



Captain Christopher J. Kubiak
Independent Fishery Services

REPORT FROM THE PACIFIC FISHERY MANAGEMENT COUNCIL MEETING April 6 – 11, 2013



ADMINISTRATIVE

Expansion of Gulf of Farallones and Cordell Banks National Marine Sanctuaries

The Council received a presentation from Ms. Maria Brown, Sanctuary Superintendent, Gulf of the Farallones National Marine Sanctuary (GFNMS), and Mr. Dan Howard, Sanctuary Superintendent, Cordell Bank National Marine Sanctuary (CBNMS). Since 2003, Sanctuary Advisory Councils from both sites have regularly discussed the boundary expansion alternative and have expressed support for boundary expansion when proposed by local congressional members (Representative Lynn Woolsey and Senator Barbara Boxer have introduced legislation since 2004 to expand the sanctuaries' boundaries). NOAA is considering extending the boundaries of the two sanctuaries from Bodega Bay (Sonoma County) to Alder Creek (Mendocino County) and beyond the edge of the continental shelf. In addition, NOAA proposes to extend existing sanctuary regulations and non-regulatory programs from each sanctuary into the proposed expansion area.

The Council received public comment from the Alliance of Communities for Sustainable Fisheries (ACSF) that listed a number of concerns regarding the expansion and a recommendation from the ACSF that the National Marine Sanctuaries Act must specify that Sanctuaries will in no way affect fishing. The ACSF is opposed to the GFNMS and CBNMS plans for expansion.

The President of the Pacific Coast Federation of Fisherman's Associations (PCFFA) also commented and stated among other things that having the Sanctuaries give an ironclad guarantee that they will not affect fishing is "unreasonable".

The Council discussed the definition of "fishing", and how certain activities that are not specifically within the definition of fishing (such as placing lead in the water) could affect fishing if they were conducted within a Sanctuary.

The Council action was to direct staff to send a letter that summarizes the suite of concerns discussed by the Council.

Legislative Matters

The Council identified numerous recommendations for the reauthorization of the Magnuson-Stevens Act (MSA) to be discussed at the Managing Our Nation's Fisheries 3 Conference that will be held May 7-9, 2013 in Washington DC, based on advisory body statements, and accepted the report of the Legislative Committee. Some of the items the Council identified for changes/clarification in the MSA reauthorization were:

- Forage Fish
- Increased flexibility in rebuilding plans; a better more flexible way to respond to favorable stock assessments
- Flexibility in addressing impacts to communities
- Better funding for the Fishery Management Council

Open Comment Period

The Council directed the Executive Director to send a letter to NMFS strongly recommending maintaining the exceptionally well functioning organizational structure of the NMFS Northwest Region Salmon Management Program if or when merger of the Northwest and Southwest regions is pursued. I did not catch this at the meeting but will look into the merger of the Northwest and Southwest Regions; this definitely has important implications for fishermen.

GROUND FISH MANAGEMENT

Stock Complex Assemblages

Stock complexes are aggregations of stocks managed in a single unit under harvest specifications decided for the complex in its entirety. Stocks managed in a complex should be sufficiently similar in geographic distribution, life history, and vulnerabilities to the fishery such that the impact of management actions on the stocks is similar.

There are six status quo rockfish complexes stratified in three depth groups (nearshore, shelf, and slope) and two areas (north and south of 40°10' N lat.), the status quo rockfish complexes south of 40°10' N lat. are :

- Minor Nearshore Rockfish (Shallow and Deeper)
- Minor Shelf Rockfish
- Minor Slope Rockfish

The Council has determined there is a need to evaluate and consider changes to the current structure of stock complex groupings. The Council considered alternatives that are intended to evaluate aggregations of species that represent a better management alignment of species according to their ecological distributions, interactions with the fishery, and relative vulnerabilities to overfishing.

Alternatives are stratified into six major species groups:

- Nearshore Rockfish
- Shelf Rockfish
- Slope Rockfish
- Flatfishes
- Roundfishes
- Elasmobranchs (Sharks and Skates)

There are also considerations for incorporating new species into the Groundfish Fishery Management Plan (FMP) since they are caught in the groundfish fishery in relatively high amounts analogous to catches of closely related FMP species.

There are also considerations for designating some species as Ecosystem Component (EC) species, as well as removing some species from the FMP.

There is a consideration for removing species from the FMP in cases where the species does not occur on the West Coast and has no catch history (e.g., dusky rockfish) or is solely caught in state-managed fisheries (e.g., leopard shark). Stocks that are not targeted and have a negligibly small catch history (e.g., calico rockfish) are candidates for an EC designation.

The Council decided to move forward with considerations for restructuring stock complex assemblages. They adopted the range of alternatives provided in Agenda Item D.3.a,

Attachment 1 (items 1 – 4) as well as an alternative for nearshore rockfish recommended by the Groundfish Advisory Subpanel for detailed analysis. They listed “other fish and slope rockfish” as the top priority, included a cost analysis of alternatives compared to status quo, and included options for managing species that are removed from complexes. They scheduled adoption of preliminary preferred alternatives in June, when they will also consider a more detailed schedule to conclude decisions on this initiative.

Groundfish Essential Fish Habitat Synthesis Report and Request for Proposals

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

Phase I of the review includes a compilation of new and newly-available information, and an assessment of how it compares with the information used to inform the previous EFH identification and descriptions. Upon conclusion of Phase I and issuance of the Phase I report, the Council will issue an RFP to solicit proposals to modify Pacific Coast groundfish EFH. In addition to the Phase I report, data and information (including GIS files if available) gathered in this phase by the EFHRC, will be made available to the public. The report and associated information and data products should be used in developing proposals submitted in response to this RFP.

The Council requested that NMFS Science Center finish the synthesis report, taking into account the recommendations by the Essential Fish Habitat Review Committee (EFHRC) and the SSC. The Council also approved the request for proposals, and directed staff to issue the request for proposals by May 1, 2013, with proposals due no later than July 31, 2013. The Synthesis Report and appendices, the Phase 1 EFHRC Report, and other relevant information and data will be made publicly available by the time the request for proposals is issued.

Trawl Rationalization Trailing Actions - Electronic Monitoring Regulatory Process

The Council voted to move forward with a process and schedule to integrate electronic monitoring (EM) into Trawl Catch Share Monitoring, recognizing that attainment of the schedule will be dependent on budget and workload considerations. The Council confirmed that the primary focus of integration of EM into trawl catch share monitoring is to achieve individual accountability of catch and bycatch rather than the collection of biological data, and adopted the objectives identified in the February workshop Agenda Item D.7.b, Electronic Monitoring Workshop Report.

The Council also accepted the offer of agency staff to develop a white paper on monitoring performance standards, provided comments to Pacific States Marine Fisheries Commission on the electronic monitoring field study, and directed an analysis of the cost implications of alternative formulations of an advisory body on EM issues. Contingent on dedicated funding, the Council set a schedule for a full regulatory process that begins with a formal scoping session in September 2013.

The Council also requested that NMFS explore the workload and priority implications of developing experimental fishing permits to allow the use of EM without observers, prior to completion of a regulatory amendment.

Consideration of Inseason Adjustments

Over the past year, members of the trawl industry and the Groundfish Advisory Subpanel (GAP) have been requesting inseason adjustments to the trawl Rockfish Conservation Area (RCA). The GAP is concerned that the current shoreward RCA configuration is too restrictive for fishermen north of 40° 10' N. lat. to effectively prosecute their intended fishing strategies.

During the GAP meeting, Mr. Frank Lockhart from the Northwest Region National Marine Fisheries Service (NMFS) explained the difference between an inseason adjustment and other management actions. Following the explanation, the GAP asked that the Council and NMFS engage in a formal rulemaking process to implement changes to the trawl RCA. The Council adopted the trawl Rockfish Conservation Area adjustments for 2013 and 2014 as noted in Agenda Item D.8.b, Supplemental GAP Report.

SALMON MANAGEMENT

Salmon Amendment 18 - Essential Fish Habitat Revisions

The Council adopted an amended suite of Alternatives that includes considerations of amending Pacific salmon essential fish habitat in areas where reintroductions are being considered under section 10(j) of the Endangered Species Act. The Council will consider a draft environmental assessment, including analysis of alternatives, at the September 2013 Council meeting.

Final Action on 2013 Salmon Management Measures

The Council adopted a set of ocean salmon seasons that provides both recreational and commercial opportunities coastwide.

Here are the Season Alternative Descriptions adopted for California, these are not final until published in the Federal Register:

<p>OR/CA Border to Humboldt South Jetty (California KMZ)</p> <ul style="list-style-type: none"> • May 1 through earlier of May 31, or a 3,000 Chinook quota; • June 1 through earlier of June 30, or a 3,000 Chinook quota; • July 15 through earlier of July 31, or a 2,000 Chinook quota; • August 1 through earlier of August 29, or a 1,500 Chinook quota; • September 16 through earlier of September 30, or 6,000 Chinook quota (C.9). <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length (B, C.1). Landing and possession limit of 20 Chinook per vessel per day (C.8.g). Any remaining portion of the May, June and/or July Chinook quotas may be transferred inseason on an impact neutral basis to the next open quota period (C.8.c). All fish caught in this area must be landed within the area and within 24 hours of any closure of the fishery and prior to fishing outside the area (C.10). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3). Klamath Control Zone closed (C.5.e). See California State regulations for additional closures adjacent to the Smith and Klamath rivers. When the fishery is closed between the OR/CA border and Humboldt Mountain and open to the south, vessels with fish on board caught in the open area off California may seek temporary mooring in Brookings, Oregon prior to landing in California only if such vessels first notify the Chetco River Coast Guard Station via VHF channel 22A between the hours of 0500 and 2200 and provide the vessel name, number of fish on board, and estimated time of arrival (C.6.).</p>
<p>Humboldt South Jetty to Horse Mt. Closed</p>
<p>Horse Mt. to Point Arena (Fort Bragg)</p> <ul style="list-style-type: none"> • May 22-31;

<ul style="list-style-type: none"> • June 1-8 and 21-30; • July 15-31; • August 1-29; • September 1-30 (C.9). <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). When the CA KMZ fishery is open, all fish caught in the area must be landed south of Horse Mountain (C.6). During September, all fish must be landed north of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p> <p>In 2014, the season will open April 16-30 for all salmon except coho, with a 27 inch Chinook minimum size limit and the same gear restrictions as in 2013. All fish caught in the area must be landed in the area. This opening could be modified following Council review at its March 2014 meeting.</p>
<p>Pt. Arena to Pigeon Pt. (San Francisco)</p> <ul style="list-style-type: none"> • May 1-31; • June 1-8 and 21-30; • July 15-31; • August 1-29; • September 1-30 (C.9). <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length prior to September 1, 26 inches thereafter (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). During September, all fish must be landed south of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p>
<p>Point Reyes to Point San Pedro (Fall Area Target Zone)</p> <ul style="list-style-type: none"> • October 1-4, 7-11, and 14-15. <p>All salmon except coho (C.4, C.7). Chinook minimum size limit of 26 inches total length (B, C.1). All fish caught in this area must be landed between Point Arena and Pigeon Point (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p>
<p>Pigeon Point to U.S./Mexico Border (Monterey)</p> <ul style="list-style-type: none"> • May 1-31; • June 1-8 and 21-30; • July 15-31; • August 1-29; • September 1-30 (C.9). <p>Seven days per week. All salmon except coho (C.4, C.7). Chinook minimum size limit of 27 inches total length prior to September 1, 26 inches thereafter (B, C.1). All fish must be landed in California and offloaded within 24 hours of the August 29 closure (C.6). During September, all fish must be landed south of Point Arena (C.6). See compliance requirements (C.1) and gear restrictions and definitions (C.2, C.3).</p> <p>California State regulations require all salmon be made available to a California Department of Fish and Wildlife (CDFW) representative for sampling immediately at port of landing. Any person in possession of a salmon with a missing adipose fin, upon request by an authorized agent or employee of the CDFW, shall immediately relinquish the head of the salmon to the state. (California Fish and Game Code §8226)</p>

HABITAT

Current Habitat Issues

The Council directed staff to send the Habitat Committee (HC) letter on Klamath water, Agenda Item F.1.a, Attachment 1 with some minor edits. In addition, the Council directed the HC to prepare a draft letter to the Northwest Power and Conservation Council, on its Fish and Wildlife Program, for consideration at the June 2013 meeting.

PACIFIC HALIBUT MANAGEMENT

Final Incidental Catch Recommendations for Salmon Troll and Fixed Gear Sablefish Fisheries

The Council adopted limits for incidental Pacific halibut catch in the salmon troll fishery of no more than one halibut per three Chinook, except one halibut may be landed without meeting

the ratio requirement and no more than 15 halibut may be landed per trip starting May 1, 2013 thru April 30, 2014.

The Council adopted limits for incidental Pacific halibut catch for the primary fixed gear sablefish fishery north of Point Chehalis, Washington beginning May 1, 2013 of 75 lb of halibut for every 1,000 lb of sablefish landed and up to two additional halibut may be possessed or landed in excess of the 75 lb per 1,000 lb ratio per landing. In 2014, if the Pacific halibut total allowable catch is sufficient to provide an allocation, limits would be established at the March 2014 Council meeting and retention allowed starting April 1, 2014.

ECOSYSTEM BASED MANAGEMENT

Final Fishery Ecosystem Plan

The Council adopted the Fishery Ecosystem Plan (FEP) and the Ecosystem Initiatives Appendix and provided guidance for implementations. The Council modified the FEP schedule so that the Annual State of the Ecosystem Report will be presented each March and the review of ecosystem initiatives will next occur in 2015 and each odd year thereafter. Further decision making on the ecosystem initiative related to forage fish management is anticipated to begin at the June 2013 meeting where the Council will review the list of authorized West Coast fisheries and consider assignments for a specialized committee to work on the matter.

ENFORCEMENT ISSUES

Regulations for Vessel Monitoring System Declarations

The Council decided that the issue of vessels using the vessel monitoring system (VMS) registered with the Office of Law Enforcement and not having a declaration could be rectified through a regulatory amendment under the groundfish fishery management plan. This has to do with VMS units that were purchased for groundfish vessels, the owners were reimbursed by NMFS, but the vessel never participated in the groundfish fishery. The vessel owners will have to declare what fishery they are participating in.

Consideration of a VMS requirement for tuna vessels longer than 24 meters will be considered as a highly migratory species plan regulatory amendment. Both of these issues will be taken up at the June Council meeting.

ADMINISTRATIVE

Future Council Meeting Agenda and Workload Planning

The next meeting of the Pacific Fishery Management Council is scheduled for June 20 – 25, 2013 at the Hyatt Regency Orange County, 11999 Harbor Blvd. Garden Grove, California. The Preliminary Agenda includes among other things:

Administrative

1. Managing Our Nations Fisheries 3 Meeting Report
2. Coastal Marine Spatial Planning Update
3. Membership Appointments (New Council Chair will be Ms. Dorothy Lowman)

Highly Migratory Species

1. US Canada Update
2. Precautionary Albacore Framework?

Groundfish

1. Status of Rationalized Fishery
2. Approve Stock Assessments
3. Trawl Rationalization Trailing Actions (EM check in)
4. Specs and Management Measures for 2015-16 and Beyond
5. Amendment 24
6. Adopt Stock Complex PPA
7. Inseason Adjustments

Managing Our Nations Fisheries 3 Conference

The Pacific Fishery Management Council is hosting the Conference to be held May 7, 8, and 9 in Washington DC. Managing Our Nation's Fisheries 3 will focus on how concepts, policies, and practice of fishery sustainability can be advanced to a higher level. Sessions will be of interest to members of the public, fishery participants, environmental advocates, fishery scientists and managers, policymakers, legislators, and journalists.

The discussion will address Magnuson-Stevens Act reauthorization issues, as well as adjustments to current management that do not require legislation to implement. The conference will provide a forum for information exchange and an opportunity to hear a wide range of perspectives on the sustainability of fish stocks and ecosystem functions, and the fishing communities that depend on them.

I was invited to the conference and will attend.

☆ This report is provided to the Central Coast Community in 2013 via a grant to the Morro Bay Community Quota Fund from the Central California Joint Cable Fisheries Liaison Committee. Any interested parties may request an email copy of future reports (as long as funding continues) by contacting Christopher Kubiak at, ckub@sbcglobal.net



Prepared April 24, 2013
By: Christopher Kubiak
Independent Fishery Services