



REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING March 7 – 11, 2013



SALMON MANAGEMENT

Review of 2012 Fisheries and Summary of 2013 Stock Abundance Forecasts

The Council adopted the salmon stock abundance forecasts, acceptable biological catch, and annual catch limits for 2013 salmon fisheries as shown in Preseason Report I, as recommended by the Salmon Technical Team and the Scientific and Statistical Committee. Additionally, the Council adopted abundance forecasts for Grays Harbor Chinook of 20,636 natural Chinook and 3,632 hatchery Chinook.

Adoption of 2013 Management Alternatives for Public Review

Three alternatives for 2013 ocean salmon fisheries were adopted for public review. Detailed information on these ocean salmon fisheries will be available on the Council website in the near future. The Council will make a final decision for all ocean salmon fisheries for the May 1, 2013 through April 30, 2014 season at its April 5-11, 2013 meeting in Portland, Oregon.

The Council also recommended that National Marine Fisheries Service (NMFS) take inseason action to delay the scheduled March 15 opening of the Cape Falcon to Oregon/California border commercial fishery until April 1, 2013 and the scheduled April 16, 2013 opening of the Fort Bragg, California commercial fishery until May 1, 2013.

HABITAT

Current Habitat Issues

Given the high number of returning Klamath fall-run Chinook salmon and the potential for a low-water year in the Klamath, and the success of supplemental flows provided for the large run that returned in 2012, the Council tasked the Habitat Committee with drafting a letter similar to the letter sent by the Council in 2012, asking the Secretary of the Interior to ensure that water flows are adequate to prevent a potential fish kill in the Klamath River this year.

COASTAL PELAGIC SPECIES MANAGEMENT

Exempted Fishing Permits (EFP) for 2013

The Council recommended that National Marine Fisheries Service approve and issue the EFP proposed by the Northwest Aerial Sardine Survey. Any of the 3,000 metric ton set-aside that is not utilized will be re-allocated to the third period directed fishery.

GROUND FISH MANAGEMENT

NMFS Report

NMFS referred to a Pacific Coast Groundfish Endangered Species Workgroup that will look at fisheries interactions with listed endangered species and make recommendations for reducing interactions with listed species. Streamer lines on longline vessels greater than 50' will be required and funds have been secured through Washington Sea Grant to study the use of streamer lines on longline vessels under 50'.

The Council received a briefing on endangered species issues at the April 2012 meeting and I am attaching my notes from that briefing here because this endangered species business is going to affect fisheries in a big way:

This item included considering fishery interactions with endangered species (ES). There are a number of issues here and the agencies will develop a minimum level of observer coverage needed to get an assessment of fleet wide ES take (estimates), with an exploration of methods for take reporting, and comparisons of actual take with what is allowed.

Some fishery impacts have been identified and there are conservation recommendations for those fisheries. The fisheries are:

- *California Halibut Bottom Trawl. Impacts are to green sturgeon and an assessment of the effects on green sturgeon habitat will need to be conducted.*
- *Pot/trap gear has entanglement impacts on humpback whales and leatherback turtles. Longline gear has impacts on seabirds. Priorities to address these impacts are:*
 - *The gear needs unique visual marking to identify the owner.*
 - *Improve reporting, tracking and retrieval of lost pot gear.*
 - *Assess and promote the use of available technology to track lost gear.*
 - *Implement use of streamers on vessels greater than 55' within 2 years.*
 - *Assess use of streamers on vessels less than 55'.*
 - *Use observer data to get more information on:*
 - *The efficacy of streamers*
 - *Derelict gear*

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.

For the Trawl IQ Program; NMFS has secured funding for partial reimbursement of observer costs in 2013. In 2012, the reimbursement rate was \$328.50 per day; in 2013 the reimbursement rate will be \$256 per day. NMFS expects funds will be available for 2014 but the reimbursement rate will be less. On implementation of program components and trailing amendments, the 1st priority will be responding to litigation, 2nd is cost recovery, 3rd is bringing on new observer providers. NMFS will also work to finish implementation of PIE 2 and quota share trading – those will be the only items for 2013. It was mentioned that cost recovery could

be retroactive and several industry reps expressed concern over that. In the end it looks like it will not be retroactive but that is something to keep an eye on.

Status Determination Criteria for Data-Moderate Stocks

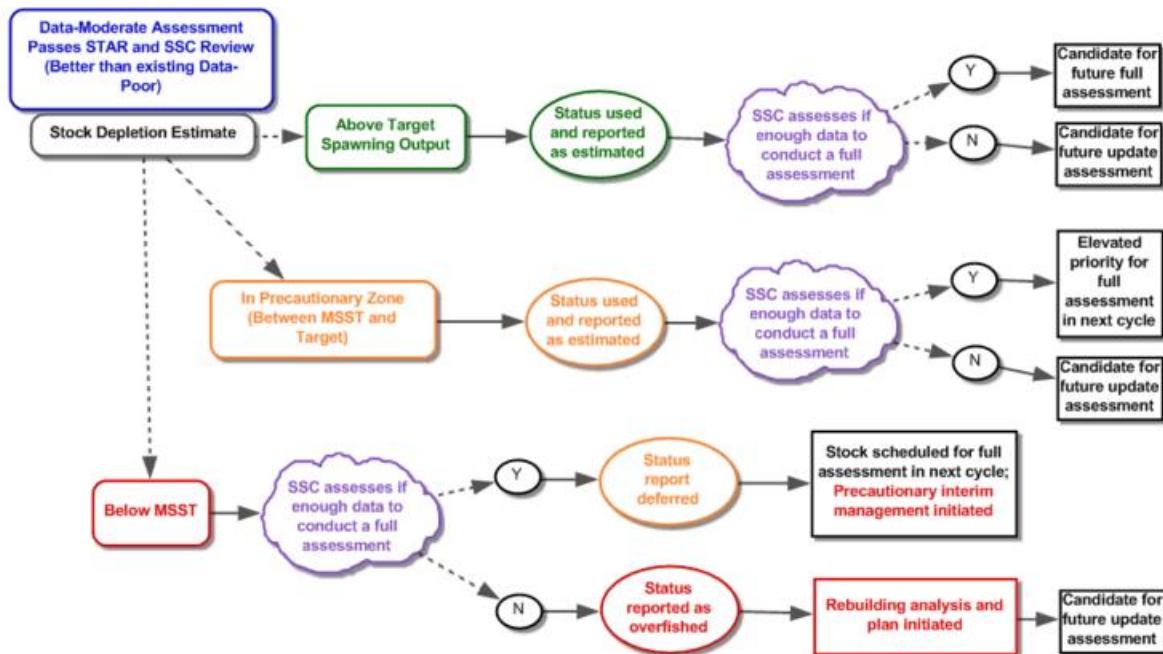
In September 2012, the Council adopted a final groundfish stock assessment plan and Terms of Reference (ToR) for the upcoming biennial cycle, which includes nine candidates for data-moderate assessments to be reviewed at an April 2013 Stock Assessment Review (STAR) Panel. Data-moderate assessments are more data-limited than full assessments, with inclusion of historical catches and abundance indices allowed, but not age or length composition data. Data-moderate assessments are designed to provide more information than data-poor situations, where catch-only methods are used only to determine overfishing limits for stocks with information that falls far below what is necessary to conduct a full assessment. One of the benefits of creating the new category of data-moderate stock assessments is that it provides for the expeditious review of more stock assessments. This is important because the Council has very limited resources and can only complete a small number of full assessments each year. Data-moderate assessments produce more information than data-poor methods, including an estimate of relative stock depletion (the ratio of current spawning output or biomass relative to initial, unfished spawning output or biomass). This is the metric used in a formal status determination of west coast groundfish stocks relative to an overfished threshold; an overfished status designation triggers the requirement for a Council to adopt a formal rebuilding plan.

The Data-Moderate Assessment Methods Review Panel that met in June 2012 recommended that data-moderate assessment results should not be used in formal stock status determinations, based on concerns that this more uncertain analytical result could cause a stock to be declared overfished when, in fact, it may not be (i.e., a false negative status estimate). In this case, the Review Panel recommended that a two-stage process be developed where, if a data-moderate assessment estimate indicates a stock is overfished, there would be an evaluation of composition data followed by a full stock assessment if it is decided there is sufficient data. The Scientific and Statistical Committee (SSC) statement at the September Council meeting generally agreed with the Panel on this matter, stating that stock status estimates from data-moderate assessments should not automatically be accepted for use in status determinations and recommending a formal process be developed on how to use the estimates of stock status from data-moderate assessments in management.

In September 2012, the Council also heard concerns from National Marine Fisheries Service scientists regarding potential problems with avoiding a stock status determination based on estimates from a data-moderate assessment. The Council indicated its intent to look at possible status determination criteria for data-moderate stocks and adopt a protocol for the current biennial cycle in advance of the April 2013 data-moderate assessment STAR Panel. The Council tasked staff to convene a workgroup of scientists from the Science Centers and the SSC to

develop recommended stock status determination criteria and protocols and report back to the Council. The workgroup was formed and their recommendations were developed during a December 21, 2012 online webinar. Figure 1 depicts a flow chart with a recommended protocol for making a stock status determination from a data-moderate stock assessment.

Figure 1



The essence of this recommendation is to look more closely at the information on a data-moderate stock whose status is calculated to fall below the overfished threshold and, if more information can be secured, to conduct a full assessment in the next cycle; if there is not more information that can be secured, then a stock status determination for an overfished designation would be adopted and development of a formal rebuilding plan would begin. The Council task at this meeting was to consider the workgroup recommendations as well as those from the SSC, other advisory bodies, and the public before deciding status determination criteria for data-moderate stocks.

The Council selected a process that allows status determination using results of approved data-moderate stock assessments and/or subsequent full assessments for these stocks. The Council also adopted a more rigorous assessment schedule for data-moderate stocks that requires either a full or update assessment within a five-year time frame.

The entire business of “Data Moderate” assessments is causing a great deal of concern, particularly for members of the fishing industry. Preliminary (anecdotal) information is already suggesting that some stocks are severely depleted based on the data moderate assessment methods. Once a stock is declared “overfished”, a rebuilding plan must be implemented and

followed and the rebuilding plan remains in place even if new information becomes available which is likely in the case of something that is assessed with very little data.

Consideration of Inseason Adjustments, Including Carryover

This is the first time that in-season has included carryover. The Council recommended that the NMFS issue the maximum eligible surplus carryover (up to 10%) for all non-whiting species in the shorebased individual fishing quota (IFQ) fishery.

Some members of the trawl fishery have been asking for adjustments to the trawl RCA boundaries now that the Trawl IQ system is in place. The Council adopted the recommendation to move the shoreward trawl rockfish conservation area boundary from 75 to 100 fm between 40°10' and 48°10' N. latitude for Period 2.

Amendment 24: Improvements to the Groundfish Management Process

Currently, the Council has a process for developing and implementing groundfish harvest specifications and management measures every two years. This biennial process has been frustrating for a number of reasons including the need to perform a complete Environmental Impact Statement (EIS) for every component of the fishery every two years. An improved process that will allow the Council to perform a full EIS every ten years, allow for a two meeting management measures process (in place of the current three meeting process), and separate some of the management measures that do not change often (such as mesh size) from the measures that do change, is now being developed and will be implemented as Amendment 24 to the groundfish fishery management plan.

At this meeting, the Council confirmed their intent to streamline the biennial harvest specifications and management measures process including: preparing a long-term analytical framework to comply with National Environmental Policy Act (NEPA) requirements without the need to prepare an EIS for each subsequent biennial cycle; focusing on management measures necessary to achieve conservation purposes during normal biennial cycles; developing a separate process for other management measures; refining how rebuilding plans are modified; amending the groundfish FMP to implement the default harvest control rule concept; and frontloading decision-making during each biennial process. The Council also adopted a preliminary range of alternatives for amending the groundfish FMP to implement the default harvest control rule concept and scheduled several implementation matters for further development at the June, 2013 Council meeting, including revisions to Council COP 9.

HIGHLY MIGRATORY SPECIES MANAGEMENT

Swordfish Management Report on Potential Changes to the Turtle Conservation Area and Take Limits

There was quite a bit of discussion on this agenda item. Last year 13 vessels participated in the drift gill net (DGN) swordfish fishery landing 22mt of swordfish. NMFS has been exploring

the use of alternative gear and is proposing an adjustment to the Pacific Leatherback Turtle Conservation Area boundary. The enforcement report included a strong recommendation for vessel monitoring systems in this fishery and the level of observer coverage was also discussed. Public Comment was strongly opposed to the use of gill nets for anything and most of the commenters were very passionate in demanding that the entire fishery be shut down. The agenda went longer than scheduled because of the large number of commenters. The Council did not take any kind of final action on this; they only provided guidance.

The Council requested NMFS:

- Evaluate the application of recent research on leatherback sea turtle habitat utilization to support an adaptive management strategy for changes in the Pacific Leatherback Conservation Area (PLCA) configuration that would minimize sea turtle - fishery interactions.
- Continue research on alternative swordfish gears, including deep-set longline and buoy gear.

The Council directed the Highly Migratory Species Management Team (HMSMT) to:

- Evaluate a potential modification of the PLCA that would allow limited drift gillnet (DGN) fishing in a triangular area south of Pt. Sur between 12 and 100 miles from shore. Vessels would require 100% observer coverage and vessel monitoring system (VMS). The analysis would include an estimate of future fishing effort in this area under the specified conditions. March 2013 Council Meeting Decision Summary Document.
- Based on NMFS research on sea turtle habitat utilization, identify management tools consistent with the adaptive management strategy referred to above. This evaluation would include consideration of whether the current 20% observer coverage rate is sufficient and the feasibility of a VMS requirement for the DGN fishery.
- In cooperation with NMFS, continue analysis of the the use of sea turtle “hard caps” (interaction limits that when reached, close the fishery) for managing the DGN fishery.

The Council asked NMFS and the HMSMT to report to the Council in early 2014 on progress on these assignments.

The remaining items were taken up after I left the meeting. Wayne Moody was present and I will update the report with any information from Wayne.

Recommendations for International Management Activities

WCPFC NC Precautionary Management Framework for North Pacific Albacore Tuna

The Council directed the HMSMT to identify potential measures that should be implemented pursuant to the precautionary management framework for North Pacific albacore currently under development at the international level. This should include identification of appropriate biological reference point(s) and both effort-based and catch-based control rules, at the international level of applicability as opposed to domestic fishery specificity. This information

will be ready for the June Council meeting so the Council can develop recommendations to the US delegation to the Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee meeting in September 2013. The HMSMT will also provide comments on potential complementary initiatives that may be adopted by the Inter-American Tropical Tuna Commission (IATTC) for the Eastern Pacific Ocean (EPO).

Pacific Bluefin Tuna Stock Status

The Council recommended that NMFS monitor the catch of US commercial fisheries that catch bluefin in order to ensure that the 500 mt commercial catch limit for the US in the EPO is not exceeded.

The Council advised US delegations to the IATTC and WCPFC to advocate for reduce harvest rates down to 2002-04 levels for all nations.

The Council recommends that provisions for “artisanal” and Korean fisheries in the current WCPFC Pacific bluefin tuna conservation measure be replaced with stronger data reporting requirements and limits on effort and catch.

US-Canada Albacore Treaty

Noting the applicability of points in the Council’s November 20, 2012 letter, the Council informally recommended the State Department and the US delegation proceed with ongoing negotiations focusing on the possibility of a reciprocal fishing regime for 2013 only, and consider options for an orderly phase-out of reciprocal fishing arrangements.

ENFORCEMENT ISSUES

Current Enforcement Issues

The Council reviewed regional enforcement priorities for the NMFS Office of Law Enforcement Northwest and Southwest Divisions and found no points of disagreement. The USCG has developed a new website (www.FishSafeWest.info) which provides information and tools fishermen are likely to find quite helpful, particularly with respect to dockside safety inspections.

ADMINISTRATIVE MATTERS

The next meeting of the Pacific Fishery Management Council is scheduled for April 5 – 11, 2013 in Portland, Oregon. The Proposed Agenda includes:

Administrative

- Expansion of Cordell Banks/Gulf of the Farallones National Marine Sanctuaries

Groundfish

- NMFS Report
- Status of Rationalized Fishery
- Alternatives for stock complex restructuring

- Consideration of barotrauma devise mortality rates
- Groundfish EFH synthesis report and RFP
- Trawl Rationalization Electronic Monitoring Regulatory Process
- Consideration of Inseason Adjustments

Ecosystem Based Management

- Adopt Final Fishery Ecosystem Plan

Salmon

- Final Action on 2013 Management Measures

☆ This report is provided to the Central Coast Community in 2013 via a grant to the Morro Bay Community Quota Fund from the Central California Joint Cable Fisheries Liaison Committee. Any interested parties may request an email copy of future reports (as long as funding continues) by contacting Christopher Kubiak at ckub@sbcglobal.net



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