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## REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING March 7 – 13, 2014

### ADMINISTRATIVE MATTERS

#### ***Magnuson-Stevens Act (MSA) Reauthorization Priorities and Other Legislative Matters***

When the advance Briefing Book materials were being prepared, Council staff did not believe there was an immediate need to comment on the Discussion Draft released by House Natural Resources Committee Chairman Doc Hastings and planned for informational discussion by the Council at this meeting. There is some speculation that a Senate draft will be released in March or April, thus making the June Council meeting a reasonable time for a more comprehensive discussion since both the House and Senate drafts would be available for comparison at that time. However, since that time, the Council has been asked to provide input into the Hastings Discussion Draft in the near future.

The Council tasked the Executive Director with sending a letter that details the Council's comments on the Hastings Discussion Draft on Reauthorization of the Magnuson-Stevens Act (MSA). The letter will include most of the recommendations in the Legislative Committee Report as modified by Council discussion during the floor session.

### ECOSYSTEM MANAGEMENT

#### ***California Current Ecosystem Report Including Integrated Ecosystem Assessment***

The Council and NOAA's Integrated Ecosystem Assessment (IEA) Team reviewed the state of the California Current ecosystem as well as recent work done under the IEA. The report was well received and the Council and NMFS agreed to explore ways to increase future coordination and collaboration to further optimize these annual reports. The Council reviewed progress on the Fishery Ecosystem Plan initiatives and is scheduled to review alternatives to achieve protective measures for unmanaged forage species at its April meeting in Vancouver, Washington.

### GROUND FISH MANAGEMENT

#### ***Essential Fish Habitat Evaluation Criteria and the Essential Fish Habitat Review Committee (EFRHC) Phase 2 Report***

The Council accepted the EFRHC Phase 2 report, thus formally ending the Phase 2 process. Generally, public comment and the Council discussion focused on the EFH Review Committee being a very bad process. The mixture of scientist and stakeholders was problematic, and some of the Committee members reviewed their own proposals. One comment described the EFH Review Committee as "dysfunctional".

During the Council discussion, Council members made some specific comments and recommendations on the Essential Fish Habitat (EFH) review process including;

- A request for a map that shows trawl logbook data that is overlaid with all of the new proposed closed areas;
- This evaluation of EFH should not protect habitat for habitats sake; Need to look at the costs of further set-aside of areas; Need an independent scientific review of what the

existing protections have done, if anything, and an assessment of the impacts of what is being considered now.

- Need to look at habitats within the RCA and what protections the RCA is providing.
- Need a clearer problem statement and set of objectives.

Towards the next step in the Phase 3 process, the Council requested that the Northwest and Southwest Fisheries Science Centers investigate the question of EFH effectiveness, accuracy, and completeness, in the best way possible within the next five months, using existing staff resources, and to present their findings in the advance Briefing Book for consideration at the September 2014 Council meeting.

At the September meeting, the Council is tentatively scheduled to initiate a fishery management plan amendment, including alternatives for refining elements of groundfish EFH as warranted by new information, the Science Center evaluation, and proposals received.

#### ***Inseason Adjustments, Including Carryover***

The Council recommended that the National Marine Fisheries Service (NMFS) issue the maximum eligible surplus carryover (up to 10 percent) for all non-whiting species in the shore based individual fishing quota fishery.

#### ***Biennial Harvest Specifications for 2015-2016 and Beyond Groundfish Fisheries***

The Council adopted 2015 and 2016 overfishing limits (OFLs) for cowcod south of 40°10' N latitude, and for the Oregon sub-stock of kelp greenling. The Council also adopted the 2015 OFL for the Washington sub-stock of kelp greenling under a new  $P^*=0.40$  scenario. Those OFL values will be available for the April Council meeting. At the April Council meeting, the Council is also scheduled to adopt OFLs for the Nearshore Rockfish complex, which have been delayed due to technical difficulties.

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

For the proposed observer catch monitor rule published in the Federal Register on February 19, 2014, the Council provided NMFS with comments on a number of topics including:

- Ensuring that states and municipalities will have an opportunity to act as observer and catch monitor providers.
- Not increasing the restrictiveness of conflict of interest provisions (including expansion of the geographic areas covered and evaluating restrictions already in regulation to determine whether they may be excessively restrictive).
- Ensuring that if any observer or observer provider refuses to provide services for a vessel that the vessel is notified as quickly as possible of the reasons for that refusal.
- Not requiring higher levels of education and training than is necessary for observers to carry out their basic responsibilities.

For the issue of continuing the adaptive management program (AMP) pass-through, the Council adopted the following three alternatives for analysis:

1. No Action Alternative. Beginning in 2015, the quota pounds (QP) associated with the quota share (QS) set-aside for AMP purposes will be distributed in accordance with procedures developed under the AMP provisions.
2. Alternative 1. The AMP QP allocation procedures will be considered as part of the 5 year review, and the pass-through procedure used since 2011 will be continued.

- a. Suboption A; through 2017.
  - b. Suboption B; Until the implementation of regulations resulting from the 5-year review.
3. Alternative 2. The pass-through procedures used since 2011 will be continued until procedures are developed under the AMP.

The Council will consider final action on continuing the AMP pass-through at its June 2014 meeting.

## **ENFORCEMENT ISSUES**

### ***Vessel Monitoring System Ping Rate***

The Council identified a number of areas on which it would like additional information appropriate to initiating a regulatory action. Next consideration for this issue was scheduled for the June 2014 meeting. At that time, the Council will decide on the relative priority for this issue and the appropriate timeline for noticed Council decision making.

## **COASTAL PELAGIC SPECIES MANAGEMENT**

### ***Pacific Sardine Temperature Parameter Review***

The Council adopted the technical change of using the CalCOFI temperature index, rather than the Scripps Pier temperature recordings, in calculating the annual overfishing limit (OFL) for Pacific Sardine. The new temperature index and new temperature-productivity relationship will be used for establishing the OFL starting with the April 2014 meeting, when the Council will establish annual harvest specifications and management measures for the fishing year beginning July 1, 2014.

Before applying the new temperature index and temperature-productivity relationship in the harvest guideline control rule, the Council requested evaluation of additional alternatives regarding the harvest fraction term (Emsy), including a 0-20 percent and a 5-20 percent Emsy, both of which would preserve current policy by allowing relatively higher harvest rates in periods of high biomass and productivity, but would constrain harvest rates when biomass and productivity are low. The Council is tentatively scheduled to consider the analysis of these alternatives at the September 2014 meeting and take final action at its November, 2014 meeting for application to the 2015-2016 fishing year.

## **HIGHLY MIGRATORY SPECIES MANAGEMENT**

### ***Vessel Monitoring Systems (VMS) for Highly Migratory Species Fisheries***

The Council elected to not formally comment on the regulation proposed by NMFS requiring VMS on vessels longer than 24 meters, which is in the process of being promulgated under the Tuna Conventions Act by the NMFS. The Council asked Departments of State and Commerce representatives to make note of the Council preference to have this rulemaking decision and any future rulemakings similar to it, made under MSA authority rather than the Tuna Conventions Act. The Council acceded to the Federal government commitment to implement regulations to comply with an Inter-American Tropical Tuna Commission (IATTC) resolution (requiring VMS) before the July 2014 IATTC meeting. In doing so, the Council recognized that because there is insufficient time to complete the Council-MSA process in time, NMFS will use their authority under the Tuna Conventions Act.

### ***Recommendations for International Management Activities***

The Council directed staff to continue working on the development of a precautionary management framework for North Pacific albacore at the international level, including in both the IATTC and the Western and Central Pacific Fisheries Commission arenas.

### ***U.S.-Canada Albacore Treaty Update***

The Council heard reports and public testimony regarding the future of a reciprocal fishing regime under the US-Canada Albacore Treaty, but elected to not take a position prior to the upcoming bilateral negotiations scheduled for mid-April 2014.

### ***Drift Gillnet Monitoring, Management and Alternative Gear Report***

The Council took several actions toward a goal of developing a comprehensive plan to transition the current drift gillnet fishery to a fishery utilizing a suite of more environmentally and economically sustainable gear types that can effectively target the healthy West Coast swordfish stock operating under MSA authority. The Council actions are:

- Sending a letter to NMFS requesting reinstatement of the emergency rule that lapsed on January 31 (the fishery can only operate with reinstatement of the emergency rule) and implementation of the Pacific Offshore Cetacean Take Reduction Team recommendations so there is no gap in application while NMFS implements permanent regulations on this matter.
- Requesting NMFS provide a report at the June Council meeting on issues and possible solutions to more comprehensively placing a transitioning swordfish fishery under MSA authority, including Federal permit options that would replace the current California State permit regime.
- Tasking Council staff with noticing the public that the Council would consider preliminary experimental fishing permit (EFP) approval on fishery transition proposals at the June 2014 Council meeting, and encouraging EFP submission. Further, the Council directed the Highly Migratory Species Management Team (HMSMT) to prepare research protocols to guide the evaluation of EFPs to test alternative gear types.
- Tasking Council staff, the HMSAS, and the HMSMT with initial development of a fishery transition plan and possible regulations under a typical MSA process, with the transition period being of sufficient duration to maintain a reasonable commercial flow of swordfish to domestic markets during the transition. The initial compilation of ideas was scheduled for the June 2014 Council meeting, with typical MSA process management tools to use such things as, seasons, areas, allowable gear alternatives, and integration of EFP results.

## **SALMON MANAGEMENT**

### ***Review of 2013 Fisheries and Summary of 2014 Stock Abundance Forecasts***

The Scientific and Statistical Committee endorsed and the Council adopted the 2014 forecasts, acceptable biological catches, and overfishing limits in the Preseason Report I as the best available science for use in 2014 salmon management.

### ***Adoption of 2014 Management Alternatives for Public Review***

The Council adopted 2014 management alternatives for public review that are posted to the Council web page and will be analyzed and published in Preseason Report II. Public hearings will

be held in Coos Bay, Oregon and Westport, Washington on March 24 and in Santa Rosa, California on March 25 and the Council is scheduled to adopt final management measures at its April 5-10, 2014 meeting in Vancouver, Washington.

The following table lists salmon alternatives for Pt. Arena south.

TABLE 1. Commercial troll management Alternatives collated by the STT for non-Indian ocean salmon fisheries, 2014. 3/12/2014

A. SEASON ALTERNATIVE DESCRIPTIONS		
ALTERNATIVE 1	ALTERNATIVE 2	ALTERNATIVE 3
<p><b>Pt. Arena to Pigeon Pt. (San Francisco)</b></p> <ul style="list-style-type: none"> <li>• May 1-31;</li> <li>• June 11-30;</li> <li>• July 15-31;</li> <li>• August 1-29;</li> <li>• September 1-30 (C.9.b).</li> </ul> <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length prior to September 1, 26 inches thereafter (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). During September, all fish must be landed south of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p> <p><b>Point Reyes to Point San Pedro (Fall Area Target Zone)</b></p> <ul style="list-style-type: none"> <li>• October 1-3, 6-10, and 13-15.</li> </ul> <p>All salmon except coho (C.4, C.7). Chinook minimum size limit of 26 inches total length (B, C.1). All fish caught in this area must be landed between Point Arena and Pigeon Point (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p>	<p><b>Pt. Arena to Pigeon Pt. (San Francisco)</b></p> <ul style="list-style-type: none"> <li>• May 1-31;</li> <li>• June 1-30;</li> <li>• July 15-31;</li> <li>• August 1-29;</li> <li>• September 1-30 (C.9.b).</li> </ul> <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length prior to September 1, 26 inches thereafter (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). During September, all fish must be landed south of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p> <p><b>Point Reyes to Point San Pedro (Fall Area Target Zone)</b></p> <ul style="list-style-type: none"> <li>• October 1-3, 6-10, and 13-15.</li> </ul> <p>All salmon except coho (C.4, C.7). Chinook minimum size limit of 26 inches total length (B, C.1). All fish caught in this area must be landed between Point Arena and Pigeon Point (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p>	<p><b>Pt. Arena to Pigeon Pt. (San Francisco)</b></p> <ul style="list-style-type: none"> <li>• May 1-31;</li> <li>• June 7-30;</li> <li>• July 15-31;</li> <li>• August 1-29;</li> <li>• September 1-30 (C.9.b).</li> </ul> <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length prior to September 1, 26 inches thereafter (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). During September, all fish must be landed south of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p> <p><b>Point Reyes to Point San Pedro (Fall Area Target Zone)</b></p> <ul style="list-style-type: none"> <li>• October 1-3, 6-10, and 13-15.</li> </ul> <p>All salmon except coho (C.4, C.7). Chinook minimum size limit of 26 inches total length (B, C.1). All fish caught in this area must be landed between Point Arena and Pigeon Point (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p>
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**ADMINISTRATIVE**

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

The next meeting of the Pacific Fishery Management Council is scheduled for April 4 – 10, 2014 at the Hilton Hotel, Vancouver, Washington. The Preliminary Proposed Agenda represents the agenda expectations for the April 2014 Council meeting and includes among other things:

Administrative

1. Boundary Expansion of the Gulf of the Farallones and Cordell Bank NMS
2. Future Council Meeting Agenda and Workload Planning

Salmon

1. Tentative adoption of 2014 Management Measures for Analysis
2. Clarify Council Direction on 2014 Management Measures
3. Final Action on 2014 Management Measures

Groundfish

1. Stock Complex Restructuring Final Action
2. Implement 2014 Pacific Whiting Fishery under US – Canada Agreement
3. Sablefish Catch Share Program Review; Phase 1 PPA
4. Methodology Review Process
5. Fisheries in 2015 – 2016 and Beyond; Adopt Biennial Spex FPA
6. Electronic Monitoring Program Development Including Preliminary EFP Approval
7. Consideration of Inseason Adjustments
8. Fisheries in 2015 – 2016 and Beyond; Adopt Management Measures PPA

Coastal Pelagic Species

1. EFP for 2014 (Sardine Survey) Approve Final
2. Sardine Assessment, Spex and Management Measures

Ecosystem

1. Unmanaged Forage Fish Initiative

☆ This report is provided to the Central Coast Community in 2014 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)



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