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**REPORT FROM THE PACIFIC FISHERY
 MANAGEMENT COUNCIL MEETING**
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GROUND FISH MANAGEMENT

E.1. National Marine Fisheries Service (NMFS) Report

In addition to a list of groundfish and halibut actions that have published, NMFS provided a list of rulemakings and other major activities that are currently in progress.

Table 1. In Progress

	Rule	Timing (<i>Tentative</i>)	Sectors Affected
R1	Midwater Recreational Fishery off Oregon	Proposed rule – September 2017 Final rule – November 2017	Oregon Recreational
R2	Trawl Gear Modifications	Proposed Rule - Summer/Fall 2018 Final Rule - End of 2018	LE Trawl IFQ, Mothership (MS), Catcher-Processor (C/P)
R3	Electronic monitoring	Final rule – TBD (pending Council action in September 2017).	LE Trawl (IFQ)
R4	Widow reallocation	Final rule – Fall 2017	LE Trawl
R5	Vessel Movement Monitoring and 125fm lat./long. changes	Proposed Rule - Fall 2017 (Delayed due to prioritization of R1, R4, and A2)	LE and OA
R6	Amendment 21 At-Sea Sector Set-Asides for darkblotched rockfish and Pacific Ocean perch	Proposed rule – summer 2017 Final rule - Fall 2017	Mothership (MS), Catcher Processor (CP)
R7	Correction to 2017-2018 Biennial Harvest Specifications and Management Measures	Correcting Amendment - Summer 2017	California recreational management measures
R9	Amendment 26 Blackgill Rockfish and Minor Slope Rockfish South Reallocation	Proposed rule – Spring 2018 Final rule – Summer 2018 (contingent upon available resources)	Shorebased IFQ Program, LEFG and OA

Table 2. Major Activities

	Activity	Timing (<i>Tentative</i>)	Sectors Affected
A1	Trawl Gear EFP	February 2017 Modifications in March 2017	LE Trawl (IFQ)
A2	Trawl Gear EFP (2018)	January 2018 (contingent upon Council action in September 2017)	LE Trawl (IFQ)
A3	Electronic Monitoring Nonwhiting Midwater & Bottom Trawl	September 2017 Council agenda.	LE Trawl IFQ)
A4	Trawl Cost Recovery	Ongoing	LE Trawl IFQ, MS, CP, Open Access
A5	Salmon ESA Section 7 Consultation for Groundfish FMP	Final Council recommendations - April 2017; Biological Opinion Completed late 2017	LE Trawl IFQ, MS, CP, Open Access

A6	Seabird ESA Section 7 Consultation for Groundfish FMP	Completed April 2017	LE Trawl IFQ, MS, CP, Tribal, Open Access, Recreational
A7	ESA Section 7 Consultation on Pacific Halibut Fisheries and Catch Sharing Plan	March 2017 Opinion expires in early 2018. Drafting Biological Opinion - Fall 2017; Biological Opinion to be completed in winter 2018	Non-Treaty directed commercial, incidental catch in salmon troll fishery & sablefish fishery, Treaty Indian commercial & ceremonial/subsistence, WA, OR, & CA recreational, IPHC Survey
A8	Seabird ESA Section 7 Consultation for Pacific Halibut Fisheries and Catch Sharing Plan	Biological Assessment to USF&WS in Fall 2017 Biological Opinion from USF&WS January 2018	same as above
A9	Inseason Actions	Council decisions: -March 2017 - published, effective May 11th -April 2017 - published, effective May 12 th -June 2017 - published, Effective July 3rd	To be determined
A10	Magnuson-Act Scientific Research Permitting	Ongoing	Unlikely any
A11	EFH/RCA analysis for Draft Environmental Impact Stmt.	Council to adopt final report in November 2017	
A12	5 Year Catch Share Program Review	Council to adopt final report in November 2017	
A13	2019-2020 Harvest Specifications and Management Measures	September, November 2017, March, April June 2018 Council Meetings	All
A14	Challenge to Divestiture (Pacific Choice)	Ongoing	LE Trawl, Mothership(MS), Catcher-Processor (C/P)

E.4. Coastwide Non-whiting Midwater Trawl Exempted Fishing Permit (EFP) Final Action and Gear Modification EFP Review

Gear Modification EFP Review (2017)

At its March 2016 meeting, the Council approved a trawl gear regulation package designed to increase flexibility for the trawl fishery based on the individual accountability and 100% at-sea monitoring established by the Amendment 20 catch share program. This package is a trailing action that helps complete implementation of the regulatory modifications that were envisioned as part of the Amendment 20 catch share program. When implementation of the gear package was delayed, the industry proposed a gear EFP to implement the elimination of a minimum mesh size and elimination of the requirement for use of selective flatfish trawl shoreward of the Rockfish Conservation Areas (RCAs) north of 40°10' N. latitude—two of the eight elements of the gear package approved by the Council. With the lifting of these restrictions, vessels are able to target midwater pelagic rockfish (primarily widow rockfish and yellowtail rockfish) using modified bottom trawl gear. Due to concerns over Klamath River fall Chinook forecast for 2017, the National Marine Fisheries Service (NMFS) only approved an EFP for the area north of 42° N. latitude (northern EFP).

NMFS provided an update on the 2017 Trawl Gear EFP activities that are ongoing. The 2017 Trawl Gear EFP has continued showing high catch rates of groundfish while encountering very few salmon and no eulachon. As of September 6, 2017, the EFP has caught four salmon, no eulachon, and over two million pounds of groundfish on 43 trips. The non-EFP boats have caught 17 salmon, no eulachon, and more than six million pounds of groundfish on 81 trips.

Table 3. EFP and Non-whiting midwater (non-EFP) catches as of September 6, 2017 (Source: Pacific States Marine Fisheries Commission).

Year	Vessels	Trips	Chinook	Coho	Green Sturgeon	Eulachon	Groundfish (lbs)
2017 EFP	9	43	4	0	0	0	2,123,796
2017 midwater non-whiting	14	81	17	0	0	0	6,990,764

Coastwide Non-whiting Mid Water Trawl EFP (2018)

Currently, use of midwater trawl gear to target nonwhiting species is limited to areas seaward of the RCAs south of 40° 10' N. latitude year-round, and in all areas in the north but only after the start of the whiting season on May 15. After the gear rule is implemented, midwater gear is expected to also be allowed shoreward of the RCA in the north. NMFS has suggested that the best route for consideration of an all-area year-round use of midwater trawl gear to target nonwhiting species would be first as an EFP. The EFP would be used to collect information that could then be used to support an analysis of a possible regulatory change.

Based on the NMFS recommendation, a group of industry members (West Coast Seafood Processors Assn., Oregon Trawl Commission, Midwater Trawlers Cooperative, and Environmental Defense Fund) submitted a proposal for an EFP that would begin January 1, 2018. The objectives of the EFP are two-fold: (1) to advance the current (2017) selective flatfish trawl (SFFT) EFP, which exempts vessels from mesh size restrictions and SFFT requirements shoreward of the Rockfish Conservation Area (RCA), while incorporating the additional elements of the Council’s trawl gear package; and (2) to allow EFP participants to use midwater trawl and bottom trawl gear to target rockfish year-round in all areas, within the constraints specified in the EFP. Achieving these objectives will enhance rockfish attainment and revenues for the groundfish trawl sector by providing greater flexibility and fishing opportunities to EFP participants.

The Council recommended approval of the overall approach for 2018 trawl EFPs as follows:

A single EFP starting on January 1, 2018 which may be expanded later in the year. The EFP which starts January 1 would, at a minimum, provide a continuation of the 2017 gear EFP with some differences. The January 1 EFP might also include provisions which expand the time and areas during which midwater trawl gear can be used to target non-whiting species, or such provisions might be added to the EFP later in the year. Inclusion of these provisions related to non-whiting midwater trawl will depend on the completion of the salmon biological opinion and time required thereafter to complete the impact analysis for the EFP.

As the EFP is developed, NMFS may decide that the way to reduce analytical complexity and prevent a delay of a January 1 implementation would be two separate EFPs. Note that if two EFPs are developed, while NMFS initially recommended that participants not be allowed to

participate in more than one EFP in 2018, NMFS may decide that participants could participate in both EFPs. However, NMFS must further investigate this issue.

In addition, the Council approved the following additional EFP activities and the following additional EFP constraint for areas south of 42° N. Latitude:

1. An exemption that would allow use of midwater gear to target non-whiting from Jan 1-May 15 in the RCA, seaward of the RCA, and shoreward of the RCA, and shoreward of the RCA, in the area from 42° N. Latitude to 40° 10' N. Latitude, and
2. An exemption that would allow use of midwater gear to target non-whiting in the RCA south of 40° 10' N. Latitude (the gear is already allowed seaward in regulation. The gear would not be allowed shoreward, as proposed by applicants)
3. Should the SFFT bottom trawl exemption (e.g. the 2017 EFP) be allowed to extend south of 42° N. Latitude (post- the 2018 salmon forecast): this gear would be authorized shoreward of the RCA from 42° N. Latitude to 40° 10' N. Latitude from the time of issuance through the end of the year.
4. For all EFP activities authorized in items 1, 2, and 3 above that occur south of 42° N. Latitude, an 80-fish Chinook bycatch shall apply.

E.6. Electronic Monitoring (EM) – Preliminary Pacific Halibut Discard Mortality Rates (DMR) and Third Party Review

At the April 2017 Council meeting, the Council made modifications to its preferred alternatives for an EM program for groundfish bottom trawl and non-whiting midwater trawl vessels. Based on the Council's motion and discussion at the time, NMFS has examined the feasibility of using a sole provider model, indefinitely, to review video from the groundfish EM program. NMFS has determined they cannot designate Pacific States Marine Fisheries Commission (PSMFC), or any other service provider, as the sole provider for video review, because NMFS cannot favor one company over another, including PSMFC. Rather, NMFS may create a certification process to which vendors may apply and, require industry to procure services from a certified video reviewer that can perform the work to the satisfaction of the Agency (a.k.a., an industry-funded, third party review model). Therefore, the only option for continued funding of the EM program after 2019 is the industry-funded, third party review model.

PSMFC would be eligible to become one of the industry-funded, third party review providers. PSMFC could apply to NMFS to become a certified EM provider and be selected by industry, the same as any other service provider, and may charge industry for the service it provides. However, in this case, PSMFC could not also administer the EM program for NMFS (e.g., auditing video review, tracking compliance), and NMFS would need to make other arrangements for those activities.

Based on NMFS's position, there are two options post-2019:

1. PSMFC manages the EM program for NMFS (e.g., auditing video review, etc.), but does not do the video review; NMFS certifies third party reviewers that the industry pays to perform the review function.
2. PSMFC is among the providers that reviews video on behalf of industry. Neither of these options would require changes to the proposed EM regulations.

NMFS's does not expect either option to change NMFS costs to administer the program. Whether or not PSMFC chooses to be a third party video review provider in 2020 is an administrative decision that needs to be considered by PSMFC and NMFS. As this decision has no effect on the proposed EM regulations for the whiting and fixed gear fleets, NMFS intends to issue a final rule this fall for those parts of the EM program.

The Council adopted for public review the following electronic monitoring preliminary preferred alternatives:

1. The Groundfish Management Team (GMT) draft Pacific halibut discard mortality rate (DMR) calculation method based on time on deck for bottom trawl vessels using electronic monitoring.
2. The Third-Party Review model with PSMFC acting as either a potential video review provider or as the auditor of the video reviews.

In addition, the Council requested that the Scientific and Statistical Committee (SSC) review the proposed DMR methodology at the November 2017 Council meeting. The GMT will further develop the DMR suboptions in their report. NMFS will provide a report on its implementation plan for the Third-Party Review model. NMFS and the Council's Groundfish Electronic Monitoring Policy and Technical Advisory Committees will begin developing draft business rules to implement Third-Party video review including the level of video review necessary to audit logbooks and to audit video review providers, as well as the decision points for increasing and decreasing the level of video review based on compliance and other factors.

F.2. (June) Trawl Catch Shares Review Draft Report and Intersector Allocation Report

Intersector Allocation Review and Appendix E

At its November 2016 meeting, the Council directed staff to begin developing a review of intersector allocations and report back on progress at the April 2017 Council meeting, at which time the Council would assess the need for additional work and resources to complete the review document.

At its April meeting, the Council directed that the next draft of the intersector allocation review document:

1. Address the recommendations in the [GMT Report](#) and the [Groundfish Advisory Subpanel](#) report;
2. Include approaches for addressing the sablefish management line [36° N. latitude] and related allocation issues;
3. Focus on set-asides in the non-trawl sectors for a select number of the species identified as trawl-dominant (i.e., darkblotched rockfish, Pacific ocean perch, petrale sole, and longspine thornyhead north of 40° 10' N. latitude);
4. Evaluate species that may be constraining the non-trawl fishery while not being fully attained in the trawl fishery (e.g., lingcod south of 40° 10' N. latitude); and,
5. Discontinue development of the yellowtail rockfish cap issue.

The document revisions were completed and were available for review and action by the Council in June.

The Council's trawl catch share policies are documented in Appendix E to the groundfish fishery management plan (FMP), which has not been revised since the start of the program, and needs to be updated before the review moves forward. For the September 2016 meeting, the Council was provided with a list of the actions taken since first approval of the program ([Agenda Item F.5, Attachment 2, September 2016](#)) and a proposed update of the Appendix E descriptive language with redline and strike-out ([Agenda Item F.5, Attachment 3, September 2016](#)). At that time, the GMT recommended two modifications to the draft and requested more time for review ([Agenda Item F.5.a, GMT Report, September 2016](#)). The Council asked that the GMT recommendations be made and a clean copy of the draft updated appendix be provided for the June Briefing Book.

June Council Action on Intersector Allocation Review

The Council completed the intersector allocation review ([Agenda Item F.2, Attachment 2](#)) with the following change recommended by the GMT:

- The GMT would like to note that the document makes the supposition that the increase in trawl revenues per pound of landings since the implementation of Individual Fishing Quota (IFQ) management is the result of an enhanced ability to land quota when demand and market value are higher. While there could be some market effects, other factors may have had a greater impact on this trend. The mix of species landed since the implementation of IFQ has changed; notably, relatively low-value Dover sole represents a lower share of landings. Additionally, since IFQ implementation, a portion of the trawl sablefish allocation is landed via fixed gear, which receives a higher price per pound. This contributes to the increase in overall trawl revenues per pound.

June Council Action on Appendix E

The Council approved Appendix E ([Agenda Item F.2, Attachment 3](#)) with the following changes to section E.2.1.6, Program Monitoring, Review, and Future Action, recommended by the GMT (shown in ~~strikeout~~ and *italics*):

- The Council ~~will~~ conducts a formal *periodic* reviews of *catch share* program performance *as required by the Magnuson-Stevens Act*. The current policy requires a review five years after implementation and every four years thereafter. The result of these evaluations could include dissolution of the program, revocation of all or part of quota shares, or other fundamental changes to the program. ~~At the time of its first review, the~~ *The Council will also consider the use of an auction or royalties as required by the Magnuson-Stevens Act, or along with other non-history-based methods when distributing quota share that may become available after the initial allocation.*

June Council Action on Trawl Catch Shares Review Draft Report for Public Review

The trawl catch share review document was posted on May 11, 2017 ([Agenda Item F.2.a, Catch Share Analysts Report](#)). The SSC groundfish and economic subcommittees met May 24-25 to review the document and the Community Advisory Board (CAB) discussed the document at its May 30-31 meeting as it developed recommendations for follow-on actions for the catch share review.

The Council approved the Draft Report for public review with the following changes:

1. Include the CAB recommendations ([Agenda Item F.2.c. Supplemental CAB Report](#)); #1d [Identify species, other than sablefish, that constrain the harvest of trawl complexes], #2 [Provide some indicators of normal/adequate profit levels from other successful Individual Transferable (or Tradeable) Quota (ITQ) fisheries against which profitability in the catch share program might be compared], and #5 [Include a list of directed groundfish ports and those ports which are in “permit vacuums” (areas in which there are no groundfish limited entry permits; provide data for 1994 to the present)];
2. Incorporate the recommendations in ([Agenda Item F.2.b, Supplemental SSC Report](#)); and,
3. Review the Executive Summary and consider revising or adding language to clearly convey that many of the program’s economic objectives have not been achieved.

In addition, the Council:

1. Announced that any acquisition of Catcher Processor (CP) permits and/or use of CP sector whiting allocation after June 13, 2017 may not be included in any grandfather clause adopted by the Council when establishing ownership and/or use limits for CP permits, and requested NMFS publish this announcement in the Federal Register.
2. Added the following alternatives for analysis:
 - a. No individual or entity may own or control more than four CP permits.
 - b. No individual or entity owning a CP permit(s) may process more than 45% of the total CP sector whiting allocation.

Initial Priorities for Trawl Catch Share Follow-on Actions

The Council identified the following **High Priority Items**:

1. Expedite completion of actions already “in the pipeline” (i.e., Rockfish Conservation Area (RCA)/Essential Fish Habitat (EFH) revisions, trawl gear regulation changes, and Exempted Fishing Permits (EFP’s)); and,
2. Recommend the CAB consider the following issues, and provide preliminary alternatives, if possible, for Council consideration in September, 2017:
 - a. Elimination of the sablefish management line at 36° N. latitude for the trawl sector;
 - b. Long-term solutions to address at-sea whiting bycatch needs, including but not limited to; consideration of a permanent change from allocations/hard caps to set-asides (not including permanent QP trading at this time);
 - c. Changing accumulation limits;
 - d. Alternative management tools/approaches for choke species; and,
 - e. Gear Switching: consider results of further analysis (see below).

The Council requested the catch share review analysis team conduct **Further analysis to support scoping of high-priority follow-on actions** necessary to:

1. Understand the impacts of accumulation limits, and support evaluation of changing and/or eliminating them;

2. Understand the nature and extent of gear switching and sablefish access issues;
3. CAB recommendations - [Provide a by-sector (including processors) assessment of the amounts of capital investment (fixed costs) in the fishery that have occurred over the course of the program and in the years just prior to the start of the program (2009 and 2010, the only pre-catch share years for which such information may be available). The purpose of this summary would be to address discussions about gear switching and amounts of fixed investments that have been made by various categories of participants], 1.e [A report by Holland and Steiner indicates that trawl caught sablefish is worth 40% more than fixed gear sablefish due to the co-occurring species in the trawl catch. Despite this, fixed gear vessels are buying sablefish quota. Given the discrepancy between results of the study and the amounts of quota purchased by fixed gear vessels, the results of the study should be further investigated], and 1.f [Provide an assessment of the impacts of further expansion of gear switching. (i)Hypothesize scenarios in which more boats (5, 10, 20) enter the trawl sector as fixed gear vessels and evaluate the consequences. (ii) Analyze a range of amounts of sablefish caught with fixed gear (10%, 20%, 30%, 40%, etc.) and look at the full suite of impacts (e.g. impacts on trawl attainment, impacts to processors, employment, etc.)];
4. Factors influencing sablefish quota lease prices;
5. Impact of sablefish lease price and availability on economic stability of harvesters and processors; and,
6. Understand the implications of a continuing increase in the ratio of leasing to owner-on-board use of QS/QP.

The Council added the following **Additional follow-on actions [for subsequent consideration]:**

1. Recommend the CAB further explore and develop alternatives for permanent resolution of the Adaptive Management Program (AMP);
2. Request that NMFS explore options for reducing observer and catch monitor costs and report back to the Council; and,
3. Include for analysis setting a percentage of QS/QP for sablefish that would be designated as trawl only. This could be considered in the context of the AMP or as a stand-alone item.

E.7. (September) Council Action on Trawl Catch Share Review, Preliminary Range of Follow-on Actions, and Intersector Allocation

The Council approved the Washington Department of Fish and Wildlife (WDFW) revised process and timeline described in [\(Agenda Item E.7.a WDFW Report 1\)](#). The revised timeline is as follows:

Table 4. Revised Five-Year Review and Follow-on Action Timeline

Council Meeting	Development of Follow-On Action
September 2017	Reviews Purpose & Need Statements & Initial ROA
November 2017	Adopts Preliminary ROA for Analysis
March 2018	Adopts ROA for Full Analysis (Including Prioritization)
September 2018	Select PPA

November 2018	Select FPA
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The Council approved the following items for further analysis and consideration:

1. Meeting the At-sea Whiting Fishery Bycatch Needs
 - a. Alternatives listed in Agenda Item E.7.a ([CAB Report 1](#)). For Item 1.d ***Changing Within Trawl and Trawl/Nontrawl Allocations***, restrict review to the at-sea bycatch species; and,
 - b. Process for each as described in Agenda Item E.7. ([Supplemental GMT Report 1](#))
2. Trawl Sablefish Area Management
 - a. Recommend the CAB revise the Draft Purpose and Need Statement to address NMFS guidance, as follows: The purpose and need statement should clarify how changing the area management would reduce costs for [the] fleet. Suggest removing discussion of possible gear conflict until [the conflict is] substantiated by analyses.
 - b. CAB Alternatives:
 - i. Status Quo. Trawl allocation is divided north and south of 36° N. latitude.
 - ii. For trawl sablefish, eliminate the management line at 36° N. latitude. After determining all allocations as required under the FMP (including tribal, open access, and limited entry fixed gear) merge the trawl northern and southern sablefish allocations into a single management unit.
 - iii. Same as Alt. 2, but as a mitigation measure, also take additional actions to limit new gear switching operations.
 - c. Consider with Gear Switching as a follow on action.
3. Revising Shoreside IFQ Accumulation Limits
 - a. For the Aggregate QS Control Limit (as bookends):
 - i. Status Quo: 2.7% aggregate nonwhiting control limit.
 - ii. No aggregate nonwhiting control limit (based on individual species limits, no one would be able to control more than 5.84%).
 - b. For the Daily Vessel QP Limits (as bookends):
 - i. Status Quo: Maintain all existing individual species vessel limits.
 - ii. Eliminate daily limits.
 - c. Address Aggregate Nonwhiting Control Limits and Weightings Used to Calculate the Aggregate Limit in the [Follow-on Package](#), and, Individual Species Limits and Daily QP Limit in the [Biennial Process](#).
4. Meeting Shoreside IFQ Sector Harvest Complex Needs
 - a. Enhance the Fleet's Ability to Use Quota Within the Trawl Allocations:
 - i. **Allow Post Season Trading** - Allow post season trading with an end date to cover a deficit (also an element on alternatives for lightning strikes).
 - ii. **Increase Carry-Over** - Raise the carryover amount from 10% to as much as 100% (particularly for non-target species with low ACLs).
 - iii. **Raise Annual Vessel QP Limits** - (also addressed under accumulation limits):

1. Alternative – Raise the vessel cap for vessels that participate in risk pools (define qualifying risk pool).
 2. Other alternatives to be developed.
 - b. Vessels with Deficits in Excess of Vessel QP Limits (Including Lightning Strike Situations)
 - i. Relief from QP Limits: After the end of the year, all vessels with deficits in their account would be allowed to buy previous year QP to cover their deficit, up through a certain date. In covering their previous year deficits, vessels would not be limited by the annual vessel QP use limits (applies for any species):
 1. If the deficits are not covered by that certain date, NMFS would also convert unfished amounts from the previous year's ACLs and sell the QP to trawl sector vessels that are in deficit, up to the amount of that deficit:
 - a. Limit the NMFS sale to non-target species.
 - b. Set the NMFS sale price to above market rate.
 - [Suboptions are not mutually exclusive].
 - c. Revisit the provision which expires all QP not moved to vessel accounts by September 1st, as suggested in NMFS report.
 - d. Address Post Season Trading, Increase Quota Issued, Raise Annual Vessel QP Limits, Set Aside Management for Some Species, and Relief From QP Limits for Lightning Strikes in the Follow-On Package, and, Increase Carryover in the Carryover Package.
5. Gear switching
 - a. No action.
 - b. A cap on the amount of sablefish quota that could be used with fixed gear (% based).
 - c. Reserve a portion of sablefish quota for use only with trawl gear (% based).
 - d. Consider with Sablefish Area Management as a Follow-On Action.
 - e. Control Date of September 15, 2017.
6. AMP pass through
 - a. Continue the pass-through until an alternative use of AMP is implemented; and,
 - b. Continue pass-through in the Biennial Process.
7. Catcher-Processor Accumulation Limits - The Council approved the Purpose and Need Statement and following alternatives for analysis and further consideration as a follow-on action
 - a. No individual or entity may own or control more than four CP permits; and,
 - b. No individual or entity owning a CP permit(s) may process more than 45% of the total CP sector whiting allocation.

The Council incorporated into the catch share review document the chapters on research and data needs and recommendations, provided in ([Agenda Item E.7. Attachment 2](#)), and the appendix provided in ([Agenda Item E.7. Attachment 3](#)) with the addition of the research and data need recommendation provided in the GMT Report [Include consideration of the Research

and Data Needs chapter as part of the November 2017 agenda item, with items identified as priorities through that review added to omnibus in 2018 for further development].

Finally, The Council approved the FMP amendment language described in ([Agenda Item E.7. Attachment 5](#)) which specifies allocation of darkblotched rockfish and Pacific ocean perch to the at-sea whiting sectors will change from a yield amount managed with total catch limits (i.e., hard bycatch caps) to a yield amount managed as set-asides.

F.4. (June) Final Stock Assessments and Catch Reports

The Council adopted new update stock assessments for arrowtooth flounder, blackgill rockfish, bocaccio, and darkblotched rockfish; as well as a new cowcod catch report. Arrowtooth flounder status is considered healthy with a depletion of 87% at the start of 2017 (relative to the management target of 25%) and an increasing biomass due to strong recent recruitments. Blackgill rockfish status is estimated to be close to, but just below, the management target of 40% with a depletion of 39% at the start of 2017. Bocaccio is estimated to be above their target of 40% with a depletion of 48% at the start of 2017. Darkblotched rockfish is also estimated to be just above the management target of 40% with a depletion of 40.03% at the start of 2017. Bocaccio and darkblotched rockfish have been managed under rebuilding plans and have subsequently been declared rebuilt by NMFS. The cowcod catch report indicated that recent year (2013-2016) catches have been well below the ACLs specified under the cowcod rebuilding plan, and the stock remains on track to be rebuilt by 2019.

E.8. (September) Adopt Final Stock Assessments

The Council adopted new stock assessments for lingcod, yelloweye rockfish, yellowtail rockfish, blue and deacon rockfishes, and California scorpionfish, as well as catch-only updates for canary and chilipepper rockfishes as recommended by the SSC. The Council also requested additional yelloweye rebuilding runs as recommended by the GMT and the WDFW in time for the September 28, SSC Groundfish Subcommittee review of a new yelloweye rockfish rebuilding analysis.

For Lingcod, the north base model indicates that the lingcod female spawning biomass off of Washington and Oregon declined rapidly in the 1980s and 1990s, hitting a low during the mid-1990s, and has subsequently recovered to levels above the target reference point. The south base model indicates that the lingcod female spawning biomass off of California declined rapidly in the 1970s and early 1980s, reaching a low point during the 1990s, but that the southern stock has recovered above the minimum stock size threshold and remains in the precautionary zone (i.e. below the target reference point).

Lingcod stock status is currently estimated to be above the target reference point (40% of the estimated unfished spawning biomass) at 57.9% (47.9–67.8, 95% asymptotic interval) in the north and in the precautionary zone at 32.9% (12.0–53.9, 95% asymptotic interval) in the south.

E.9. Initial Harvest Specifications and Management Measure Actions for 2019-2020 Management

The Council adopted the 2019 and 2020 overfishing levels (OFLs), stock categories, and sigma values (current biomass variances used to determine acceptable biological catches (ABCs))

recommended by the [Scientific and Statistical Committee](#). The Council also adopted those remaining harvest specifications with SSC-endorsed OFLs under default harvest control rules (HCRs) as provided in [Supplemental Attachment 6](#). The Council recommended consideration of alternative HCRs and ABCs/annual catch limits (ACLs) as follows:

1. Lingcod in California: ABCs based on an overfishing probability (P^*) of 0.45 and decreased ACLs according to the 40-10 adjustment (the stock is below the management target and in the precautionary zone).
2. California scorpionfish: ACLs = ABCs (the default HCR is a constant catch of 150 mt).

The Council adopted the preliminary management measures in [Table 1 of Supplemental GMT Report 1](#).

The Council also adopted an option to add modifications and/or corrections to existing RCA lines as described in [Supplemental CDFW Report 1](#).

The Council is scheduled to take final action on all 2019-2020 OFLs and ABCs, a final range of ACL alternatives, and a final list of new management measures for detailed analysis at their November meeting. The Council is scheduled to take final action on 2019-2020 harvest specifications at their April 2018 meeting and final action on 2019-2020 management measures at their June 2018 meeting.

E.10. Final Action on Inseason Adjustments

The Council recommended that NMFS increase the sablefish trip limits, as soon as possible.

The California Department of Fish and Wildlife reported higher than anticipated yelloweye rockfish mortality in the California recreational fishery. In order to prevent a fishery closure projected for mid-October, the Council recommended that NMFS restrict the depths open to fishing for the California recreational fishery, except in the Southern Management Area which remains status quo.

NMFS announced the changes are effective Thursday, October 19, 2017 and will publish in the Federal Register on October 19, 2017. The changes are as follows:

Commercial Fishery

- The trip limits for sablefish in the Limited Entry Fixed Gear fishery north of 36° N. lat. will increase to 1,500 lb. per week, not to exceed 4,500 lb. per two months beginning in period 5 through the end of the year.
- The trip limits for sablefish in the Open Access sablefish Daily Trip Limit fishery north of 36° N. lat. will increase to 300 lb. per day, or one landing per week of up to 1,300 lb., not to exceed 2,600 lb. per two months beginning in period 5 through the end of the year.

Recreational Fishery

Recreational fishing will be prohibited in the Northern and Mendocino Management areas from mid-October through the end of the year seaward of the boundary line approximating the 20 fm depth contour (permitted shoreward of the boundary line approximating the 20 fm depth contour). In the San Francisco Management Area, recreational fishing will also be prohibited during the same time period seaward of the boundary line approximating the 30 fm depth

contour (permitted shoreward of the boundary line approximating the 30 fm depth contour) and prohibited seaward of the boundary line approximating the 40 fm depth contour (permitted shoreward of the boundary line approximating the 40 fm depth contour) in the Central Management Area. The Council did not recommend a change for the Southern Management Area (south of 34°27' N. lat.) at this time, where fishing is restricted to waters shoreward of the 60 fm depth contour through the end of the year.

Coordinates for the boundary lines approximating the 10 fm (18-m) through 40 fm (73-m) depth contours are listed in regulation at 660.71.

HIGHLY MIGRATORY SPECIES MANAGEMENT

J.2. Swordfish Management Project Planning

The September 2015 Council action included protected species hard caps for the DGN fishery, which were not implemented [NMFS rejected the Council recommendation]; without a revised purpose and need statement specific to fishery monitoring, NMFS could not further consider fishery monitoring alternatives, since the rationale was tied to hard cap management.

The Council adopted a revised purpose and need statement for the range of alternatives it adopted in September 2015 for enhanced monitoring (observers or electronic monitoring) of the drift gillnet (DGN) fishery as follows:

- The purpose of the action is to ensure adequate information is being collected from the DGN fishery to support Council decision-making on management measures. The proposed action is needed to document bycatch and protected species interactions for evaluation of costs and benefits of the use of DGN gear. The evaluation will inform future Council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate the catch versus bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

The revised purpose and need statement will allow NMFS to further analyze monitoring alternatives, including any use of new or updated technology and consideration of unobservable vessel issues.

J.3. Recommendations for International Management Activities

The Council endorsed the outcomes of the Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee meeting for rebuilding the Pacific bluefin tuna stock, and urged the U.S. to continue advocating for aggressive rebuilding of Pacific bluefin tuna at both the WCPFC and Inter-American Tropical Tuna Commission.

NMFS solicited Council recommendations on management measures for the U.S. domestic Pacific bluefin tuna quota. In 2017 catch exceeded 425 mt, the maximum allowed in any one year, and NMFS has prohibited landings for the remainder of the year. Since the U.S. quota is 600 mt for 2017-18, remaining quota for 2018 will be less than 130 mt. For this reason, the

Council recommended a very small trip limit of around 1 mt in 2018 to account for incidental catch and discourage a directed fishery. The Council also encouraged NMFS to consider allowing a small amount of incidental landings for the remainder for 2017; otherwise, fish that will be unavoidably caught will have to be discarded.

J.6. Authorization of Deep Set Buoy Gear (DSBG) and Federal Permitting

The Council adopted a range of alternatives (ROA) for authorization of deep-set buoy gear and Federal permitting, and provided guidance to the HMSMT on the analysis. The Council is scheduled to review the analysis, further refine the range of alternatives, and possibly select a preliminary preferred alternative at its March 2018 meeting.

1. Define DSBG and Permits, for the purpose of analysis as follows:
 - a. *Possession-*
 - i. Permits will be issued to an individual entity
 - ii. Individual entities may hold multiple permits, but permits may not be stacked on a single vessel
 - iii. The permit holder will assign the permit to a specific vessel
 - iv. The permit holder will not be required to be onboard the vessel
 - b. *Renewal*
 - i. Permits will be valid for one fishing year and expire if not renewed
 - c. *Transfer*
 - i. Transfer of permits will be prohibited until such time as the Council feels the fishery has reached a stable state and that transfer would benefit management
 - d. *Gear Description*
 - i. The definition used in the HMSMT report (J.6.a HMSMT Report 1) of Single Buoy Gear and Linked Buoy Gear will be used
 - ii. Gear would be marked as described in the supplemental EC report (J.6.a Supp EC Report 1)
 - e. *Gear Tending*
 - i. Require that all gear be within a 5nm diameter area and that the vessel be no more than 3nm from the nearest piece of gear
 - f. *Gear Deployment/Retrieval*
 - i. Gear may not be deployed prior to local sunrise
 - ii. All gear must be onboard the vessel no later than 3 hours after local sunset
 - g. *Multiple Gears*
 - i. Multiple gears may be used on a trip. All landings must be tagged or marked to identify the gear used
 - h. *Geographic Area*
 - i. All federal waters offshore California and Oregon
 - i. *Fishery Timing*
 - i. No restrictions within the existing fishing season/statistical year
 - j. *Species*
 - i. All legal HMS are allowed

- k. *Fishery Monitoring*
 - i. Logbooks will be required
 - ii. All monitoring requirements in the HMS FMP will be followed
- 2. The range of alternatives for consideration under NEPA will include
 - a. *Permitting*
 - i. Open Access
 - ii. Open Access north of Point Conception and Limited Entry South of Point Conception
 - 1. Limited Entry South of Point Conception Alternatives
 - a. Capacity
 - i. 10 permits
 - ii. 50 permits
 - iii. 150 permits
 - iv. 250 permits
 - b. Qualifications to obtain permits
 - i. No qualifications
 - ii. Only HMS permittees
 - iii. Only persons with demonstrated swordfish fishery participation to be allocated based on criteria defined by the Council

ADMINISTRATIVE MATTERS

C.4. Future Council Meeting Agenda and Workload Planning

The next meeting of the Pacific Fishery Management Council is scheduled for November 14 - 20, 2017 at the Hilton Orange County/Costa Mesa. The Meeting Notice with Detailed Agenda represents the agenda expectations for the November 2017 Council meeting.

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 (Thursday, October 19, 2017). 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 (Monday, November 6, 2017). 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. The November 2017 Briefing Book is scheduled to be posted on or around November 1, 2017.

- ❖ This report is provided to the Central Coast Community in 2017 via a grant from the Central California Joint Cable Fisheries Liaison Committee. Any interested parties may request an email copy of future reports (as long as funding continues) by contacting Christopher Kubiak at, ckub@sbcglobal.net



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Fishery Consulting Services
The Power of Being First ;
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