



## REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING September 10 - 17, 2013



### ADMINISTRATIVE

#### ***Managing Our Nation's Fisheries 3 Conference Follow-ups and Unrelated Legislative Matters***

In general, the Council views the current Magnuson-Stevens Fishery Conservation and Management Act (MSA) as being positive. The act provides significant flexibility to the regional Fishery Management Councils to address fishery management issues on a regular basis, and the Council generally agrees that large scale changes are not necessary.

Proposed changes to the MSA should focus on items that require an MSA change to effectively resolve (i.e. those items currently prescribed in the MSA or items that would benefit from clarification in MSA language). The Council considered the 128 findings developed at the Managing Our Nation's Fisheries 3 Conference in May, and also considered areas of possible legislative concern not discussed at the national conference.

The Council adopted 17 areas as priority topics of potential changes to the MSA at this time, with the expectation of further analysis and consideration at a future Council meeting. The fact that the Pacific Council selected these priorities does not preclude discussion (or later prioritization) of the many conference findings or other ideas that are not included in this list. However, the Council felt that 17 possible legislative items should be elevated to a level of priority concern to the Pacific Council at this time and were assigned to the Council staff for further analysis. The 17 items are listed below, and are not in any order of priority:

- Revise rebuilding time requirements: Fix the ten-year rebuilding requirement dilemma; "Don't chase noise" in rebuilding plans; Address "rebuilding as soon as possible" problems.
- Stocks that are in a rebuilding plan but are later determined to have never been overfished should not be held to rebuilding plan provisions.
- Include a viable mixed stock exception.
- Clarify criteria regarding needs of fishing communities.
- Include a carryover exception to allow annual catch limits (ACLs) to be exceeded in order to carry over surplus and deficit harvest from one year to the next, provided there is a finding from the SSC that such a carryover provision will have negligible biological impacts.
- Explore more flexibility for data-poor species where the precautionary approach limits information on stock performance under higher catch rates.
- Implement stricter imported seafood labeling requirements in the U.S. market.
- Address rebuilding requirements when environmental conditions may be a predominant factor in a stock's decline.
- Consider a national standard for habitat: "Minimize adverse impacts on essential fish habitat to the extent practicable".
- Explore options to improve access to currently confidential harvest or processing information for purposes of enhanced socioeconomic analysis

- Make a distinction between “overfishing” (a measure of fishing rate) and “overfished” (a measure of abundance)
- Replace the term “overfished” with “depleted” to account for non-fishing causes of stock size below minimum stock size threshold
- Amend MSA to change “vessels” to “vessel” in the illegal, unreported and unregulated certification section
- Designate one Commissioner seat on Inter-American Tropical Tuna Commission for the Pacific Council
- Address social and economic issues such as ‘possible’ to ‘practicable’ in MSA section 304(e)(4)(A)(i).
- Better align and streamline the National Environmental Policy Act & MSA section 304(i)
- Provide flexibility in requirements and qualifications for observers. This relates to MSA Title 4, Fishery Monitoring and Research.

In addition, The Council tasked the Executive Director with writing a letter to Congresswoman Herrera-Beutler stating the Council’s support of H.R. 2646 and S. 1275 (Legislation that provides for the refinancing of the West Coast Groundfish Permit Buyback), and the reasons for that support.

The Council also directed the Executive Director to prepare a letter supporting Legislative Committee recommendations on H.R. 69 and S. 269, including, specifically, the Council’s interest in a dedicated seat on the Inter-American Tropical Tuna Commission.

### ***Future Council Meeting Agenda and Workload Planning***

The next meeting of the Pacific Fishery Management Council is scheduled for November 1 – 6, 2013 at the Hilton Orange County in Costa Mesa, California. The Preliminary Proposed Agenda represents the agenda expectations for the November 2013 Council meeting and includes among other things:

#### Groundfish Tier 1 Environmental Impact Study (EIS) – Ecosystem Workshop Administrative

1. Managing Our Nations Fisheries 3/Council Coordination Committee Follow-ups and Other Legislative Matters.
2. Future Council Meeting Agenda and Workload Planning

#### Salmon

1. Methodology Review
2. Preseason Salmon Management Schedule

#### Groundfish

1. Seabird Avoidance Regulations, Final Action
2. Preliminary EFP Approval
3. Sablefish Permit Stacking Program Review, Phase 1
4. Stock Complex Restructuring
5. Stock Assessments from Mop-up Panel and Rebuilding Analyses for Overfished Species
6. Fisheries in 2015-2016 and Beyond, Adopt Harvest Specs. Preliminary Preferred Alt.
7. Essential Fish Habitat Phase 2 Report; Consider Proposals to Modify EFH

8. Electronic Monitoring, Adopt Range of Alternatives (ROA)
9. Consideration of Inseason Adjustments
10. Fisheries in 2015-2016 and Beyond, Adopt Management Measures ROA

#### Coastal Pelagic Species

1. Methodology review Process and Preliminary Topic Selection
2. EFPs for 2014
3. Adopt Sardine Management Measures
4. Adopt Maximum Sustainable Yield for Northern Anchovy
5. Sardine Harvest Parameter Review

The Advance Briefing Book Public Comment deadline for the November Council meeting is 11:59 pm, October 9, 2013. The Supplemental Briefing Book Public Comment Deadline is 11:59 pm, October 21. Comments submitted by the Advance Deadline will be included in the Briefing Book; comments submitted by the Supplemental Deadline will be distributed to the Council on the first day of the meeting.

## **SALMON MANAGEMENT**

### ***2013 Salmon Methodology Review***

The Council approved the following list of final topics for the 2013 Salmon Methodology Review:

- 1) Review performance of and develop alternatives to the Yaquina River marine survival rate index used in 2013 for the Oregon coastal natural coho matrix control rule,
- 2) Evaluate alternative forecast methodologies for the Sacramento fall Chinook index,
- 3) Develop Conservation Objectives, Annual Catch Limits, and Status Determination Criteria for Willapa Bay coho,
- 4) Develop Lower Columbia natural coho matrix control rules,
- 5) Develop Conservation Objectives for Southern Oregon coastal Chinook,
- 6) Develop a standardized methodology for calculating Age 2 Chinook forecasts,
- 7) Incorporate estimates of legal and sublegal Chinook fishery encounters from recent sampling information into Fishery Regulation Assessment Model (FRAM) base period type data, and,
- 8) Incorporate a progress report on the development of a new Chinook Fishery Research and Monitoring (FRAM) base period and modifications to FRAM algorithms on assessing sublegal and legal encounters and changes in minimum size limits.

The review is scheduled for October 1-3, 2013 in Portland, Oregon.

The Council also reviewed information on the harvest control rule for Sacramento River winter Chinook and remains interested in exploring alternatives that provide for an incidental catch at all abundance levels while achieving the same level of conservation benefit to the stock. NMFS anticipates noticing a public comment period on the control rule that would encompass at least one Council meeting, most likely in March or April 2014.

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

The Council adopted changes to Pacific salmon Essential Fish Habitat (EFH), based on the EFH review. These changes include several 4th field Hydrologic Units that will gain, lose, or have

modified EFH designations. The Council also adopted a modified set of criteria to determine whether a dam should be the upstream extent of EFH, clarified the marine EFH description, amended the list of impassable dams, adopted five Habitat Areas of Particular Concern, updated the descriptions of fishing and non-fishing impacts, and adopted a process in which some changes can be made to EFH without having to amend the Salmon Fishery Management Plan.

### ***Lower Columbia River Double-Crested Cormorant Management Plan***

The Council tasked Council staff to send a letter to the U.S. Army Corps of Engineers regarding the environmental impact statement (EIS) process looking at problems associated with the substantial increase in the population of double-crested cormorants nesting on Sand Island in the Columbia River estuary. The letter is to urge: (1) a full and complete accounting and analysis of the effects on salmonid stocks in the juvenile-outmigrant and subsequent adult life stages, (2) scheduling the release of the EIS well in advance of the Council's April 2014 Council meeting, and (3) scheduling the open comment period to encompass the April 2014 Council meeting and the two weeks thereafter so as to allow for consideration by the Council process at that meeting.

## **HABITAT**

### ***Current Habitat Issues***

The Council approved a draft letter to the Department of Energy that discusses the environmental effects of offshore wind energy development, and includes the addition of a reference on the importance of working with the fishing industry, in advance, to site projects appropriately.

The Council also directed staff to look into the implications of a Council seat on the Oregon Intergovernmental Renewable Energy Task Force, and to look into deadlines for comment on the U.S.-Canada Columbia River Treaty.

## **GROUND FISH MANAGEMENT**

### ***National Marine Fisheries Service (NMFS) Report***

NMFS capability for new rulemaking is limited and fully prescribed at this time, completion of harvest specifications and response to litigation will have top priority for the remainder of the year. Cost Recovery for the Trawl Individual Fishing Quota (IFQ) program will be implemented in 2014.

#### Trawl IFQ Adaptive Management Program (AMP)

NMFS included a report on development of alternatives for implementing a Trawl IFQ AMP. The report is intended to begin discussion and queue the ideas of others. In March 2014, NMFS plans to bring more information forward for discussion. AMP actions will be "automatic", that is, no additional reporting will be required for participating vessels or States. Implementation will require no actions or approval, and could include separate but equal State processes. During development of the report, a number of legal and policy issues were revealed and NMFS has begun to work to resolve those issues.

Finally, it was noted that the Adaptive Management set-aside is one of the “highlights” of the Trawl IFQ program, and NMFS does not want to see it go away. They also suggested AMP should be a regular Council action item, and some plan for usage of the AMP set-aside must be developed prior to the current pass-thru expiration at the close of 2014.

#### Vessel Monitoring System and Rockfish Conservation Area (RCA) Court Case

NMFS office of Law Enforcement (OLE) provided a report on a recent court case that has implications for the effective usage of Vessel Monitoring Systems (VMS).

On April 23, 2012, NOAA issued a Notice of Violation and Assessment of Administrative Penalty (NOVA) to two Santa Barbara based fishermen. The NOVA charged the fishermen with violating the MSA by operating the fishing vessel ‘Risa Lynn’ inside an RCA while having non-trawl gear on board, not being registered to a limited entry permit, while retaining groundfish, and not continuously transiting the RCA. The NOVA proposed a civil penalty of \$17,345 for the violation.

The fishermen fought the case, arguing the Agency failed to meet its burden of proof, asserting that NOAA’s only evidence is “six *hourly* VMS transmission reports” which recorded a total of 30 seconds of the fishermen’s activities while in the RCA. The fishermen further argued that “Without any eyewitnesses,” the Agency failed to prove its case, and that the lack of direct evidence is NOAA’s fault because it could have flipped the VMS transmission frequency switch to 5 minute increments to see the actual course of travel of the vessel.

The fishermen ultimately prevailed, and because this is the first VMS case of its kind it will serve as case law, and will apply to every VMS case going forward.

In addition, because NOAA could not meet the burden of proof in this case (the 1 hour ping rate was inadequate), NOAA OLE is looking at possible changes to the VMS requirements, those changes could include a requirement to increase the required ping rate and recording of VMS equipment, and a possible requirement for some form of electronic data logger on the vessel.

#### ***Sablefish Permit Stacking Program Review***

The Council adopted a calendar for proceeding with a Limited Entry (LE) Sablefish Tier Permit Program Review. The review includes development of a range of alternatives for consideration of a revision to the methods for determining the number of LE Sablefish Tier Permits any one entity controls, and analysis to support allowing a LE Trawl Permit and a LE Fixed Gear Permit on the same vessel at the same time (as approved by the Council in April 2012).

With regard to any other actions pertaining to the LE Sablefish Tier Permit Program, the message from industry representatives is: “If it’s not broken, don’t fix it.” Fixed gear representatives on the Groundfish Advisory Subpanel (GAP) noted that with the exceptions above, the industry has been satisfied with the program and no other program changes were proposed.

The Council considered an ad hoc review committee but did not appoint one, and will move forward with program review on an accelerated schedule.

The Council will provide notice of consideration of any additional issues at the November Council meeting, and any additional issues to be addressed in an accelerated program review should be brought forward prior to the meeting. In the event there are not a large number of significant new issues selected by the Council at the November Council meeting for further

review, all issues may be scheduled for final action at the June 2014 Council meeting and the program review will be considered completed. Should the Council select a significant number of new issues to be included for potential change, the new issues may be placed on a delayed schedule calling for final action after the June 2014 Council meeting.

The NMFS noted in their report that because the LE Sablefish Permit Stacking Program is a catch share, management costs will be reviewed and the Council will need to address the MSA requirement for cost recovery.

**SABLEFISH PERMIT STACKING REVIEW SCHEDULE**

Month	Council’s Review Activity
November	<ul style="list-style-type: none"> <li>• Notice consideration of issues to be addressed in an accelerated program review.</li> <li>• Provide further guidance on report content, including finalizing issues for particular attention in the review.</li> </ul>
Winter 2013/14	<ul style="list-style-type: none"> <li>• Develop draft program review document.</li> </ul>
April 2014	<ul style="list-style-type: none"> <li>• Adopt draft program review document for public review.</li> <li>• Consider a Draft Range of Alternatives for Ownership and Control of LE Sablefish Tier Permits per GAP Report topic with preliminary analysis for that item, and additional analysis to support the Council’s decision for allowing a trawl and fixed gear permit on the same vessel at the same time.</li> </ul>
June 2014	<ul style="list-style-type: none"> <li>• Adopt FPA to address the Ownership and Control issue of permits.</li> <li>• Adopt final program review document.</li> </ul>

***Approve Stock Assessments***

The Council adopted new full assessments for aurora rockfish, rougheye/blackspotted rockfish, shortspine thornyhead, longspine thornyhead, and cowcod for use in management decision making in 2015 and beyond. Additionally, the Council adopted a new assessment for Pacific sanddab to be used only for deciding stock status (and not harvest specifications) as recommended by the Scientific and Statistical Committee (SSC). The new stock assessments show the stocks to be in a healthy status, except for cowcod, which has been in an overfished status since 1999; however, cowcod abundance continues to increase toward the rebuilding goal. The Council cancelled the previously scheduled “mop-up panel” review scheduled for late September, and will consider adopting data-moderate assessments for brown rockfish, copper rockfish, and China rockfish at the November Council meeting in Costa Mesa, California. The Council tasked the SSC Groundfish Subcommittee to review a data-moderate assessment for China rockfish with an alternative area stratification at 42° N. latitude and slightly revised data-moderate assessments for brown and copper rockfish limited to south of 42° N. latitude.

***Science Improvements for the Next Groundfish Management Cycle***

The Council adopted the following science activities as the highest priorities towards improving management of groundfish in the next management cycle:

- 1) The recommendations as shown in Agenda Item G.4.c, Supplemental Scientific and Statistical Committee (SSC) Report relative to priority workshops, for consideration by the Northwest and Southwest Fisheries Science Centers to sponsor.

Those workshops listed in priority order are:

- a. Workshop to review historical landings time series (recommended in 2011).

- b. Workshop on methods of data reweighting.
  - c. Workshop on the shape of the stock productivity curve.
  - d. Workshop on estimation of *BMSY* proxies (recommended in 2011).
- 2) Further examination by the Groundfish Management Team (GMT) on the spatial analysis of exploitation detailed in Agenda Item G.4.c, Supplemental GMT Report;
  - 3) Continuing ongoing collaboration between the GMT and the SSC to improve socioeconomic analyses; and
  - 4) Surveys in non-trawlable areas using non-extractive and hook and line methods to assess groundfish species.

Further, as a general statement of priority, the Council tasked Council staff with transmitting all advisory body reports under this agenda item to the NMFS Northwest and Southwest Fisheries Science Centers for their consideration in workload planning over the next year.

### ***Consideration of Inseason Adjustments***

#### Fixed Gear Sablefish Daily Trip Limit (DTL) Fisheries

The current landings projection for the 2013 Limited Entry (LE) north of 36° north latitude DTL fishery is 82% of the landing target (165 mt vs. 197 mt target), while the Open Access (OA) north of 36° north latitude DTL fishery is projected to take 83% of its landing target (239mt vs. 291 mt target). The Council adopted increases that are projected to result in harvest of 91% of the respective landing targets for both sectors.

The current landings projection for the LE South of 36° north latitude DTL fishery is 96% of the landing target (427mt vs. 446 mt target), while the OA South of 36° north latitude DTL fishery is projected to take 51% of its landing target (186 mt vs. 362 mt target). The Council has recently managed the two southern DTL fisheries under a sharing that is weighted to the LE sector (55% LE; 45% OA). Taken together, the current projected attainment of the two southern DTL fisheries is 613 mt of 808 mt target , or 76% of the sum of landing targets. The Council adopted an increase to the OA DTL that is projected to result in harvest of 72% of the OA sector landing target.

#### Shallow and Deeper Nearshore Rockfish Trip Limits South of 40°10' N Latitude

The GMT received a request to increase the trip limits for the shallow and deeper nearshore rockfish complexes for the area south of 40°10' N. latitude. The industry requested trip limit increases for Period 6 in 2013, however, the GMT noted that changes to a trip limit for period 6 in 2013 will remain in place for period 6 in 2014 (unless subsequently modified by the Council).

The request for the shallow nearshore rockfish complex is a moot point since the trip limit amount requested is already in place (NMFS Public Notice NMFS-SEA-13-16). Therefore, analysis was completed for just the deeper nearshore rockfish complex. State fish ticket data (September 3, 2013) indicated that landings for 2013 are on par with those from 2010 through 2012, where catch was well below the annual catch limits (ACL). The proposed increased trip limit is expected to keep target species well within harvest specifications and would increase the mortality impacts of canary by 0.1 mt with no appreciable increase for yelloweye rockfish. Based on this information, the Council adopted an increase to the deeper nearshore bi-monthly trip limit.

SEPTEMBER 2013 INSEASON ADJUSTMENTS

Area	Fishery	Period 6 (Nov-Dec)
North of 36° N. lat. (U.S./Canada Border to 36° N. lat.)	Limited Entry Fixed Gear	Increase the sablefish trip limits from 1,110 lbs/week, not to exceed 3,300 lbs/2 months to 1,850 lbs/week not to exceed 5,500 lbs/2 months.
	Open Access	Increase the sablefish trip limits from 300 lbs/day, or one landing per week up to 800 lbs, not to exceed 1,600 lbs/2 months to 300 lbs/day, or one landing per week up to 1,200 lbs, not to exceed 2,400 lbs/2 months.
South of 36° N. lat.	Limited Entry Fixed Gear	No Changes.
	Open Access	Increase the sablefish trip limits from 300 lbs/day, or one landing per week up to 1,460 lbs, not to exceed 2,920 lbs/2 months to 380 lbs/day, or one landing per week up to 1,800 lbs, not to exceed 3,800 lbs/2 months.
South of 40°10' N. lat.	Limited Entry Fixed Gear & Open Access	increase the deeper nearshore rockfish trip limits from 900 lb/2 months to 1,000 lb/2 months

The Council also recommended that NMFS issue the eligible 2012 surplus carryover (20mt) for petrale to the 2013 shorebased Trawl IFQ fishery as soon as possible.

**Consideration of Trawl Rockfish Conservation Area (RCA) Boundary Modifications**

An RCA is an area closed to particular commercial gear types that target groundfish, and are intended to protect a complex of species, such as overfished species. RCA boundaries are defined by latitude and longitude coordinates connected by straight lines (boundary lines). The boundary lines defined by the latitude and longitude coordinates are typically generalized approximations of depth, the RCAs are not actually defined by depth contours, and the boundary lines that define the RCA may close areas that are deeper or shallower than the actual depth contours. Although both the eastern and western trawl and non-trawl RCA boundaries have changed over time, the area between 100 and 150 fathoms (fm) has remained closed to bottom trawl and non-trawl gears targeting groundfish since January 2003. Other fishing gears and activities, including mid-water trawl, recreational fishing, non-groundfish fishing (e.g., pink shrimp trawl, salmon troll, etc.), and scientific research are permissible and have frequently occurred in the RCA. Adjustments to the RCA boundaries have been considered routine actions, which can be modified through a single Council meeting and implemented through a single *Federal Register* notice, when appropriate.

At their March 2013 meeting, the Council considered the performance of the shorebased Trawl IFQ fishery in 2011 and 2012, progress to date in 2013, as well as additional pre-IFQ bycatch rate data, and recommended the shoreward boundary of the Trawl RCA be moved from 75 to 100 fm in the area between 40°10' to 48°10' N. latitude in Period 2 (March/April).



At the April 2013 Council meeting and in a subsequent letter, NMFS announced that the proposed RCA modifications could not be implemented under the inseason procedures, and that such adjustments should allow for public input through a notice and comment rulemaking.

The Council answered by recommending the following adjustments to the Trawl RCA for implementation through a notice and comment rulemaking:

- Between 40°10' and 48°10' N. latitude, implement a 100 fm shoreward boundary and 150 fm seaward boundary beginning in Period 6 in 2013 through 2014.

The purpose of the proposed action is to provide greater access to target species through liberalization of the Trawl RCA boundaries while allowing the individual accountability afforded by the shorebased Trawl IFQ to minimize bycatch of overfished species. Routine adjustments of the Trawl RCA would still be available to address emerging concerns, if necessary. The action is needed to enable Trawl IFQ participants the ability to more fully and efficiently utilize their quota pounds while still meeting the Council's and NMFS goal for sustainability of the Pacific Coast groundfish fishery.

At its June 2013 meeting, the Council was notified that NMFS was preparing an additional analysis of the proposed action in the form of an Environmental Assessment (EA). The DRAFT EA provided a thorough analysis to support decision making and considered three alternatives: (1) a no-action alternative (status-quo); (2) the action alternative as recommended by the Council at the April 2013 meeting; and, (3) an action alternative that would keep the area that may have had a greater opportunity to recover from bottom trawl gear (150 fm- modified 200 fm, 40° 10' to 45° 46' N. lat.) closed to groundfish bottom trawling for 2013-2014. Under all of the alternatives, only changes to Trawl RCA boundaries are considered. All other existing closed areas (including EFH conservation areas) would be maintained, as would all existing gear requirements.

After considerable discussion, and public comment in support of both action alternatives, the Council reaffirmed their April action to establish a trawl RCA configuration between 40°10' and 48°10' N. latitude with a 100 fm shoreward boundary and 150 fm seaward boundary beginning in Period 6 in 2013 through 2014.

### ***Initial Actions for Setting 2015-2016 Groundfish Fisheries***

The Council has committed to narrowing the scope of management measures for consideration during the biennial Harvest Specifications and Management Measures process. Eligible actions include adjusting existing management measures, including those designated as routine, to achieve but not exceed an annual catch limit (ACL). New management measures, which are those not previously analyzed and implemented in regulation, may be included for consideration during the biennial process if they are necessary to keep catch within an ACL, or to address a habitat or protected resources concern. At June Council meetings in even years, the Council would decide which of the new management measures that did not meet the above-mentioned criteria would instead be considered in a subsequent, separate two-meeting process.

The Council adopted the overfishing limits, stock category designations, biomass variance values (sigmas to determine acceptable biological catches (ABCs)), and a new target harvest rate (FMSY) for elasmobranchs (assessed sharks and skates), as recommended by the SSC. The Council also adopted the range of ABCs varied by abundance over-prediction probabilities (P\*

values) ranging from 0.25 to 0.45 for detailed analysis. The Council also forwarded those management measures recommended by the Groundfish Management Team, Groundfish Advisory Subpanel, and the California Department of Fish and Wildlife for preliminary analysis.

Final 2015 and 2016 harvest specifications will be decided in April 2014 and management measures will be decided at the Council meeting in June 2014, with refinement of preliminary decisions on each of these scheduled for the November 2013 Council meeting.

### ***Consider Stock Complex Aggregations***

The Council considered alternatives for restructuring four groundfish stock complexes, and decided to advance considerations for the Other Fish complex to the November 2013 Council meeting for a final decision on inclusion in the 2015-16 cycle and moving further analysis and consideration of the other three complex restructuring possibilities to the next biennial cycle.

### ***Trawl Rationalization Trailing Actions***

The Council decided to move forward with the trailing action priorities recommended by the GAP for a trawl flexibility rule. Those are:

- Electronic Monitoring (Highest Priority)
- Comprehensive RCA Modifications
- Whiting Season Start Date
- Widow Reallocation

However, due to workload constraints and a desire to proceed in a comprehensive and efficient manner, the next action on those priorities will not occur until the June 2014 Council meeting, at that time further prioritization may occur.

The GAP also commented on the Trawl IFQ Adaptive Management Program (AMP) noting:

*[There has been no demonstrated need to implement the AMP. The greatest risk to fishermen, processors, and dependent communities has to do with program costs and inability to access available target species, for various reasons. The current NMFS AMP alternatives do nothing to solve those problems. Moreover, redirecting 10 percent of available quota may in fact cause more problems than it solves.*

*The GAP also believes that development of an AMP program would take significant Council and NMFS time and resources away from higher priority trailing amendments. In the meantime, the GAP would like to see AMP quota continue to be passed through to the fleet. The GAP believes the appropriate course of action is to wait until the five-year review to conduct an evaluation of problems that threaten the rationalization program overall, and a further assessment of whether the AMP could be a valuable tool in addressing those threats.]*

The Council will have an agenda item on the Trawl IFQ AMP at its March 2014 Council meeting, at which time it will continue the discussion of extending the Trawl IFQ AMP quota pounds pass through (currently set to expire after 2014) for additional years.

### ***Electronic Monitoring Scoping***

The Council provided guidance to the Groundfish Electronic Monitoring Policy Committee (GEMPC) and the GEM Technical Advisory Committee (GEMTAC) to discuss, at the October GEM Committees meeting, a “phased in approach” for implementation of electronic monitoring

(EM), starting with mid-water trawl and fixed gear fisheries in the first phase, and bottom trawl fisheries as a second phase. The Council also asked the GEM Committees to discuss the use of data logger systems as a component of the EM program, discuss how maximized retention could be feasible (i.e., provide specific alternatives for what could be discarded); and, with regard to allowing Safety Discards to explore limiting tow times to reduce the necessity of Safety Discards.

The Council requested that the Northwest Fisheries Science Center provide a report at the November 2013 meeting on how the West Coast Groundfish Observer Program (WCGOP) may move forward with an EM program in place for midwater trawl, fixed gear, and potentially bottom trawl. Specific questions for the WCGOP are:

1. What level of coverage would be needed to meet biological sampling goals, particularly for rare species, such as yelloweye rockfish? And,
2. What level of coverage would be needed to assess halibut size?

## **ECOSYSTEM-BASED MANAGEMENT**

### **Update List of Fisheries**

The Council took final action in adopting the updated Federal list of authorized West Coast exclusive economic zone fisheries and gear, including the GAP recommendation to add crab loop as an authorized gear in the State Oregon for the recreational Dungeness crab fisheries and recreational crab fisheries for species other than Dungeness crab.

### **Unmanaged Forage Fish Protection Initiative**

The Council adopted the purpose and need statement for public review and the following list of species and identified them as species needing additional protection against development of new unmanaged fisheries: round and thread herring, mesopelagic fishes, Pacific sandlance, Pacific saury, Silversides, Osmerid smelts, and Pelagic squids (with the exception of Humboldt squid). The Council directed the Ecosystem Workgroup to develop alternatives and analysis of options which would prohibit development of new commercial fisheries on these species groups by way of amending one or more existing fishery management plans. The analysis shall include descriptions of existing directed commercial fisheries and existing incidental take levels in other commercial fisheries, and recommendations as to which existing fishery management plans are best suited for amendment.

☆ 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](mailto:ckub@sbcglobal.net) ¶



Prepared September 23, 2013  
By: Christopher Kubiak  
Fishery Consulting Services