

ADMINISTRATIVE

Magnuson-Stevens Act Reauthorization Priorities and Other Legislative Matters

The Council's Legislative Committee (LC) heard a report from Executive Director Dr. Donald McIsaac on the Council Coordination Committee (CCC) webinar meeting held October 23 & 24. According to Mr. Dave Whaley, who spoke during the webinar meeting, House Natural Resources Committee Chairman Doc Hastings has said he is planning to release a Magnuson-Stevens Act (MSA) reauthorization bill in November. According to Mr. Jeff Lewis (Congressional staff), Senator Mark Begich anticipates introducing initial MSA related legislation near the end of the year.

The LC reviewed the 17 MSA reauthorization priorities developed by the Council in September, the decisions of the CCC, and other new input. The LC recommended the Pacific Council send a letter to the Congressional principals recommending that bill drafters consider language that addresses six high priority matters, listed as numbers 1 - 6 in the table below, as well as giving a lesser degree of consideration to the other matters identified at the September 2013 Pacific Council meeting.

	Topic for MSA Reauthorization	Relevant MSA Section (§)
1	Revise rebuilding time requirements: a) Address the discontinuity associated with the ten-year rebuilding requirement b) "Don't chase noise" in rebuilding plans c) Address social and economic issues regarding the needs of fishing communities by changing "rebuilding as soon as possible" to "rebuilding as soon as practicable."	§ 304(e) (4)(A)(ii) (3)(A) (4)(A)(i)
2	Stocks later determined never overfished should not be held to rebuilding provisions	§304 (e)
3	Include a carryover exception to allow 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	§303(a)
4	Better align and streamline the National Environmental Policy Act & MSA § 304(i)	§ 304(i)
5	Explore more flexibility for data-poor species where the precautionary approach limits information on stock performance under higher catch rates	§ 303
6	Provide flexibility in requirements and qualifications for observers.	§ 401

Given the relatively aggressive schedule at the congressional level, the Council directed staff to send a letter forwarding MSA reauthorization priorities to the Congressional principals that are considering drafting a bill in the near future. In addition, the Council directed staff to continue to develop fact sheets that explain the context, history, and background behind the Council's highest priorities. Based on input from Tribal representatives testifying at the Council,

and the recommendations of the Council's Tribal representative, the Council chose not to take action on the nomination requirement and term limits for the Tribal seat at this time.

Fiscal Matters

The Council's Budget Committee (BC) reviewed information that indicates considerable uncertainty for reasonable funding possibilities for 2014 and the following next few years. While fully adequate funding is a possibility, and will be vigorously argued for, the current state of speculation about the Federal budget process is primarily negative. The BC recommended the Council approve a Provisional CY 2014 Operating Budget of \$4,284,554, representing a slight decrease from the CY 2013 budget. This budget is provisional pending any ear-marked funding, final cost of living and travel adjustments, and any minor adjustments for budgetary considerations arising between now and the end of the Council's fiscal year. In addition, the BC recommended the Council manage Council meetings for no more than five days of Council floor sessions, as a goal, to encourage the process of prioritizing and addressing the most important Council tasks.

The Council approved the Budget Committee Report and adopted its recommendations for a Provisional Operating Budget for 2014, along with contingencies in the event that the actual funding differs significantly from that which has been assumed.

Future Council Meeting Agenda and Workload Planning

The next meeting of the Pacific Fishery Management Council is scheduled for March 7 – 13, 2014 at the Doubletree Hotel Sacramento, California. The Preliminary Proposed Agenda represents the agenda expectations for the March 2014 Council meeting and includes among other things:

Administrative

1. Future Council Meeting Agenda and Workload Planning

Salmon

1. Approve Review of 2013 Fisheries and Preseason report 1 on 2014 Stock Abundance Forecasts and Status Determinations
2. Identify 2014 Management Objectives and Initial Management Alternatives
3. Recommend 2014 Management Alternatives for Analysis
4. Appoint Salmon Hearing Officers
5. Sacramento Winter Chinook Biological Opinion Comments
6. Adopt 2014 Management Alternatives for Public Review

Groundfish

1. Barotrauma Mortality Rates
2. Trawl Trailing Actions: Adaptive Management Program, Pass-Through
3. Initiate Essential Fish Habitat Amendment
4. 2015 – 2016 Biennial Spex and Management Measures Document Review
5. Inseason Adjustments, Including Carryover
6. Mid-water Sport Fishery, Adopt ROA

Coastal Pelagic Species

1. EFP for 2014 (Sardine Survey) Approve Final

2. Sardine Harvest Parameter Review

Highly Migratory Species Management

1. Vessel Monitoring Systems for HMS
2. International Regional Fishery Management Organization Update
3. US/Canada Albacore Treaty Update
4. Drift Gillnet Monitoring, Management, and Alternative Gear Report

There are two Briefing Book deadlines for every Council meeting. The first (and main) deadline is two and a half weeks before the Council meeting. Public comments and reports that are supplied before this deadline are included in the advance Briefing Book. The second deadline, known as the supplemental deadline, is four days prior to the start of the Council meeting. Public comments and reports provided by this deadline are given to Council members on the first day of the Council meeting. Comments can be emailed, mailed, or faxed to the Council.

SALMON MANAGEMENT

2013 Salmon Methodology Review

The Council approved methodology changes beginning in 2014 as described by the Scientific and Statistical Committee (SSC) ([Attachment 1](#)) on the following topics: technical revision to the Oregon coastal natural (OCN) coho work group harvest matrix; incorporation of estimate legal and sublegal Chinook encounters into the Fishery Regulation Assessment Model (FRAM); modifications to FRAM algorithms on sublegal and legal encounters and minimum size limits; and alternative forecast methodologies for the Sacramento River Fall Chinook Index. Regarding the lower Columbia natural (LCN) coho matrix harvest control rule, the Council directed Council staff to convene a limited work group that includes a representative of the Oregon Department of Fish and Wildlife, Washington Department of Fish and Wildlife, National Marine Fisheries Service, and Tribal governments to work with the Salmon Advisory Subpanel to build on the existing risk assessment towards development of an alternative harvest matrix for Council consideration in November 2014; this process would be aligned with the 2014 salmon methodology review. The Council discussed the importance of other topics identified for this year's review, particularly conservation objectives for southern Oregon coastal Chinook and Willapa Bay coho, and recommends that these topics be included on the preliminary list of topics for next year's methodology review.

Preseason Salmon Management Schedule for 2014

The Council approved the 2014 salmon management schedule ([Attachment 2](#)) with the following modifications; the February meeting of the Salmon Technical Team will occur February 18-21 and the March 25 salmon hearing will be in Santa Rosa, California rather than Eureka, California.

GROUNDFISH MANAGEMENT

Seabird Avoidance Regulations

The Council reviewed the draft Environmental Assessment, considered input from Advisory Bodies and the public, and adopted a modified version of Alternative 4. The Council approved alternative will amend regulations governing the Pacific Coast groundfish fishery to require seabird avoidance measures – specifically the use of streamer lines and related provisions currently mandated in the Alaskan groundfish fishery (50 CFR 679.24(e)) – by vessels 55 feet LOA or greater using bottom longline gear pursuant to the Pacific Coast Groundfish Fishery Management Plan (FMP). In sum, the regulation will:

- Require the use of streamer lines in the commercial longline fishery of the Pacific Coast Groundfish Fishery for non-tribal vessels 55 feet in length or greater (The tribes have agreed to adopt matching regulations);
- Require vessels to deploy one or two streamer lines depending on the type of longline gear being set;
- Require that streamer lines meet technical specifications and be available for inspection; and,
- Allow for a rough weather exemption from using streamer lines for safety purposes. The threshold for a rough weather exemption will be triggered by a National Weather Service forecast of a gale force wind warning.

Sablefish Permit Stacking Program Review

The Council decided to move ahead with a formal program review that will focus on the question of whether the original Permit Stacking Program objectives have been achieved. The Program Review will use the following prioritized objectives and indicators recommended by the Scientific and Statistical Committee (SSC):

- 1) Rationalize the fleet and promote efficiency;** Capacity reduction is one of the key elements of the strategic plan. The strategic plan generally approaches capacity reduction by reducing the number of fishing vessels. This reduction does not of itself imply the rationalization of the fleet or increased efficiency. It is possible that the most efficient fixed gear sablefish harvest could involve a greater number of vessels taking sablefish as bycatch in other fisheries. However, given the high degree of overcapitalization in the fishery, it is believed that a reduction in capacity will generally move the fishery toward greater efficiency.
- 2) Maintain or direct benefits toward fishing communities.**
- 3) Prevent excessive concentration of harvest privileges.**
- 4) Mitigate the reallocational effects of recent policies (3-tier system and equal limits).** Leading up to the permit stacking program there were a series of policies which substantially flattened the distribution of harvest among vessels in the fleet. The last year of derby fishing was 1996. In 1997 equal cumulative limits were provided for all limited entry fixed gear permits qualifying for a sablefish endorsement. The first step toward restoring the prior distribution was the implementation of tiered cumulative limits in 1998. Each sablefish endorsed permit was assigned to one of three tiers based

on its landing history. Tier 1 permits received cumulative limits 3.85 times that of Tier 3 permits and Tier 2 permits received cumulative limits 1.75 times that of Tier 3 permits. The final step in mitigating the reallocation effects was implementation of the permit stacking program in August 2001. This program allowed up to three tier endorsed permits and their associated tier limits to be stacked on a single vessel. The first full year of implementation was 2002.

- 5) **Promote equity.** Much of this objective was addressed through the re-establishment of the opportunity for a distribution of harvest among vessels similar to distributions present prior to imposition of equal cumulative limits in 1997 and similar to what is seen in many other fisheries. Another equity related issue is compliance. If some fishermen are not complying with the program they are often viewed as gaining an unfair advantage over other fishermen.
- 6) **Resolve or prevent new allocation issues from arising.** Since implementation of the permit stacking program in 2002, there have been few calls for any changes to the allocations within the fixed gear sector. Most discussion and concern has been with intersector allocations, however, even during the Council's formal consideration of its groundfish allocations (Amendment 21) it was decided that there was not a sufficient need to examine reallocations of sablefish among sectors, relative to other workload concerns. Within the limited entry fixed gear sector 15% of the sablefish is set aside for a daily trip limit fishery. There has been some suggestion that this allocation and its management might be revisited but up until the time this program review was initiated the interest in modifications has not been sufficient to bring the topic onto the Council agenda.
- 7) **Promote safety.** While the USCG keeps safety statistics it is only possible to isolate those statistics by date and area, not by the fishery in which the vessel was participating. At this time, it is not apparent that there is any direct information that might be useful in evaluating the safety record of the fleet before and after implementation of the fixed gear stacking program. Indirectly, the elimination of the derby fishery through extension of the primary season to seven months would be expected to reduce the pressure to fish under unsafe conditions.
- 8) **Improve product quality and value.** Changes in ex-vessel price are strongly driven by markets but might also indicate a change in product quality. Most informative might be a price comparison of the difference between fixed-gear-caught and trawl-caught sablefish during the derby relative to the difference in prices between these gears after the implementation of the permit stacking program. A widening gap might indicate an improvement in the quality of fixed gear caught sablefish. Larger fish generally bring higher prices (might be considered a higher "quality"). Size of fish landed may be increased by gear selectivity or highgrading.
- 9) **Take action without creating substantial new disruptive effects.** This objective was achieved with program implementation by allowing fishermen to acquire and stack permits rather than directly changing the allocation among permits.
- 10) **Create a program that will readily transition to a multimonth IQ program.** This objective relates to capacity reduction recommendations in the strategic plan. Where

individual quotas are transferable and divisible they address National Standard 6 by providing the fleet with substantial flexibility to respond to changing conditions in the fishery and National Standard 5 by taking efficiency into account. FMP Objective 6 is also addressed.

In addition to the above prioritized objectives and indicators, a regulatory revision process will be conducted on two priority matters:

- 1) Consideration of a modification to the permit ownership and control rule. Currently, a vessel owner is determined to have control over all of the permits that are stacked on a vessel and cannot own or control more than three permits. Some industry representatives have requested a change that would link permit ownership and control to the percentage of a vessel that an individual owns.
- 2) Development of requirements that limited entry fixed gear permit numbers be recorded on fish tickets to address identifying the landing as “daily trip limit” or “tier delivery” (with the possibility of requiring electronic tickets for all West Coast nontrawl sablefish deliveries, both limited entry fixed gear and open access).

The Council will determine whether additional changes to the program should be considered at the conclusion of the review of the program meeting original program objectives, scheduled for the June 2014 Council meeting.

Exempted Fishing Permits

The Council received progress reports on three 2013 – 2014 Exempted Fishing Permit(s) (EFP). One of the EFPs, “Testing Jig Fishing Gear Targeting Yellowtail Rockfish”, caught two yelloweye rockfish and the sponsors decided to cease fishing for the remainder of 2013. Another EFP, “Evaluating an Epibenthic Trolled Longline to Selectively Catch Chilipepper Rockfish” did not have any fishing activity in 2013. The third EFP, “Supporting a Spatial Analysis of the Distribution and Size of Rebuilding Stocks in the Rockfish Conservation Areas Through Directed Fishing Surveys”, was not discussed however the sponsors provided an extensive report on the fishing and other activities to date.

The Council considered three 2015 – 2016 Exempted Fishing Permit (EFP) applications (two renewals and one new) and adopted one renewal “Testing Jig Fishing Gear Targeting Yellowtail Rockfish” (sponsored by the San Francisco Community Fishing Association) for public review. The Council also adopted set-asides for this EFP that include: 1.0 mt of canary rockfish, and 0.03 mt of yelloweye rockfish. The Council will consider final adoption of this EFP at its June 2014 meeting.

Stock Complex Restructuring

The Council adopted a final preferred alternative for restructuring stock complexes as follows:

- Remove spiny dogfish from the Other fish complex and manage with stock-specific specifications;
- Designate the following species as Ecosystem Component Species: finescale codling (aka Pacific flatnose), soupfin shark, spotted ratfish, all endemic skates except longnose skate, and all endemic grenadiers.

The Council assigned further analysis of alternatives for managing the stocks in the slope rockfish complexes, as well as kelp greenling and the Washington stock of cabezon. For the slope rockfish complex, the National Marine Fisheries Service (NMFS) provided a report ([Attachment 3](#)) that describes the specific problem related to three species (blackgill, rougheye, and shorttraker) that have experienced chronic overages of their respective Over Fishing Limits (OFL).

Stock Assessments and Rebuilding Analysis

The Council adopted the new data-moderate assessments for brown, China, and copper rockfish, as well as the draft rebuilding analysis for cowcod endorsed by the Scientific and Statistical Committee (SSC). The SSC Groundfish Subcommittee will review a final draft of the new cowcod rebuilding analysis on a teleconference to be scheduled in December.

Consideration of Inseason Adjustments

The Council received a report from NMFS on the effects of the government shut-down. Because of the shut-down, in-season actions from the September meeting were not implemented and are now expected to become effective December 1.

The Council received a request through public comment to increase the 2014 bimonthly cumulative trip limits for the Open Access (OA) fixed-gear slope rockfish complex for the area south of 40°10' N. latitude. The request did not specify a proposed trip limit amount; it only requested that the current 10,000 pound bimonthly trip limits be increased subject to the Council's preference. The Groundfish Management Team (GMT) and Groundfish Advisory Subpanel (GAP) concluded that there is not enough time to evaluate and analyze an increase to the slope rockfish complex in time for implementation by January 1, 2014. Linked to that are concerns about what the estimated bycatch harvest of blackgill rockfish would be, if such a slope rockfish complex increase were implemented. Another concern is the possibility of an unanticipated sizable increase in the number of participants that would move into this fishery as a result of a trip limit increase. Blackgill rockfish is now managed utilizing a harvest guideline approach and thus has separate bimonthly trip limits for both the Limited Entry (LE) and OA non-trawl fixed-gear sectors. Additionally, bank rockfish (the major target species for this complex) has not been assessed since July 2000, and little is known of the stock's current status. The Council did not act on the request.

Fixed Gear Sablefish Daily Trip Limit (DTL) Fisheries

The Council considered information on the status of 2013 groundfish fisheries and adopted modifications to the 2014 sablefish trip limits for the LE and OA fixed gear fisheries north and south of 36° N. latitude. Projected 2014 attainment for the four sablefish DTL fisheries is between 90 and 95 percent, with the exception of the OA North fishery, which has a projected attainment of 99 percent, and the OA South fishery, which has been maintained at a lower level in recent years, partially to allow some buffer for the LE South fishery. The 2014 projection for the LE North fishery assumes a uniform seasonal ex-vessel price throughout 2014, at the 2013 bimonthly average ex-vessel price of \$2.54 per pound.

NOVEMBER 2013 INSEASON ADJUSTMENTS

AREA	FISHERY	SABLEFISH TRIP LIMITS FOR 2014, PERIOD 1-6
North of 36° N. lat. (U.S./Canada Border to 36° N. lat.)	Limited Entry Fixed Gear	950 lbs/week, not to exceed 2,850 lbs/2 months.
	Open Access	300 lbs/day, or one landing per week up to 800 lbs, not to exceed 1,600 lbs/2 months.
South of 36° N. lat.	Limited Entry Fixed Gear	2,000 lbs/week
	Open Access	300 lbs/day, or one landing per week up to 1,600 lbs, not to exceed 3,200 lbs/2 months.

Electronic Monitoring Alternatives

The Council adopted a range of alternatives for further analysis. The adopted alternatives are based on the Groundfish Electronic Monitoring Policy Advisory Committee report with additional recommendations from the Enforcement Consultants report.

In addition, the Council scheduled consideration of special, out-of-cycle exempted fishing permit proposals for electronic monitoring (EM), with maximized retention requirements, at the April 2014 Council meeting.

Biennial Harvest Specifications and Management Measures for 2015-2016 Groundfish Fisheries

The Council adopted final overfishing limits (OFLs) and stock category designations that were recommended by the SSC. The Council also adopted final acceptable biological catches (ABCs) for all stocks except cowcod (an annual catch target of 4mt was adopted for cowcod), as well as a range of annual catch limits (ACLs) including preliminary preferred ACLs for detailed analysis.

In addition, the Council adopted:

- Status quo two year allocations for over-fished species except for:
 - Yelloweye rockfish; in addition to status quo, analyze an alternative that moves 0.6mt from the non-nearshore fixed gears (LE and OA) to the nearshore fishery.
- Black rockfish catch sharing for Oregon and California, which allocates 58% of the ACL to Oregon and 42% to California.
- Blue rockfish; a California statewide harvest guideline based on the status quo approach used in 2013-14.
- Blackgill rockfish south of 40° 10' N. lat. harvest guideline using status quo approach used in 2013-14.
- For minor nearshore rockfish north of 40° 10' N. lat. analyze a harvest guideline for California (between 40° 10' N. lat. and 42° N. lat.) which would be based on stock assessments for those species where data are available. For species where no stock assessment is available, apportion based on historical catches.

The Council also adopted several Management Measures for analysis, those include:

Overarching Management Measures

- Establish Off the Top Set-Asides
 - For Pacific Coast treaty Indian tribal fisheries, scientific research, non-groundfish target fisheries (hereinafter incidental open access fisheries), and, as necessary, exempted fishing permits (EFPs).
- Two-year Allocations
 - Two-year trawl and non-trawl allocations are decided during the biennial process for those species without long-term allocations, or species where the long-term allocation is suspended. In 2013-2104, two-year allocations were established for: bocaccio, canary, cowcod, longnose skate, minor shelf rockfish north, minor shelf rockfish south, petrale sole, and yelloweye rockfish.
 - Species without trawl and non-trawl or limited entry and open access allocations include: black rockfish, cabezon (Oregon and California), California scorpionfish, longspine thornyhead south of 34° 27' N. latitude, minor nearshore rockfish north and south of 40° 10' N. latitude, shortbelly, and the Other Fish complex, including spiny dogfish. The nearshore species, including nearshore rockfish, are managed and allocated by the west coast states. For the remaining species, ACL attainment has historically been low due to the lack of market demand, limited access as a result of the rockfish conservation area (RCA) configurations, or the need to limit overfished species interactions. While there is no need for allocations between sectors, management measures (e.g., trip limits, bag limits, etc.) for these species are proposed to keep total catch within the ACL.
- Harvest Guidelines
 - Historically, the Council has established harvest guidelines (HG) for: A) the recreational sectors for yelloweye and canary rockfish; B) black rockfish between OR and CA; C) blackgill rockfish south of 40°10' N. latitude (in complex); D) blue rockfish south of 42° N. latitude (in complex); and E) sablefish south of 36° N. latitude between the limited entry (LE) and open access (OA) non-trawl fixed-gear sectors.

Commercial Management Measures

A. Trawl and Non-Trawl Management Measures

- RCA Coordinates--update RCA coordinates to better approximate depth
 - A proposal was submitted by industry from the San Diego area to modify a few non-trawl rockfish conservation area (RCA) shoreward waypoints. This request would affect two very small areas: one off Del Mar (six waypoints) and the other off San Diego (two waypoints).
- Area Closure--Rougheye rockfish groundfish closure area (GCA)
 - The Council is interested in management measures to reduce the catch of rougheye rockfish for all sectors. Rougheye rockfish may be a species of some concern given the current stock assessment and recent catch levels provided by the West Coast Groundfish Observer Program (WCGOP). Groundfish closure

areas (GCAs) may represent a viable management measure for reducing mortality of rougheye rockfish for one or more sectors if other measures prove ineffective.

- Area Closure--Spiny dogfish GCA
 - The Council may be interested in management measures to reduce the catch of spiny dogfish shark. Groundfish closure areas may represent a viable management measure for reducing mortality of spiny dogfish for one or more sectors if other measures prove ineffective.

B. Limited Entry and Open Access Fixed Gear

- Trip Limit; review commercially important, highly attained species and other requested species
 - The GMT typically reviews the performance of commercially important trip limits relative to the sector allocations or harvest guidelines (e.g., sablefish). The goal this cycle is to take a closer look at trip limit performance to set the limits on January 1 with the aim of minimizing the necessary number of inseason adjustments (assuming trip limits were initially set “right”). The list of trip limits for review:
 - 1) Shelf rockfish south of 34° 27' N. latitude
 - 2) Bocaccio south of 34° 27' N. latitude
 - 3) Shortspine thornyhead north of 34° 27' N. latitude
 - 4) Lingcod north of 40° 10' N. latitude
 - 5) Slope rockfish and darkblotched rockfish north of 40° 10' N. latitude
- Remove the periods 1, 2, and 6 closure for lingcod, could implement a daily or bimonthly cumulative limit
 - Lingcod retention is prohibited in Periods 1, 2, and 6 for both limited entry and open access fixed gears. The prohibition on retention has been in effect for these fisheries since the 1990s to improve the conservation of lingcod after being declared overfished. Note that Canada first declared a winter closure for lingcod in 1987 to protect spawning lingcod. Lingcod spawn beginning in the late fall in shallow waters. Although females do not spend much time in the spawning area, males are concentrated in these shallow waters guarding the eggs during winter and spring months. The closure for the fixed gear fishery was presumably designed to reduce catch of these males while concentrated during the nest-guarding season. The GMT points out that there is no lingcod closed season for individual fishing quota (IFQ fisheries; fixed gear and trawl) or Oregon recreational fisheries.
 - Public testimony was received from Mr. Jeff Miles at the September 2013 Council meeting requesting some level of retention during periods 1, 2, and 6. The request was made to land lingcod that are incidentally caught and discarded, with the suggestion that trip limits might be set low enough to prevent changes in fishermen behavior (i.e., prevent targeting).

- Remove the Commercial Gear Restriction on Flatfish
 - In 2003, the limited entry and open access fixed gear fisheries south of 40°10' N latitude were constrained by management measures to protect bocaccio. The current commercial gear restriction is *“no more than 12 #2 hooks, up to 2-1lb weights, not subject to the RCA”*. During the 2009-2010 management cycle, the recreational fishery removed their flatfish gear restriction because it was not effective in restricting the bycatch of overfished species. The commercial fishery is interested in pursuing a similar removal to have conforming regulations. CDFW does not anticipate that removing the gear restriction will increase impacts to overfished species because this fishery operates over sandy bottom habitats where overfished species are less likely to occur.

C. Trawl Sector (Shorebased IFQ, Catcher Processor, and Mothership)

- Shorebased IFQ Trip limits
 - Relevant Factors for Analysis: Evaluate whether the current trip limits are expected to stay within the 2015-2016 harvest specifications utilizing 2011 and 2012 data. Species that will be of most interest for this analysis are the Other Fish complex and longnose skate.
- At-Sea Whiting Set-Asides
 - Relevant Factors for Analysis: Evaluate whether the current at-sea whiting set-asides are expected to stay within the 2015-2016 specifications utilizing 2011 and 2012 data.
- Rougheye Rockfish Excluder for Trawl Vessels Fishing Seaward of the RCA
 - Recent research is available that suggests excluder devices (i.e., grids or grates) may reduce the catch of rougheye rockfish relative to some of the other target species. Use of excluder devices will be analyzed for the whiting sectors only.
- Shorebased IFQ - Initial Issuance
 - For species where catch cannot be controlled or at least reasonably controlled using typical management measures (e.g., if reducing catch requires moving the seaward boundary of the RCA to 400 fathoms), IFQ may need to be issued. As an example, if the Council chooses to remove spiny dogfish from the Other Fish complex, issuance of IFQ may become necessary. The GMT may evaluate and highlight species for Council consideration, but has not had the opportunity to do so yet.
- Shorebased IFQ Accumulation Limits
 - The maximum number of quota shares (QS) and quota pounds (QP) an entity may control in the shorebased IFQ fishery is limited by accumulation limits (defined in regulation at 50 CFR 660.111).
- Two alternatives for the two year petrale sole allocation between trawl and non-trawl.
 - 1) Status quo of thirty five mt to the nontrawl sector and the remainder to the trawl sector.
 - 2) Fifteen mt to the nontrawl sector and the remainder to the trawl sector.

A review of the selected results from the preliminary draft Environmental Impact Statement will occur at the March 2014 meeting. At the April 2014 Council meeting, the Council is scheduled to adopt final preferred harvest specifications and a preliminary preferred suite of 2015-2016 management measures. After a public review period, the Council will take final action at the June 2014 Council meeting.

Essential Fish Habitat (EFH) Review Phase 2 Report and Proposals to Modify EFH

The Council initiated the Pacific Coast groundfish Essential Fish Habitat (EFH) review in December 2010. This review is being conducted consistent with the Magnuson-Stevens Act and the National Marine Fisheries Service regulatory guidance which states that reviews of EFH should be conducted at least every five years. New scientific research and updated fish and habitat surveys that have occurred since groundfish EFH was established in 2006 may provide new rationale to consider additional measures.

An Essential Fish Habitat Review Committee (EFHRC) was established, has met in person or via conference call several times, and has compiled a report summarizing new and newly-available information regarding physical and biogenic habitats, habitat models, trophic interactions, and fishing and non-fishing activities that may affect groundfish EFH.

At its September 2012 meeting, the Council considered the EFHRC's Phase 1 Report, which included substantial new and newly-available information regarding Pacific Coast groundfish habitat associations, fishing activities, prey species, and many other elements of groundfish EFH.

At its April 2013 meeting, the Council received and considered a NMFS synthesis document that provided additional analysis and interpretation of the information and data compiled in the Phase 1 Report. At that point, the Council elected to solicit proposals to modify Pacific Coast groundfish EFH. An RFP was issued May 1, 2013 and eight proposals were received by the July 31, 2013 deadline. The proposals were summarized in a September Council meeting Informational Report (September 2013 Informational Report 3), and the proposals and supporting materials are included in the November Briefing Book materials as electronic-only attachments.

The EFHRC met in September 2013 to evaluate the eight proposals and initiate completion of the Phase 2 Report, which will provide information regarding evaluation of the proposals, as well as recommendations from the EFHRC. These recommendations are intended to answer the general question of whether there is new or newly-available information that warrants changes to current groundfish EFH.

Due to the Federal government shutdown, the Phase 2 report was not complete, and only a partial draft was available for Council, Advisory Body, and Public review at the November meeting.

Despite this, the Council decided there is enough information in the EFH Review to move forward, and directed the EFH Review Committee to finalize the Draft Phase 2 Report using the following sideboards:

- Keep the report finalization process simple; one or two conference calls and high-level recommendations on criteria subject areas (e.g. socioeconomic) for development of alternatives for Phase 3 (not recommendations on specific proposals or proposal elements).

In addition, the Council requested the Southwest Fisheries Science Center and Northwest Fisheries Science Center review the discussion and materials from this Council meeting and provide evaluation criteria and methods that can be used to answer the general question “is the current EFH designation working?” These evaluation methods are scheduled for inclusion in the advance Briefing Book for the March Council meeting. The Council will also consider the complete Phase 2 Report in March.

☆ 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 𐀀



Prepared November 16, 2013
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Attachment 1;

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON SALMON METHODOLOGY REVIEW

Five topics recommended for review at the abbreviated Salmon Methodology Review were reviewed by the Scientific and Statistical Committee (SSC). SSC comments on each of the topics follow:

Technical revision to the Oregon Coastal Natural (OCN) coho work group harvest matrix

In November 2012 the Council approved using the wild coho salmon jack-to-smolt ratio from the Mill Creek (Yaquina) Life Cycle Monitoring site as a new predictor of marine survival for wild adult coho salmon for use in 2013 management. Approval was provisional, pending further analysis to address SSC recommendations regarding the new predictor and mitigate possible risks from reliance on a single site for predicting marine survival.

An ensemble mean forecast was developed using seven two-variable generalized additive models that incorporate additional biological and oceanographic indicators to predict marine survival. These models are very similar to the preseason models currently used to forecast OCN abundance. The ensemble mean forecast improved performance compared to the 2012 revision relying solely on the Mill Creek jack-to-smolt ratio. The proposed predictor is more robust to a change in any single indicator, and it appropriately limits impact rates when survival is expected to be low but allows harvest opportunity when it is expected to be high.

Three of the seven ensemble models rely on jack-to-smolt ratio data from the Mill Creek. To address concerns about alternative methods for predicting marine survival if there were a catastrophic failure at the Mill Creek site that prevented estimation of the jack-to-smolt ratio, a suite of three-variable environmental models was developed. An ensemble mean of six three-variable models was shown to perform nearly as well as the two-variable ensemble mean described above and was superior to the model relying on the Oregon Production Index Hatchery predictor.

The SSC recommends that the two-variable ensemble mean model be used to predict marine survival for use in the OCN coho salmon harvest matrix. In the event that jack-to-smolt ratio data from Mill Creek are unavailable, the three-variable ensemble mean model should be used. Every year the models should be refit incorporating the most recent data. Variable selection may change over time, and should be reviewed in five years, or when it becomes clear that some models are no longer well-supported statistically.

Lower Columbia Natural (LCN) Coho matrix control rule

Mr. Chris Kern (Oregon Department of Fish and Wildlife) made a presentation to the SSC which included two new analyses suggested at the subcommittee meeting (Addendum to C.2.a, Attachment 2). The primary purpose of the analysis was to incorporate new information from eight populations, in addition to the Clackamas and Sandy populations, into the framework for evaluating alternative harvest management matrices for LCN coho.

Spawner-recruit functions and full seeding levels were developed for all populations. Methods varied depending on available data, accounting for differences between the Washington and Oregon recovery plans. Relative risk and opportunity for a range of harvest strategies and harvest matrices was evaluated using a stochastic population viability analysis (PVA).

One strength of the proposed analysis framework is that it characterizes the relative risk from alternative harvest scenarios to the entire LCN coho evolutionarily significant unit, rather than simply the two healthiest populations (the Sandy and Clackamas). The SSC recommends using the shorter 1993 to 2009 data sets for the Sandy and Clackamas populations.

The SSC evaluated the data reconstruction techniques used and technical aspects of the PVA. We did not evaluate any specific scenarios. The analysis framework is suitable for ranking the relative risk of various harvest scenarios. Numerical estimates of extinction risk from the model should be considered as index values only, and in no way represent actual probabilities of extinction. The analysis is complex, and the SSC identified several areas where alternative analytical techniques could be applied. However, the basic technique and application are sound, and relative rankings of scenarios are not likely to be greatly affected by the statistical refinements suggested. The populations used in the analysis do not exactly match those in the Fishery Regulation and Assessment Model (FRAM) model. These differences will need to be reconciled before a resulting harvest strategy can be applied.

Continued monitoring of LCN coho populations should help refine capacity and productivity estimates for Oregon populations and allow for empirical estimates for Washington populations. Investigation of alternative metrics to better represent marine survival of LCN coho, similar to approaches used for the OCN coho harvest matrix, should also be examined.

Incorporation of estimated legal and sublegal Chinook encounters into the Fishery Regulation and Assessment Model (FRAM)

Ms. Angelica Hagen-Breaux (Washington Department of Fish and Wildlife) presented this analysis to the SSC. Recent Chinook FRAM projections of total sublegal encounters for fisheries operating under minimum size limit regulations differ substantially from recent field observations for many fisheries. While the basis for differences is not understood, FRAM's current structure allows for ad hoc calibration of base period sublegal encounter rates through the use of a simple multiplicative adjustment factor, thereby providing users the ability to improve correspondence between model-projected sublegal encounters and sublegal encounter estimates based on data from sampled fisheries.

A comprehensive set of available sample-based estimates of sublegal Chinook encounters for a range of modeled fisheries was used to develop and test a set of simple computational algorithms to incorporate these data directly into FRAM modeling (i.e., to estimate the necessary adjustment factors for the model). The effect of the proposed changes on key model outputs (e.g., exploitation rates on stocks of conservation concern) was evaluated. Overall, recalibrating FRAM's current base period to produce fishery-level sublegal encounter totals consistent with recent data introduced minimal changes when assessed in terms of stock-specific impacts even though changes in sublegal encounter totals were substantial for some individual fisheries.

The proposed change to FRAM modeling of sublegal encounters: (1) improves fishery-level projections of total sublegal encounters; (2) strengthens the link between ongoing monitoring activities and fishery modeling; (3) minimally changes past assessments of stock-level impacts; and (4) establishes a foundation for improved size-limit modeling.

The SSC noted that the von Bertalanffy method currently used to estimate growth within a year may not be appropriate and may contribute to poor model performance in this area. Future model revisions could address this issue. Recent size-at-age data are most relevant to current fisheries. The SSC recommends that data be updated annually and older data that may not represent current conditions be dropped from the time series as appropriate.

The SSC recommends the incorporation of the revised sublegal encounter estimates in the FRAM model for 2014.

Modifications to Fishery Regulation and Assessment Model (FRAM) algorithms on sublegal and legal encounters and minimum size limits

Ms. Angelika Hagen-Breaux (Washington Department of Fish and Wildlife) gave a presentation to the SSC on a proposed change to Chinook FRAM which would allow evaluation of proposed

size limit changes to FRAM fisheries. Chinook FRAM was originally designed to evaluate changes in fishery catches and stock impacts resulting from changes in minimum size limit regulations. Recent attempts to use this feature revealed the FRAM methodology and supporting data to be flawed.

At the 2012 Salmon Methodology Review, the Washington Department of Fish and Wildlife presented a method to address this size limit problem. Several issues were raised by the SSC at the 2012 review. The SSC recommended not to adopt the changes presented in 2012.

For the October 2013 Salmon Methodology Review, an improved method to estimate sublegal encounters in FRAM was suggested (see previous discussion item). Using updated sublegal encounter rates reduces the exploitation rate changes calculated for key stocks. Because encounters would be calibrated to recent-year observations under the proposed approach, those fisheries that experienced size limit changes since the base period would no longer need to be adjusted; only recent size limit changes would need to be modeled. In addition, the adjustment algorithm was modified to keep total encounters constant.

While this method addresses a known FRAM problem in evaluating proposed changes to fishery size limits, it does not address the problem of FRAM incorrectly allocating sublegal impacts to stocks and age groups. This problem would be addressed by the work currently being done to develop and implement a new Chinook FRAM base period including revisions to the model code dealing with growth.

The SSC recommends incorporating this method in FRAM modeling for 2014. This would be an interim measure until a new Chinook FRAM base period, model code revision, and model calibration allows incorporation of new growth and size limit algorithms.

Alternative forecast methodologies for the Sacramento Fall Chinook Index

Dr. Mike O'Farrell (National Marine Fisheries Service, Southwest Fishery Science Center) presented an analysis of alternative forecast methodologies for the Sacramento Fall Chinook Index (SI) to the SSC. The analysis compared the performance of a variety of potential forecast models for the SI. Models included simple averages, jack to SI regressions with multiple lags, time series models based on autocorrelated error or smooth changes in the jack relationship, and regressions including environmental variables. Models were fitted with data from 1983, in contrast to the shorter time series currently in use. Models were evaluated statistically, and examined for their ability to track recent trends in the SI that have proven challenging to forecast.

Most models out-performed the current model based on “leave one out” and “one year ahead” cross-validation techniques. Some environmental models performed well, but the environmental factors that contributed to the forecast tended to change over time, leading to the conclusion that variable selection in these models was inherently unstable. The authors identified a simple autoregressive error model relating jacks to SI as the most parsimonious and robust alternative. This model allowed for temporal changes in the expected ratio of the SI to the number of jacks

the previous year through autocorrelation in residual errors. The performance gains compared with the current model are modest when error is calculated across all years, but the model structure should reduce the risk of extended periods of over- or under-predictions.

The SSC recommends use of the proposed “Model 8” for forecasting the SI in 2014.

PFMC

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Attachment2

PACIFIC FISHERY MANAGEMENT COUNCIL SCHEDULE AND PROCESS FOR DEVELOPING 2014 OCEAN SALMON FISHERY MANAGEMENT MEASURES

- | | |
|-----------------------|--|
| Nov 1 - 6,
2013 | The Council and advisory entities meet at the Hilton Orange County, Costa Mesa, California, to consider any changes to methodologies used in the development of abundance projections or regulatory alternatives. |
| Jan. 21 - 24,
2014 | The Salmon Technical Team (STT) meet in Portland, Oregon to draft The Stock Assessment and Fishery Evaluation (SAFE) document <i>Review of 2013 Ocean Salmon Fisheries</i> . This report summarizes seasons, quotas, harvest, escapement, socioeconomic statistics, achievement of management goals, and impacts on species listed under the Endangered Species Act. (Available early February) |
| Feb. 18 – 24 | STT meets in Portland, Oregon to complete <i>Preseason Report I Stock Abundance Analysis and Environmental Assessment Part 1 for 2014 Ocean Salmon Fishery Regulations</i> . This report provides key salmon stock abundance estimates and level of precision, harvest, and escapement estimates when recent regulatory regimes are projected on 2014 abundance, and other pertinent information to aid development of management options (Available early March). |
| Feb. 25 - Mar. 7 | State and tribal agencies hold constituent meetings to review preseason abundance projections and range of probable fishery options. |
| Mar. 8 – 13 | Council and advisory entities meet at the DoubleTree Hotel Sacramento, California to adopt 2014 regulatory alternatives for public review. The Council addresses inseason action for fisheries opening prior to May 1 and adopts preliminary alternatives on March 9, adopts tentative alternatives for STT analysis on March 10, and final alternatives for public review on March 12. |
| Mar. 12 – 16 | The STT completes <i>Preseason Report II: Proposed Alternatives and Environmental Assessment Part 2 for 2014 Ocean Salmon Fishery Regulations</i> (Available March 20). |

- Mar. 12 – 31 Management agencies, tribes, and public develop their final recommendations for the regulatory alternatives. North of Cape Falcon Forum meetings are tentatively scheduled for March 17-18 and March 31 - April 2.
- Mar. 20 Council staff distributes *Preseason Report II: Proposed Alternatives and Environmental Assessment Part 2 for 2014 Ocean Salmon Fishery Regulations* to the public. The report includes the public hearing schedule, comment instructions, alternative highlights, and tables summarizing the biological and economic impacts of the proposed management alternatives.
- Mar. 24 – 25 Sites and dates of public hearings to review the Council's proposed regulatory options are: Westport, Washington (March 24); Coos Bay, Oregon (March 24); and Eureka, California (March 25). Comments on the alternatives will also be taken during the April Council meeting in Vancouver, Washington.
- Apr. 5 – 10 Council and advisory entities meet to adopt final regulatory measures at the Hilton Hotel in Vancouver, Washington. *Preseason Report II: Proposed Alternatives and Environmental Assessment Part 2 for 2014 Ocean Salmon Fishery Regulations*, results from the public hearings, and information developed at the Council meeting are considered during the course of the week. The Council will tentatively adopt final regulatory measures for analysis by the STT on April 5. Final adoption of recommendations to NMFS is tentatively scheduled to be completed on April 8.
- Apr. 11 – 20 The STT and Council staff completes *Preseason Report III: Analysis of Council Adopted Management Measures for and Environmental Assessment Part 3 2014 Ocean Salmon Fishery Regulations* (Available April 21). Council and NMFS staff completes required National Environmental Policy Act documents for submission.
- Apr. 21 Council staff distributes adopted ocean salmon fishing management recommendations, and *Preseason Report III* is available to the public.
- May 1 NMFS implements Federal ocean salmon fishing regulations.

PFMC
10/09/13

Attachment 3

**MINOR SLOPE COMPLEX STOCKS WITH CONSISTENT OVERFISHING LIMIT
CONTRIBUTION OVERAGES; COUNCIL CONSIDERATION OF REORGANIZATION OF
BLACKGILL, ROUGHEYE, AND SHORTRAKER ROCKFISH FOR ADDITIONAL
ANALYSIS**

At the 2013 September meeting the Council decided (as a preliminary preferred alternative) to defer further consideration of reorganizing nearshore, shelf, and slope species complexes until the 2017-2018 Harvest Specifications cycle. At the September Council meeting, NMFS stated its intent to review this decision and report back to the Council at the November meeting. After further review, the Agency has come to the conclusion that further analysis of removing Blackgill, Roughey, and Shortraker from the minor slope complex is warranted, in addition to management measures that may be analyzed to keep catch of these stocks within their contributory OFLs to the Minor Slope complex. Additional analysis will help the Council in their final decision regarding harvest specifications and management measures in June of 2014.

Although the Minor Slope North and Minor Slope South complexes are divided at 40° 10' N. latitude, combining northern and southern individual stock contributions to the OFL is more informative when determining management performance of these stocks coastwide (Agenda Item F.8.b, Supplemental SSC Report, June 2013). Accordingly, in its review the Agency compared past total mortality with preliminary 2015 OFL estimates for each stock.

Tables 1 and 2, below, demonstrate that mortality of blackgill, roughey, and shortraker rockfish was higher than their 2015 OFL contributions to the minor slope complex in most years since 2004¹. Although the Agency initially was concerned with aurora rockfish, results from the new category 1 assessment compared with historical total mortality of this species indicate that there is no overfishing trend for this species.

Table 1: Comparison of total mortality catch in selected years to preliminary 2015 OFLs for Aurora, Blackgill, Roughey, and Shortraker rockfish. Individual species-specific stock overfishing limit (OFL) estimates are combined coastwide north and south of 40° 10' N. latitude.

Minor Slope (Managed N&S, Combined)			
Species	Years Over 2015 OFL (2011-12)	Years Over 2015 OFL (2007-12)	Years Over 2015 OFL (2004-12)
Aurora	0/2	0/6	0/9
Blackgill	2/2, 100%	4/6, 67%	5/9, 56%
Roughey	2/2, 100%	5/6, 83%	5/9, 56%
Shortraker	2/2, 100%	6/6, 100%	7/9, 78%

¹ In its review, the Agency utilized data sets developed through the GMT's review of stock complexes. NMFS notes that actual total mortality of Roughey and Shortraker is somewhat higher than in the estimates provided in this supplemental report because an average catch (2007-2012) of 15.16 mt was reported in a Roughey/Shortraker WCGOP data field that has not yet been incorporated into GMT or Agency estimates. This further highlights the need to evaluate management options.

Table 2: Comparison of average total mortality catch (mt and percentage of 2015 OFL) in selected years (2007-2012) for Aurora, Blackgill, Roughey, and Shortraker rockfish. Individual species-specific stock overfishing limit (OFL) estimates are combined coastwide north and south of 40° 10' N. latitude.

Minor Slope (Managed N&S, Combined)			
Average TM catch, 2007-2012		2015 OFL	Average TM catch (2007-2012)/2015 OFL
Aurora	49.18	91.7	53%
Blackgill	134.33	141.7	94%
Rougheye	226.16	206	110%
Shortraker	31.66	18.8	168%

- **Blackgill** (A category 2 stock): Historical catches of blackgill rockfish have consistently exceeded the estimated 2015 OFL and should be analyzed for removal or reorganization from status quo complexes. In 2013, harvest guidelines and trip limits were implemented to control fixed gear catch. However, further analysis of single species management may be helpful to the Council when considering decision-making regarding management measures for reducing blackgill rockfish catch.
- **Rougheye** (A category 2 stock): Historical catches of rougheye rockfish have consistently exceeded the estimated 2015 OFL and should be analyzed for removal or reorganization from status quo complexes. The new assessment (and associated 2015 OFL) indicates that historical total mortality could continue to result in an overfishing trend, even though the 2013 assessment indicates that the stock is healthy (>47% unfished biomass).
- **Shortraker** (A category 3 stock): Historical catches of shortraker rockfish have consistently exceeded the estimated 2015 OFL and should be analyzed for removal or reorganization from status quo complexes.

The SSC provided guidance to the Council on stocks where catch regularly exceed OFL contribution values in their April 2012 supplemental statement (Agenda Item I.3.b, Supplemental SSC Report, April 2012):

"The SSC recommends that for species with OFL contribution values, a comparison of recent catches with those values be used to identify whether stock complexes are working as they were intended. If catches regularly exceed OFL contribution values, this could indicate a problem with how the stock complexes are structured, and justify action in the next management cycle which could include removing the species concerned from the complex and prioritizing it for a full assessment."

Conclusion:

NMFS believes it is important for the Council to analyze removing or reorganizing blackgill, rougheye, and shortraker from the minor slope complexes (north and south). Targeted management measures (such as broad area closures) could reduce catch below the OFL, but may result in unintended impacts on other target species attainment and sectors, while also resulting in additional regulatory complexity. Management measures applied to address blackgill, rougheye, and shortraker contribution OFL overages without removing or reorganizing slope rockfish complexes may be unnecessarily disruptive. SFD endorses efforts to reduce regulatory complexity coupled with increased individual accountability.