2) Specify the opening date as Friday, June 15.
- 3) Schedule the June season for three consecutive days—Friday, Saturday, and Sunday.

Set aside 5% of the South Coast quota, which would be used to provide a northern nearshore fishery after the offshore fishery has closed; the nearshore fishery would be open three days per week—Friday, Saturday, and Sunday.

Area closures to conserve overfished yelloweye rockfish:

A yelloweye rockfish conservation area closed to salmon troll fishing defined by the following coordinates:

- 48°00.00' N. lat., 125°14.00' W. longitude;
- 48°02.00' N. lat., 125°14.00' W. longitude;
- 48°00.00' N. lat., 125°16.50' W. longitude;
- 48°02.00' N. lat., 125°16.50' W. longitude; and
- 48°00.00' N. lat., 125°14.00' W. longitude.

A yelloweye rockfish conservation area closed to commercial groundfish limited entry fixed gear fisheries, including the primary sablefish fishery, defined by the following coordinates:

- 48°11.77' N. lat., 125°13.03' W. longitude;
- 48°16.43' N. lat., 125°07.55' W. longitude;
- 48°14.72' N. lat., 125°01.84' W. longitude;
- 48°13.36' N. lat., 125°03.20' W. longitude;
- 48°12.74' N. lat., 125°05.83' W. longitude;
- 48°11.55' N. lat., 125°04.99' W. longitude;

48°09.96' N. lat., 125°06.63' W. longitude;
48°09.68' N. lat., 125°08.75' W. longitude; and
48°11.77' N. lat., 125°13.03' W. longitude.

A yelloweye rockfish conservation area closed to recreational groundfish and halibut fishing defined by the following coordinates:

46°58.00' N. lat., 124°48.00' W. longitude;
46°55.00' N. lat., 124°48.00' W. longitude;
46°58.00' N. lat., 124°49.00' W. longitude;
46°55.00' N. lat., 124°49.00' W. longitude; and
46°58.00' N. lat., 124°48.00' W. longitude.

Pacific Halibut Bycatch Estimate for International Pacific Halibut Commission Adopted

The Council recommended NMFS forward the report on Pacific halibut bycatch estimates in 2005 Area 2A groundfish trawl fisheries ([Agenda Item G.2.b, Supplemental NMFS Report](#)) to the International Pacific Halibut Commission for use in management of 2007 fisheries. These estimates show an increase in bycatch mortality of approximately 50,000 pounds over 2004, but less than any other year in the prior decade.

Salmon Management

Salmon Methodology Review

The Council directed the Scientific and Statistical Committee (SSC) to review the following topics and report their findings at the November Council meeting in San Diego:

1. Documentation for the Chinook and Coho Fishery Regulation Assessment Model (FRAM).
2. Ocean abundance predictor methodologies for Columbia River fall chinook.
3. Genetic Stock Identification real-time quota management, inside/outside Klamath River fall chinook (KRFC) test fishery design and spatio-temporal distribution test fishery proposal elements.

The Council also tasked Council staff with contacting the Pacific States Marine Fishery Commission requesting: (1) data and analytical opinion on the current appropriateness of the September 1 "birth date" demarcation of mature and immature fish caught in ocean fisheries; and (2) validation of 2006 recoveries of coded-wire tag KRFC caught between September 1, 2005 and April 30, 2006.

Fishery Management Plan Amendment 15 (*de minimis* fisheries)

The Council adopted for public review the following four *de minimis* ocean fishery alternatives for Salmon FMP Amendment 15, regarding impacts of ocean fishing on Klamath River fall chinook when forecasts are below 35,000 natural spawners.

1. Status quo (no *de minimis* ocean fishing in areas of Council jurisdiction that impact Klamath River fall chinook salmon).
2. A 5% age-4 ocean impact rate cap.
3. A 10% age-4 ocean impact rate cap.
4. A 13% age-4 ocean impact rate cap.

The Council delayed selection of a preferred alternative until the November Council meeting in San Diego, but reaffirmed its intention to take final action on Amendment 15 at that meeting, towards the objective of completing the amendment process in time for implementation by the start of the 2007 salmon management season on May 1.

Public hearings to receive input on the alternatives are tentatively scheduled for November 1 in Coos Bay, Oregon, and November 2 in Santa Rosa, California.

The Council eliminated from consideration the following three Alternatives:

1. A 16% ocean impact rate cap.
2. A rebuilding feature that would limit *de minimis* fisheries to no more than three consecutive years, and if the 35,000 spawner floor was not met in all three of those years, *de minimis* fisheries would not be allowed until the spawner floor was met for three consecutive years.
3. The prohibition of any fall/winter fisheries (September 1 through March 14) following spring/summer (March 15 to August 31) *de minimis* fisheries.

Administrative Matters

Appointments to Advisory Bodies, Standing Committees, and Other Forums for the 2007-09 Term, Including any Necessary Changes to Council Operating Procedures

The Council made the following appointments to advisory bodies:

- Mr. Brett Wiedoff to replace Ms. Jean McCrae on the Coastal Pelagic Species Management Team as the Oregon Fish and Wildlife representative.
- Ms. Cyreis Schmitt to replace Ms. Jean McCrae on the Highly Migratory Species Management Team as the Oregon Fish and Wildlife representative.
- Ms. Kelly Ames to replace Ms. Gway Kirschner on the Groundfish Management Team as one of the Oregon Fish and Wildlife representatives.

The Council announced the following appointments to standing and ad hoc committees:

- Mr. Dale Myer to replace Mr. Bob Alverson on the Legislative Committee.
- Ms. Kathy Fosmark was appointed to a new seat on the Legislative Committee.
- Mr. Phil Anderson to replace Mr. Jim Harp on the Budget Committee.
- Mr. David Sones to replace Mr. Jim Harp on the ad hoc Coastal Pelagic Species Tribal Allocation Committee.
- Ms. Donna Parker to replace Mr. Dale Myer on the ad hoc Groundfish Trawl Individual Quota Committee.

The Council modified Council Operating Procedure (COP) 3 to replace one NMFS SWFSC seat with a seat for a regional fishery management organization, such as the Inter-American Tropical Tuna Commission, and to increase the NMFS SWFSC seats to three on the Coastal Pelagic Species Management Team. The Council will solicit nominations for the HMSMT vacancy to be filled at the November 2006 Council meeting in San Diego.

The Council announced its intention to form an ad hoc Groundfish Essential Fish Habitat Oversight Committee (GEFHOC) when necessary to address proposed changes to areas closed to bottom trawling, as required under Section 6.4.2 of Amendment 19 to the Groundfish Fishery Management Plan. The GEFHOC would include membership from the GMT, GAP, and SSC.

The Council requested staff to solicit nominations for vacancies on the Groundfish Allocation Committee for non-voting members representing the open access and whiting fishery sectors. The Council also modified COP 7 to allow the Council Chairman to make interim appointments for non-voting members of the GAC to provide representation during vacancies.

The Council directed staff to solicit nominations for advisory body vacancies for the 2007-2009 term. Vacancies include all seats on the Salmon Advisory Subpanel, Groundfish Advisory Subpanel, Coastal Pelagic Species Advisory Subpanel, and the Highly Migratory Species Advisory Subpanel; the Tribal, Fishing Industry, Conservation, and At-Large seats on the Habitat Committee; and the At-Large seats on the SSC.

The Council modified COP 2 to change the composition of the HMSAS by converting the sports fisher at-large seat to a northern (Oregon/Washington) charter seat beginning with the 2007-2009 term.

Updated Research and Data Needs

The Council approved a public review draft of the 2006-2008 Research and Data Needs and directed Council staff to incorporate the comments of the SSC and distribute the document for public review. The revised public review draft will be posted on the Council web site in the near future. The Council is scheduled to adopt a final document at the November Council meeting in San Diego.

Council Three-Meeting Outlook, Draft November 2006 Council Agenda, and Workload Priorities

The Council provided guidance for the Council's three-meeting agenda outlook and the draft agenda for the November 2006 Council meeting to be held November 12-17, 2006 in Del Mar, California. The draft agenda will be available on the Council website <http://www.pcouncil.org/events/csevents.html> in late September 2006.

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