

April 2021 Decision Summary Document

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April 8-9, 12-15, 2021

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. Results of agenda items that do not reach a level of highlight significance are typically not described in the Decision Summary Document. For a more detailed account of Council meeting discussions, see the Council meeting record and transcripts or the [Council newsletter](#).

Salmon Management

Methodology Review Preliminary Topic Selection

The Council supported the majority of items for review submitted by the Model Evaluation Workgroup (MEW), Salmon Technical Team (STT), and the Scientific and Statistical

Committee including:

1. Documentation of the Fishery Regulation Assessment Model (FRAM) program and the development of the new Chinook FRAM base period, including algorithms and User Manual (assigned to MEW).
2. Evaluate post-season metrics of FRAM model performance (assigned to MEW).
3. Provide documentation of the abundance forecast approach used for Willapa Bay natural coho (STT).
4. Review Oregon Production Index, Hatchery (OPIH) forecast (STT).

2021 Management Measures – Final Action

The Council adopted management measures for 2021 ocean salmon fisheries and will transmit its recommendations to National Marine Fisheries Service for implementation by May 16, 2021. Detailed management measures and a press release are posted on the Council's webpage.

Coastal Pelagic Species Management

Exempted Fishing Permits (EFPs) for 2021-2022 – Final Action

The Council approved three EFP proposals designed to support stock assessments for Pacific sardine. This includes a total amount of up to 830 mt for nearshore acoustic-trawl sampling, nearshore aerial surveys, and directed biological sampling.

Review of Essential Fish Habitat (EFH)

The Council approved moving forward with Phase 2 of the Coastal Pelagic Species (CPS) EFH review, to consider options for updating EFH elements in the CPS Fishery Management Plan and appendices.

Pacific Sardine Assessment, Harvest Specifications, and Management Measures – Final Action

The Council adopted final harvest specifications and management measures for the 2021 – 2022 Pacific sardine fishery. Due to the absence of acoustic-trawl survey data, these specifications are based on the 2020 stock assessment and biomass estimate:

Biomass	28,276 mt
Overfishing limit (OFL)	5,525 mt
P* (Uncertainty) Buffer	0.40
Allowable Biological Catch (ABC _{Tier 3})	3,329 mt
Annual Catch Limit (ACL)	3,329 mt
Annual Catch Target (ACT)	3,000 mt

Management Accountability Measures include:

1. Incidental sardine landing limit in other CPS fisheries of 20 percent.
2. If landings in the live bait fishery attain 1,800 mt of sardine, a per-landing limit of one mt of Pacific sardine per trip will apply to the live bait fishery.
3. If the ACT of 3,000 mt is attained, a per-trip limit of 1 mt of Pacific sardine applies to all CPS fisheries.
4. An incidental per-landing allowance of 2 mt of Pacific sardine in non-CPS fisheries until the ACL is reached.

The Council also endorsed up to 830 mt of sardine to support exempted fishing permit research (see Agenda Item E.2).

Groundfish Management

Humpback Whale Endangered Species Act (ESA) Consultation

The Council considered the four Terms and Conditions (T&C) of the most recent [humpback whale biological opinion](#) (BiOp) and adopted the following recommendations.

T&C 1: *Regarding Fixed Gear Marking*

- National Marine Fisheries Service (NMFS) should engage directly with state agencies, tribes, and industry to understand existing and planned measures regarding whale entanglement mitigation, which include but are not limited to those described in California, Oregon, and [Washington](#) Department of Fish and Wildlife reports.
- NMFS should hold workshops with fishing industry members to develop any potential new management measures related to this action.
- Dedicated Council meeting agenda items should be used to consider and provide input to NMFS on draft new management measures prior to finalization of any regulatory changes.

T&C 2: *Regarding the Groundfish Endangered Species Workgroup Terms of Reference.*

- The Groundfish Advisory Subpanel (GAP) chair will recommend a representative for the Council to appoint short-term to the Groundfish Endangered Species Workgroup (GESW) to provide additional expertise based on GESW meeting topics. This short-term appointment was made by the Council under Administrative Matter H.4 – Appointments (see below).

T&C 3: *Relating to Observer Coverage*

- Encourage NMFS to consider additional data sources including logbooks and electronic monitoring, and use the most cost-effective means to obtain scientifically defensible humpback whale bycatch estimates and reduce uncertainty.

T&C 4: *Regarding to Electronic Monitoring (EM)*

- NMFS should consult with vessel captains regarding humpback whale interactions detected through EM data as soon as possible after an event occurs.
- NMFS should consider including EM in the industry workshops noted above under T&C

1.

Scoping of Non-trawl Area Management Measures

The Council initiated the scoping process for Non-Trawl rockfish conservation area (RCA) management measures at this meeting and adopted a draft [purpose and need statement](#) for public review.

The Council plans to continue to develop a range of alternatives (ROA) to address modifying existing Non-Trawl RCA boundaries and measures to allow groundfish fishing inside the Non-Trawl RCA using only select gears that minimize bottom contact.

The Council provided the following guidance, based on GAP Report 1 recommendations, to develop the ROA:

1. Prioritize analysis of opening the existing non-trawl RCA off Oregon and California to open access fisheries using hook-and-line gear, and excluding longline, dinglebar, and pot/trap gear.
2. Conduct a [complementary](#) analysis that considers how the LEFG fishermen can access their higher trip limits within the RCA, using the above gear types.
3. Include an analysis that examines options, as described in GAP report 1, to narrow the non-trawl RCA by adjusting the seaward and/or shoreward non-trawl RCA boundaries for the following areas: 1) Point Conception, CA to 40° 10' N. lat; 2) 40° 10' N. lat to the Oregon/Washington border, and 3) the 100 fm seaward non-trawl RCA boundary off of Washington.

Additionally, the Council also requested technical assistance from NMFS on relevant topics such as habitat impacts, permits, regulations, and monitoring.

The Council did not recommend moving forward with scoping of the proposal for commercial salmon troll fishermen to retain shelf rockfish while fishing in the Non-Trawl RCA as part of this package. This item may be considered in the 2023-2024 groundfish harvest specifications and management measure process.

Sablefish Gear Switching – Identify the Gear Switching Level to Use in

Developing Alternatives

The Council adopted a maximum gear switching limit of 29 percent of the trawl sector's northern sablefish allocation. No action (i.e., no limit on gear switching) will remain an alternative. The Council is scheduled to next address this issue at its September 2021 meeting.

Cost Recovery Report and Final Regulations

The Council will consider prioritizing a review of trawl catch share program costs during the next groundfish workload and new management measures agenda item, which will be no sooner than September 2021. This review of costs related to various program elements could be considered within the scope of the trawl catch share review that is scheduled to be initiated in 2022.

The Council also took final action to modify the cost recovery fee determination for the at-sea sector so that they will be based on Pacific whiting exvessel value rather than the value of all groundfish.

Inseason Adjustments for 2021 – Final Action

The Council recommended corrections to the non-trawl RCA south of 34° 27' N. lat. in the [Groundfish Trip Limit Table 2](#) to be consistent with the Council's recommendation under the 2021-2022 groundfish harvest specifications and management measures action in June of last year. The shoreward and seaward boundaries in that area should be 100 fm to 150 fm.

The Council also recommended adjusting the incidental salmon troll lingcod allowance to one lingcod per two Chinook salmon, plus one lingcod per trip, with a trip limit of ten lingcod. This recommendation is contingent upon NMFS' determination that this action is applicable under inseason action. NMFS will investigate and inform the Council of their findings.

The Council tasked Staff and the Groundfish Management Team to modify the Chinook salmon catch table (salmon scorecard) to include the [trawl gear exempted fishing permit](#) and update the Council at the June 2021 meeting. Alternatively, the Council recommended

and update the Council at the June 2021 meeting. Alternatively, the Council recommended NMFS provide this information only at the Council's April and November meetings.

Implementation of the 2021 Pacific Whiting Fishery Under the U.S./Canada Agreement

The Council received a briefing on this year's U.S./Canada Pacific Whiting Treaty process. The Joint Management Committee, the decision-making body in the whiting treaty process, did not reach consensus on a 2021 coastwide whiting total annual catch (TAC). NMFS will therefore publish a proposed rule for a 2021 U.S. whiting TAC in late April/early May. An interim allocation of whiting to tribal and non-tribal sectors will be issued to start the whiting season on May 15, with a final rule published after public notice and comment on the proposed TAC.

Pacific Halibut Management

Incidental Catch Limits for 2021-2022 Salmon Troll Fishery – Final Action

The Council adopted final incidental halibut catch limits as follows:

Open May 16, 2021, through the end of the 2021 salmon troll fishery, and beginning April 1, 2022, until modified through inseason action or superseded by the 2022 management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Administrative Matters

Research and Data Needs Update

The Council received a briefing on a new database designed to capture priority research and data needs and provided guidance on further database development and a future process for determining research priorities. Guidance included structural changes to the database including adding a "Habitat" category to the Research Focus field, capturing all future advisory body priority recommendations in the database, and using the priority ranking system recommended by the Scientific and Statistical Committee. The Council also supported a future process of deciding research priorities every 2-3 years rather than every 5 years. They tasked Council staff and other advisors to develop process recommendations for further consideration, tentatively scheduled for fall 2021.

Legislative Matters

The Council directed staff to send a letter on Executive Order 14008 Section 216(a) regarding steps the U.S. should take to conserve at least 30 percent of U.S. lands and waters by 2030 to the Department of the Interior and Commerce, and directed staff to send a separate letter on EO 14008 Section 216(c) on increasing resilience to climate change to National Marine Fisheries Service.

Membership Appointments and Council Operating Procedures

The Council approved the [CPSMT's proposed changes](#) to Council Operating Procedure 26 regarding Coastal Pelagic Species methodology reviews.

Regarding appointments, the Council appointed Mr. Bob Eder to represent the Groundfish Advisory Subpanel and as a temporary member of the Groundfish Endangered Species Workgroup for its [April 26-28, 2021 meeting](#).

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