

Decision Summary Document
Pacific Fishery Management Council
September 14-18, 2012

Council Meeting Decision Summary Documents are highlights of decisions made at Council meetings. For a more detailed account of Council meeting discussions, see the [Council meeting minutes and voting logs](#) or the [Council newsletter](#), which are typically available at some point well after the Council meeting has concluded.

HABITAT

Current Habitat Issues

The Council directed staff to forward scoping comments asking for additional information and analysis to be included in the full environmental analysis of the proposed expansion of the Monterey Bay National Marine Sanctuary, with regard to how the additional proposed closed area will provide additional protection beyond the state and federal protections currently in place.

SALMON MANAGEMENT

California Hatchery Review Report

The Council tasked the Executive Director with sending a letter to the US Fish and Wildlife Service, California Department Fish and Game, and National Marine Fisheries Service capturing Council discussion about support and concerns associated with the report as presented.

2012 Salmon Methodology Review

The Council adopted the following topics for the 2012 salmon methodology review, which is scheduled for October 10-11 in Portland Oregon for the purposes of providing recommendations for Council action at the November 2-7 Council meeting in Costa Mesa, California:

1. Implementation and assessment of proposed bias-corrections methods for mark-selective fisheries into the coho fishery regulation assessment model (FRAM).
2. Review of modifications to Chinook FRAM size limit algorithms implemented to allow evaluation of changes to size limits.
3. Impacts of mark-selective ocean recreational fisheries on Washington Coast coho stocks.
4. Revision to the marine survival index for the Oregon Coast natural (OCN) coho workgroup matrix.
5. Comparison of two methods for estimating coho salmon encounters and release mortalities in the ocean mark-selective fishery.

Salmon Fishery Management Plan Amendment 17 - Annual Regulatory Cycle and Minor Updates

The Council adopted minor changes to the Salmon Fishery Management Plan (FMP) to meet current practices, technology, regulatory protocol, or to correct inconsistencies between Council final action under Amendment 16 and the final published FMP. The Council did not adopt the proposed change to the annual salmon management regulatory cycle. Thus, the dates for the April Council meetings in 2014 and 2015 will be April 5-10, 2014 and April 11-16, 2015, which are one week earlier in each case from what has been listed on the Council website as tentative dates.

Salmon Fishery Management Plan Amendment 18 - Update of Essential Fish Habitat for Salmon

The Council considered the salmon essential fish habitat (EFH) alternatives contained in the Pacific Coast Salmon Amendment 18 Report (Agenda Item E.4.a Attachment 1). The Council adopted the suite of alternatives for further analysis and public review, with the following provisions:

- Amend Alternative 3B to include consideration of adding HU 18060002 (Pajaro River) for potential coho salmon EFH

- Remove Alternatives 4D and 4E regarding Puget Sound pink salmon EFH designation from further consideration

- Remove Alternative 5C regarding impassable barriers from further consideration

- Amend Alternative 10C1 to replace “pile driving” with “activities causing high intensity acoustic or pressure waves (e.g., pile driving, ordnance detonation, seismic surveys)

- Remove Alternative 10C10 regarding threats from non-fishing activities from further consideration

- Add an alternative to consider potential non-fishing adverse effects from coal terminal export facilities

- Add alternatives to describe changes to the EFH section of the fishery management plan (FMP) that could be made outside of an FMP amendment, changes that would still require an FMP amendment, and procedures for each

The Council also approved clarifying language regarding fishing activities that may adversely affect Pacific salmon EFH.

Lower Columbia Endangered Species Act Salmon and Steelhead Recovery Plan

The Council tasked the Executive Director with sending a letter to National Marine Fisheries Service (NMFS) capturing the Council discussion about support and concerns associated with the Recovery Plan.

PACIFIC HALIBUT MANAGEMENT

Pacific Halibut Management South of Humbug Mountain

The Council directed the South of Humbug Pacific Halibut Workgroup to request NMFS Northwest Fisheries Science Center provide estimates of Pacific halibut catch per unit of effort (CPUE) from NMFS Groundfish Trawl Survey, and refine the estimates of bycatch from the West Coast Groundfish Observer Program. The Council also directed the South of Humbug Pacific Halibut Policy Committee to meet to consider information in the South of Humbug Pacific Halibut Workgroup Report and initiate discussions to support development of policies and methods to account for Pacific halibut abundance and distribution in California waters, estimating and monitoring recreational Pacific halibut catch in California waters, and ensuring compliance with catch allocation south of Humbug Mountain; the direction specifically excluded considering revisions to the overall Area 2A allocation provisions in the catch sharing plan, and specifically the allocation that is provided for recreational fisheries south of Humbug Mountain.

2013 Pacific Halibut Regulations

The Council adopted for public review the following proposed changes to the Area 2A Pacific Halibut Catch Sharing Plan:

Columbia River Subarea Recreational Fishery

Revise the early season structure to keep the early season open until 80 percent of the subarea allocation is reached removing the provision that would close the early season on the third Sunday in July.

Revise the days of the week that the early season is open from Thursday through Saturday to Friday through Sunday.

Oregon Central Coast Subarea Recreational Fishery

Eliminate the summer all-depth fishery by transferring the entire quota to the spring all-depth and nearshore fisheries.

Reduce the number of open days per week for the nearshore fishery from seven to three.

Salmon Troll Fishery

Allow retention of incidentally caught Pacific halibut in the salmon troll fishery beginning April 1.

Pacific Halibut Bycatch Estimate for Use in the 2013 Groundfish Fisheries

The Council recommended National Marine Fisheries Service forward to the International Pacific Halibut Commission (IPHC) the Northwest Fishery Science Center report on Pacific halibut bycatch

estimates in 2011 Area 2A groundfish trawl and fixed gear fisheries for use in conducting the Pacific halibut stock assessment, with no changes.

After discussion with the IPHC, the Council affirmed that the 2011 bycatch mortality estimate of 174,000 pounds dressed weight (105,986 pounds net weight) would be used in the IPHC catch limit setting process for 2013.

GROUND FISH MANAGEMENT

Trawl Rationalization Trailing Actions for Cost Recovery and Process Issues

The Council decided that in order to create a more efficient system that integrates with the current buyback loan fee system, cost recovery for trawl rationalization should cover all species of groundfish rather than just those covered by individual fishing quota species and Pacific whiting. Additionally, the Council encouraged NMFS to make adjustments so that the same form can be used for buyback and trawl rationalization cost recovery and agreed with NMFS that if the owner or operator of a vessel registered to a limited entry (LE) permit is not the same as the LE permit owner, and the owner or operator of the vessel is found to be responsible for non-payment, then the LE permit could still be renewed. The Council decided to reconsider at the November Council meeting its recommendations on mid-water trawl chafing gear and to continue work on a long-term solution for surplus quota pound carryover for whiting and other species. At the November Council meeting, the Council will also consider taking final action on two issues, (1) lender issues and (2) the permanent Pacific Whiting season date, as well as considering alternatives for widow rockfish reallocation and issues associated with electronic monitoring.

Stock Assessment Planning

The Council selected a stock assessment plan for 2013 to inform management for 2015 and beyond. Eight stocks were selected for full assessment and one stock for an update assessment, a prioritized list of nine stocks for data-moderate assessment was adopted, and three stocks were selected for data reports. The Council also adopted three Terms of Reference for guiding the process and a schedule of stock assessment review panels to review full and data-moderate assessments. The Council tasked the Executive Director with convening a workgroup composed primarily of Council staff and NMFS personnel to work on issues associated with the possible use of data-moderate stock assessment results for the purpose of stock status determinations relative to overfished designations; a report on this effort was scheduled for the April 2013 Council meeting.

Update on the Biological Opinion for the Groundfish Fishery, including Consideration of Seabird Protection Regulations

The Council reviewed the draft biological opinions and provided feedback to the US Fish and Wildlife Service and NMFS. The Council was assured the opportunity to provide input to the proposed Pacific

Coast Groundfish and Endangered Species Workgroup, which has been tasked to further refine the terms and conditions. The Council will work with the agencies to ensure timely implementation of the recommendations, including seabird protection regulations for vessels greater than 55 feet in length, which must be implemented in two years; this issue was placed on the April 2013 Council meeting “Year-at-a-Glance” planning agenda.

Consideration of Inseason Adjustments

The Council considered recent information regarding ongoing fisheries and recommended increases to the open access fixed gear sablefish trip limits south of 36° N. latitude. Additionally, the Council recommended prohibiting recreational fishing in the California Southern Management Area (south of 34°27' N. latitude) seaward of 50 fathoms to reduce cowcod mortality. For more information, please see the Council blog at <http://www.pcouncil.org/2012/09/22346/gf-ins-sep2012/>.

The Council also considered inseason projections for sablefish north and south of 36° N. latitude relative to issuance of shorebased carryover in the individual fishing quota fishery. The annual catch limit is not projected to be attained or exceeded under any of the scenarios analyzed. The Council recommended that NMFS issue sablefish carryover later this year as the projections are validated.

Phase 1 Report for Essential Fish Habitat Review

The Council considered the Phase 1 Report on the groundfish essential fish habitat (EFH) review process, the revised draft request for proposals (RFP), and a NMFS outline of a proposed synthesis to support the evaluation of current EFH. The Council adopted the Phase 1 Report as the final data source for the evaluation of current EFH and proposals to change current EFH designations, and approved the inclusion of a Phase 1 report addendum as proposed by the Essential Fish Habitat Review Committee (EFHRC), with the exceptions of (1) the timing elements associated with the proposed research recommendations and 2) the finality of the tribal fisheries language to be dependent on a legal review by the US v Washington parties. The Council adopted clarifying language in the draft RFP regarding finality of data for further steps in the EFH review process, but delayed finalizing the RFP until a point after the results of the NMFS synthesis/evaluation has been received; the NMFS synthesis/evaluation of current groundfish EFH has been scheduled for consideration at the April 2013 Council meeting.

Reconsideration of Initial Catch Share Allocations in the Mothership and Shoreside Pacific Whiting Fisheries

After consideration of a large volume of new information relative to recent year fishery participation and a substantial amount of public comment, the Council voted to recommend status quo as its final preferred alternative for the whiting reallocation issue. The Council also recommended that the quota share transfer and divestiture periods for the shoreside individual fishing quota sector begin on January 1, 2014 with the deadline to divest extended to December 31, 2015, and that the mothership

catcher vessel severability begin on September 1, 2014, with a delay of the deadline to divest extended to August 31, 2016.

ADMINISTRATIVE MATTERS

Legislative Matters

The Council reviewed and supported H.R. 6362, the Revitalizing the Economy of Fisheries (REFI) in the Pacific Act of 2012, and the bill's efforts to ease financial burdens to groundfish fishermen by refinancing the existing loan funding the limited entry trawl fishery buyback under the Pacific Coast Groundfish Fishery Fishing Capacity Reduction Program. The Council approved recommendations of the Legislative Committee (LC) to direct the Council Executive Director to convey LC comments on H.R. 6362, to Congressman Thompson, Congresswoman Herrera-Beutler, and the bill's cosponsors. The next meeting of the LC is tentatively scheduled for the November Council meeting.

Research Planning

The Council approved incorporation of recommended changes to the Research and Data Needs document by the Scientific and Statistical Committee and provided guidance relative to consideration of the recommendations of the Salmon Technical Team, Groundfish Management Team, and Groundfish Advisory Subpanel. The Council directed Council Staff to revise the document accordingly and to post the document for public review between now and the March 2013 Council meeting when the document is scheduled for final adoption. The Council also anticipates a collaborative effort with NMFS to coordinate future strategic research planning.

Membership Appointments and Council Operating Procedures

The Council appointed Ms. Chelsea Protasio to a California Department of Fish and Game (CDFG) position on the Coastal Pelagic Species Management Team, Mr. Robert Leos to a CDFG position on the Groundfish Management Team (GMT), and Mr. Colby Brady to the NMFS Northwest Region position on the Groundfish Management Team.

The Council approved the Coastal Pelagic Species Exempted Fishing Permit Protocol for public review as provided in [Agenda Item G.5.a, Attachment 1](#).

The Council directed Council staff to summarize and reference advisory body comments on the proposed rule governing confidential information in a cover letter and submit it to NMFS prior to the October 21, 2012 comment deadline.

The Council directed Council staff to solicit nominations for the 2013-2015 Advisory Body Term for approval at the November 2012 meeting, according to the status quo description of open seats found at http://www.pcouncil.org/wp-content/uploads/G5a_ATT4_AB_COMP_SEP2012BB.pdf, with the exception of (1) a restructuring of the three trawl advisory seats on the Groundfish Advisory Subpanel

(GAP) from the current Washington, Oregon and California trawl positions with one bottom trawl, one mid-water trawl, and one at-large trawl seat and (2) the solicitation for the tribal fisherman position on the GAP to be for either a fisherman of a tribal agency seat. ALL INDIVIDUALS CURRENTLY IN A COUNCIL ADVISORY BODY SEAT AS SHOWN ABOVE WILL NEED TO EITHER BE NOMINATED OR RE-APPLY TO BE CONSIDERED. The nomination solicitation will proceed soon after the September Council meeting and conclude near mid-October such that the Council can make final appointment decisions at the November meeting.

Future Council Meeting Agenda Workload Planning

The Council finalized the April 2014 and 2015 Council meeting dates to be April 5-10, 2014 and April 11-16, 2015. These are different than was shown previously on the Council's [Future Meetings](#) webpage.

The next meeting of the Pacific Fishery Management Council is scheduled for November 2-7, 2012 and the agenda will be available on www.pcouncil.org in October.

PFMC
9/20/2012
4:40 p.m.

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