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REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING

September 11 - 17, 2014

HIGHLY MIGRATORY SPECIES MANAGEMENT

Update on Regulatory Matters and International Activities

The Council provided the following requests and recommendations to NMFS:

- Noting that the recent emergency closure to the commercial take of Pacific bluefin tuna was intended for directed fisheries, the Council requested NMFS issue an Emergency Rule as soon as possible providing for an incidental take of Pacific bluefin tuna for West Coast non-directed commercial fisheries, with a 1 metric ton (mt) per trip landing limit, to be closed if and when the remaining portion of the 500 mt quota has been caught. It is recommended the NMFS work closely with harvesters to enhance fishery monitoring in relation to the quota.
- The Council recommended NMFS work bilaterally with Mexico as soon as possible, including at the October Extraordinary Inter-American Tropical Tuna Commission (IATTC) meeting, to align recreational fishery management objectives and related strategies.
- The Council recommended the U.S. Delegation emphasize in the IATTC forum that the U.S. is moving to reduce the recreational catch of Pacific bluefin tuna under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), with the expectation that other countries will also respond to the conservation need, but to work toward not incorporating recreational measures in the expected IATTC resolution negotiation. The U.S. should continue to support a quota no less than 500 mt for aggregate West Coast commercial fisheries, as contained in the current IATTC Resolution.
- The Council recommended NMFS investigate ways in which the Council can be more directly involved in the stock assessment process conducted by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC), using Southwest Fisheries Science Center (SWFSC) staff participating on ISC Working Groups as the conduit for information flow.

Preliminary Approval of Exempted Fishing Permits for 2015 Fisheries

Following the June 2014 Meeting, the Council circulated a notice soliciting Exempted Fishing Permit (EFP) proposals to test alternative gear types or new approaches for using Pelagic Drift Gillnet Gear (DGN). The due date for EFP proposals was August 15.

One EFP proposal, prepared by the Alliance of Communities for Sustainable Fisheries, was submitted for Council review at the September Meeting. The Council approved the proposed EFP for further development, and urged the proponents to work with NMFS and the California Department of Fish and Wildlife to develop as detailed a proposal as possible [the preliminary proposal was a placeholder, not a complete proposal].

In addition, the Council decided to delay further approval of EFP applications until March 2015 and to solicit additional proposal applications in the interim. This was done with the understanding the Council would take final action on EFPs at that time for any acceptable EFPs, and NMFS could issue the EFPs in time for the swordfish season commencing in August 2015.

New or Routine Management Measures for 2015/2016 Fisheries

The Council moved the Range of Alternatives in the Highly Migratory Species Management Team (HMSMT) Report 3 (Agenda Item G.4.b HMSMT Report 3, Drift Gillnet (DGN) Sept 2014 Briefing Book (BB)) forward for Public Review.

In order to narrow the range of the alternatives, and to focus the public’s attention, and to focus the analysis, the Council identified the following as the Preliminary Preferred Alternative (PPA); The range of methods and the corresponding basis for the potential hard caps described in HMSMT Report 3 would remain.

Regarding Hard Caps

- a. Application of hard caps would be aligned with the fishing season (August 15 – January 31) – PPA
- b. Hard caps would apply to fishery mortality and/or serious injury (M/SI) – PPA
- c. At a minimum, annual hard caps would be in place for high priority protected species (i.e. Endangered Species Act (ESA) listed, and those with an annual M/SI of greater than or equal to 10% Potential Biological Removal (PBR)). Species: fin, humpback, short finned pilot, and sperm whales; leatherback, loggerhead, olive ridley, and green sea turtles – PPA
- d. Hard caps may also be considered for the other species listed in HMSMT Report 3, p. 7.

Table 1; Mammals Annual Take

| Species | Annual Take |
|--------------------|--------------------|
| Humpback Whale | Up to 2 |
| Sperm Whale | Up to 2 |
| Leatherback Turtle | Up to 3 |
| Loggerhead Turtle | Up to 3 |

| Species | Annual Mortality/ Serious Injury (Not Take) |
|---------------------|---|
| Fin Whale | Up to 2 |
| Olive Ridley Turtle | Up to 2 |
| Green Turtle | Up to 2 |

Regarding other mammals not covered in Table 1

The Council adopted Table 2 for public review. These are performance objectives (annual catch targets that should not be exceeded) not hard caps. This includes the following species and annual performance objectives for 2015:

Table 2; Species With Performance Objectives

| Species | Annual Catch Target |
|------------------------------------|---------------------|
| Short-Finned Pilot Whale | 2 |
| Minke Whale | 0 |
| Grey Whale | 1 |
| Short Beaked Common Dolphin | 9 |
| Long Beaked Common Dolphin | 5 |
| Pacific White-Sided Common Dolphin | 3 |
| Northern Wright Whale Dolphin | 3 |
| Risso’s Dolphin | 1 |
| Bottlenose Dolphin | 1 |
| California Sea Lion | 18 |
| Northern Elephant Seal | 1 |

Note: this excludes the “unidentified” common dolphin

Regarding Finfish

The Council Identified a Preliminary Preferred Alternative (PPA) regarding finfish bycatch as follows:

- Establish performance objectives for finfish bycatch at the level to be selected from the range of alternatives identified by the HMSMT and additional public comment from this agenda item (Agenda Item G.4 Sept 14 BB).

Regarding Observability

The Council adopted alternatives for analysis that include:

- Removing the un-observable exemption; Currently, vessels that are determined unsuitable to carry an observer (for safety or accommodation reasons) are exempted from the requirement to carry observers. Under this alternative the exemption would be removed. Unobservable vessels would not be able to participate in the fishery unless they made necessary upgrades to allow them to carry an observer.

- By the 2018 fishing season the fishery would be 100% monitored – at the current level of human observers, with EM (for the purpose of catch and bycatch accounting) on all other vessels.
- Maintain a minimum of 33% observer coverage level, remove the unobservable vessel exemption, and allow individual vessels the flexibility to contract with an approved observer provider company.
- Maintain a minimum of 50% observer coverage level, remove the unobservable vessel exemption, and allow individual vessels the flexibility to contract with an approved observer provider company.

Finally, the Council adopted the following as “Guidance” on Further Analysis, and Process, and Schedule, to address the list of Management Measure Issues adopted at the June Council Meeting, with the intent to then identify a schedule for final Council action outside of the highly migratory species (HMS) fishery management plan (FMP) biennial process.

- Delete from further consideration; Enhanced Vessel Monitoring System (VMS) Ping Rates for Vessels in the DGN Fishery.
- Investigate other low cost technologies for vessel tracking, including data loggers.
- Further consideration of providing for a Shallow Set Longline Fishery outside the EEZ to provide parity with the Hawaiian Longline Fleet.
- Further consideration of longline fishing Inside the EEZ should be restricted to the EFP process.
- Further consideration of Transitioning the Current California Limited Entry Permit Program to a Federal Program under the HMS FMP.
- No guidance relative to comments on proposed Marine Mammal Protection Act (MMPA) Negligible Impact Determination (Agenda Item G.4, Attachment 4).

GROUND FISH MANAGEMENT

National Marine Fisheries Service Report

The Draft Environmental Impact Study (EIS) for the 2015/2016 Groundfish Harvest Specifications and Management Measures was due two weeks from the September Council Meeting. The NMFS reported the Draft EIS will not be complete at that time, therefore the 2015/2016 Harvest Specs and Management Measures process is delayed, and will not be implemented as needed by January 1, 2015. In order for Groundfish Fishery participants to begin fishing January 1, 2015, the NMFS will have all hands working on an Emergency Rule. The Emergency Rule will implement temporary measures that will be in effect until the 2015/2016 Harvest Specs and Management Measures Process is complete and in effect (Estimated March/April 2015). The Emergency Rule will include measures that:

- Issue Quota Pounds (QP) to the IFQ fishery. The values for these 2015 interim allocations will be based on a percentage of 2014 QP values estimated to carry IFQ fishery participants through April 2015.
- Pass the Adaptive Management 10% QP set-aside through to the existing Quota Share Holders.
- For the Non-IFQ Fishery, Status-quo 2014 Trip Limits will apply until the 2015/2016 Harvest Specs and Management Measures process is complete.

Omnibus Regulation Change Priorities

The Council retained all items on the NMFS Priority 1.B List.

Table 3; NMFS Priority 1 List - Must Do

| # | Sector | Short Title | NMFS Priority |
|-------|-------------------------------|--|--|
| 20. | Trawl, Non-Trawl, Rec | Inseason Management (Sept 2014 and beyond, excluding March 2015) | Priority 1 <i>Maintaining catch within harvest limits</i> |
| 21. | Trawl, Non-Trawl, Rec | Adopt Final Stock Assessment Plan and TOR for 2015 (Sept 2014) | Priority 1 <i>Informs harvest specifications</i> |
| 24. | Tribal, Trawl, Non-Trawl, Rec | Essential Fish Habitat: Phase 3 of the 5 Year Review (April 2015) | Priority 1 <i>Conservation implications</i> |
| 25. | Trawl, Non-Trawl, Rec | Amendment 25: Comprehensive Ecosystem-Based Amendment (Sept 2014 and Mar 2015) | Priority 1 <i>Conservation implications</i> |
| 27. | Trawl, Non-Trawl, Rec | 2015 Incidental Regulations for Pacific Halibut (Mar and Apr 2015) | Priority 1 <i>Maintaining catch within harvest limits</i> |
| 27(2) | Trawl, Non-Trawl, Rec | Pacific Whiting Harvest Specifications and Set-Asides (April 2015) | Priority 1 <i>Setting harvest specifications</i> |
| 28. | Trawl, Non-trawl, Rec | Stock Assessments for 2017-2018 Biennium (June and Sept 2015) | Priority 1 <i>Informs harvest specifications</i> |
| 29. | Trawl, Non-Trawl, Rec | Start of the Process to Establish 2017-2018 Specifications and Regulations (June 2015) | Priority 1 <i>Setting harvest specifications</i> |
| 30. | Trawl IFQ & MS | Electronic Monitoring Regulations (Sept and Nov 2014, June 2015) | Priority 1 |
| 32. | Trawl IFQ, MS, & CP | Five Year Trawl Rationalization Program Review (Starts in 2016) | Priority 1 |

The Council modified the specific timelines for Items 25, 30, and 32 as described below.

Table 4; Modified Timelines

| | | | |
|-----|-----------------------|---|--|
| 25. | Trawl, Non-Trawl, Rec | Amendment 25: Comprehensive Ecosystem-Based Amendment (If Necessary) | Lower Priority for Groundfish FMP; Conservation Measures Addressed Through Other FMPs |
| 30. | Trawl IFQ & MS | Electronic Monitoring Regulations (TBD) | Priority 1 |
| 32. | Trawl IFQ, MS & CP | Five Year Trawl Rationalization Program Review (Start in Nov 2016) | Priority 1 <i>Compliance with MSA</i> |

The Council addressed the items in NMFS Priority 1 – C. List; *Candidate Items for Prioritization in September*, as follows:

- a. Request the Enforcement Consultants work with NMFS staff to develop a range of alternatives for Vessel Continuous Transit Monitoring that addresses Item 39 (*VMS Ping Rates*) and Item 70 (*Provide for Retrieval of Derelict Crab Pots in RCAs*) and report back to the Council with a proposed process and timeline.
- b. Recommend NMFS move forward with notice and comment rulemaking on Item 45 (*Revise Regulations on At-Sea and Shoreside Flow Scales*) with similar language adopted in the Alaska Region without additional Council process.
- c. Move Item 56 (*Cost Recovery for the Permit Stacking Program*) as being of lower immediate Council priority, but retain on an Omnibus List for potential future consideration.
- d. Remove Item 64 (*Management Model Review and Refinement*) from the list. This item is typically addressed through the biennial management process and is intended to be a placeholder if current management models significantly change.

The Council addressed the items in NMFS Priority 2 List; *Should Do*, as follows.

- a. Remove Item 19 (*Amendment 22 – Open Access License Limitation*) from the Omnibus list. This item is out of date and of low priority.
- b. Modify the items in NMFS Priority 2 – C. Candidate Items for Prioritization in September to include the GAP priorities identified in priority order in Agenda Item J.1.c, Supp GAP Report, and add items 35, and 67, with the implementation goal of 2017 for these items.

Table 5; Groundfish Advisory Subpanel (GAP) Priorities (+ Items 35 and 67)

| | | | |
|-----|----------------|---|-------------------|
| 52. | Trawl IFQ | Widow Rockfish QS Reallocation | Priority 2 |
| 46. | Trawl IFQ | Gear Use – Multiple Gears Onboard and Use | Priority 2 |
| 47. | IFQ & LE Pot | Remove Certain Area-Management Restrictions | |
| 48. | Trawl IFQ | Remove Certain Restrictions on Trawl Gear Configuration | |
| 43. | Trawl IFQ & MS | Fishery Declaration Enhancements | Priority 2 |

| | | | |
|-----|-----------------------|--|-------------------|
| 44. | IFQ, MS & CP | Elimination of Prohibition on At-Sea Processing S. of 42° | |
| 60. | Recreational | Mid-water Sport Fishery (OR & CA) | Priority 2 |
| 66. | Trawl, Non-Trawl, Rec | Create 60-Mile Bank RCA Lines | Priority 2 |
| 35. | Trawl, Non-Trawl, Rec | Rebuilding Revision Rules (Signal vs. Noise) | Priority 2 |
| 67. | Trawl, Non-Trawl | Reconsider Blackgill Allocation | Priority 2 |

Concurrent with the Priority 2.C items listed above, the Council will move forward on the following priority items by developing alternatives through the different ad hoc committees as noted below. Ad hoc committees to report to the Council on proposed process and timeline to develop alternatives.

Table 6; Items Referred to Ad-Hoc Committees

| | | | Ad Hoc Committee |
|-----|-----------------------|---|---|
| 68. | Trawl, Non-Trawl, Rec | Evaluate Nearshore Management Approaches, Including Deferral | Priority 2 WA, OR, & CA (& NMFS) |
| 69. | LE FG | Combine the Fixed Gear LE DTL Fishery and Tier Fishery_ Require Permit Price Reporting for LE FG Permit Transfers Combine Longline & Pot Sablefish Sablefish Endorsements Pot Gear Retrieval Requirements | Priority 3 LE FG Sablefish Permit Holders |
| 72. | LE FG | | |
| 74. | LE FG | | |
| 76. | LE FG | | |

The Council adopted an action plan (Table 7), with the following exceptions:

- Initial consideration of blackgill rockfish allocation was moved to the near term timeframe and given high priority;
- Past poundage quota share divestiture will be considered in the context of widow rockfish reallocation.

Table 7, Council Omnibus Action Plan

| Original Item # | Sector | Short Title | Action Plan |
|--|---------------------|---|---|
| A. Items Removed or Significantly Delayed by Council Motion | | | |
| 19 | OA | Amendment 22 - Open Access License Limitation | Council lead; can be removed from Future Work Planning via noticed November 2014 CM Agenda Item to reconsider final action. |
| 32 | Trawl IFQ, MS, & CP | Five Year Trawl Rationalization Program Review | Delay onset to Nov. 2016 |
| 25 | Trawl IFQ, MS, & CP | Amendment 25: Comprehensive Ecosystem-Based Amendment | NMFS lead; assign workload to non-GF staff (Mar 2015) |

| | | | |
|---|---------------------------|---|---|
| 45 | Trawl IFQ, MS, & CP | Revise Regulations on At-Sea and Shoreside Flow Scales | NMFS lead; Council defers to NMFS to proceed w/AK model and reduce Council process to regulation deeming; Sept 2015 CM |
| 56 | LEFG | Cost Recovery for the Permit Stacking Program | NMFS lead; NMFS will do an initial analysis to determine utility and report to the Council in 2015. |
| 64 | Trawl, Non-Trawl, Rec | Management Model Review and Refinement | Address through biennial process (e.g. Trawl IFQ model) |
| B. Items Added or Adjusted and Accomplishable in the Near Term | | | |
| 52 | Trawl IFQ | Widow Rockfish QS Reallocation | Council staff lead in analysis/NEPA document; ROA at Nov. CM, Final Council Action April 2015 |
| 46, 48 | Trawl IFQ | Gear Regs Updates [Gear Use - Multiple Gears Onboard & Use; and Remove Certain Restrictions on Trawl Gear Configuration] | NMFS lead; ROA Sept 2015 |
| 44 | MS & CP | Elimination of Prohibition on At-Sea Processing S. of 42o N. Lat | Consider EFP during next EFP cycle |
| 47a, 66 | Trawl, Non-Trawl, and Rec | Area Modifications [Remove Certain Area-Management Restrictions, Create 60-Mile Bank RCA Lines, Other Modifications] | NMFS lead; conduct concurrent w/EFH Amendment process; begins in April 2015; |
| 39 43 47b 70 | Trawl and Non-Trawl | Vessel Movement Monitoring [Increase VMS Ping Rates; Fishery Declaration Enhancements (when moving from MS to IFQ); Movement of Pot Gear Across Management Lines; Provide for Retrieval of Derelict Crab Pots in RCAs] | NMFS lead; Council IT staff assistance; combine w/HMS VMS matter; Explore new technologies beyond VMS; schedule as an Enforcement Agenda Item outside both GF and HMS groupings; first report in April 2015 |
| 60 | Recreational | Mid-water Sport Fishery (OR and CA | NMFS lead; June 2015 |
| C. Added or Adjusted Matters to be Accomplished after Near Future Expectations Action Plan | | | |
| 35 | Trawl, Non-Trawl, Rec | Rebuilding Revision Rules (signal vs. noise) | Include in 2017-2018 Spex, if analysis is ready |
| 67 | Trawl, Non-Trawl | Reconsider Blackgill Allocation | Take up as part of the off year management measure cycle specified in COP 9 (June 2016) |

| | | | |
|---|-----------------------|---|--|
| 68 | Trawl, Non-Trawl, Rec | Evaluate Nearshore Management Approaches, Including Deferral | Consider ad hoc committee concept in June 2016 |
| 69 72 74 76 | LE FG | Misc. Sablefish Issues [Combine the Fixed Gear LE DTL Fishery and Tier Fishery; Require Permit Price Reporting for LE FG Permit Transfers; Combine Longline and Fishpot into a Single Fixed Gear Limited Entry Gear Endorsements; Pot Gear Retrieval Requirements] | Consider ad hoc committee concept in June 2016 |
| D. Remaining Items as Potential Future Priorities | | | |
| 36-38 40-42 49-51 53-55 57-59 61-63 65, 71, 75 | All | All Remaining | Delayed Until 2017 |

Consideration for updating gear regulations, including removing the requirement to use selective flatfish trawl gear shoreward of the Rockfish Conservation Area (RCA), and a year-round midwater yellowtail rockfish fishery, is scheduled for 2015. The Council also scheduled for 2015, next consideration: regulations for a mid-water recreational sport fishery (Oregon and California); modifications to management area restrictions (in conjunction with deliberations on the Essential Fish Habitat Amendment process); and various issues related to monitoring vessel movements in or near restricted fishing areas, including fishery declaration enhancements.

Three matters were scheduled for the November 2014 Council meeting:

- Consideration of rescinding the 2009 Council decision on Amendment 22, dealing with a registry for open access fishery participants;
- Adoption of a range of alternatives for widow rockfish quota share reallocation as a result of its removal from an overfished designation, and consideration of related divestiture deadline issues; and
- Consideration of issues associated with the intersector allocation of blackgill rockfish, which is currently managed in the Slope Rockfish complex south of 40°10 N. latitude.

Stock Assessment Planning

The Council adopted the following list of stocks to be assessed in 2015:

Full Assessments

1. Black Rockfish
2. Bocaccio Rockfish
3. Canary Rockfish
4. China Rockfish
5. Darkblotched Rockfish
6. Kelp greenling (Oregon only)
7. Widow Rockfish

Update Assessments:

1. Petrale Sole
2. Sablefish
3. Chillipepper Rockfish

Data Moderate Assessments:

1. Arrowtooth flounder using trawl survey index of abundance; extended simple stock synthesis; reviewed by SSC GF subcommittee in June

Electronic Monitoring Regulatory Process Final Preferred Alternatives and Next Steps

The Council selected final preferred alternatives for electronic monitoring (EM) for the whiting midwater trawl, non-whiting midwater trawl, fixed gear, and bottom trawl fisheries. For the fixed gear, bottom trawl, and non-whiting midwater trawl sectors, the Council intent was to strive for implementation as soon as possible, but with an expectation that 2017 might be the earliest possible year of fleet-wide applicability. EFP results expected from the 2015 and 2016 EFP seasons will be used to verify the Council's preferred alternatives.

The gear specific final preferred alternatives are as follows:

For Fixed Gear (Longline and Pot);

- Overall Alternative, Primary data Source for Discard Estimates;
 - Logbook with Video Audit. The percent review to be the minimum level determined to be necessary to ensure compliance (no less than 10%) with an escalation clause for non-compliance.
- Discard Accounting;
 - One discard category. Full accounting for all discards since there is no fixed gear specific allocation of sablefish within the trawl sector allocation.
- Retention Requirements;

- Optimized Retention with allowable discarded species informed by EFPs and other field work by PSMFC (if no species are allowed to be discarded due to inability to speciate and accurately estimate discard amounts then it would be equivalent to Maximized Retention).
- Halibut Retention;
 - International Pacific Halibut Commission Gear Rate.
- Discard Species List Adjustment;
 - Routine Process. This would include stakeholders and assumes this would be the most expedient process.
- Eligibility for Camera Use;
 - Initial and Continued Eligibility Requirements. This is the only option available to the fixed gear fishery.
- EM Vessel Operation Plan;
 - Mandatory Vessel Operational Plan Annual Renewal.
- Declaration of EM Use;
 - Annual - choose for entire year, because vessels fish for sablefish under trawl IFQ for only a limited period each year.
- Data Transfer Process;
 - Catch Monitors, and Vessel Operators. These options may be the most cost effective. In addition, these individuals would be immediately available to transfer the data.
- Video Review;
 - Certified Third Party once a certification process has been established, until then, Government – NMFS or their agent (e.g. PSMFC).
- Payment for Scientific Data Collection/Observers;
 - Government Pays, because it's a government mandated function and previously funded by NMFS.
- Implementation;
 - EFPs will be used to either Test the Policy, or Further Develop the Policy. Council staff should also monitor EFP progress, and at the earliest Council meeting following when information from the EFP which would impact the Council's Final Preferred Alternative becomes available, NMFS would provide the Council with this information, and request the Council's input on refinements on either the EFPs and/or the Council's final preferred alternative.
- Until these policy decisions are verified by EFP testing and confirmed by the Council, proposed rules and associated decision documents would not be finalized.

For Bottomtrawl Groundfish/Non-whiting Midwater Trawl;

- Overall Alternative, Primary data Source for Discard Estimates;
 - Logbook with Video Audit. The percent review to be the minimum level determined to be necessary to ensure compliance (no less than 10%) with an escalation clause for non-compliance.
- Discard Accounting;
 - One Discard Category. Full Accounting under IFQ since it maintains accountability in the IFQ program.
- Retention Requirements;
 - Optimized Retention with allowable discarded species informed by EFPs and other field work by PSMFC (if no species are allowed to be discarded due to inability to speciate and accurately estimate discard amounts then it would be equivalent to Maximized Retention).
- Halibut Retention;
 - IPHC Gear Rate, and Use EM Data with Approval from IPHC.
- Discard Species List Adjustment;
 - Routine Process. This would include stakeholders and assumes this would be the most expedient process.
- Eligibility for Camera Requirements;
 - Initial and Continued Eligibility Requirements since bottomtrawl fishery participants operate in different areas (shoreward and seaward of the RCA). Participants in cooperative agreement may not want to pool their allocations or cover an individual that has exceeded their IFQ. It also adds another layer of complexity and cost.
- EM Vessel Operation Plan;
 - Mandatory Vessel Operational Plan Annual Renewal.
- Declaration of EM Use;
 - Declare until changed with some limit of frequency within the sector. This incorporates some flexibility for vessels.
- Data Transfer Process;
 - Catch Monitors, and Vessel Operators. These options may be the most cost effective. In addition, these individuals would be immediately available to transfer the data.
- Video Review;
 - Certified Third Party once a certification process has been established, until then Government – NMFS or their agent (e.g. PSMFC).
- Payment for Scientific Data Collection/Observers;

- Government Pays, because it's a government mandated function and previously funded by NMFS.
- Spatial Variation for High Bycatch Areas;
 - None. Spatial management may add too much complexity to the management of the IFQ fishery and would require identifying additional management areas which in turn may be difficult and costly to manage.
- Implementation;
 - The EFPs will be used to either Test the Policy or Further Develop the Policy. For example, if final action is taken, then the choice would be to test the policy. Council staff should also monitor EFP progress and at the earliest Council meeting following when information from the EFP which would impact the Council's Final Preferred Alternative becomes available, NMFS would provide the Council with this information, and request the Council's input on refinements on either the EFPs and/or the Council's final preferred alternative.
- Until these policy decisions are verified by EFP testing and confirmed by the Council, proposed rules and associated decision documents would not be deemed for transmittal.

The Council further determined that In order to preserve the conservation and accountability aspects of the Program, the EM Program must accurately capture discard events (i.e. whether discard has occurred), amount of discard (i.e. volume in weight and size of individual fish), disposition of discard (i.e. if considering providing a survivability credit for released fish, such as halibut), and do so even for rare events (e.g. catch and discard of rebuilding rockfish, by species).

In developing performance standards and accountability measures, the Council recommended NMFS consider the economic incentives to misreport or underreport catches and mortalities of overfished rockfish and Pacific halibut. Individual accountability in the fisheries will hold only so far as monitoring programs are able to counteract these incentives. As such, having adequate enforcement to ensure compliance with the EM Program with strong consequences in place for violations are keys to success.

Performance Standards examples are listed below:

1. Require recording of discards in logbooks with estimated weights given for each species for each haul or set.
2. Require a minimum of 30% video review during times of gear retrieval and 30% of video review of the remainder of the trip; compare to logbook entries for logbook certification.

3. Logbook certification is achieved if video review determines that logbook amounts are within 20% accuracy of video review, by species.
4. If logbook amounts do not meet 20% accuracy standard, then a 100% video review is triggered at vessel account holder expense and vessel cannot commence another fishing trip until video has been reviewed and vessel account has been debited.
5. If the 100% video review is triggered more than twice within a six-month time period, then 100% video review is in effect for all fishing trips for the six months following the commencement of fishing activity, again at the account holder's expense.

Consideration of Inseason Adjustments

The Council considered an Industry submitted request to increase the Period 6 (November and December) trip limit for the shallow and deeper nearshore rockfishes south of 40°10' N. latitude to 1,000 pounds for each complex. Industry also requested that the open access blackgill rockfish trip limit of 475 pounds for period 6, south of 40°10' N. latitude, be increased by 100 pounds. Regarding the need for a blackgill rockfish trip limit increase, industry contends that the present bi-monthly blackgill rockfish trip limit makes it difficult to have a profitable trip and points out that Commercial Fishermen from Port San Luis, California (Avila) are highly dependent on groundfish.

Shallow and Deeper Nearshore Rockfishes

The 2014 non-trawl trip limits for these two complexes are already set at 1,000 pounds for Period 6. Therefore, no 2014 Period 6 trip limit increase is necessary for both the shallow and deeper nearshore rockfish complex south of 40°10' N.

Blackgill Rockfish

A blackgill rockfish harvest guideline was implemented in 2013 and 2014 along with trip limit reductions for both the limited entry and open access non-trawl fixed-gear sectors south of 40°10' N. latitude. The 2013 West Coast Groundfish Observer Program Groundfish Mortality Report is expected at the November 2014 Council meeting, which will allow the Council to evaluate whether mortality was within the blackgill rockfish harvest guideline in 2013. Therefore, the Council determined to maintain the status quo trip limit amount for the open access blackgill rockfish non-trawl fixed-gear sector south of 40°10' N. latitude for the remainder of 2014. At a future time, when enough data are available, an analysis may be completed to determine the effectiveness of the current trip limit amount, and whether or not trip limit increases are in order for 2015.

ADMINISTRATIVE

Future Council Meeting Agenda and Workload Planning

The next meeting of the Pacific Fishery Management Council is scheduled for November 13 thru 19 at the Hilton Orange County, Costa Mesa, 3050 Bristol Street, Costa Mesa, CA. The Preliminary Proposed Agenda represents the agenda expectations for the November 2014 Council meeting and includes among other things:

Administrative

1. Marine Planning Update
2. Legislative Matters
3. Electronic Technology Plan Adoption
4. Future Council Meeting Agenda and Workload Planning

Coastal Pelagic Species

1. Sardine Harvest Fraction

Salmon

1. Methodology Review, Final Approval
2. Preseason Salmon Management Schedule for 2015

Highly Migratory Species

1. Update on International Activities
2. Bluefin Tuna Management Measures Final Preferred Alternative (FPA)
3. Drift Gillnet Hard Caps and Other Priorities; Workload and Scheduling Update

Groundfish

1. Widow & Blackgill Rockfish Allocation and Divestiture Issues
2. Amendment 22 Reconsideration (Open Access Fishery Registration Program)
3. Consideration of In-Season Adjustments

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 ¶



Prepared September 29, 2014
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*The Power of Being First With
Innovation*