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REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING

March 9 - 14, 2016 Sacramento California

April 8 - 14, 2016 Vancouver Washington



SALMON MANAGEMENT

Adoption of 2016 Ocean Salmon Management Measures

Following review and discussion of 2015 Fishery Information and relevant conservation objectives or status determinations, the Council adopted the Stock Abundance Forecasts, Acceptable Biological Catches (ABCs) and Annual Catch Limits (ACLs) described in Salmon Preseason Report 1 as the best available science for use in 2016 Salmon Management.

The Council reviewed the Salmon Technical Team (STT) impact analysis and comments from advisory bodies, agencies, tribes, and the public before adopting three alternative sets of proposed ocean salmon fishery management measures for public review. The adopted alternatives meet fishery management plan objectives (spawner escapement goals, allocations, annual catch limits, etc.) and encompass a realistic range of alternatives from which the final management measures will emerge.

The Council solicited public comments on the proposed management Alternatives in preparation for adopting final management recommendations at its April meeting. Oral and written comments on the proposed management Alternatives were presented at the public hearings and additional comment was accepted during the April Council meeting.

At last, at the April meeting the Council adopted ocean salmon seasons that provide recreational and commercial fishing opportunities coastwide.

California and Oregon South of Cape Falcon, Oregon

An expected abundance of roughly 300,000 Sacramento River fall Chinook (compared to 650,000 last year), combined with modest coho expectations for the Columbia River, will support recreational and commercial opportunities for ocean salmon fisheries off Oregon and much of California. The 2015 Columbia River coho abundance forecast in 2016 is over 500,000 fish (compared to over 800,000 last year) and will allow for recreational coho opportunities this summer.

The Klamath River fall Chinook abundance forecast for 2016 is substantially lower than recent years and the primary reason for fishery constraints in Oregon and California. Long running drought conditions, coupled with suboptimal ocean conditions, have raised serious concerns for Sacramento River winter Chinook salmon, which are listed as endangered under the Endangered Species Act (ESA) and have experienced very low survival as juveniles in 2014 and 2015. Fisheries south of Point Arena, California, particularly recreational fisheries in the greater Monterey Bay region, will continue to experience late-season reductions to minimize interactions with winter Chinook.

California Commercial Fisheries

Fisheries from the California border to Humboldt South Jetty will open on September 9 with a 1,000 Chinook quota (compared to 3,000 last year).

Between Horse Mountain and Point Arena (the Fort Bragg area), commercial Chinook salmon fisheries will be open June 13 to 30, August 3 to 27, and September 1 to 30.

In the area from Point Arena to Pigeon Point (San Francisco), the season will be open May 6 to 31, June 13 to 30, August 3 to 28, and during the month of September. From Pigeon Point to the Mexico border (Monterey), the Chinook season will be open in May and June. There will also be a season from Point Reyes to Point San Pedro, open October 3 to 7 and 10 to 14.

HIGHLY MIGRATORY SPECIES MANAGEMENT

Deep-Set Buoy Gear Amendment Scoping

The Pflieger Institute of Environmental Research (PIER) has been conducting research and development on deep-set buoy gear since 2010 with National Marine Fisheries Service (NMFS) and other partners. Gear testing began in 2011 and was subsequently expanded to include fisherman partners. In 2015, the Council recommended issuance of three exempted fishing permits (EFPs), including one based on an application from PIER, to allow gear use to move into a more commercial setting where catch is retained and sold. Fishing under the PIER EFP began in September 2015.

At the same time, the Council recognized the promise of this gear to be commercially viable while avoiding sensitive bycatch species like sea turtles and marine mammals. The Council thus decided that while exempted fishing is ongoing it would begin the process to authorize this gear type under the Highly Migratory Species (HMS) Fishery Management Plan (FMP). The intent is to allow a smooth transition from exempted fishing to an authorized fishery.

To authorize a new fishery, the FMP for West Coast Fisheries for HMS would need to be amended, and implementing regulations then published. This would include a gear definition, management measures, and a potential permitting regime.

At the March Meeting, the Council directed the Highly Migratory Species Management Team (HMSMT) to begin developing ranges of alternatives for various aspects related to authorizing a deep-set buoy gear (DSBG) fishery. Development of program elements would occur concurrently with ongoing DSBG EFPs, which are likely to provide additional information relevant to authorizing the fishery. Ranges of alternatives would cover definitions for the gear, the requirement for gear to be actively tended, the geographic area where the fishery would be allowed to operate, identify target species and species that could not be retained or landed (prohibited species) other than those already in the HMS Fishery Management Plan, a licensing regime, and other elements identified in advisory body reports. The Council plans to review and potentially adopt a range of alternatives at its September 2016 meeting.

GROUND FISH MANAGEMENT

NMFS Report

In addition to a list of groundfish and halibut actions that have published in 2016, NMFS provided a list of rulemakings that are currently in progress.

Published

1. Reapportionment of Tribal Whiting (81 FR 183, 1/5/2016)
2. Proposed Rule for comprehensive ecosystem-based amendment 1 (81 FR 215, 1/19/2016)
3. Proposed Rule to revise scale requirements (81 FR 2831, 1/19/2016)
4. Notice of Intent, EIS on gear change action (81 FR 5102, 2/1/2016)
5. Proposed Rule, Pacific Halibut Fisheries, Catch Sharing Plan (81 FR 8466, 2/19/2016)
6. Tribal whiting proposed rule (81 FR 12676, 3/10/2016)

In Progress (Table 1)

	Rule	Timing (Tentative)	Sectors Affected
1	Midwater Recreational Fishery off Oregon	Proposed rule - summer/fall 2016 Final rule - winter/spring 2017	Oregon Recreational
2	Sablefish Rule Includes: Registering a LE trawl and fixed gear permit to a vessel at same time (joint registration), sablefish-endorsed LE fixed gear ownership issues, electronic fish tickets	Proposed Rule – spring 2016 Final Rule – late summer 2016 Effective January 1, 2017	LE Trawl (IFQ), LE fixed gear, OA
3	Scale Changes	Proposed rule –2015 Final rule – May 2016	LE Trawl (IFQ/MS/CP)
4	Gear Modifications	Proposed rule – summer 2016 Final rule – fall 2016	LE Trawl (IFQ/MS/CP)
5	Pacific Whiting	Final rule - May 2016	LE Trawl (IFQ/MS/CP) Tribal
6	Pacific Halibut Annual Regulations	Final rule - April 2016	LE FG Primary
7	Electronic Monitoring	Proposed rule - summer 2016 Final rule - fall 2016	LE Trawl (IFQ)
8	Widow reallocation	Proposed rule - May 2016 Final rule - fall 2016	LE Trawl
9	Tribal U&A boundary modifications	Final rule - spring 2016	Tribal
10	2017-2018 Biennial Harvest Specifications and Management Measures	Proposed rule - fall 2016 Final rule - January 1, 2017	LE, OA, Tribal, Recreational
11	Vessel Movement Monitoring	Proposed rule - fall 2016 Final rule - January 1, 2017	LE & OA
12	Inseason adjustments to incidental halibut retention in the sablefish fishery	Final rule - effective April 2016	LE FG Primary

EFP for California Mid-Water Commercial Jig Gear for 2017-2018

Under the EFP agenda item at its November 2015 meeting, the Council approved an expansion of the number of participants in the electronic monitoring (EM) EFP, recommended that NMFS consider extending the EM EFPs past the 2015-2016 management cycle, moved forward a Nature Conservancy sponsored EFP to test the efficacy of modified pot gear to selectively

harvest lingcod for final consideration at the June 2016 Council meeting, and received a progress report on a 2015-2016 EFP on testing commercial jig fishing gear targeting yellowtail rockfish. Later in the meeting, when it took up future agenda planning, the Council scheduled this agenda item to consider extending the jig-gear EFP for another two years.

The jig fishing EFP is sponsored by the San Francisco Community Fishing Association and Mr. Dan Platt.

The Council forwarded the 2017-2018 commercial jig fishing EFP application for public review and possible final adoption at its June 2016 meeting with the following modifications: (1) include monitoring options of (a) 30 percent observer coverage, (b) 100 percent observer coverage; and (c) 30 percent observer coverage augmented by Electronic Monitoring (specific monitoring option to be specified at the time of final Council action); (2) extend the southern boundary for the EFP to Point Conception; (3) add up to three additional vessels to the EFP. The Council adopted set-asides as specified in 2015-16 and reduced the Oregon Department of Fish and Wildlife research set aside for yelloweye rockfish by the amount needed for this EFP (0.03 mt)

Changes to Trawl Catch Share Program Gear Regulations - Final Action

The Pacific Coast Groundfish Fishery's Trawl Catch Share Program (Catch Share Program), also called the Trawl Rationalization Program, implemented at the start of 2011, provided for 100 percent at-sea monitoring and individual vessel accountability for catch of many groundfish species. For those species, trip limit regulations were no longer needed and were therefore eliminated. Full at-sea monitoring and individual accountability may also have rendered other regulations obsolete, but they were not modified or eliminated at that time. Late in 2011, the Council convened a Trawl Rationalization Regulatory Evaluation Committee to identify other regulations that might be liberalized or eliminated. The following year, the Council convened a workshop to continue that effort with a particular focus on regulations pertaining to gear configuration and use for vessels participating in the Catch Share Program. Until late 2014, further progress on these issues was delayed to handle other workload priorities. At that time, as part of its omnibus agenda item on groundfish priorities, the Council prioritized for consideration several changes to groundfish regulations, including trawl gear configuration and gear use.

On Thursday, March 3, 2016, NMFS and the Pacific Fishery Management Council (Council) announced their intent to prepare an Environmental Impact Study (EIS) in accordance with the National Environmental Policy Act (NEPA) of 1969 to analyze the impacts on the human (biological, physical, social, and economic) environment of gear changes in the Catch Share Program.

In preparing the preliminary draft EIS, NMFS staff had discussions with experts from the Council, Northwest Fisheries Science Center, West Coast Region – Sustainable Fisheries and Protected Resources, Office of Law Enforcement, and Oregon Department of Fish and Wildlife. These discussions raised a number of issues with the alternatives, particularly the interaction of this action with the electronic monitoring (EM) action and the Essential Fish Habitat (EFH)/Rockfish Conservation Area (RCA) action. NMFS recommended the Council delay

selection of a FPA on these gear changes until the Council, its advisory bodies (SSC, GMT, GAP, GEMPAC, GEMTAC, others?), and NMFS have more carefully considered the trade-offs between the gear action, the EM action, and the EFH/RCA action.

At the March meeting, the Council went ahead with selection of a Final Preferred Alternative (FPA) as follows:

Table 2. March Meeting, Trawl Catch Share Program Gear Regulations FPA

Issue	Gear Change Component	Council FPA
A	Minimum Mesh Size	No Minimum Mesh Size for Bottom or Midwater Trawl
B	Measuring Mesh Size	Not Applicable, No Minimum Mesh Size
C	Codend	No Codend Restrictions
D	Selective Flatfish Trawl (SFT)	SFT definition modified to allow 2-Seam or 4-Seam Net AND eliminate the SFT requirement shoreward of the RCA north of 40°10'N Lat. - Replace with small footrope requirement (Same as south of 40°10'N Lat.)
E	Chafing Gear	Eliminate Chafing Gear restrictions on Bottom and Midwater Trawls
F	Multiple Gears	On Vessel: Multiple gears onboard - Use any Trawl gear. Vessels must separate catch by gear type. Landings recorded on separate E Fish Tickets by gear type
G	Fishing In Multiple IFQ Management Areas	Removed from the FPA; Scheduled for consideration at a future Council meeting
H	Hauling Onboard Before Previous Cath is Stowed	Allow a new haul to be brought onboard and dumped on deck before all catch from previous haul is stowed. No mixing of hauls until observer has collected samples

Final Action to Adopt Biennial Specifications for 2017 - 2018 Fisheries

The Council adopted final preferred 2017 and 2018 harvest specifications for groundfish stocks and stock complexes under default harvest control rules for most stocks (as shown in Briefing Book, Agenda Item F.3, Supplemental REVISED Attachment 2). The Council adopted new harvest control rules for canary rockfish, darkblotched rockfish, California scorpionfish, and widow rockfish as follows:

- Canary rockfish: 1,526 mt annual catch limit (ACL) in 2017-18 with ACL = ABC (acceptable biological catch) (P* = 0.45) thereafter;
- Darkblotched rockfish: 490 mt in 2017-18;
- California scorpionfish: 150 mt constant catch ACL; and
- Widow rockfish: ACL = ABC (P* = 0.45); 13,237 mt and 12,655 mt in 2017 and 2018, respectively.

Final Action to Adopt Fixed Gear Electronic Monitoring (EM) Alternative & Deem Whiting & Fixed Gear Electronic Monitoring Regulations

Purpose and Need for the Proposed Action

There is a need to adequately monitor the catch share program for compliance in an economical and flexible manner while meeting the goals and objectives of national policies and standards, the Pacific Coast Groundfish Fishery Management Plan (FMP), the trawl rationalization program, and all applicable laws and acts including the Magnuson-Stevens Act (MSA) and Endangered Species Act (ESA). NMFS and the Council identified that EM may be a viable option to monitor the catch share program for compliance with IFQs and individual and

mothership coop sector allocations. The purpose of the proposed action is to meet the following regulatory objectives:

1. Reduce total fleet monitoring costs to levels sustainable for the fleet and agency;
2. Reduce observer costs for vessels that have a relatively lower total revenue;
3. Maintain monitoring capabilities in small ports;
4. Increase national net economic value generated by the fishery;
5. Decrease incentives for fishing in unsafe conditions;
6. Use the technology most suitable and cost effective for any particular function in the monitoring system; and
7. Reduce the physical intrusiveness of the monitoring system by reducing observer presence.

At the September 2014 Council meeting in Spokane, Washington, the Council selected their final preferred alternatives (FPA) for an EM program for the Pacific coast limited entry trawl groundfish fishery catch shares program.

Table 3. Fixed Gear Fishery (longline and pot) Final Preferred EM Alternatives and Options as Amended April, 2016.

	EM Component	Options for Each EM Component Category
1	Overall Alternative (Primary Data Source for Discard Estimates)	Logbooks used to estimate discards with logbook audit
2	Video Reading Protocol (% Review)	Logbook Audit a/
3	Discard Accounting - Individual or Fleetwide	One Discard Category, Full Accounting for All Discards
4	Retention Requirements	Optimize b/
5	Halibut Retention/Discard with Fishery Specific Options	Default Rates A. IPHC Gear Rate longline 16% pot 18% mortality c/ B. With EM Data-Via IPHC Approved Method c/
6	Discard Species List Adjustments	Routine Process
7	Eligibility for Camera Use	Initial & Continued Eligibility Requirements
8	EM Vessel Operation Plan - IVMP Expiration	No Expiration
9	Declaration of EM Use	No Limit on Frequency - Declaration Stands Until Changed
10	Data Transfer Process	Vessel Operator (crew)
11	Video & Data Processing Analysis	3 rd Party d/
12	Payment for Scientific Data Collection	Government

a/ % review to be the minimum level determined to be necessary to ensure compliance (no less than 10%) with an escalation clause for non-compliance.

b/ 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).

c/ Option A may be the method that can be applied at this time. Prefer Option B if the method is approved by IPHC.

d/ Certified Third party once a certification process has been established, until then, Government – NMFS or their agent (e.g. Pacific States Marine Fisheries Commission (PSMFC)). PSMFC should be eligible to be a 3rd party video reviewer.

In addition, the Council recommended the following changes based on recommendations from the Groundfish Electronic Monitoring Policy Advisory Committee (GEMPAC) Report:

- a. Remove references to particular modes of communication (i.e., email).

- b. In the preamble of the proposed rule, discuss NMFS standards for EM providers to provide free litigation support to NMFS.
- c. Include a one-page EM application process for existing EM participants to reduce the paperwork burden for the industry.
- d. Include a general statement in the regulations that would require EM providers to comply with state and Federal warranty statutes.

Regarding record retention requirements in the draft regulations:

The original recommendation was to retain the video record for 5 years, however as a compromise, 3-years was determined to be sufficient. The GEMPAC recommended changing the proposed 3-year record retention requirement to a 1-year record retention requirement. The cost of housing this data is substantial, the 3-year retention requirement is not needed for compliance, and is not consistent with the Purpose and Need for the Proposed Action as described above. Retaining the video record for 3 years would allow enforcement to review the video and inform their decision making when considering an enforcement action. Ultimately, the Council recommended maintaining the proposed 3-year record retention requirement, but specified that this requirement be reviewed prior to transitioning to third-party video reviewers to reduce the duration period for EM providers to retain records.

Finally, the Council deemed the draft regulations as meeting the intent of the whiting FPA and for the fixed gear fishery with the expectation that changes to the FPA and additional recommendations be incorporated.

Groundfish Essential Fish Habitat (EFH) and Rockfish Conservation Area (RCA) Amendment

At its September 2015 meeting, the Council established the range of alternatives (ROA) for potential changes to Pacific Coast Groundfish Essential Fish Habitat (EFH) and Trawl Rockfish Conservation Areas (RCAs); and asked the Project Team to provide a progress report in April 2016.

The Project Team Report describes the suite of alternatives in ten distinct subject areas. Four subject areas address Fishery Management Actions, with six classified as Administrative Actions.

Fishery Management Alternatives (FMAs):

1. Essential Fish Habitat Conservation Area (EFHCA) changes contained in public proposals (including the Collaborative proposal)
2. New EFHCAs within current RCA boundaries
3. Adjustments to the trawl RCA
4. Use of Magnuson-Stevens Act (MSA) Sec. 303(b) discretionary authorities in waters deeper than 3500m

Administrative Alternatives:

5. Life history descriptions, EFH descriptions, and major prey items (FMP Appendix B)
6. Fishing gear effects (FMP Appendix C Part 2)
7. Non-fishing effects and conservation measures (Appendix D)
8. Information and Research Needs

9. Review and Revision Process
10. Clarifications and Corrections

For the Fishery Management Actions, The Council considered seven proposals to modify the EFHCAs and, in one case, the RCA provisions of the Groundfish FMP, those proposals are:

- A collaborative of fishing industry and environmental organizations (Collab)
- Fisherman's Marketing Association (FMA)
- Greenpeace (GP)
- Gulf of the Farallones National Marine Sanctuary, now called the Greater Farallones National Marine Sanctuary (GFNMS)
- Marine Conservation Institute (MCI)
- Monterey Bay National Marine Sanctuary (MBNMS)
- Oceana, National Resources Defense Council, and Ocean Conservancy (ONO)

In addition to the no-action alternative for each issue, the revised list of alternatives is:

FMA 1; EFHCA changes contained in public proposals (including the Collaborative proposal).

The Council adopted a revised range of alternatives retaining the public proposals submitted by the Collaborative Group and the Oceana/Natural Resources Defense Council/Ocean Conservancy Group (as amended by the proponents) for analysis as stand-alone alternatives, and removing all other public proposals as stand-alone alternatives. The Council asked that the individual areas specified in the removed public proposals be analyzed in terms of the metrics proposed by the EFH/RCA Project Team, making them available to the Council for inclusion when selecting a FPA. The Council also eliminated from consideration any EFH or RCA changes within the Tribal Usual and Accustomed Areas (U&As) off the coast of Washington, and provided guidance on the analytical approach for EFH and RCA changes.

FMA 2; New EFHCAs within current RCA boundaries.

The Council retained two alternatives:

- 2.c. Add new EFHCAs within the trawl RCA, where there is either verification of priority habitats, or when modeling indicates the likelihood of priority habitats; and,
- 2.c.i. Add new EFHCAs within the trawl RCA, where there is either verification of priority habitats, or when modeling indicates the likelihood of priority habitats, exclusive of the U&A.

FMA 3; Adjustments to the Trawl RCA.

The Council recommended that the Trawl RCA alternatives move forward for more detailed analysis, as necessary. Those alternatives are:

- No Action
- Remove the trawl RCA
- Discrete area closures for overfished species
- Closures for overfished species and/or as catch control mechanisms for non-overfished groundfish species

FMA 4; Use of MSA Sec. 303(b) discretionary authorities in waters deeper than 3500m.

Prohibit bottom contact fishing activities deeper than 3,500 m (PPA).

For the Administrative Alternatives:

5. Update Appendix B, to include new information on life history descriptions, text descriptions of EFH, and major prey items. (PPA)
6. Revise Appendix C Part 2, to include new information on fishing gear effects. (PPA)
7. Update Appendix D to include new information on non-fishing effects and conservation measures. (PPA)
8. Revise groundfish EFH Information and Research Needs section of the FMP and move to an appendix. (PPA)
9. Update groundfish EFH review and revision process and describe elsewhere (e.g., COP). Include criteria prior to each review. (PPA)
10. Provide clarifications and correct minor errors. (PPA)

Preliminary Preferred Management Measures Alternatives

The Council adopted Fishery Harvest Guidelines for 2017 and 2018 including ACLs, and Tribal, EFP, Research, and Open Access Set-Asides. The Council adopted preliminary preferred alternative (PPA) management measures, including allocations for all fisheries, for public review. Final action on management measures for 2017-2018 groundfish fisheries is scheduled for the June 2016 Council meeting.

Some notable PPAs:

The Council adopted a Canary Rockfish ACL of 1,526 mt for both 2017 and 2018 and in addition adopted a PPA for the 2017 - 2018 harvest specs and management measures for canary rockfish as follows:

Canary Rockfish ACL	1526
Off The Top Deductions	59.4
Tribal	50
EFP	1
Research	7.2
IOA	1.2
Trawl Annual Catch Target	1060.1
At-Sea Hard Caps	46
Catcher Processor	16
Mother Ship	30
Shorebased IFQ	1014.1
Non-Trawl Annual Catch Target	406.5
Non-Nearshore	46.5
Nearshore	100
Washington Rec Harvest Guideline	50
Oregon Rec Harvest Guideline	75
California Rec Harvest Guideline	135

The trawl rockfish conservation area was removed north of Cape Alava, Washington, and the seaward RCA boundary from 45°46' N Lat. To the U.S. Canada border is established at 150f.

The Council approved technical corrections to RCAs to better align fathom lines with actual depth contours so actual impacts better align with projected impacts. The areas for technical corrections are the 30 fathom RCA and include: 1) north of the Ten Mile State Marine Reserve in the Northern Management Area, 2) near the Navarro River in the Northern Management Area, and 3) the South East Farallons in the San Francisco Management Area. One correction is proposed for the 40 fathom RCA at Salt Point in the San Francisco Management Area and one for the 150 fathom RCA in the Monterey Bay Canyon in the Central Management Area.

Annual Catch Targets for cowcod (4 mt) and California scorpionfish (111 mt) were adopted.

At the November 2015 Council meeting, the Council recommended removing blackgill rockfish from the Southern Slope Rockfish complex, and manage it using stock specific ACLs and quotas. Also in this action, the Council chose to change the trawl and non-trawl sector allocations for blackgill rockfish from the Amendment 21 established ratio of 63/37 percent to 41/59 percent for the trawl and non-trawl sectors, respectively. However, these management measures (addressed in Amendment 26) are not yet implemented (estimated 2018). For 2017, blackgill rockfish south of 40°10' N. lat. will continue to be managed as a contributing stock to the Southern Slope Rockfish complex, with a Southern Slope Rockfish ACL contribution of 120.2 mt. Of that amount, the trawl allocation will be 63 percent, with 37 percent for the non-trawl allocation, as per Amendment 21 specifications. The non-trawl sector is further allocated blackgill rockfish at 60 percent for the LE sector and 40 percent for the OA fixed gear sectors. For 2018, the Council has recommended that blackgill rockfish south of 40°10' N. lat. be managed with species-specific harvest specifications.

Sablefish allocation south of 36° N Lat. 70% Limited Entry 30% Open Access

Initial Stock Assessment Plans and Terms of Reference (TOR) for Groundfish and Coastal Pelagic Species

The Council adopted a preliminary list of groundfish stock assessments to be conducted in 2017. The assessments will inform management decisions beginning with the 2019 - 2020 Harvest Specifications and Management Measures process.

Full Assessments

- ❖ Blue rockfish
- ❖ Deacon rockfish
- ❖ Lingcod
- ❖ Yelloweye rockfish
- ❖ Yellowtail rockfish

Update Assessments

- ❖ Bocaccio
- ❖ Darkblotched rockfish

The Council is soliciting comment from the NMFS Northwest and Southwest Fisheries Science centers and the public on this preliminary list. There may be consideration for other assessments (dependent upon the Science Centers capacity to conduct more assessments) as follows: arrowtooth flounder (update), blackgill rockfish (update), bank rockfish (full), Pacific ocean perch (full), cabezon off Oregon and Washington (full), and California scorpionfish (full or data-moderate). The California Department of Fish and Wildlife will not have the resources to contribute to assessment of any California nearshore stocks.

The Council also adopted proposed changes to three terms of reference for public review.

Final action on groundfish stock assessment priorities and the three terms of reference is scheduled for June 2016.

Consideration of Inseason Adjustments

March

The Council adopted landing limits for the limited entry sablefish daily trip limit fishery north of 36° N Lat. of 1,125 pounds per week and 3,375 pounds per bimonthly period. This change would be more efficient for vessels, as three full weekly limits would equate to one bimonthly trip limit (i.e. 1,125 lbs x 3 weeks = 3,375 lbs), and would help ensure that the fishery, which saw increased effort last year, remains within its landing target.

The Council recommended that NMFS issue surplus carryover for all non-whiting individual fishing quota species where the annual catch limit (ACL) is less than the acceptable biological catch (ABC), including sablefish north of 36° N. latitude and canary rockfish. Surplus carryover for petrale sole is not eligible under the current NMFS policy given that the ACL is equal to the ABC. The Council recommended NMFS issue eligible carryover pounds up to the point where the ACL plus surplus carryover equals the ABC.

April

The Council considered the most recent information regarding ongoing fisheries and recommended a bimonthly trip limit decrease for open access fixed gear sablefish North of 36°N Lat.

- 300 lbs. daily, 850 lbs. weekly, and 1,700 lbs. bimonthly to go into effect at the start of period 4 (July 1). This trip limit reduction would help ensure that the fishery, which saw increased effort last year, remains within its landing target.

ENFORCEMENT ISSUES

Regulations for Vessel Movement Monitoring

At the September 2014 Council meeting, under the omnibus prioritization Agenda Item, a number of vessel and gear movement issues were aggregated to be addressed as the vessel movement monitoring (VMM) agenda item. In April 2015, the Council adopted purpose and need statements and a range of alternatives for the following four management measures:

Two management measures support cost effective and sufficient monitoring of vessel movement in restricted areas:

1. Monitoring Restricted Areas with Vessel Monitoring Systems VMS; and,
2. Removal of Derelict Crab Pots in Rockfish Conservation Area (RCA).

And, two management measures to create efficiencies in fishery operations and promote safety at sea:

3. Fishery Declaration Enhancements; and,
4. Movement of Fishpot Gear Across Management Lines.

In November 2015, the Council chose to remove Management Measure 2 from consideration, citing the current state-managed derelict crab gear programs as adequate. The Council adopted the revised purpose and need statements and recommended preliminary preferred alternatives (PPAs) for Management Measures 1, 3, and 4 with selection of a FPA scheduled for April 2016.

Table 4. Vessel Movement Monitoring Final Preferred Alternative

MM	VMM Component	FPA for Each VMM Component Category
1	Monitoring Restricted Areas with VMS a/ b/	A. Increase ping-rate to 4 times per hour with NMFS type-approved units B. Maintain ping-rate of 1 time per hour with EM System with NMFS type-approved units C. Allow use of enhanced VMS units (not NMFS type approved). c/
2	Fishery Declaration Enhancements (Gear Testing and Whiting Fishery Declaration Changes)	A. Set up a formal observer exemption process to allow <u>groundfish trawl vessels</u> to be exempt from observer coverage for a trip that tests trawl gear. Not allowed to harvest fish or test gear in EFHCAs, and trawl nets must be open or absent a codend. B. Allow mid-water trawl vessels to change their whiting fishery declaration while at sea. Other declaration restrictions would remain in place.
3	Movement of IFQ Fishpot Gear across Management Lines	Allow shorebased IFQ fixed gear vessels to move pot gear from one management area to another management area during a single trip then deploy the gear baited or non-baited. d/

a/ If all alternatives are implemented, vessels would be able to choose from the suite of the VMS options listed above. These new requirements apply to vessels that are currently required to have VMS under regulation including salmon troll, California halibut, ridgeback prawn, and sea cucumber trawl, but excluding whiting mid-water trawl (during the primary season), pink shrimp trawl, and the swordfish drift gillnet fishery (DGN). The Council also selected the No Action (status quo) alternative for the swordfish DGN fishery since previous Council action called for 100 percent monitoring (through EM or observers) of the DGN fishery by 2018. NMFS will consider the potential applicability of the VMS ping rate when using EM and the possible use of new enhanced VMS units (not NMFS type-approved) during development of those DGN monitoring regulations to enhance enforcement capabilities under the 100 percent monitoring requirement.

b/ The Council also recommended that NMFS implement the revised definition of continuous transit as follows; Continuous transiting or transit through means that a vessel crosses a groundfish conservation area or EFH conservation area on a heading as nearly as practicable to a direct route, consistent with navigational safety, while maintaining headway throughout the transit without loitering or delay.

c/ The VMS track can be greatly improved by using the enhanced (not NMFS type-approved) VMS units. These units are capable of transmitting at higher intervals (higher ping rate). Based on more frequent pings, the heading and speed can be determined with more accuracy which can be analyzed to show whether the vessel was fishing or just transiting the area. No geofencing or gear sensors are required.

d/ Under these regulations, vessels would not be allowed to harvest fish from any additional management areas with fish aboard the vessel from a previous management area (i.e., fish from multiple management areas could not be mixed during a single trip).

COASTAL PELAGIC SPECIES (CPS) MANAGEMENT

Final Action on Sardine Assessment, Specifications, and Management Measures

The Council adopted the 2016 stock assessment, with a biomass estimate of 106,137 metric tons, and adopted the following specifications for the July 1, 2016 - June 30, 2017 fishing year.

Overfishing Limit	23,085 mt
P* buffer	0.4
Acceptable Biological Catch (ABC)	19,236 mt
Annual Catch Limit (ACL)	8,000 mt

Because the biomass estimate is below the cutoff value of 150,000 mt, there will be no directed non-Treaty fishery for the 2016-2017 sardine seasons. The only catch allowed will be Treaty-Indian, incidental, live bait, research, and other minor sources of mortality.

The Council adopted the following automatic inseason actions:

- An incidental per landing allowance of 40 percent Pacific sardine in non-Treaty CPS fisheries until a total of 2,000 mt of Pacific sardine are landed.
- When the 2,000 mt is achieved, the incidental per landing allowance is reduced to 20 percent, until a total of 5,000 mt of Pacific sardine have been landed.
- When 5,000 mt have been landed, the incidental per landing allowance is reduced to 10 percent for the remainder of the 2016-2017 fishing year.

In addition, the Council adopted a 2 mt incidental per landing allowance in non-CPS fisheries, and asked the CPS Management Team to explore management options to account for a small artisanal fishery.

ADMINISTRATIVE MATTERS

Catch Share Program Review: Comments on National Guidance and Preliminary Plan for West Coast Trawl Catch Share Program Review

The Council is scheduled to begin its review process for the Amendment 20 trawl catch share program (trawl rationalization) at its June 2016 meeting. This process will be carried out as required by the Magnuson-Stevens Act and provisions of Amendment 20. Part of the context for this review includes national guidance on catch share program reviews that is currently under development. National Marine Fisheries Service (NMFS) released the first draft of this guidance just before the November 2015 Council meeting. While the Council did not have a place on its agenda for full consideration of that draft, it authorized a letter containing initial comments developed by Council staff and augmented by comments from the Scientific and Statistical Committee.

Council and NMFS staff worked together to develop a joint funding proposal to cover costs of the Amendment 20 catch share program review, as per the Council-approved Budget Committee recommendation. In March, the Council received word that the proposal was being favorably considered, including \$516,286 for the Council. For budget development purposes the proposal included:

- A community advisory body (CAB) (as specified in Amendment 20)
- Two sets of nine coastal hearings
- Council member compensation and travel for hearings
- Compensation and travel for state agency participants on a technical workgroup
- Council staff and contractor time and travel
- Meeting space, goods, and supplies

In addition to the Amendment 20 catch share program review, in Amendment 21 the Council committed to a review of intersector allocations at the time of the catch share program review: "All intersector allocations will be formally reviewed along with the formal review of the trawl rationalization program five years after implementation of Amendments 20 and 21." Funding has not yet been identified for a review of the intersector allocations. However, at the June meeting, Council staff will propose that intersector allocation issues can be scoped during the hearings on the catch share program review at little additional cost. If this approach is taken, then at its November meeting the Council would decide how to proceed on intersector allocation (pending the identification of needed resources).

The Council will also consider composition of a Community Advisory Board to advise the Council on impacts the program has on communities in June. Nominations for the Board will be solicited after the June meeting.

Legislative Matters

The Council received requests for comments on two bills, S. 2533 and HR 4576. The Council directed staff to send a letter, as requested by Reps. Huffman, Thompson, and Senator Cantwell, on S. 2533, the California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act. The letter will reflect comments prepared by the Pacific Coast Federation of Fishermen's Associations. In addition, the Council directed staff to prepare a letter (as requested by Rep. Radewagen, R-AS) for the June briefing book supporting Western Pacific Fishery Management Council and North Pacific Fishery Management Council comments on HR 4576, the Ensuring Access to Pacific Fisheries Act.

A California State Senate Bill, SB 1114, has been submitted that would phase out the California drift gillnet fishery by:

- Prohibiting transfers of drift gillnet shark and swordfish permits
- Increasing fees for permits
- Revoking latent permits
- Directing California Dept. of Fish and Wildlife to establish regulations for a deep-set buoy gear (DSBG) fishery upon authorization of the use of deep set buoy gear pursuant to Federal law
- Establishing criteria for initial permits in a DSBG fishery
- Providing incentives for people to switch from the driftnet fishery to the DSBG fishery

According to NOAA General Counsel, the PFMC is legally able to comment on this bill although a specific request for comment was not received, provided the Council frames the comments to focus on potential or actual material impairment of management under any of its fishery

management plans. Discussion within the Council's Legislative Committee related to potential impairment centered on the Council's ongoing process to improve the sustainability of the drift gillnet fishery by instituting and evaluating protected species and finfish bycatch hard caps, and implementing recommended exempted fishing permit(s) to utilize ecosystem-based indicators to reduce potential bycatch while improving domestic fishery profitability and reducing reliability on less sustainable foreign swordfish practices.

Council staff were directed to send a letter to Senator Ben Allen describing the Council's concern that California State Senate Bill 1114 (SB-1114), if enacted, would materially impair the Council's ability to develop new measures that are under consideration for West Coast HMS (including drift gillnet) fisheries.

Future Council Meeting Agenda and Workload Planning

The next meeting of the Pacific Fishery Management Council is scheduled for June 21 - 28, 2016 at the Hotel Murano, 1320 Broadway Plaza, Tacoma, Washington. The Preliminary Proposed Agenda represents the agenda expectations for the June 2016 Council meeting and includes among other things:

Administrative

1. Legislative Committee
2. Comments on Western Region Climate Change Action Plan
3. Future Council Meeting Agenda and Workload Planning

Highly Migratory Species Management

1. NMFS Report
2. International Issues
3. New EFP Preliminary Approval
4. Initial Scoping of Biennial Specs, Management Measures, Status Determination Criteria, and Reference Points
5. Deep Set Buoy Gear and Federal HMS Permit Update

Ecosystem

1. California Current Ecosystem & IEA Report
2. FEP Indicators & Climate Shift Initiatives Update

Groundfish

1. NMFS Report
2. ROA/PPA Revised A-21 At-Sea Allocations
3. EFP Final Approval
4. Adopt Final 2017-2018 Management Measures
5. 5 Year Catch Share Program Review Including Guideline Comments
6. Adopt Final Stock Assessment Plans and Terms of Reference
7. Consider Inseason Adjustments
8. Omnibus Workload Planning
9. Gear Change Regulations for Management Lines FPA

Salmon

1. Sacramento River Winter Chinook Control Rule Update

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 (May 26, 2016). Public comments and reports that are supplied before this deadline are included in the advance Briefing Book. The second deadline, known as the supplemental deadline, is four days prior to the start of the Council meeting. Public comments and reports provided by this deadline are given to Council members on the first day of the Council meeting. Comments can be emailed, mailed, or faxed to the Council.

✿ This report is provided to the Central Coast Community in 2016 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 ¶



Prepared April 27, 2016
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Fishery Consulting Services
The Power of Being First With Innovation