

## Decision Summary Document

### Pacific Fishery Management Council

April 11-16, 2019

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. Results of agenda items that do not reach a level of highlight significance are typically not described in the Decision Summary Document. For a more detailed account of Council meeting discussions, see the [Council meeting record and transcripts](#) or the [Council newsletter](#).

## Habitat

### Current Habitat Issues

The Council directed the Habitat Committee (HC) to:

- Work with staff to develop a quick response letter to the Bureau of Reclamation on the Central Valley Project Biological Assessment, based on the bullet points included in the HC report.
- Invite Oregon Department of Fish and Wildlife staff to address the HC on beaver issues.
- Report on the National Marine Fisheries Service (NMFS) studies of juvenile salmon use of the Sacramento Delta when relevant.
- Continue tracking the NOAA Aquaculture Science Planning Task Force and related documents.

The Council also directed staff to share information with the other Regional Fishery Management Councils regarding NOAA's Advanced Notice of Proposed Rulemaking soliciting input on ways to streamline the Coastal Zone Management Act Federal Consistency Process.

## Coastal Pelagic Species Management

### 2019 Exempted Fishing Permits (EFPs) - Final Approval

The Council approved the [West Coast Pelagic Conservation Group](#) and the [California Wetfish Producers Association](#) EFP proposals, both designed to advance the science of coastal pelagic species (CPS) stock surveys in the nearshore zone.

## **Pacific Sardine Assessment, Harvest Specifications, and Management Measures – Final Action**

The Council approved the 2019 Pacific sardine [stock assessment](#), and applied the following harvest specifications and management measures, described in Supplemental CPSMT [Report 1](#):

Biomass	27,547mt
Overfishing Limit (OFL)	5,816mt
p*	0.40
Acceptable Biological Catch (ABC)	4,514mt
Annual Catch Limit (ACL)	4,514mt
Annual Catch Target (ACT)	4,000mt

- A 20 percent incidental catch allowance applies to the primary directed commercial fishery
- Directed take of sardines in the live bait fishery will be allowed. However, if Amendment 17 to the CPS Fishery Management Plan is not approved before the July 1, 2019 start date, the live bait fishery will be limited to 15 percent incidental take of sardines, until Amendment 17 is approved
- A per-trip limit of 1 mt of sardines in the live bait fishery will apply if the live bait fishery attains 2,500 mt
- A per-trip limit of 1 mt of incidentally-caught sardines would apply to both the live bait and primary directed CPS fisheries, if the annual catch target of 4,000 mt is attained
- An incidental per-trip allowance of 2 mt of sardines applies to non-CPS fisheries

The biomass estimate falls below the overfished threshold, and NMFS is expected to declare the stock overfished in the near future. Once that occurs, the Council and NMFS are required to develop and implement a rebuilding plan within two years.

### **Central Subpopulation of Northern Anchovy Management Update**

The Council directed the CPS Management Team, CPS Advisory Subpanel, Scientific and Statistical Committee CPS Subcommittee, and the Southwest Fisheries Science Center to schedule a

meeting to determine the nearshore estimation methodologies necessary to complement the Acoustic trawl survey, review Dr. André Punt's [analysis](#) of frequency to revisit overfishing limits and recommend an appropriate frequency for the central subpopulation of northern anchovy, develop alternatives for accountability measures that would be triggered at specific stock levels, and determine which data to use to analyze whether a trigger has been reached. These groups are scheduled to report to the Council at the November 2019 meeting.

### **Central Subpopulation of Northern Anchovy Litigation Response**

The Council developed [comments](#) on the proposed rule, which include descriptions of the tasks the Council assigned under Agenda Item E.4 as well as the expected June products on CPS management categories and a stock assessment prioritization process. The comments will be submitted via the NMFS rulemaking portal, on behalf of the Council.

## **Salmon Management**

### **Southern Resident Killer Whale Endangered Species Act Consultation Reinitiation**

The Council formed an *ad-hoc* workgroup to help NMFS reassess the effects of Council area ocean salmon fisheries on the Chinook salmon prey base of Southern Resident Killer Whales. A draft [terms of reference and timeline](#) to accomplish pertinent tasks and a list of participants was also endorsed by the Council.

### **Methodology Review Preliminary Topic Selection**

The Council supported the list of items for review submitted by the Salmon Technical Team (STT) that included:

1. Complete the documentation of the development of the new Chinook Fishery Regulation Assessment Model (FRAM) base period including algorithms, and review and update the FRAM documentation and User Manual that is currently on the [Council website](#) (assigned to Model Evaluation Workgroup, MEW).
2. Develop a framework for evaluating post-season metrics of model performance for FRAM (assigned to MEW).
3. Conduct the technical analysis needed to inform a change of the salmon management boundary line from latitude 40° 05' (Horse Mountain, California) five miles north to latitude 40° 10'. (assigned to STT).
4. Examine the data and models used to forecast impacts on Columbia River summer Chinook to determine whether a change in methodology is warranted (assigned to MEW).

5. Provide documentation of the abundance forecast approach used for Willapa Bay natural coho (assigned to STT).

The Council also endorsed a joint work session during the October 2019 salmon methodology review meeting with the MEW to provide to the SSC Salmon Subcommittee and the STT a detailed presentation of the FRAM and associated documentation to facilitate the model evaluation process.

### **Salmon Rebuilding Plan Update**

The Council adopted the salmon rebuilding plans for [Klamath River fall Chinook](#) and [Sacramento River fall Chinook](#) as drafts for public review. In June 2019, final action is scheduled for these two plans and adoption of public review drafts are scheduled for Queets, Strait of Juan de Fuca, and Snohomish coho.

## **Groundfish Management**

### **Endangered Species Act Mitigation Measures for Seabirds—Preliminary Action**

The Council adopted its preliminary preferred alternative responding to the 2017 U. S. Fish and Wildlife Service [Biological Opinion](#) on short-tailed albatross take in commercial groundfish longline fisheries. The PPA (based on [Alternative 1](#)) requires non-tribal commercial groundfish vessels 26 feet and greater length overall using bottom longline gear to either use streamer lines according to the [Alaska streamer line requirements](#) or deploy gear between one hour after local sunset and one hour before local sunrise when declared into a Federal fishery and fishing in Federal waters. Under the PPA:

- When fishing south of 36° N. latitude, vessels would be exempted from the requirement to deploy streamer lines or night set.
- Vessels using floated mainline gear, if not using streamer lines that are at least 300 feet in length, would be restricted to deploying gear between one hour after local sunset and one hour before local sunrise.
- For vessels 26 to 55 feet length overall, compliance with the requirement to deploy streamer lines or night set would exempt when a National Weather Service Small Craft, or more severe, wind advisory is in effect.

### **Endangered Species Act Mitigation Measures for Salmon**

The Council adopted a purpose and need statement and a range of alternatives (ROA) recommended by the [Groundfish Management Team](#) (GMT) for consideration in addressing the outstanding terms and conditions 2b (inseason measures) and 3a (use of the reserve) from the

[2017 Biological Opinion](#) to mitigate salmonid interactions in the groundfish fishery. A clarification was made that “A sector may only access the reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to reaching its Chinook salmon bycatch guideline.” Additionally, the block area closure (BAC) tool would be analyzed to allow for an extension of any BAC seaward to the western boundary of the Exclusive Economic Zone instead of the 250 fathom waypoint line currently analyzed.

### **Amendment 26: Blackgill Rockfish Management – Final Action**

Amendment 26 to the Groundfish Fishery Management Plan (FMP) considered removing blackgill rockfish from the Slope Rockfish complex south of 40° 10' N. latitude and changing the trawl/non-trawl allocations of blackgill rockfish and the remaining species in the southern Slope Rockfish complex. The Council rescinded their [final action on Amendment 26 from November 2015](#) and recommended No Action given improved blackgill rockfish stock status and potential impacts to the trawl fishery. The Council requested the GMT explore higher non-trawl trip limits under inseason action at this meeting to provide greater access to blackgill rockfish. Further, the Council would like to explore removing the formal trawl/non-trawl allocations for the southern Slope Rockfish complex from the FMP and making biennial allocations in the 2021-2022 biennial specifications process.

### **Science Improvements and Methodology Review Report**

The Council adopted the recommendations of the [Scientific and Statistical Committee](#) and the [Groundfish Management Team](#) on science and methodology improvements that will inform future Council groundfish management decisions.

### **Electronic Monitoring: Implementation Update**

The Council scheduled electronic monitoring items for the June, September, and November 2019 Council meetings and recommended the groundfish electronic monitoring committee meet as necessary to review NMFS forthcoming electronic monitoring program national procedural directives and West Coast Region draft electronic monitoring program guidance documents.

### **Vessel Movement Monitoring Update**

The Council took action to remove Management Measure 1, Alternative 2 - *Allow the use of enhanced [non type-approved] vessel monitoring system units* - from the vessel movement monitoring [regulatory package](#). The Council recommended that NMFS implement all other measures and alternatives as soon as practicable.

## **Cost Recovery Report**

The Council reviewed the NMFS report covering 2018 costs and fees collected and the fees that would be charged for 2019. The Council endorsed the suggestions in the [GAP Report](#) which covered: (1) renewing a request that NMFS explore options for reducing observer and catch monitoring costs, (2) for future management actions, including in the analyses a statement on expected impacts on cost recovery, and (3) holding ongoing NMFS/industry meetings to evaluate the processes that are the cost drivers for the catch share program and make recommendations on where efficiencies can be improved to the benefit of both industry and NMFS.

### **Final Inseason Management, Including Shorebased Carryover and Salmon Caps for Midwater Trawl Exempted Fishing Permits (EFP) – Final Action**

As part of this [agenda item](#), the Council considered adoption of inseason adjustments, shorebased IFQ carryover, and new salmon bycatch caps for midwater trawl exempted fishing permits (EFP). Further, the Council was also asked to consider three additional items: 1) corrections to the existing Emley-Platt EFP; 2) increases to trip limits for blackgill rockfish south of 40° 10' N. Lat.; and 3) changes to current lingcod catch limits in California south of 40° 10' N. Lat.

The Council adopted the recommendations of the [GMT](#) as follows:

- NMFS to issue the maximum amount of carryover for 2019 for all eligible species.
- Move 1 mt of lingcod south of 40° 10' N. Lat. annually from the research set-aside and 0.5 mt from the incidental open access sector, totaling 1.5 mt, to the Emley-Platt EFP for 2019 and 2020
- Blackgill Rockfish south of 40° 10' N. Lat.:
  - Increase LE trip limits to 4,000 lbs./2 months.
  - Increase OA trip limits to 800 lbs./2 months.
- Do not make adjustments to the salmon caps for midwater trawl EFP
- For lingcod south of 40° 10' N. Lat., adopt option 1 for the LE fixed gear and open access sectors for 2019 as shown in Table 3 of the GMT Report 1 and a two-fish recreational fishery bag limit for the remainder of 2019 and 2020.

## **Pacific Halibut Management**

### **Incidental Catch Limits for 2019 Salmon Troll Fishery – Final Action**

The Council adopted final incidental landing restrictions as follows: May 1, 2019 through the end of the 2019 salmon troll fishery, and April 1-30, 2020, license holders may land no more than one

Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

### **Commercial Directed Fishery Workshop Planning**

The Council directed:

1. Leadership express to the International Pacific Halibut Commission (IPHC) the Council's intent to pursue management of the commercial directed halibut fishery.
2. Prior to the June 2019 Council meeting, representatives from NMFS, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, California Department of Fish and Wildlife, and Council staff (i.e., workgroup) will meet to identify questions regarding the logistics associated with a potential directed fishery transition plan. Those questions will then be posed to the IPHC Secretariat, and the workgroup will report the results of their findings at the June 2019 Council meeting.
3. Add Pacific halibut to the 2019 June Council meeting schedule to discuss plans for a stakeholder workshop that would occur in 2019 to review and discuss regulatory alternatives for the commercial directed halibut fishery for the 2020 season (e.g., opening date, season structure, vessel limits) and consider the results of the workgroup assignment above.
4. Add Pacific halibut to the September 2019 Council meeting for a report on the stakeholder workshop.
5. NMFS will provide an initial report at the 2019 November Council meeting describing the process, timeline, and workload associated with transitioning the management of the commercial directed halibut fishery, and to develop recommendations to IPHC for their interim and annual meetings.

## **Administrative Matters**

### **Legislative Matters**

The Council discussed the talking points included in the LC report and approved the report as discussion topics for the visit of Representative Huffman.

### **Allocation Review Procedures – Preliminary**

The Council approved for public review [draft Council Operation Procedure \(COP\) 27](#) with a number of modifications. Among the modifications were eliminating the line in COP 27 Table 1 on salmon bycatch between whiting trawl and all other fisheries and adding language related to

amounts of fish harvested by tribes. The updated draft will be posted on the Council website for public review and comment prior to finalization at the June Council meeting.

**Membership Appointments; Statement of Organization, Practices, and Procedures;  
and Council Operating Procedures**

The U.S. Coast Guard advised the Council of personnel changes noting that LCDR Scott McGrew will remain RADM David Throop's first designee on the Council and Mr. Chris German will replace CDR Jason Brand as RADM Throop's second designee and as an Enforcement Consultant for the USCG. The Council expressed their appreciation for CDR Brand's contributions to the Council and wished him the best in his future endeavors.

The Council recommended adding an additional at-large SSC position as a means of bringing needed expertise to the committee and approved the following appointments:

- Dr. Marisol Garcia-Reyes, Dr. Kristen Marshall, and Dr. Jason Shaffler were appointed to the three vacant At-large positions on the Scientific and Statistical Committee
- Ms. Robin Bown was appointed to the U.S. Fish and Wildlife Service position on the Groundfish Endangered Species Workgroup formerly held by Ms. Laura Todd

The Council approved the [proposed revisions to the Council Operating Procedures](#) regarding rules of conduct, staffing expectations, and the Council's new electronic public comment policies with minor language changes and requested that the [Rules of Conduct of Employees and Advisors of Regional Fishery Management Councils](#) and the revised COPs be posted to the Council website as soon as feasible.

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