Agenda Item E.5 Council Action:

1. Establish scope of issues to be advanced.
2. Determine appropriate process pathway for various issues.
3. Provide guidance on development of a range of alternatives for the various issues, as appropriate.
(Culver/Lincoln) I move the Council take the following actions:

1. With regard to the Council’s proposed actions for groundfish Essential Fish Habitat (EFH) and area modifications, ensure there are clear descriptions of the Purpose and Need for EFH protection that are separate and distinct from the Purpose and Need for any proposed modifications to Rockfish Conservation Areas (RCAs) and/or Groundfish Conservation Areas (GCAs), as well as any area modifications for the purposes of protecting corals and sponges, as needed.

2. Relative to the scope of issues to be advanced for groundfish EFH and area modifications displayed in Agenda E.5, Attachment 1, Table 4:

   Item 1 – Description and Identification: Habitat Components – Revise Appendix B

   Item 2 – Description and Identification: Spatial Extent – Retain this within the scope of issues to advance

   Item 3 – Adverse Effects of Fishing (MSA and non-MSA) and Minimization Measures –

      a) Retain this within the scope of issues to advance, except exclude: the creation of marine reserves for the drift gillnet fishery in the Greenpeace proposal, further changes to “no bottom contact EFH conservation areas,” the application of the EFH Conservation Areas to midwater trawl fisheries, and changes to EFH designations or ecological closed areas in waters off the coast of Washington that overlap with the usual and accustomed fishing areas of the Coastal Treaty Tribes.

      (Strike out) amendment by Troy Buell/Jeff Feldner. Vote on Buell amendment roll call; voting no: Crabbe, Myer, Ortmann, Culver, Sones; 8 yes, 5 no. Amendment carried.

      b) Indicate the Council’s intent to request the midwater trawl fisheries (whiting and non-whiting) voluntarily avoid contacting the bottom with trawl gear in EFH conservation areas, continue to monitor and estimate whether bottom contact occurred in a manner similar to what was presented in National Marine Fisheries Service (NMFS) Informational Report 4, and assess whether regulatory measures relative to the use of midwater trawl gear in EFH conservation areas should be considered in the future, as appropriate.

   Item 4 – Non-Fishing Effects and Conservation Measures – Update Appendix D, but do not include this within the scope of issues to advance

   Item 5 – Cumulative Impacts Analysis – Include this as part of the National Environmental Policy Act analysis

   Item 6 – Conservation and Enhancement – Do not include this within the scope of issues to advance
Item 7 – Prey Species – Update Appendix B, but do not include this within the scope of issues to advance

Item 8 – Habitat Areas of Particular Concern – Do not include this within the scope of issues to advance

Item 9 – Research and Information Needs – Move prioritized research recommendations from the fishery management plan (FMP) to an appendix to allow for future updates to research and data needs without an FMP amendment and retain this within the scope of issues to advance

Item 10 – Review and Revise Process – Request Council staff and NMFS explore how a more detailed description could be developed to implement the process described in the FMP (e.g., through a Council Operating Procedure)

Item 11 – Comprehensive Trawl RCA Adjustments – Retain this within the scope of issues to advance

Item 12 – Allow Year-Round Midwater Non-Whiting Fishery – Consider this issue through the 2017-2018 biennial specifications and management process

Item 13 – Remove Small Footrope Restrictions Shoreward of the RCA – Consider this issue through the appropriate biennial specifications and management process with a focus on retaining a small footrope requirement shoreward of a depth contour delineated by coordinates (e.g., the 100-fm line) and remove any references to the RCA

Item 14 – Close the 60-Mile Bank to Reduce Cowcod Bycatch – Do not include this within the scope of issues to advance

Item 15 – Fishing in More Than One IFQ Area – Do not include this within the scope of issues to advance

Item 16 – Eliminate the Selective Flatfish Trawl Requirement Shoreward of the RCA - Consider this issue either through the “Gear Regulations Package” or the 2017-2018 biennial specifications and management process

3. For all issues identified above to be advanced for further Council consideration, request NMFS identify the appropriate authority for rulemaking, and either confirm or suggest alternative rulemaking or packaging for expediency purposes, and provide a report to the Council in June.

4. Request an update and preliminary description of the “collaborative proposal” be provided to the Council in June, and the final “collaborative proposal” be provided to the Council in September.

5. Request the Project Team move forward with developing draft alternatives for the scope of issues identified above, including a placeholder for the “collaborative proposal” and proposals to implement EFH closures within the current RCAs, and provide draft alternatives to the Council in September.
6. Also for September, request NMFS develop groundfish fishing intensity maps that reflect a more recent timeframe and post-trawl IFQ program implementation (2011-2014) and a synthesis of the proposals that were submitted in 2013.

Main Motion as amended carried unan.