

MINUTES
223rd Session of the
Pacific Fishery Management Council
April 5-10, 2014
Hilton Vancouver Washington
301 W Sixth Street, Vancouver, WA 98660

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A. Call to Order (April 5, 2014; 8:07 a.m.)

A.1 Opening Remarks

Ms. Dorothy Lowman, Council Chair, called the 223rd meeting of the Pacific Fishery Management Council (Council) to order at 8:07 a.m. on Saturday, April 5, 2014. [NOTE: A closed session of the Council was scheduled for 4 p.m. on Monday to discuss litigation and personnel matters.]

A.2 Roll Call

Dr. Donald McIsaac, Council Executive Director, called the roll. The following Council members were present:

Mr. William L. “Buzz” Brizendine (At-Large)
LCDR Gregg Casad (U.S. Coast Guard [USCG], non-voting designee)
Mr. David Crabbe (California Obligatory)
Ms. Michele Culver (State of Washington Official, designee)
Mr. Jeff Feldner (At-Large)
Ms. Joanna Grebel (State of California Official, designee)
Dr. Dave Hanson, Parliamentarian (Pacific States Marine Fisheries Commission [PSMFC], non-voting designee)
Mr. Chris Kern (State of Oregon Official, designee)
Mr. Rich Lincoln (Washington Obligatory)
Ms. Dorothy Lowman, Chair (Oregon Obligatory)
Mr. Dale Myer (At-Large)
Mr. David Ortmann (State of Idaho Official, designee)
Mr. Herb Pollard, Vice Chair (Idaho Obligatory)
Mr. Tim Roth (U.S. Fish and Wildlife Service [USFWS], non-voting designee)
Mr. Bob Turner (National Marine Fisheries Service [NMFS], West Coast Region, designee),
Mr. David Sones (Tribal Obligatory)
Mr. Gordon Williams (State of Alaska Official, non-voting designee)
Mr. Dan Wolford (At-Large)

During the week the following people were present in their designated seats for portions of the meeting: Mr. Kyle Adicks (State of Washington Official, designee); Mr. Phil Anderson (State of Washington Official); Dr. Caren Braby (State of Oregon Official, designee); Mr. Bob Farrell (State of California Official, designee); RDML Richard Gromlich (U.S. Coast Guard, non-voting); Mr. Mark Helvey (National Marine Fisheries Service, West Coast Region, designee); Ms. Gway Kirchner (State of Oregon Official, designee); Mr. Frank Lockhart (NMFS West Coast Region, designee); and Ms. Marci Yaremko (State of California Official, designee).

Mr. Dave Hogan (U.S. State Department, non-voting) was absent from the meeting.

A.3 Executive Director’s Report

Dr. McIsaac reported that Ms. Lowman has been appointed by the U.S. State Department to the position of Alternate Commissioner representing our Council on the Western and Central Pacific

Fisheries Commission (WCPFC). This is a preparatory appointment which we hope to be followed by a Presidential appointment to a permanent commissioner seat. Dr. McIsaac expressed the Council's thanks, and that provided in a letter from the U.S. State Department, for the service rendered by Ms. Marija Vojkovich who previously represented the Council in the WCPFC. He also noted some schedule changes in ancillary meetings.

A.4 Agenda

A.4.a Council Action: Approve Agenda

Dr. McIsaac noted that the Habitat agenda item (B.1) that was scheduled first thing this morning will be delayed to this afternoon to allow completion of statements by the Groundfish Advisory Subpanel (GAP) and Salmon Advisory Subpanel (SAS).

Mr. Crabbe moved and Mr. Wolford seconded **Motion 1** to adopt the Council meeting agenda as shown in Agenda Item A.4, April 2014 Council Meeting Agenda, with the changes noted by the Executive Director (rescheduling of Habitat to the end of the day).

Motion 1 carried unanimously.

B. Habitat

B.1 Current Habitat Issues (4/6/2014; 8:57 a.m.)

B.1.a Agenda Item Overview

Ms. Jennifer Gilden presented the Agenda Item Overview and referenced the following documents:

- Agenda Item B.1.a, Attachment 1: Letter on KZO Sea Farms;
- Agenda Item B.1.a, Attachment 2: Letter to USFWS;
- Agenda Item B.1.a, Supplemental Attachment 3: DRAFT Letter to NMFS regarding the Bay-Delta Conservation Plan;
- Agenda Item B.1.a, Supplemental Attachment 4: DRAFT Letter to Jean Thurston, BOEM, Regarding the Request for Competitive Interest; Potential Marine Hydrokinetic Research Lease on the Outer Continental Shelf Offshore Oregon; and
- Agenda Item B.1.a, Supplemental Attachment 5: *Federal Register* Notice dated March 24, 2014: Request for Competitive Interest; Potential Marine Hydrokinetic Research Lease on the Outer Continental Shelf Offshore Oregon.

B.1.b Report of the Habitat Committee

Mr. Joel Kawahara presented Agenda Item B.1.b, Supplemental HC Report.

B.1.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Tim Roth presented Agenda Item B.1.c, USFWS Report and Agenda Item B.1.c, Supplemental USFWS Report 2.

Mr. Mike Orcutt presented Agenda Item B.1.c, Supplemental Tribal Report of Hoopa Valley Tribe.

Mr. Richard Heap presented Agenda Item B.1.c, Supplemental SAS Report.

Mr. John Holloway presented Agenda Item B.1.c, Supplemental GAP Report.

B.1.d Public Comments

None.

**B.1.e Council Action: Consider Habitat Committee Recommendations
(4/6/2014; 10:10 a.m.)**

Ms. Gilden noted that there were three draft letters for the Council to consider: one to the Bureau of Ocean Energy Management (BOEM) regarding the wave energy test project approximately five miles off of Newport, Oregon ([Agenda Item B.1.a, Supplemental Attachment 4](#)); one to NMFS concerning the Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Bay Delta Conservation Plan (BDCP) ([Agenda Item B.1.a, Supplemental Attachment 3](#)); and a proposal to draft a letter for the June briefing book concerning the proposed boundary expansion of the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries.

Regarding the draft letter to BOEM, Mr. Chris Kern stated that Oregon Department of Fish and Wildlife (ODFW) was in concurrence with the GAP comments protesting the use of the Pacific Regional Ocean Uses Atlas Project data for Oregon. He supported the recommended paragraph from the Supplemental HC Report, but would strike the reference to using the Atlas.

The Council concurred in having the HC finalize the letter with the guidance from Mr. Kern (replace the last paragraph on page 2 of the draft letter with the paragraph in the Supplemental HC Report, striking the second-to-last sentence on using the Ocean Uses Atlas).

Since this letter was to the Federal Government, Mr. Lockhart noted that he was abstaining from the Council concurrence.

Mr. Wolford stated that the proposed letter regarding the BDCP (Agenda Item B.1.a, Supplemental Attachment 3) was a joint effort by the SAS and HC. He was very supportive of the letter and of the two changes proposed by the HC in their supplemental report (correcting one of the references and adding a kind of boiler plate statement describing the Council responsibility with regard to protecting essential fish habitat [EFH]). Mr. Roth also expressed his support for moving this forward. He, Mr. Wolford, and Mr. Pollard expressed their appreciation for the thoroughness of the letter.

Mr. Wolford moved and Mr. Brizendine seconded **Motion 6** that the Council adopt the HC's letter in Agenda Item B.1.a, Supplemental Attachment 3, with the changes noted by the HC on page 2 of Agenda Item B.1.b, Supplemental HC Report, relative to correcting the reference on page 6 and adding language at the beginning of the letter identifying the Council's responsibility with regard to EFH.

Motion 6 carried (Mr. Lockhart and Ms. Yaremko abstained).

Ms. Yaremko spoke in support of the proposal by the HC to draft a letter for the June Council meeting concerning the proposed expansion of the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries.

In response to concerns, Dr. McIsaac stated that staff would review the June agenda and ensure that all of the advisory bodies would have an opportunity to comment on the draft letter. The draft could go out before the meeting to help facilitate this.

The Council gave concurrence to the draft letter on the marine sanctuary expansion.

Mr. Wolford noted the comments of the Hoopa Valley Tribe relative to water resources on the Klamath River and thought that it would be appropriate for the Council to consider a letter regarding this issue at the June meeting.

Dr. McIsaac stated that he had a list of priorities for the HC to consider under Agenda Item J.3 for workload planning, including consideration of the issues raised by the Hoopa Valley Tribe.

C. Groundfish Management

C.1 Electronic Monitoring Program Informational Briefing (4/5/2014; 8:15 a.m.)

C.1.a Agenda Item Overview

Mr. Brett Wiedoff presented the Agenda Item Overview and Agenda Item C.1.a, Supplemental Staff Overview: PowerPoint Electronic Monitoring Program Information Briefing.

C.1.b Informational Briefing

Mr. Dave Colpo presented Agenda Item C.1.b, Supplemental PSMFC Electronic Monitoring Field Program PowerPoint with Ms. Alia Al-Humaidhi and referred to:

- Agenda Item C.1.b, Attachment 1: PSMFC Preliminary 2013 Report; and
- Agenda Item C.1.b, Attachment 2: PSMFC Supplemental Study Design.

[Council postponed this agenda item until after lunch and went on break at 10:55 a.m. to start D.1 at conclusion of break.]

C.1.c Council Questions and Discussion (4/5/2014; 1:12 p.m.)

Mr. Colpo responded to questions by the Council members concerning several topics, including costs, time involved in accounting and responding to the electronic monitoring (EM) data, the ability to determine species or species groups, training of personnel, determination of the fishes' viability, use of a discard chute, and funding status for the study.

C.2 Fisheries in 2015-2016 and Beyond: Updates and Key Decision Points Informational Briefing (4/5/2014; 1:40 p.m.)

C.2.a Agenda Item Overview

Mr. John DeVore presented the Agenda Item Overview.

C.2.b Informational Briefing

Mr. John DeVore presented Agenda Item C.2.a, Supplemental Revised Attachment 1, which covered biological impacts. Dr. Kit Dahl referenced Agenda Item C.4.a, Supplemental Attachment 9 in his presentation, which provided socio-economic impact estimates. Ms. Ames referenced Agenda Item C.4.a, Attachment 1: Action Item Checklist.

C.2.c Council Questions and Discussion

This informational briefing was for the purpose of taking questions from and familiarizing Council members with the issues and process for setting the 2015-2016 management specifications and measures under Agenda Items C.4, C.8, and C.9. Reference was made to several documents under these agenda items. No Council actions were taken under this agenda item.

[Council concluded this agenda item at 3:30 pm and moved to F.1]

C.3 National Marine Fisheries Service Report (4/6/2014; 10:46 a.m.)

C.3.a Agenda Item Overview

Ms. Kelly Ames presented the Agenda Item Overview.

C.3.b Regulatory Activities

Mr. Frank Lockhart presented the following documents:

- Agenda Item C.3.b, FR Notices: *Federal Register* Notices Published since the Last Council Meeting;
- Agenda Item C.3.b, NMFS Report: NMFS Cost Recovery Annual Report for the Trawl Rationalization Program;
- Agenda Item C.3.b, NMFS Report 2: Trawl Rationalization Compliance Summary 2013;
- Agenda Item C.3.b, Supplemental NMFS Report 3: *Federal Register* Notice dated March 12, 2014 – Final Rule: Pacific Halibut Fisheries Catch Sharing Plan; and
- Agenda Item C.3.b, Supplemental NMFS Report 4: *Federal Register* Notice dated March 19, 2014 – Fisheries off West Coast States: Pacific Coast Groundfish Fishery Management Plan; Trawl Rationalization Program; Chafing Gear Modifications.

C.3.c Fisheries Science Center Activities

Dr. Jim Hastie presented Agenda Item C.3.c, NMFS NWFSC Report: Groundfish Stock Assessment Prioritization for 2015.

Dr. Michelle McClure presented Agenda Item C.3.c, Supplemental NWFSC PowerPoint: Groundfish Science Center Report.

Mr. Dayna Matthews presented Agenda Item C.3.c, Supplemental TRAT Compliance Summary 2013.

C.3.d Reports and Comments of Advisory Bodies and Management Entities

Ms. Heather Mann presented Agenda Item C.3.d, Supplemental GAP Report.

Mr. Brian Corrigan presented Agenda Item C.3.d, Supplemental EC Report.

C.3.e Public Comment

Ms. Heather Mann, Midwater Trawlers Cooperative, Newport, Oregon.
Mr. Steve Bodnar, Coos Bays Trawlers Association, Coos Bay, Oregon.

C.3.f Council Discussion

Ms. Grebel made a comment for the record regarding Agenda Item C.3.b, Supplemental NMFS Report 3. The California Department of Fish and Wildlife (CDFW) requests, in the next Catch Sharing Plan (CSP) rulemaking under the definition of authorized officers (page 13910), that CDFW officers be listed along with Washington and Oregon state officers as being authorized to enforce the Federal CSP regulations.

Ms. Kirchner spoke to the topic of stock assessment priorities. She noted that ODFW had additional information for kelp greenling that did not fit into a depletion-based stock reduction analysis (DB-SRA). However, they will provide the information to the science center so that they can determine whether it can be a full assessment or not. She noted we are learning a lot regarding the data poor/data moderate assessments. However, she was concerned that what we are learning is not yet ready for implementation in our management. Those concerns will make her less willing to add a lot of species to this process.

Ms. Culver commented that she had some similar thoughts and has been torn between doing more stock assessments, taking a better look at the stocks we assessed this cycle, and never doing a data moderate assessment again. It would depend on how it is done, how the data are treated by the assessment authors, what areas are looked at or lumped together, and how the results are used by the Council for management. All this makes it hard to decide which stocks to select for assessment in the next cycle. She wanted to make it clear that even if stocks were selected for assessment, that did not automatically mean the results would be used in the next management cycle.

Other topics discussed by the Council included questions about the details and timing of further cost recovery discussions and developments, and clarification of the request for comments by NMFS in the proposed rule on chafing gear (i.e., preventing double-walled codends).

C.4 Biennial Specification for Fisheries in 2015-2016 and Beyond: Adopt Biennial Specifications Final Preferred Alternatives (4/6/2014; 1:23 p.m.)

C.4.a Agenda Item Overview

Mr. John DeVore and Ms. Kelly Ames presented the Agenda Item Overview and referenced:

- Agenda Item C.4.a, Attachment 1: Action Item Checklist;
- Agenda Item C.4.a, Attachment 2: Proposed 2015-2016 Harvest Specifications and Select Management Measures for Groundfish Stocks and Stock Complexes;
- Agenda Item C.4.a, Supplemental REVISED Attachment 2: Proposed 2015-2016 Harvest Specifications and Select Management Measures for Groundfish Stocks and Stock Complexes;
- Agenda Item C.4.a, Attachment 3: Excerpted Portions of the Preliminary DEIS concerning the Biological Risk Analysis for Select Stocks and Stock Complexes;

- Agenda Item C.4.a, Attachment 4: Proposed FMP Language under the Amendment 24 Alternatives;
- Agenda Item C.4.a, Attachment 5: Preliminary Draft of the 2014 Stock Assessment and Fishery Evaluation Document (Electronic Only);
- Agenda Item C.4.a, Attachment 6: Preliminary Draft “Groundfish Harvest Specifications and Management Measures and Amendment 24: Draft Environmental Impact Statement “(Electronic Only);
- Agenda Item C.4.a, Attachment 7: Excel Workbook containing Historical Landings and Revenue Tables for the Groundfish Fishery (Electronic Only – Excel Workbook);
- Agenda Item C.4.a, Attachment 8: Adopted Schedule for Developing the 2015-2016 and Beyond Groundfish Harvest Specifications and Management Measures; and
- Agenda Item C.4.a, Supplemental Attachment 9: Tables of Fishery Impacts under the alternatives under 2015-2016 Action Alternatives.

C.4.b Reports and Comments of Advisory Bodies and Management Entities

Agenda Item C.4.b, GMT Report: Appendix B to Proposed Harvest Specifications and Management Measures for the 2015-2016 Pacific Groundfish Fishery and Amendment 24 to the Pacific Coast Groundfish Fishery Management Plan Preliminary Draft Environmental Impact Statement (Electronic Only).

Ms. Meisha Key presented Agenda Item C.4.b, Supplemental SSC Report.

Mr. Dan Erickson presented Agenda Item C.4.b, Supplemental GMT Report 2.

Mr. Gerry Richter and Mr. Dan Waldeck presented Agenda Item C.4.b, Supplemental GAP Report. Agenda Item C.4.b, Supplemental NMFS Report.

Ms. Gway Kirchner presented Agenda Item C.4.b, ODFW Report: Oregon Department of Fish and Wildlife Comments Regarding the Recent Model Development and OFL Determination for Kelp greenling for 2015-2016 Harvest Specifications.

Ms. Michele Culver presented Agenda Item C.4.b, WDFW Report: Washington Department of Fish and Wildlife Report on Groundfish Biennial Harvest Specifications and Management Measures for 2015-2016 and Beyond.

C.4.c Public Comment (4/6/2014; 3:24 p.m.)

Agenda Item C.4.c, Public Comment.

Agenda Item C.4.c, Public Comment 2.

Agenda Item C.4.c, Supplemental Public Comment 3.

Agenda Item C.4.c, Supplemental Public Comment 4

[Ms Linda and Mr. Mick Buell (did not testify).]

Bill James, Port San Luis Commercial Fisherman’s Association, Avila Beach, California.

[Council suspended this agenda item at 3:33 p.m. until after F.2 at 3:48 pm]

Mr. Mark Cedergreen, Westport Charterboat Association, Westport, Washington.

Mr. Jeff Miles, fisherman, Port Orford, Oregon.

Mr. Ron Mason, Oregon Coalition for Educating Anglers, Corvallis, Oregon.

Mr. Gerry Richter, Point Conception Groundfishermen’s Association, Santa Barbara, California.

Mr. Seth Atkinson, Natural Resources Defense Council, San Francisco, California.

Mr. Ralph Brown, fisherman, Brookings, Oregon.

Mr. Tom Burlingame, Neah Bay, Washington.

Mr. John Corbin, Buck & Ann Fisheries, Ilwaco, Washington, presented Agenda Item C.4.c, Supplemental Public Comment 6: Letter from Buck & Ann Fisheries, LLC.

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon.

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

Ms. Heather Mann, Whiting Fisheries, Agenda Item C.4.c, Supplemental Public Comment 5: Joint Letter regarding the West Coast Rougheye Rockfish Meeting.

C.4.d Council Action: Adopt Final Preferred Harvest Specifications for 2015-2016, Decide a Final Preferred Amendment 24 Alternative, if Possible, and Provide Guidance on the FMP Language necessary for Amendment 24 (4/6/2014; 4:52 p.m.)

Ms. Culver moved and Mr. Lincoln seconded **Motion 8** that the Council adopt the OFLs for 2015 and 2016 as recommended by the Scientific and Statistical Committee (SSC) (Table 1 in Agenda Item C.4.a, Supplemental REVISED Attachment 2) except for kelp greenling in Oregon and Washington; and (adopt) the OFLs for Washington cabezon as displayed in Table 3 that is associated with a P* of 0.45.

Ms. Culver stated that the SSC has reviewed the stock assessments and have provided their recommendations to the Council that the OFLs as displayed in Table 1 (except for Oregon and Washington kelp greenling) and Table 3 for Washington cabezon represent the best available science and endorse them for use in management specifications for 2015-2016.

Motion 8 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 9** that the Council adopt the OFLs for 2015 and 2016 as recommended by the SSC for leopard shark and California kelp greenling as displayed in Table 2 of Agenda Item C.4.a, Supplemental REVISED Attachment 2.

Ms. Culver stated that these OFLs were the recommendations of the SSC as the best available science to use for management at this time.

Motion 9 carried unanimously.

Ms. Culver moved and Ms. Kirchner seconded **Motion 10** that the Council adopt the ABCs displayed in Table 2, Table 3, and Table 4 in Agenda Item C.4.a, Supplemental REVISED Attachment 2 consistent with the preliminary preferred alternative P* decisions, except spiny dogfish would have a P* of 0.40.

Ms. Culver stated that the Council had approved a preliminary preferred alternative (PPA) P* of 0.45 for all stocks and complexes with the exceptions noted in footnote 1 of Agenda Item C.4.a, Attachment 1. Speaking to the exceptions for arrowtooth flounder and lingcod south of 40°10' N. latitude, spiny dogfish, starry flounder, and longspine and shortspine thornyheads, she noted that they are all category 2 assessments. With regard to sablefish, she noted they had a steepness that was highly uncertain in the last assessment and that was the justification for a P* of 0.40. It seems appropriate to continue with that, given we do not have a new full assessment for this cycle.

Relative to spiny dogfish, there were two issues regarding the uncertainty in the F_{MSY} . That has been addressed to some degree. However, the minimum stock size threshold was not defined and it is appropriate to credit going from a P^* of 0.35 up to 0.40, but not all the way to a P^* of 0.45 at this time.

Motion 10 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 11** that the Council confirm the PPA ACLs displayed in Table 4 of Agenda Item C.4.a, Supplemental Revised Attachment 2, except, for spiny dogfish, establish an ACL equal to the ABC with a P^* of 0.40 and Dover sole and widow rockfish be addressed under Agenda Item C.9 based on the Groundfish Management Team (GMT) addressing the GAP recommendations.

Ms. Culver stated that footnote 2 in Attachment 1 speaks to the Council's PPA ACL decisions and raised the issue of Dover sole and widow rockfish. Both the GMT and GAP expanded on that issue and there should be more discussion and reports under Agenda Item C.9 to determine the Council's action for those stocks. Setting the spiny dogfish P^* at 0.40 is consistent with the action the Council took for the acceptable biological Catch (ABC).

Motion 11 carried unanimously.

Ms. Grebel moved and Mr. Brizendine seconded **Motion 12** that the Council adopt a final preferred alternative (FPA) ACL for cowcod of 10 mt and an FPA ACT of 4 mt for cowcod south of 40° 10' N. latitude as displayed in Table 5, Agenda Item C.4.a, Supplemental Revised Attachment 2.

Ms. Grebel noted that this ACL does correspond to the status quo spawning potential ratio (SPR) harvest control rule. Cowcod is rebuilding ahead of schedule and this ACL would add one year to rebuilding beyond the zero fishing option with a greater than 50 percent probability of rebuilding by the new T_{MAX} of 2057. As previously discussed in November, the ACT of 4 mt would still be precautionary, but would also provide the opportunity to maintain the status quo depth restrictions for the recreational fishery to 60 fathoms. There isn't much bycatch information to inform the needs of our fixed gear fisheries for cowcod, and this ACT would accommodate both the recreational fishery and the uncertainty we have with bycatch in the other sectors.

Motion 12 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 13** that the Council confirm its ecosystem component species designations as displayed in Table 4 on page 12 of Agenda Item C.4.a, Supplemental REVISED Attachment 2; and note that it would include all other skates except longnose skates.

Ms. Culver stated that the GMT did a very thorough job in exploring the management unit stocks and ecosystem component stocks that are in the fishery and had a series of alternatives that the Council had considerable discussion on and selected a PPA. This action confirms that PPA. She understood that there had been a question relative to all other skates as being an ecosystem component that technically would have included longnose skate which the Council had previously broken out to manage separately. Her motion makes this separation explicit.

Motion 13 carried unanimously.

Ms. Culver moved and Ms. Kirchner seconded **Motion 14** that the Council manage kelp greenling coastwide, Washington cabezon and leopard shark together in an “other fish complex” (which is essentially status quo); under that status quo approach there would not be any contributions for Oregon/Washington kelp greenling and the specifications would be based on California kelp greenling, Washington cabezon, and leopard shark.

Ms. Culver stated her appreciation for the thought and consideration that has gone into restructuring the other fish complex and creating a shallow groundfish complex by the SSC, GMT, and GAP. She noted that the removal of leopard shark to be managed separately with its own harvest specifications would require a separate trip limit, sorting requirement, and reporting—all new requirements. WDFW believes that retaining the other fish complex and status quo management is consistent with the SSC recommendations for Option 2 on how to address Washington and Oregon kelp greenling. WDFW also thinks that this (not separating out leopard shark) would help lessen the additional regulatory requirements, changes, and analyses that are needed. The approach in the motion seems to be what is needed to meet the January 1 harvest specification delivery.

Mr. Lincoln stated he would support the motion, but that he thought it should be only a temporary measure until we are able to deal with new assessments for greenling in the next management cycle.

Ms. Culver stated that it was her intent that this would only be for the 2015 and 2016 cycle. We would continue to need to revisit stock assessments for kelp greenling in the next cycle. She appreciated there being two options, but she didn’t think waiting until June for Option 1 would be prudent with our process and schedule. She didn’t think it fully addresses the problems and concerns that have been raised with the kelp greenling data-moderate assessment and would only be a temporary measure. Our desire for a full assessment still stands and it really is because of the need to have something done at this meeting and to address the potential regulatory requirements associated with breaking leopard shark out separately at this time that her motion has them retained in the other fish complex.

Ms. Kirchner added that we have state regulations (landing caps) that manage kelp greenling in both the sport and commercial fisheries in Oregon and do not have a concern with leaving it in the complex, as we have those controls already.

Mr. Lockhart was concerned about the reason for keeping leopard shark in the complex—was it just about process rather than any conservation concern.

Ms. Culver stated it wasn’t a conservation issue. All three states have adequate management measures in place for the near shore stocks, including inseason management, and it wouldn’t matter if leopard shark was included. The GMT raised some good points from the perspective of leopard shark not fitting in a shallow round fish complex. However, her motion was intended to eliminate the need for considerable new sorting and reporting requirements, changes, and analyses

that would delay the season start. She asked Mr. Lockhart to confirm whether or not she was right in assuming those would be required.

Mr. Lockhart stated that if leopard shark was managed under its own ACL it would have a sorting requirement.

Ms. Grebel noted that California already has specific bag and size limits in state regulations for leopard sharks as well as closed areas.

Motion 14 carried unanimously.

After some discussion over process, Ms. Culver proposed guidance for Agenda Item C.9 to the effect that the GAP and GMT consider the issue of managing the minor nearshore rockfish at the complex level north of 40° 10' N. latitude with state-specific harvest guidelines and a minimum of two alternatives for allocation of those harvest guidelines as follows:

1. Alternative 3 in Supplemental GMT Report 2 – allocation based on miles of coast line in each state north of 40° 10' N. latitude; and
2. Informed by the average landings as displayed in Table 2 of Supplemental GMT Report 2.

Ms. Grebel asked that the GMT be allowed to also consider a hybrid approach for further development.

Council gave consensus to this guidance for C.9.

Mr. Devore noted that the Council has not given any guidance on Amendment 24.

Ms. Grebel asked for a progress report from the GMT relative to the management measures as to what has been completed.

Ms. Culver asked, and the Council concurred, that guidance for Amendment 24 be provided under Agenda Item C.9.

C.5 Implement 2014 Pacific Whiting Fishery under the U.S.-Canada Whiting Agreement (4/7/2014; 8:04 a.m.)

C.5.a Agenda Item Overview

Mr. John DeVore presented the Agenda Item Overview and referenced:

- Agenda Item C.5.a, Attachment 1: Status of the Pacific Hake (Whiting) Stock in U.S. and Canadian Waters in 2014 with a Management Strategy Evaluation (Full Version Available Electronic Only);
- Agenda Item C.5.a, Attachment 2: Table 1. Estimates of Pacific whiting mortality from 2007-2012 for Research and the Pink Shrimp Fishery; and
- Agenda Item C.5.a, Supplemental REVISED Attachment 2: Table 1: Estimates of Pacific whiting mortality from 2007-2012 for Research and the Pink Shrimp Fishery.

C.5.b Joint Management Committee Report

Mr. Frank Lockhart commented on the Joint Management Committee (JMC) meetings. Mr. Anderson included remarks on the JMC meetings.

C.5.c Reports and Comments of Advisory Bodies and Management Entities

Mr. Dan Erickson presented Agenda Item C.5.c, Supplemental GMT Report.
Mr. Dan Waldeck presented Agenda Item C.5.c, Supplemental GAP Report.

C.5.d Public Comment

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

C.5.e Council Action: Consider any Necessary Action for Implementation of the 2014 Pacific Whiting Fishery

Mr. Lockhart stated that he had talked to Dr. McClure of the NWFSC and she was uncomfortable with the GAP recommendation for the set-aside (1,000 mt). Dr. McClure indicated that her staff are intending to do additional research which will likely impact whiting, and would like a set-aside of 2,500 mt. That is her recommendation to the Council. Mr. Lockhart expressed appreciation for the role Dr. McClure played as the Scientific Research Committee Chair in the JMC process.

Mr. Anderson asked if the 2,500 mt included the pink shrimp fishery. He wondered where that number had come from.

Mr. Lockhart responded that it is the total number for both fisheries. Dr. McClure had explained to Mr. Lockhart that the number came from a discussion with her staff that perform research that may affect whiting, and they indicated they may catch more than in 2012. However, Mr. Lockhart had not seen the actual calculations.

Mr. Anderson moved and Mr. Lincoln seconded **Motion 15** that the Council adopt 1,500 mt as the set-aside in 2014 for research activities and the incidental catch in the pink shrimp fishery.

Mr. Anderson stated that the highest estimate of mortalities in research in Agenda Item C.5.a, Supplemental REVISED Attachment 2 since 2007 was 1,062. There is some indication of a need for a little bit higher level this year. When you look at the pink shrimp fishery incidental catch of whiting, you can see the reduction due to the excluders coming forward in that timeframe. There is a large biomass of whiting and it would be reasonable to assume there will be some additional incidental catches associated with the pink shrimp fishery. However, it is hard to estimate the increase, so he has included a little buffer with the 1,500 mt set-aside to accommodate both the research and pink shrimp fisheries incidental catch.

Mr. Myer asked what the process will be if the set-aside limit is exceeded by the research before the end of the year.

Mr. Lockhart stated that this action sets aside an amount of whiting for research and the pink shrimp incidental catches, but the overall concern for the end of the year is about exceeding the total allowable catch of whiting from all effort. If that will not be exceeded, we are fine. If it looks

like the total might be exceeded, we would need to come back before the Council to determine what to do, but we see that as unlikely.

Motion 15 carried unanimously.

C.6 Sablefish Catch Share Program Review Phase 1 (4/7/2014; 9:12 a.m.)

C.6.a Agenda Item Overview

Mr. Jim Seger presented the Agenda Item Overview (Agenda Item C.6.a, Supplemental Staff Overview PowerPoint) and introduced the following documents:

- Agenda Item C.6.a, Attachment 1: Preliminary Draft and Outline, Pacific Coast Groundfish Limited Entry Fixed Gear Sablefish Permit Stacking Program Review;
- Agenda Item C.6.a, Attachment 2: Sablefish Permit Stacking Program – Action Issues: Draft Council Decision Analysis Document; and
- Agenda Item C.6.a, Supplemental Attachment 3: Sablefish Permit Stacking Program – Action Issues: Electronic Fish Ticket Analysis.

Ms. Ariel Jacobs presented Agenda Item C.6.a, Supplemental NMFS PowerPoint: Sablefish Permit Stacking Program-action Issues, Electronic Fish Ticket Analysis.

C.6.b Reports and Comments of Advisory Bodies and Management Entities

Ms. Ariel Jacobs presented Agenda Item C.6.b, Supplemental NMFS PowerPoint: The Paper Suboption.

Ms. Meisha Key presented Agenda Item C.6.b, Supplemental SSC Report.

Mr. Tommy Ancona presented Agenda Item C.6.b, Supplemental GAP Report.

Mr. Dayna Matthews presented Agenda Item C.6.b, Supplemental EC Report.

C.6.c Public Comment

Mr. Bob Alverson and Mr. Paul Clampitt, Fishing Vessels Owners Association, Seattle, Washington.

Ms. Michelle Longo-Eder, F/V Timmy Boy, Newport, Oregon.

Mr. Gerry Richter, fisherman, Santa Barbara, California.

C.6.d Council Action: Adopt Preliminary Preferred Alternatives for Electronic Fish Tickets and Permit Control Rule; Provide Guidance for Program Review and Related Actions, as Appropriate

Mr. Seger directed the Council to provide comments to help refine the preliminary draft sablefish program review document (Agenda Item C.6.a, Attachment 1), especially with regard to conclusions. Staff will take input at this meeting and incorporate and expand the review for final consideration at the June Council meeting.

Ms. Culver expressed her appreciation for the amount of work that has gone into producing Attachment 1 and has found the information to be very helpful, especially the compilation of background information from many older documents into one that is currently available. However, she would like to see more background relative to the overall 230 limited entry fixed gear (LEFG)

permits and fishery rather than just the 164 sablefish-endorsed permits. She would also like more background information on the process the Council used to determine the number of gear endorsements for each gear type. She noted that the listing of objectives in Table 2-2 was useful, as well as the description of how the program has met those objectives. She would like to see more about how the management issues and the fishery have changed and evolved since the objectives were developed. There is a lot of information in Attachment 1 relative to the change from the derby-style sablefish fishery. However, she is more interested in how the management issues in the broader context have changed since the inception of the program which was prior to having any overfished rockfish stocks or rockfish conservation areas (RCAs). With these changes, it may be appropriate for the Council to reconsider its objectives or look at ways the program may be improved to meet those objectives. She would like more information from 2002 to the present.

Ms. Culver stated that she understands we will be taking a closer look at the program review in June and have a discussion of whether or not the Council believes anything needs to be addressed following the June meeting. One of the things she would be interested in is an exploration of whether or not to allow those with longline endorsements to also be able to use or switch to pot gear. There may be possible reductions in rockfish and Pacific halibut bycatch by switching to pot gear. This could also apply to the IFQ fishery by allowing a switch from trawl to longline or pot gear.

Mr. Seger indicated that the drafting team could provide more information in the June version of the document along the lines requested by Ms. Culver, and would also try to address the comments provided by the SSC. The Council then directed its attention to a discussion of the preliminary preferred alternatives for the rules for assessing permit control as provided in Attachment 2.

Ms. Culver referred to Attachment 2 with the description of the alternatives for the permit ownership as displayed on pages 8-9. She stated that she had a much greater appreciation now for the complexity around the permit ownership issue, which was helped greatly by the Council staff PowerPoint presentation and flow chart. She recommended that the description in the document needs to be expanded with the type of information in the presentations so we are all clear on the alternatives and their impacts.

Ms. Culver moved and Mr. Lincoln seconded **Motion 16** that the Council select Alternative 2a as a preliminary preferred alternative as written in Agenda Item C.6.a, Attachment 2, on Page 9.

[Alternative 2a: Status Quo for permit ownership (any percentage ownership in a permit is a count of 1), however, holding a permit is counted only if the vessel owner has a greater than 20 percent share. Partial vessel ownership is capped at two vessels (i.e., the exemption for having 20 percent or less ownership in a vessel could only be used twice).]

Ms. Culver stated that she believes this motion would address the problem that has been explained in public comment and by Council and NMFS staff and is appropriate for the Council to select as a preliminary preferred alternative at this time. She will look for further input by staff and industry members to confirm that this alternative appropriately addresses the problem before we go final.

Motion 16 carried unanimously.

The Council began discussion of alternatives for the use of electronic fish tickets (e-tickets) as provided in Agenda Item C.6.a, Supplemental Attachment 3.

Mr. Farrell noted that Alternative 4 (F.6.a, Attachment 3) appears to be preferred and he agrees with that. However, by including the open access fishery, it may place an undue burden to fill out an electronic fish ticket on fishermen that are not targeting sablefish. Also, the transportation receipt piece needs to be fleshed out in terms of how we implement the alternative.

Dr. Braby wanted to be certain about whether or not the transportation receipt would still be legal under the e-ticket alternative.

Mr. Lockhart replied that the e-ticket would be a Federal requirement, and that the transportation receipt could continue on the state level. It is a little unclear that if someone filled out a transportation receipt they would still need to fill out an e-ticket.

Mr. Matthews reported that in the IFQ fishery the e-ticket number simply needs to be recorded on the transportation receipt. It could be done that way in the fixed gear fishery or by some other alternative. He thought that could be worked out as we finalize the options.

Ms. Culver stated it is her understanding for these sablefish alternatives that the process would be similar to that in the trawl IFQ fishery. The e-ticket requirement is triggered by fish being delivered to a first receiver. If fish are offloaded, but not delivered to a first receiver, they could be recorded on a transportation receipt and trucked to a first receiver. Alternatively, if the fish are offloaded to a first receiver they would use an e-ticket and then be trucked to the processing plant.

Mr. Matthews confirmed that Ms. Culver's description was generally correct. He noted that in the IFQ fishery they also require a site license which ties the e-ticket number to the site, because there are large numbers of fish being landed. Landings are much smaller in the sablefish fishery and may just be loaded into a pickup. That is why it may be more practical to just record the e-ticket number on the transportation receipt.

Mr. Wolford noted that Alternative 4 needs considerably more clarification.

The Council had considerable discussion about the details of what triggers the e-ticket, how it is tied to the transportation receipts, and how to limit the burden on the industry. Mr. Mathews clarified that what was meant by "all" sablefish was limited to targeted sablefish deliveries (open access, 300 pounds DTL fishery).

Ms. Culver commented that in filling out the alternatives, she would like to see some comparison with the IFQ fishery. It seems like one system could work for both fisheries and many buyers are already familiar with the IFQ system. If we need a different system, then we could identify why it had to be different.

Mr. Lockhart moved and Dr. Braby seconded **Motion 17** (referring to Agenda Item C.6.a, Supplemental Attachment 3) to remove the paper ticket suboption from Alternatives 2 through 4, and the sentence stating "That tier permits be loaded into the IFQ Vessel Account System with

deductions made as appropriate when a tier delivery is made and recorded on the E Fish Ticket” be removed from all action alternatives.

Mr. Lockhart stated that, especially in light of the discussion the Council just had, he didn’t think any further consideration of the paper ticket suboption would have much value. Regarding the requirement for loading tier permits into the IFQ account system, he thought that would unduly limit the analyses, and getting rid of it allows us to consider other options as we are refining the alternatives.

Ms. Culver stated she is not sure she would want to totally disallow the use of paper tickets, and it is confusing as to where they are and are not required.

Mr. Lockhart stated that removing the language for paper tickets does not disallow its use by the states. He is just making it clear that the use of paper tickets alone is not going to work. This would not supplant the states’ requirements.

Ms. Culver responded that Mr. Lockhart’s statement helped, but the issue was still not clear to her. She was willing to let it go for now, understanding that Alternative 1 (status quo) would be paper tickets. With regard to the tier permits being loaded into the IFQ Vessel Account System, she was not sure what is being proposed. If you remove that, is something else going to be proposed to track tier limit attainment?

Mr. Lockhart said that this requirement is just a little too specific. It requires that the data has to be loaded into the system when a tier delivery is made. By removing this sentence, there is some flexibility as to when the data will be loaded into the system. The data will be loaded into the system at some point. We need to work out when the appropriate time is.

Motion 17 carried unanimously.

Dr. Braby commented that the Oregon requirement to document the Federal permit number on the fish tickets was implemented at the first of the year, and the state is ready to implement electronic fish tickets immediately on this fishery. The work on electronic fish tickets for the IFQ fishery has paid off as we anticipated it would to pave the way for other fishery sectors. If we can use the system in place for the IFQ, that would be preferable rather than starting from scratch.

Ms. Culver agreed with the comments from Oregon. She noted that Washington had a little bit different situation due to the allowance for incidental halibut landings north of Point Chehalis. There should be the appropriate fields to capture that information in the new design. She also wanted to make sure the e-tickets still came directly to the states as in the IFQ program, and the state would upload the data in the PacFIN system as a separate process.

Mr. Lockhart agreed with the comments provided by Oregon and Washington.

C.7 Electronic Monitoring Program Development Including Preliminary Approval of Exempted Fishing Permits (4/7/2014; 1:21 p.m.)

C.7.a Agenda Item Overview

Mr. Brett Wiedoff presented the Agenda Item Overview and introduced the following documents:

- Agenda Item C.7.a, Attachment 1: Table 1: General Introductory Display of Electronic Monitoring Alternatives;
- Agenda Item C.7.a, Attachment 2: Table 2: Medium Level Descriptive Display of EM Alternatives;
- Agenda Item C.7.a, Attachment 3: Table 3: Detailed Descriptive Display of EM Alternatives;
- Agenda Item C.7.a, Attachment 4: Notice Letter Regarding EM EFP Process;
- Agenda Item C.7.a, Attachment 5: Council Operating Procedure 19;
- Agenda Item C.7.a, Attachment 6: Silva EFP Application;
- Agenda Item C.7.a, Attachment 7: Leipzig EFP Application;
- Agenda Item C.7.a, Attachment 8: California Risk Pool EFP Application;
- Agenda Item C.7.a, Attachment 9: Mann/Paine EFP Application;
- Agenda Item C.7.a, Attachment 10: Adopted Process and Schedule to Consider EM Regulations;
- Agenda Item C.7.a, Supplemental Attachment 11: Timeline-EFP's vs. EM Regulatory Package; and
- Agenda Item C.7.a, Supplemental Attachment 12: EFP- Use of EM in West Coast Trawl Fishery on Vessels Utilizing Fixed Gear (Eder, Parker, Corbin, Blue).

C.7.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Jon McVeigh and Dr. Michelle McClure presented Agenda Item C.7.b, Supplemental NMFS PowerPoint: NWFSC Observer Program Considerations for EM/ER Implementation.

Mr. Frank Lockhart presented Agenda Item C.7.b, NMFS Report: WCGOP Impact Analysis.

Mr. Brett Wiedoff presented Agenda Item C.7.b, GEMTAC Report: GEMTAC Report to Council.

Mr. Dan Erickson presented Agenda Item C.7.b, Supplemental GMT Report.

Mr. Tommy Ancona presented Agenda Item C.7.b, Supplemental GAP Report.

Mr. Dayna Matthews presented Agenda Item C.7.b, Supplemental EC Report.

Ms. Meisha Key presented Agenda Item C.7.b, Supplemental SSC report.

C.7.c Public Comment

Ms. Michele Longo Eder and Mr. John Corbin, F/V Timmy Boy and F/V Buck and Ann, Newport, Oregon and Ilwaco, Washington (respectively).

Ms. Lisa Damrosch (Half Moon Bay Groundfish Marketing Association), Ms. Michelle Norvell (Fort Bragg Groundfish Association), Ms. Alexa Fredston-Hermann (Environmental Defense Fund) and Ms. Kate Labrum (The Nature Conservancy), presented Agenda Item C.7.c, Supplemental Public Comment: EDF PowerPoint: Optimized Retention and Electronic Monitoring for California Risk Pool Groundfish IFQ Vessels in 2015 and 2016.

Mr. Pete Leipzig, Fisherman's Marketing Association, McKinleyville, California.

Ms. Heather Mann (Midwater Trawlers Cooperative) and Mr. Brent Paine (United Catcher Boats), Newport, Oregon and Seattle, Washington (respectively).

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon.
Mr. Tom Libby, California Shellfish Company, Astoria, Oregon.
Mr. Seth Atkinson, Natural Resources Defense Council, San Francisco, California.
Mr. Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon.

C.7.d Council Action: Guidance on Electronic Monitoring Program Development and Consideration of Preliminary Approval of Exempted Fishing Permits for Electronic Monitoring in the Limited Entry Trawl Groundfish Fisheries (4/8/2014; 8:11 a.m.)

The Council began with providing guidance on further development of the EM program.

Mr. Lockhart noted that his statement yesterday was not a NMFS EM proposal, but rather just an example of what NMFS might be able to do when considering their resources and current workload. He was not recommending removal of any of the EFPs at this time, and could support further consideration of them in June.

Ms. Culver wondered what NMFS might allow under maximized/optimized retention for an EFP with regard to what could or could not be discarded (e.g., Pacific halibut). She thought there needed to be some consistency and clarification on this issue.

Mr. Lockhart stated that there has been a lot of discussion and refinements for maximized retention, and they have thought about the need for an EFP to move forward on this. They think they could resolve a lot of uncertainties about maximized retention just by going through a regulatory process. He was not sure of the answer with regard to the example of Pacific halibut.

Ms. Lowman stated that it was important that the Council continue to refine the alternatives and these will inform the EFPs and the regulatory process.

Mr. Pollard agreed and noted that Attachment 3 was an example of the alternatives and options that the Council would refine to guide the process.

Ms. Culver stated that whether in the context of regulations or EFPs, WDFW would need to have some coordination as to what is expected for those species that are retained but are unmarketable or forfeited to the state if they are prohibited species. In some cases there could be large quantities of fish for the state to deal with. She presumes that what is allowed in the maximized retention option would have to meet with the IFQ provisions in that they could not fish in a deficit IFQ situation. Mr. Lockhart agreed, unless there was a risk pool or some other provision to cover the overage.

Ms. Culver had a question about who would be doing the video review and who would pay for it.

Mr. Lockhart responded that there would need to be further discussions about that. For now, we anticipate it would be NMFS staff with the possibility of there being a contract with PSMFC. He is currently leaning toward a combination of the two, but further discussion is necessary.

Ms. Culver was in agreement with that approach. She noted that it has been suggested or assumed that through some of these EFPs the applicant would be able to do their own review or contract for the review.

Ms. Culver had one final concern. She wondered if NMFS anticipated an increase in the cost recovery rates, specifically for motherships, if any of the EM program options went to regulations.

Mr. Lockhart stated it would need to be considered and he could see certain circumstances that may increase that cost.

Mr. Crabbe noted and Mr. Lockhart agreed that some of the costs might be absorbed by the industry and not go through cost recovery.

Mr. Crabbe asked Mr. Lockhart if he thought the processing of data through the EM program would be less costly than through the observer program.

Mr. Lockhart replied that they will need to look at this in more detail and did not have any conclusions on what will be subject to cost recovery.

Council members discussed the general process and form that the EM program might take, what was needed in the GEMPAC process, and the need to determine the full scope of the costs, including enforcement costs. Ms. Kirchner noted that we could use the former whiting EFP to answer some of these questions with regard to maximized retention and Pacific halibut. Mr. Myer expressed the need to move towards optimized retention and not making the EFPs overly restrictive and out of touch with the reality of the fisheries.

Ms. Lowman referred to page 3 of Agenda Item C.7.a, Attachment 3 and noted the “Discard at Will” option. She stated that while we may want to keep that option in there for discussion, she didn’t think we would ever allow discarding completely at will. The attention should be focused on the optimize and maximize retention alternatives.

Mr. Farrell offered some guidance on the eligibility for camera use criteria on page 1 of Attachment 3. He noted that in addition to a bar on eligibility for exceeding a certain amount in civil penalties, we should also include criminal penalties in the criterion.

Ms. Lowman stated that unless she missed it, there didn’t seem to be any mention in the alternatives as to who pays. That issue and discussion should be included. (Dr. McIsaac noted that the payment question with regard to the scientific observers was listed in 1.c under Council Action.)

With no further comments of Council guidance, Mr. Pollard directed the Council toward making recommendations for further consideration of EFPs. EFP applicants would take any recommendations and incorporate them into their EFPs for final approval at the June Council meeting.

Mr. Myer recommended that all of the EFP’s should be standardized with a two-year duration to avoid going into another management cycle. An EFP could be pre-empted earlier if needed.

The Council generally agreed, and Ms. Lowman suggested that there be a check-in prior to the second year to guide any necessary modifications.

Mr. Crabbe stated that there could be a need to have observers on board for the first couple of days of the EFP to address the learning curve and ensure the program were operating properly. He understood that would be an additional cost, but felt that issue had to be addressed some way in the EFP.

Ms. Culver agreed and stressed the need to have observers to ensure the evaluations of the EM program for various gear types was useful and accurate.

The Council discussed the various effects of having observers on the boat at some level less than 100 percent, the lack of ability to identify species in the EM program, some possible unintended consequences of observers, the experience and lack of experience in monitoring among the sectors, the roles of the GEMPAC and Groundfish Electronic Monitoring Technical Advisory Committee (GEMTAC), and the need to meet conservation requirements and ensuring the overall success of the EFPs.

Mr. Lockhart moved and Mr. Ortmann seconded **Motion 18** that the Council forward the EFP applications for further consideration at the June Council meeting as contained in Agenda Item C.7.a: Attachment 7 (Leipzig); Attachment 8 (California Risk Pool); Attachment 9 (Mann/Paine); and Supplemental Attachment 12 (Eder et al).

Mr. Lockhart stated that the proposed EFPs in the motion are in a good state of development and provide us with a great range of things that need further consideration to move forward with the EM Program. They all need some work. He noted that the Silva application is not very complete at this time and it does not make sense to move it forward. The four EFPs in the motion should provide the information the Council needs to make its decision in June. He would like the applicants to consider all the items discussed in the committee reports and also the information in the Council floor discussion. He anticipates the applicants would submit revised EFPs in time for the June Council meeting.

Ms. Culver moved and Mr. Lincoln seconded to amend **Motion 18** (Amendment 1) as follows:

- Leipzig EFP – limit the number of vessels to 6 and to require 100 percent observer coverage;
- California Risk Pool EFP – limit the number of vessels to 6 and require 100 percent observer coverage on the bottom trawl vessels;
- Eder et al EFP - limit the number of vessels to 4;
- Mann/Paine (whiting) EFP - limit the number of vessels to 6; and
- Require all EFP applicants to provide a list of the vessels and processors that will be participating in the EFP to NMFS and the states a minimum of 30 days before the commencement of the EFP.

Ms. Culver stated that we have had prior PSMFC studies on the whiting and fixed gear fisheries in which some of these vessels have participated. She believes we have a higher degree of

information for those sectors from the PSMFC studies, which gives her more comfort for moving forward with those EFPs. The vessels and fisheries in the motion present very different operations and risks in volume and diversity of species. Granting an exception is not taken lightly and needs an informed decision by the Council. This is still in the experimental phase and there still needs to be observers on the bottom trawl fishery. She fully recognizes the observer effect and views these requirements as being in place for the first year of the EFP. If necessary, we can modify the EFP in the check-in prior to the second year. She noted that we have learned from PSMFC that there were times that the observer detected a discard that the camera did not; that a discard occurred even if they could not tell the species. That can happen under all types of poor or glaring light conditions. She believes there is a higher degree of risk on a bottom trawl vessel, given the volume of fish being caught. There is risk to our other fisheries and she did not think we have fully heard from those other sectors (e.g., the recreational sector) about what impact these EFPs might have. She would not advocate that the bottom trawl EFP be able to retain Pacific halibut. We have made great strides in our reduction of Pacific halibut bycatch through our IFQ program. She doesn't want to risk losing that by allowing all of the halibut or even that of six trawl vessels to be landed with 100 percent mortality that could come off the top of the recreational allocation. We will need more discussion and consideration on Pacific halibut discard as well as that of all prohibited species before we consider that issue for a potential change in regulations.

Mr. Myer commented that Mr. Leipzig had made it clear they did not want to retain halibut.

Dr. Hanson noted that Pacific halibut was not included in the motion.

Ms. Culver proceeded to explain her intent with the amendment. It is guidance to the applicants who will take it into account and provide a response and modified EFP proposals in June. At that time, she expects some applicants may state that the limits in the amendment do not work for them and the Council can consider that input in their final decision. Her point is that we need to limit the number of participants in the EFPs, and she would like to hear a response (in June) to the limits she is proposing. She wants to obtain useful information from the EFPs, but to keep it at a reasonable level that the state can manage. She listed all of the various extra requirements that the EFPs could put upon the state management.

In response to a question, Ms. Culver stated that the list of vessels and processors required to be provided a minimum of 30 days prior to commencement of the EFP's could be adjusted during the experimental period, likely during the check-in prior to the second year.

Ms. Kirchner moved and Mr. Feldner seconded Amendment 1a to Amendment 1 so that it would read:

- Leipzig EFP - limit the number of vessels and require up to 100 percent observer coverage;
- California Risk Pool EFP - limit the number of vessels and require up to 100 percent observer coverage on the bottom trawl vessels;
- Eder et al. - limit the number of vessels;
- Limit the number of vessels on the Mann/Paine EFP to 6; and
- Require all EFP applicants to provide a list of the vessels and processors that will be participating in the EFP to NMFS and the states a minimum of 30 days before the commencement of the EFP. [unchanged]

Ms. Kirchner stated that she was not comfortable having open-ended EFPs, but was also not comfortable putting a cap on them at this meeting. She would like the applicants to have the expectation of a reasonable limit on the number of participants that they could bring back to the Council in June. She would also like to hear from the applicants on what they believe would be a reasonable level of observer coverage. She did remove whiting from this amendment. She has worked with the shoreside whiting component when ODFW ran the EFP, and she does not see a need to cap that sector. She believes they are well versed in the use of an EM program. [Council subsequently decided she had not actually removed whiting and dealt with that in Amendment 1b.]

Ms. Culver stated she was fully in support of the amendment and removing the limitation on whiting.

Ms. Kirchner clarified that the level of observer coverage could be variable up to 100 percent, but not zero. The level could be changed up or down during the two-year period.

Amendment 1a carried unanimously.

Ms. Lowman moved and Ms. Kirchner seconded Amendment 1b to strike the sentence “Limit the number of vessels on the Mann/Paine EFP to 6.”

Ms. Lowman stated that she did not want to set a limit now but rather have the applicants return in June with a reasonable proposal for the Council to consider.

Amendment 1b carried unanimously.

Mr. Wolford noted the discussion they had had on Pacific halibut and thought some statement about halibut should be included in the Council guidance.

Ms. Culver suggested as guidance that the trawl vessels participating in EFPs could not retain Pacific halibut.

Mr. Wolford moved and Mr. Crabbe seconded Amendment 1c that applicants should address the halibut issue within the EFPs with the intention that halibut retention not be permitted.

Mr. Wolford stated that there is a reasonably good case for not retaining halibut. To do so would return to the days of significant halibut bycatch coming off the top of the directed halibut fishery allocations. It is possible that the applicants have a case for retaining halibut and, if so, he would like to hear that from them.

Ms. Kirchner commented that she would expect the whiting EFP to come back requesting an allowance to land unsorted catch which could include halibut as has been done in the past. The Council would be able to evaluate that on its own merit. Mr. Wolford agreed.

Amendment 1c carried unanimously. Amendment 1, as amended, carried unanimously. **Motion 18**, as amended, carried unanimously.

Mr. Lockhart indicated that NMFS would provide some information on the NMFS workload for the EFPs and other specifics of implementation at the June meeting.

The Council then proceeded with comments on the schedule and process for the EM program development, including prioritization of the EFPs over the regulatory process with final determination on the EFPs in June and checking on the regulatory process in September.

Mr. Lockhart thought it would be important for the EFP applicants to have some time at the May GEMPAC meeting to discuss the EFP issues prior to the June meeting and then perhaps meet with the GEMPAC and GEMTAC between the June and September meetings to consider regulatory issues.

Ms. Lowman thought there was some linkage between work on the EFPs and the alternatives and that there would need to be some work on the alternatives to inform the EFPs.

Ms. Culver expressed concern for the lack of attention given to EM by the advisory bodies due to their focus on the management specifications which will also take up all of their time in June. She thought the discussion on the proposed regulation alternatives would benefit by information from the advisors, especially the GMT. However, their workload will not allow it. She also thought the Council would have difficulty finding time in June. If we waited until September, we would be able to get some input from the GMT on the regulatory issues.

Ms. Lowman agreed with the concern over workload. However, she believes there are some issues with the regulatory package that could affect EFPs and the overall development of the program that could cause problems if they are delayed. She agreed with Mr. Lockhart that it would be useful to have a session for EFP consideration at the GEMPAC/GEMTAC meeting scheduled in May.

Dr. McIsaac noted that the notice for the May GEMPAC/GEMTAC meeting has already gone out and that the EFPs were not included in the agenda. However, Council staff would work with NMFS staff to see if an additional meeting could be convened later in May. Dr. McIsaac recalled that when the Council previously set the EM schedule they did not want the EFP process to displace the regulatory process, which was set to conclude in September. These issues can be worked out further under agenda planning in J.3. In response to an observation from Mr. Wolford, Dr. McIsaac noted that the EM program could be phased in as some sectors might be more ready to transition than others.

Mr. Pollard concluded by noting that the Council had provided some guidance, but had declined to provide any motions on the current range of proposed alternatives. The EFPs have become the primary focus for the Council at this meeting, based on a sense of urgency to keep the program development on a timely schedule.

C.8 Fisheries in 2015-2016 and Beyond: Stock Complex Restructuring Final Action (4/8/2014; 11:22 a.m.)

C.8.a Agenda Item Overview

Mr. John DeVore presented the Agenda Item Overview and introduced the following attachments:

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- Agenda Item C.8.a, Attachment 1: Slope Rockfish Stock Complex Reorganization Alternatives;
- Agenda Item C.8.a, Attachment 2: Creating a Coastwide Rougheye/Shortraker Complex: An Alternative to Continued Management within the Slope Rockfish Stock Complexes; and
- Agenda Item C.8.a, Supplemental REVISED Attachment 3: Excerpted Portions of Appendix B of the Preliminary Draft 2015-2016 Groundfish Harvest Specifications and Management Measures Environmental Impact Statement Relevant to Slope Rockfish Complex Management.

Mr. Lockhart and Mr. Colby Brady provided some comments and responded to questions on Agenda Item C.8.a, Attachment 2.

C.8.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Tommy Ancona presented Agenda Item C.8.b, Supplemental GAP Report.

[Council adjourned for lunch followed by a short Closed Session]

Mr. Robert Jones presented Agenda Item C.8.b, Supplemental GMT Report.

C.8.c Public Comment

Mr. Kevin Dunn, trawl fisherman, Astoria, Oregon.

Ms. Donna Parker, Arctic Storm, Seattle, Washington.

Mr. Mike Story, FV Pegasus, Siletz, Oregon.

Mr. Ralph Brown, Fisherman's Marketing Association, Brookings, Oregon, presented Agenda Item C.8.c, Supplemental Public Comment: PowerPoint presentation regarding rougheye.

Mr. Dan Waldeck, Pacific Whiting Conservation Cooperative, Portland, Oregon.

Mr. Brad Pettinger, Oregon Trawl Commission, Brookings, Oregon.

Mr. Jeff Lackey, F/V Miss Sue, Newport, Oregon.

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon.

Ms. Heather Mann, Midwater Trawlers Cooperative, Newport, Oregon.

Mr. Robert Smith, Midwater Trawlers Cooperative, Newport, Oregon.

Chris Cooper, Midwater Trawlers Cooperative, Newport, Oregon.

Bob Alverson, Fishing Vessels Owners Association, Seattle, Washington.

C.8.d Council Action: Adopt Preliminary Preferred Alternative for Slope Rockfish Stock Complexes (4/8/2014; 3:33 p.m.)

Ms. Grebel moved and Dr. Braby seconded **Motion 19** that the Council adopt status quo as a preliminary preferred alternative for slope rockfish complexes.

Ms. Grebel stated that her motion is only setting the PPA and does not address narrowing the range of options which could be adopted in a follow-up measure. In 2008 or 2009, the GMT completed a productivity and susceptibility analysis (PSA) which indicated that rougheye and shortraker rockfish had some of the highest PSA scores, indicating that they had a high vulnerability to overfishing. This did not indicate that they were overfished or that overfishing was occurring. It

simply highlighted that these stocks may warrant more attention. Due to this concern, the Council took a proactive approach and prioritized a full stock assessment for rougheye. The assessment indicated that rougheye were not in dire straits, as previously thought, and indicated that the West Coast stock is currently at 47 percent of the unexploited level and remains above the B_{MSY} proxy level of $B_{40\%}$. This indicates rougheye is a healthy stock, and the Council approved the stock assessment for management as the best available science. The SSC also noted in their September 2013 report that the harvest rates of rougheye rockfish have been close to or above the F_{MSY} proxy of $F_{50\%}$ since the mid 1980s, including 4 of the last 10 years. This suggests that the harvest of rougheye rockfish needs to be more closely monitored in the future, not that specific action was required in the immediate future. The Council practice is to manage stocks at the complex level as a whole, not as individual components, unless otherwise specified (as with blackgill rockfish under a harvest guideline). Managing to individual components adds complexity for managers and harvesters. If there is no conservation need, the Council should prioritize management simplicity, not complexity.

Ms. Grebel continued by stating that total mortality of the slope rockfish complex has been below the ACL in recent years, and the ACL is expected to only increase in 2015-2016 based on previous decisions under Agenda Item C.4. In this respect, the current complexes are working and the corresponding management measures are also working. We have not exceeded any ACLs, nor any harvest guidelines. If complex management is working and there is no conservation concern, it does not seem like there is anything that needs changing at this time. In fact, in Table 4, even assuming the highest recent year total mortality removals, the stock is projected to stay above 47 percent for all of the next 10 years. Where is the conservation concern?

Ms. Grebel acknowledged that the landings (of the slope rockfish complex) in previous years have been higher. However, this needs to be put into perspective. The trawl fishery is now operating under IFQ. She believes landings prior to the IFQ program are not relevant to the current projections. We should be looking at landings from 2011 onward and, as the public and GAP have stated, there are already steps being taken to address better accountability as well as the ability, desire, and intent to reduce rougheye and shortraker interactions if that has not already happened.

Ms. Grebel stated that the fixed gear fleet also encounters rougheye and shortraker, and some fishermen may have been targeting them in recent years. However, they have also been put on notice and are aware that they need to avoid these stocks. She would expect interactions to decline in the future simply because the consequences of not doing so are too great. She believes the fleets are willing and capable of implementing voluntary changes to their fishing strategy to avoid these species if requested, and that they would prefer to make voluntary changes. If industry does not respond, more restrictions can be implemented in the future. She does not want to add new and perhaps costly management restrictions which could significantly impact the fisheries when no problem has been demonstrated. The Council has thoroughly considered the issues, and the information does not demonstrate any need to make a change to the current slope rockfish complexes. The Council has many tools available to address conservation concerns that can be used without delaying implementation of the management specifications. The GMT and GAP have also identified some other tools, such as the sorting requirement, which could provide useful information in the future without necessarily imposing an excessive burden on the fleet.

Ms. Culver stated that all the advisory statements and public comments have helped her to better understand the problems raised in this issue, and also that it is good news that the stock is actually healthy and increasing. The ability to target harvest and avoid disruption in the fishery varies by sector. By managing at the complex level, the Council's management tools are fairly limited. Some fishermen have taken it upon themselves to help reduce their impacts, and the IFQ gives the Council a tool to keep the trawl fishery accountable. However, providing the right amount of IFQ for individual fishermen to avoid unnecessary disruption would be improbable. Consequently, she is in favor of the motion. However, she believes the Council should take a step further and understand that we have more to come under Agenda Item C.9 and in June, and will offer an amendment to the motion.

Ms Culver moved and Mr. Lincoln seconded Amendment 1 to retain the language in the original motion and add "with a sorting requirement for rougheye and blackspotted rockfish."

Ms. Culver stated that we will get a more refined look at this from the GMT and GAP under Agenda Item C.9, and also in June. However, right now it is prudent that the Council indicate that it is worth tracking rougheye and blackspotted rockfish within the complex. She is not proposing that we set a harvest guideline or a limit, but that we have a sorting requirement to help us to better monitor our catches.

Amendment 1 carried unanimously. **Motion 19**, as amended, carried unanimously.

Dr. Braby moved and Mr. Feldner seconded **Motion 20** that the Council remove the three alternatives in Agenda Item C.8.a, Attachment 1 from further consideration by the Council, and select NMFS Action Alternative Option A (Fishery Harvest Guideline) in Agenda Item C.8.a, Attachment 2 to move forward for further consideration.

Dr. Braby stated that there is a lot of information and alternatives that have been provided by the advisors and public. Now there is a need to pare down the PPA selection to a more manageable level. Her motion supports the GMT suggestion to eliminate the three alternatives in Attachment 1. Further, the NMFS alternatives range from acknowledging the potential for industry to collaborate through avoiding sector allocation issues to using refined management tools of allocating individual trawl quota. We have also heard from industry that they are already taking steps to avoid the necessity of taking extreme management steps to control the landings of rougheye, and are supportive of additional management tools, such as sorting requirements in the next specifications cycle. So we are in a position of putting forth a status quo PPA, but have a counter point to compare it to. This particular action alternative (Option A) allows for that collaboration among industry sectors to continue, but also takes an action. It provides the least impactful action alternative with which we can move forward for comparison. Dr. Braby noted that this approach has a lot of industry consensus and should not negatively impact the start date of the fishery.

Motion 20 carried unanimously.

[This agenda item concluded at 4:17 p.m. and Council resumed with H.1 after a 15 minute break]

C.9 Fisheries in 2015-2016 and Beyond: Adopt Management Measures Preliminary Preferred Alternatives (4/9/2014; 1:43 p.m.)

C.9.a Agenda Item Overview

Ms. Kelly Ames and Mr. John DeVore presented the Agenda Item Overview.

C.9.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Dan Erickson presented Agenda Item C.9.b, Supplemental GMT Report.

Ms. Heather Reed presented Agenda Item C.9.b, Supplemental GMT Report 2.

Mr. Tommy Ancona presented Agenda Item C.9.b, Supplemental GAP Report.

Mr. Brian Corrigan and Capt. Bob Puccinelli presented Agenda Item C.9.b, Supplemental EC Report.

C.9.c Public Comment

Mr. Rod Moore, West Coast Seafood Processors Association, Portland, Oregon.

Mr. Gerry Richter, Santa Barbara, California.

Mr. Gerry Richter read Mr. Jeff Miles' (Port Orford, Oregon) statement into the record.

Mr. Bill James, Port San Luis Fisherman's Association, Avila Beach, California.

C.9.d Council Action: Adopt Any Remaining Harvest Specifications and Preliminary Preferred Alternatives for Management Measures in 2015-2016 and Beyond Fisheries (4/9/2014; 3:46 p.m.)

Ms. Ames stated that in addition to the actions specified in the situation summary for this agenda item, the Council will need to select an FPA for Amendment 24 (postponed action from Agenda Item C.4) and FPA ACLs for Dover sole and widow rockfish.

Ms. Kirchner moved and Mr. Feldner seconded **Motion 22** that the Council adopt a 50,000 mt ACL for Dover Sole as the PPA.

Ms. Kirchner stated that the GMT statement did a good job of identifying the issues and benefits of a higher ACL for Dover sole. She noted that catches of Dover sole have been relatively low in the past several years and there is little risk of the ACL being exceeded in the next two years. The harvest is under the IFQ program, so there would be accountability and monitoring as the fishery progresses. These facts give her comfort with increasing the ACL. In future cycles it may be appropriate to set the ACL in a similar manner to the other ACLs. However, she understands that the analysis indicates this is not warranted at this stage. This higher ACL should not be a constraint on the fishery and does not pose a conservation issue.

Ms. Culver noted that Ms. Ames had indicated the ACLs for Dover sole and widow rockfish should be FPAs if possible.

With approval of the second, Ms. Kirchner withdrew **Motion 22**.

Ms. Kirchner moved and Mr. Feldner seconded **Motion 23** that the Council adopt a 50,000 mt ACL for Dover Sole as the FPA.

Motion 23 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 24** that the Council adopt a 2,000 mt ACL for widow rockfish as the FPA.

Ms. Culver stated that she appreciated the recommendations of the GAP and public to use the maximum ACL of 3,000 mt and understood the concern that widow may be constraining industry access to yellowtail rockfish. However, she hesitated to go to the maximum amount, noting that we have not yet had a formal allocation of widow rockfish now that it has been declared as rebuilt. She urged the Council to set a formal, long-term allocation for widow, and would be more comfortable to have the fishery operate as an IFQ with observer coverage, knowing that widow tends to intermingle with yellowtail and canary rockfish. She has a concern with the potential bycatch of canary, but given that the IFQ fishery allows for individual accountability, she is comfortable with increasing the widow ACL by 500 mt. Hopefully, that will help us to see if it is constraining access to yellowtail and gives industry the ability to catch more fish.

Motion 24 carried unanimously.

Mr. Sones provided guidance for the tribal fishery set-aside for rougheye of 38 mt.

[The following motions are in reference to the Action Item Checklist (Agenda C.4.a, Attachment 1).]

Ms. Grebel moved and Mr. Wolford seconded **Motion 25** that the Council confirm PPA harvest guidelines for the following:

- Blue rockfish in California (i.e., statewide), within the nearshore rockfish complexes north and south of 40° 10' N. latitude, and
- Blackgill rockfish within the slope rockfish complex south of 40° 10' N. latitude.

Ms. Grebel stated that these harvest guidelines are consistent with our previous management. The blue rockfish guideline has been in effect since at least 2009 and the blackgill guideline was adopted in the last specifications cycle. Both guidelines appear to be working and keeping catches within the allowable limits. This is status quo from the previous cycles.

Motion 25 carried unanimously.

Ms. Grebel moved and Mr. Brizendine seconded **Motion 26** that the Council confirm as PPAs the two-year trawl and non-trawl allocations for:

- Overfished species: bocaccio, canary, cowcod, petrale,¹ and yelloweye;
- Longnose skate: trawl (90 percent) and non-trawl (10 percent) allocation;
- Shelf rockfish north trawl (60.2 percent) and non-trawl (39.8 percent) allocation; and
- Shelf rockfish south trawl (12.2 percent) and non-trawl (87.8 percent) allocation.

^{1/} The Amendment 21 allocation for petrale sole has been suspended since the stock is overfished and under a rebuilding plan. The action alternatives analyzed the status quo allocation (35 mt to non-

trawl and the remainder to trawl). Further, the Council requested an analysis that would give 15 mt to the non-trawl sector and the remainder to the trawl sector.

Ms. Grebel stated that there was never any intent to modify the two-year trawl and non-trawl allocations for any of these species, and her motion just confirms this. The allocations are simply status quo regulations, as she has not received any new information that would suggest changes to the allocations.

Ms. Ames clarified that the footnote information is the status quo implementation for petrale sole.

Motion 26 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 27** that the Council confirm the PPA for the at-sea whiting set-asides as displayed in Agenda Item C.4.a, Supplemental REVISED Attachment 2, Table 15, but remove the set-aside for “other fish” and spiny dogfish.

Ms. Culver stated her motion maintained the values found in our no-action set-aside values with the exception of arrowtooth flounder for which the GMT had proposed an increase from 20 mt to 45 mt to accommodate recent catches in the at-sea fisheries. There is considerable support to remove spiny dogfish and “other fish” in the GMT and GAP statements for this agenda item. Using a P* of 0.4, there is more than enough ACL to accommodate catches of spiny dogfish in all sectors combined, and a set-aside for the at-sea sectors in 2015 and 2016 is not necessary.

Motion 27 carried unanimously.

Ms. Grebel moved and Ms. Culver seconded **Motion 28** that the Council adopt a PPA two-year within trawl harvest guideline or shares for the following:

- Overfished species including bocaccio and cowcod;
- Black rockfish - 58 percent Oregon; 42 percent California;
- Blue Rockfish - 40°10' adjustment for California;
- Blackgill south of 40°10' N. latitude - 40°10' adjustment; 60 percent limited entry and 40 percent open access fixed gears;
- Sablefish south of 36° N. latitude - 55 percent limited entry; 45 percent open access fixed gears; and
- Nearshore rockfish harvest guideline north of 40°10' N. latitude – the three alternatives recommended in Agenda Item C.9.b, Supplemental GMT Report 2 (no PPA and remove previous alternatives).

Ms. Grebel stated that, for the overfished species, the GMT recommended that there were no issues with the bocaccio and cowcod within the non-trawl harvest guidelines or shares. However, there are still some remaining issues to be reconciled with canary and yelloweye rockfish which can be finalized in June. The black rockfish allocation represents the formal catch sharing arrangement between the two states which has been in effect for some time and appears to be working. The blue rockfish 40° 10' N. latitude adjustment indicates the stock is still in the precautionary state and applies to California only. Blackgill rockfish south of 40°10' N. latitude is likewise in a precautionary state, and the allocation between limited entry and open access fixed gear is a target that the GMT has used in the past to help design the trip limits that we have had in place. No new

information indicates these need to be changed. The same is true for the allocation of sablefish south of 36° N. latitude. The GMT described three different alternatives for nearshore rockfish. The motion would put all three alternatives forward without a preferred alternative, as there is still more consideration that needs to be had on this issue.

Motion 28 carried unanimously.

Ms. Kirchner moved and Mr. Feldner seconded Motion 29 that the Council adopt for public review and identify as PPAs the following: the season structures (including but not limited to RCA configurations, trip limits, and bag limits) associated with the harvest specifications PPA (Alternative 3 in Agenda Item C.4.a, Attachment 6) for the trawl, non-nearshore, and nearshore commercial fisheries and the Oregon recreational fisheries with the following adjustments:

- Trawl seaward RCA Boundary of 150 fathoms and shoreward boundary of 100-fathoms between 40°10' N. latitude and 48°10' N. latitude for all periods.
- A recreational sub-bag limit of one canary rockfish per angler within the marine bag limit for the Oregon recreational fishery.

Ms. Kirchner stated that her proposed PPAs are fairly similar to status quo. The trawl RCA adjustment reflects the Council action last September with the intention to implement and carry it forward into additional cycles. The sub-bag limit was recommended in the GAP report with public support as well over the last several years. The Oregon recreational fishery has always ended well under the canary harvest guidelines, and analysis indicates that we can accommodate one canary rockfish per angler within the harvest guideline. This would allow some fish to be landed, provide data on canary rockfish, and generally be a good move for the fishery.

Mr. Lockhart asked if Ms. Kirchner were concerned about any high grading of canary.

Ms. Kirchner stated that the bulk of the fishery occurs inside 30 fathoms, and there is not a population of canary rockfish that you can target there. Recreational fishers are catching incidental canary while fishing for black rockfish, lingcod, and other species. Ms. Kirchner confirmed that this motion covers action items 15, 16, 17, 19, and 30. Action item 21 is not included in this motion.

Motion 29 carried unanimously.

Ms. Culver moved and Mr. Lincoln seconded **Motion 30** that the Council adopt as a PPA the Washington Recreation Preferred Season Structure as described in Agenda Item C.9.b, Supplemental GMT Report 1, and include a trawl RCA boundary at 300 fathoms and 350 fathoms for analysis.

Ms. Culver stated that in June WDFW would provide further analysis of potential recreational measures in light of the nearshore rockfish decisions that were made this week. However, for now, the PPA remains as described in the GMT report, which is essentially status quo with some relatively minor modifications that would help reduce the impacts to the minor nearshore stocks. The addition of the trawl RCA boundaries for analysis is in response to the request in Supplemental GMT Report 2, page 3, item B.1 to have them available for inseason management.

Motion 30 carried unanimously.

Ms. Grebel moved and Ms. Kirchner seconded **Motion 31** that the Council adopt a PPA for the California recreational season dates, bag limits, and area closures as described in Agenda Item C.4.a, Attachment 6, and include a 3-fish lingcod bag limit.

Ms. Grebel stated that CDFW analyzed three different recreational fishery options that included trade-offs between maximizing depth and maximizing season length. All of the options include a 60 fathom depth restriction in the southern management area and a 3-fish lingcod bag limit. The results of an analysis of these alternatives indicates a good range with regard to season length and area that should cover the uncertainty of our nearshore fishery. Therefore, we are not designating a PPA at this time, and all of our current limits under status quo would apply.

Motion 31 carried unanimously.

Mr. Sones stated that the tribes are not proposing any management changes at this time. The intent is for status quo guidance.

Ms. Grebel moved and Mr. Brizendine seconded **Motion 32** that the Council adopt the RCA trawl boundary adjustments as shown in Agenda Item C.9.b, Supplemental GMT Report 2, and the 60 fathom RCA adjustments from Agenda Item C.9.b, Supplemental GAP Report.

Ms. Grebel stated the GMT report identifies that they have been working on the RCA boundary modifications for the trawl sector which are substantially complete and could be completed by June. Therefore she would like to move forward on that. She noted that the GAP statement identified a 60 fathom request for southern California that was submitted on time, and she would like to see that move forward. However, the 50 fathom request was not submitted in time, so she is not seeking to move that forward.

Motion 32 carried unanimously.

Ms. Grebel moved and Ms. Kirchner seconded **Motion 33** that the Council adopt as PPAs the following trip limit adjustments:

- Shortspine thornyhead north of 34°27' N. latitude – Status Quo;
- Bocaccio south of 34°27' N. latitude – recommendation in Agenda Item C.9.b, Supplemental GAP Report;
- Shelf rockfish south of 34°27' N. latitude – Option 2a (LE 4,000 lbs/2months; OA 1,500 lbs/2 months);
- Lingcod - analyze the following alternatives for June:
 - LE Option 2a and 2b for periods 3, 4, 5, and November (1,200/1,600 lbs); for periods 1, 2 and December (200 lbs per 2 months);
 - OA Option 2a and 2b for periods 3, 4, 5, and November (600/800 lbs per month); for periods 1, 2, and December (100 lbs per month);
 - Maintain Period 2 closure south of 40°10' N. latitude; and
- Slope rockfish north of 40°10' N. latitude – analyze trip limits in the non-trawl fishery for June.

Ms. Grebel stated that the shortspine thornyhead analysis indicated the fishery was already close to attaining its harvest guideline. On that basis she is comfortable with the current trip limits and did not want to increase them. Regarding bocaccio, her motion adopts the GAP recommendation which noted that when the Council increased shelf rockfish trip limits there was not a corresponding increase for bocaccio to go with that. Her motion would help maintain the landing ratio. Shelf rockfish landings are far below the ACL, and the dual increase would maintain the catch proportions. Bocaccio is not fully rebuilt, but is rebuilding, and they are being encountered more frequently. The increase in allowable catch would help reduce discards. The intent of her motion regarding lingcod is to merge the results of two analyses—that of a trip limit increase and of opening the spawning closure. She would like to know the cumulative impacts of merging these two approaches. Maintaining the Period 2 closure south of 40° 10' N. latitude would align our current shelf and nearshore closure in California. If we left it open, it could create some discard issues. She added the caveat that if and when that closure was ever lifted, that we could look at eliminating the lingcod closure as well. The intent for slope rockfish follows information in the GAP report about possible reductions in trip limits. The motion formally gives the GMT direction to look at some trip limit reductions in the non-trawl fishery, leaving it to their discretion about the best approach—whether to reduce the complex as a whole or to introduce a sub-limit on rougheye. She stated that she omitted the GAP lingcod option because it was a new alternative and she had concerns about yelloweye interactions and overfished species. She thought that the GMT analysis indicated the limits would accommodate most of the discard. She saw this as a middle ground to give individuals some opportunity to retain lingcod.

Motion 33 carried unanimously.

Ms. Kirchner commented that no action is needed on action item 24. It will move forward into the alternatives. Her next motion would address action items 25, 26, and 27.

Ms. Kirchner moved and Mr. Feldner seconded **Motion 34** that the Council request analysis of the rougheye groundfish closure areas be moved to the omnibus package, and that the spiny dogfish groundfish closure area and the mandatory use of rockfish excluders be removed from the list for analysis. Additionally, analysis of a 50 fathom RCA line for the Oregon recreational fishery should be included in the omnibus package.

Ms. Kirchner stated the GMT has reported that they would not be able to complete the analysis of the rougheye groundfish conservation closure areas for June. Therefore, it is more appropriate to move that forward through the omnibus package for use in management at some future point. The analysis has also shown us that there is not a need for a spiny dogfish closure area at this time, and the mandatory use of excluders is also not ready. Therefore, her motion requests them to be removed from the list for analysis. She thought there had been a discussion regarding a 50 fathom line for the Oregon recreational fishery, and would like to see that analysis in the omnibus package so that it might be available in the future.

Ms. Culver moved and Mr. Lincoln seconded Amendment 1 to change the motion to: “analysis of a 50 fathom RCA line for the Oregon and Washington.”

Ms. Culver stated that Washington has had discussions with their recreational fishers similar to those in Oregon, and wanted analysis of some possible options for restraining the nearshore rockfish harvest within the guideline other than the current 20 fathom restriction.

Amendment 1 carried unanimously.

Ms. Grebel moved and Mr. Wolford seconded Amendment 2 to add to **Motion 34** (in the last sentence before “should”): “and commercial gear restrictions for targeting flatfish in California.”

Ms. Grebel stated that the consideration of commercial gear restrictions for targeting flatfish was not pressing at this point. However, she would like to see some progress made on this issue, depending on the workload of the limited staff.

Amendment 2 carried unanimously. **Motion 34**, as amended, carried unanimously.

Ms. Ames confirmed that the mid-water recreational fishery analysis is in the omnibus package.

Ms. Ames noted that the remaining Council action was with regard to confirming the PPA for Amendment 24 or to select an FPA for Amendment 24, and to provide any guidance on the FMP language.

Mr. Lockhart stated that NMFS would prefer not to confirm the PPA or select an FPA for Amendment 24 at this time. There needs to be more analysis, and NMFS would like to discuss the amendment language with the Council staff.

D. Enforcement Issues

D.1 Annual U.S. Coast Guard Fishery Enforcement Report (4/5/2014; 11:05 a.m.)

D.1.a Agenda Item Overview

Mr. Jim Seger presented the Agenda Item Overview.

D.1.b U.S. Coast Guard Annual West Coast Fishery Enforcement Report

RDML Richard Gromlich presented Agenda Item D.1.b, Supplemental USCG PowerPoint, with LCDR Greg Casad, LCDR Joseph Giammanco, and Mr. Dan Hardin.

D.1.c Reports and Comments of Advisory Bodies and Management Entities

None.

D.1.d Public Comments

None.

D.1.e Council Discussion

Mr. Farrell offered an acknowledgement and appreciation on behalf of the State of California and the Law Enforcement Division for the work of the USCG.

E. Open Comments

E.1 Comments on Non-Agenda Items (4/5/2014; 4:49 p.m.)

E.1.a Advisory Body and Management Entity Comments

Ms. Michelle McClure presented Agenda Item E.1.a, Supplemental NFMS Report.

Mr. Joel Kawahara presented Agenda Item E.1.a, Supplemental HC Report.

E.1.b Public Comment

Agenda Item E.1.b, Open Comment 1: Letter from Turtle Island Restoration Network regarding the decisions made at the March 2014 Council Meeting regarding drift gillnet monitoring, management and alternative gear.

Agenda Item E.1.b, Supplemental Open Comment 2: Letters from Mr. Peter Flournoy, Alaskan Observers, Inc., and FVOA.

Mr. Robert Smith, Plauche & Carr, Seattle, Washington presented Agenda Item E.1.b, Supplemental Open Comment 3: PowerPoint from Catalina Sea Ranch: KZO Sea Farms.

Mr. Bob Alverson, Fishing Vessels Owners Association, Seattle, Washington commented on endangered seabirds (letter found as part of Agenda Item E.1.b, Supplemental Open Comment 2, pages 13-20).

Ms. Heather Mann, Midwater Trawlers Cooperative, Newport, Oregon commented regarding the legislation for the refinance of the buyback loan provisions.

Ms. Gillie Lyons, Save Our Wild Salmon Coalition, Portland Oregon commented on the Council's letter to the Power Council last fall.

Mr. Ralph Brown, fisherman, Brookings, Oregon spoke about the fishing communities.

Mr. Steve Bodnar, Coos Bay Trawlers Association, Coos Bay, Oregon gave an invitation to a reception.

Mr. Dan Wolford commented about the Saltwater Recreational Summit held on April 1-2.

Mr. Mark Gorelnik, Mr. Louis Zimm, and Mr. Tom Marking presented information on the Recreational Summit.

E.1.c Council Discussion and Comments as Appropriate

Mr. Brizendine noted the letter regarding HMS issues in the briefing book and would like to discuss it more under Agenda Item J.3.

Mr. Roth expressed his support regarding the NMFS pilot study addressing specific habitat conservation objectives for Council-managed species on the West Coast. He stressed the importance of habitat to rebuilding Council fisheries and suggested a Council letter of support by early May to help move this work forward.

Other Council members expressed concern about responding with a letter to an item in open public comment that had no scheduled Council action.

Ms. Lowman responded that consideration of this issue and any letter would occur under Agenda Item J.3. The Council concurred.

Ms. Culver commented on the short-tailed albatross issues raised by Mr. Alverson. She noted that there was a good presentation available and other information sources on this issue that the Council, advisors, and fishermen might find to be helpful. Mr. Lockhart indicated he would work with the Council Executive Director and Chair to find a spot where the presentation might fit on the Council agenda. Ms. Lowman stated that we could follow up on this in Agenda Item J.3.

Ms. Yaremko commented regarding the KZO sea farms. She wondered if it was possible for the Habitat Committee to follow up on this in June. Dr. McIsaac made a note of that request.

Ms. Culver asked Mr. Lockhart if the HC could get an update on what is being done with consultations with regard to groundfish EFH. Mr. Lockhart thought that could be done. Ms. Yaremko would like to expand the scope to the other fisheries as well. Mr. Lockhart stated that would be harder, but likely could be done.

F. Salmon Management

F.1 Tentative Adoption of 2014 Ocean Management Measures for Analysis (4/5/2014: 3:35 p.m.)

F.1.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview and introduced the following documents:

- Agenda Item F.1.a, Attachment 1: Emergency Changes to the Salmon FMP; and
- Agenda Item F.1.a, Attachment 2: FR 97-22094: Policy Guidelines for the Use of Emergency Rules.

F.1.b Update of Estimated Impacts of March 2014 Alternatives

Dr. Robert Kope presented *Preseason Report II: Proposed Alternatives and Environmental Assessment Part 2 for 2014 Ocean Salmon Fishery Regulations: Regulation Identifier Number 0648-XD072*.

F.1.c Summary of Public Hearings

Mr. David Crabbe presented Agenda Item F.1.c, Supplemental Hearing Report 3: Santa Rosa, California Public Hearing Summary.

Mr. Jeff Feldner presented Agenda Item F.1.c, Supplemental Hearing Report 2: Coos Bay, Oregon Public Hearing Summary.

Mr. Phil Anderson presented Agenda Item F.1.c, Supplemental Hearing Report 1: Westport, Washington Public Hearing Summary.

F.1.d Recommendations of the U.S. Section of the Pacific Salmon Commission

Mr. Bob Turner provided information regarding the Pacific Salmon Commission meetings.

F.1.e Recommendations of the North of Falcon Forum

Mr. Anderson reported on the meetings in the North of Falcon Forum.

F.1.f Reports and Comments of Advisory Bodies and Management Entities

Mr. Butch Smith, Mr. Jim Olson, Mr. Paul Heikkila, Mr. Dave Bitts, Mr. Steve Watrous, Mr. Mike Sorenson, Mr. Richard Heap, and Mr. Mark Gorelnik presented Agenda Item F.1.f, Supplemental SAS Report: Proposed 2014 Ocean Salmon Management Measures for Tentative Adoption.

Mr. Bruce Jim and Mr. Johnny Jackson presented Agenda Item F.1.f, Supplemental Tribal Report 2 (Columbia River Treaty Tribes).

Mr. Dave Hillemeier presented information from the Yurok Tribe.

Mr. Mike Orcutt presented Agenda Item F.1.f, Supplemental Tribal Report of Hoopa Valley Tribe.

F.1.g Public Comment

Agenda Item F.1.g, Public Comment.

No oral comment.

F.1.h Council Action: Adopt Tentative 2014 Ocean Salmon Management Measures for Analysis (4/5/2014; 4:30 p.m.)

Ms. Yaremko moved and Mr. Wolford seconded **Motion 2** that the Council adopt for STT collation and analysis the tentative management measures and quotas for non-Indian commercial and recreational fisheries from the Oregon/California border to the U.S./Mexico border as shown in Agenda Item F.1.f, Supplemental SAS Report, dated April 5, 2014, including the commercial and recreational requirements, definitions, restrictions, or exceptions; this motion also includes the correction as brought up by the SAS in their presentation on the bottom of page 8, (Fort Bragg) “November 2” should be “November 9.”

Ms. Yaremko stated her motion resulted from the collaborative work among the various agencies and advisors to develop a good suite of alternatives.

Mr. Wolford stated he will support the motion, but believes we are taking on some risk with the fall fisheries that are proposed, and there may be a penalty to pay next year.

Motion 2 carried unanimously.

Mr. Kern moved and Mr. Feldner seconded **Motion 3** that the Council adopt for STT collation and analysis, the tentative management measures and quotas for non-Indian commercial and recreational fisheries from Cape Falcon to the Oregon/California border as shown in Agenda Item F.1.f, Supplemental SAS Report, dated April 5, 2014, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Mr. Kern stated that, as Ms. Yaremko has already stated, a lot of hard, collaborative work has gone into these options. He also has some concern about the risk for next year with regard to the fall Chinook fisheries, but believes the advisors are cognizant of that risk.

Motion 3 carried unanimously.

Mr. Kern offered further guidance. He requested that for the south of Cape Falcon recreational coho fishery, the STT model an inseason rollover of 35,000 coho from the mark-selective fishery to the September non-mark-selective fishery. This rollover should be modeled on an LCN coho-impact-neutral basis, and the additional Oregon coastal natural (OCN) coho impacts should be added to the total OCN impacts for this fishery. This guidance is intended to model the information as described in Preseason Report 2.

Mr. Anderson moved and Mr. Myer seconded **Motion 4** that the Council adopt for STT collation and analysis the tentative salmon management measures for the 2014 commercial and recreational fisheries in the area from Cape Falcon, Oregon north to the U.S./Canada border as presented in Agenda Item F.1.f, Supplemental SAS Report, April 5, 2014, with the following exception:

On page one, Table 1, U.S./Canada Border to Cape Falcon, July 1 through earlier of September 16th cell; third line—**change the possession limit of 75 Chinook to 60 Chinook**, leaving the coho possession of 60 fish unchanged.

Mr. Anderson stated that this motion is one piece of many that go together to make up our package that meets the management objectives and the tribal policy. The technical people and stakeholders will be working over the next several days to complete the work and hopefully bring back a package of inside management measures that will match up with this.

Motion 4 carried unanimously.

Mr. David Sones moved and Mr. Lincoln seconded **Motion 5** for the tentative adoption and analysis by the STT of the following Treaty troll management measures:

Chinook quota of 62,500. Coho quota of 60,000. The fishery would consist of a May/June Chinook-only fishery and a July/August/September all-species fishery. The Chinook would be split 31,250 for the May/June and 31,250 for the July-September fishery.

Mr. Sones expressed his appreciation for the work of the policy and technical people from the tribes and states with more work to be done to match the outside and inside fisheries. The tribes have reduced some fisheries to help meet the conservation concerns.

Motion 5 carried unanimously.

F.2 Clarify Council Direction on 2014 Management Measures (4/6/2014; 3:34 p.m.)

F.2.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview.

F.2.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item F.2.b, Supplemental STT Report.

F.2.c Public Comment

None.

F.2.d Council Guidance and Direction

Ms. Yaremko provided guidance to clarify the alternatives in Agenda Item F.2.b, Supplemental STT Report as follows:

Page 2: For the commercial fishery in the OR/CA Border to Humboldt South Jetty (CA KMZ) area: in the September quota fishery, modify the start date from September 5 to September 12.

Page 3: For the commercial fishery in the Horse Mt to Point Arena (Fort Bragg) area: in the June fishery modify the start date from June 18 to June 19.

Mr. Kern provided guidance to clarify the alternatives in Agenda Item F.2.b, Supplemental STT Report as follows:

Page 2: For the commercial fishery in the Humboldt Mt to OR/CA border (Oregon KMZ) area:

- In the July 1 to 31 season modify the quota from 1,000 Chinook to 500 Chinook.
- In the September season modify the start date from September 5 to September 12.

Mr. Anderson stated that he did not have any guidance to provide the STT at this time. He reported that the State has been meeting with the tribes to bring the numbers down to our goals.

Mr. Sones reported that he didn't have any further guidance at this time, but the State and tribes are making progress at this time.

[Council concluded this discussion and guidance at 3:46 p.m. and returned to complete the agenda item on April 9 at 11:15 a.m. with regard to guidance for the north of Cape Falcon fisheries.]

Mr. Anderson outlined the changes that have been made inside Puget Sound and other freshwater fisheries to meet the necessary conservation objectives, as well as outlining the work that remained to appropriately shape the fisheries. He referenced Agenda Item F.2.d, Supplemental WDFW Report that displays an offshore closure area for the non-treaty commercial troll fisheries that was put in place in 1999. WDFW has compiled coded-wire-tag information that they believe provides compelling evidence that this closure has helped reduce impacts on some of the critical Puget Sound Chinook stocks. Ideally, reviewing and including this information would occur prior to our preseason process. However, we believe it is important enough to consider this information now, and believe it is within the bounds of the Council's Council Operating Procedure to do so at this time. There has been discussion with the STT on this issue and he would like to ask Dr. Cope if this closure does indeed reduce impacts for the Puget Sound stocks.

Dr. Cope replied that the STT has looked at the data and, while the information is limited, they do see a reduction in impacts relative to the Puget Sound stocks in Area 4 following Washington's closure.

There was Council consensus that the STT should consider the results of the reduced impacts in further modeling. In the following years this information would be provided prior to the season, as is the normal process.

Mr. Anderson stated that he hoped to have some specific guidance for the STT later this afternoon with regard to coho and Chinook quotas so that we could move forward with the process to make the final decision under Agenda Item F.5.

[Council concluded this portion and reconvened later in the afternoon with the WDFW follow-up guidance for F.2 as provided below.]

Mr. Anderson provided the following guidance for north of Cape Falcon utilizing Agenda Item F.2.b, Supplemental STT Report dated April 6, 2014:

- Establish an overall non-Indian total allowable catch (TAC) of 116,000 Chinook (non-marked selected equivalent of 111,500), as consistent.
- Established a mark-selected Chinook quota for the recreational fishery of 9,000 fish.
- Modify the non-Indian TAC of coho salmon from 230,000 to 220,000 salmon.
- Establish a non-Indian commercial troll subarea coho quota in the area North of Queets River of 5,040; any unused fish from this subarea quota may be transferred south of Queets River inseason.
- Incorporate the agreed-to modeling inputs from the co-managers for inside fisheries.

There are two additional items for Nisqually and Snohomish Chinook that will be available within 30 minutes. Those inputs will be provided to the STT and incorporated in their final analysis to show that the proposed fisheries meet the conservation objectives.

Mr. Sones provided the following guidance to the STT for the ocean treaty troll fishery (Table 3, page 11): reduce the coho quota from 60,000 to 57,500 fish.

F.3 Methodology Review Preliminary Topic Discussion (4/7/2014; 8:51 a.m.)

F.3.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview.

F.3.b Reports and Comments of Advisory Bodies and Management Entities

Ms. Meisha Key presented Agenda Item F.3.b, Supplemental SSC Report.

Dr. Robert Kope presented Agenda Item F.3.b, Supplemental STT Report.

Mr. Larrie LaVoy presented Agenda Item F.3.b, Supplemental MEW Report.

F.3.c Public Comment

None.

F.3.d Council Guidance on Potential Methodologies to Review in 2014

Mr. Pollard suggested and the Council agreed to move forward with the list of methodology priorities as presented in Agenda Item F.3.b, Supplemental STT Report.

Mr. Burner noted that under Agenda Item F.4, Lower Columbia Natural Coho Harvest Matrix Review, there is the potential for additional methodology topics to be identified.

F.4 Lower Columbia Natural Coho Harvest Rate Matrix Review (4/8/2014; 11:04 a.m.)

F.4.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview and introduced Agenda Item F.4.a, Attachment 1: Process for Pacific Council Review of Allowable Fishery Impacts to Lower Columbia Natural Coho.

F.4.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Stuart Ellis presented Agenda Item F.4.b, Supplemental LCR Workgroup Report.

Ms. Meisha Key presented Agenda Item F.4.b, Supplemental SSC Report.

Mr. Mike Burner read Agenda Item F.4.b, Supplemental SAS Report into the record.

F.4.c Public Comment

None.

F.4.d Council Action: Guidance for Development of Alternative Harvest Control Rules

Mr. Kern noted that the states and NMFS have been in discussion on this topic since 2006, following the ESA listing. He was happy to see that the workgroup is formed and we are making progress following a process along the lines of the open, transparent, and successful work on tule Chinook.

Mr. Turner agreed with the comments by Mr. Kern and the success of the tule example. He cautioned that there were significant issues to deal with in regard to the timing of the work to meet a schedule of implementation for the 2015 season. The workgroup would need to frontload consideration and integration of the information for Magnuson-Stevens Act and ESA requirements and to ensure time for vetting of the BiOp and regulatory action.

Mr. Burner stated that staff would use the schedule for work laid out by the workgroup as a guide to the process and noted that as we move through the summer there may arise a need for some additional methodology review that can be added later.

F.5 Final Action on 2014 Salmon Management Measures (4/9/2014; 5:09 p.m.)

F.5.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview.

F.5.b Reports and Comments of Advisory Bodies and Management Entities

Dr. Robert Kope presented Agenda Item F.5.b, Supplemental STT Report.

Mr. Bob Turner presented Agenda Item F.5.b, Supplemental NMFS Report.

Mr. Stuart Ellis presented Agenda Item F.5.b, Supplemental Tribal Report.

F.5.c Public Comment

Joel Kawahara, trawler, Quilcene, Washington.

F.5.d Council Action: Adopt Final Management Measures for 2014 Ocean Salmon Fisheries

Mr. Turner confirmed that the states of Washington and Oregon would use a buffer in the transition to inriver fisheries to prevent exceeding the quota on Columbia River tules. Mr. Kern indicated Oregon would like to review the impacts of this action over several years and consider whether or not it was needed in the future.

Mr. Lincoln moved and Mr. Sones seconded **Motion 35** that the Council adopt the season structures, size limits, quotas, and other management measures for the commercial and recreation non-Indian fisheries and treaty Indian fisheries for the area from the U.S./Canada Border to the U.S./Mexico border for submission to the U.S. Secretary of Commerce as shown in Agenda Item F.5.b, Supplemental STT Report, dated April 9, 2014, including the commercial and recreational requirements, definitions, restrictions, or exceptions contained in that document.

Mr. Lincoln stated that this motion is based on the information and analysis provided by Dr. Kope, the STT, and the comments of NMFS that these measures meet the MSA and ESA requirements.

Mr. Adicks moved and Mr. Myer seconded Amendment 1 to include for the non-Indian commercial troll fishery beginning July 1 from the U.S./Canada Border to Cape Falcon (Page 1) the following change—replace the sentence beginning “July 1-8” with the following language:

“The fishery will be open July 1-8, then Friday through Tuesday July 11-August 19 with a landing and possession limit for each open period of 60 Chinook and 40 marked coho per vessel per open period north of the Queets River, or 60 Chinook and 60 marked coho per vessel per open period south of the Queets River. From August 22-September 16, the fishery will be open Friday through Tuesday with a landing and possession limit of 20 Chinook and 50 marked coho per vessel per open period north of the Queets River or 20 Chinook and 50 marked coho per vessel per open period south of the Queets. (C.1).”

Mr. Adicks stated that his amendment is just an adjustment to the coho trip limits north of the Queets River in response to the shift in the coho quota. It has no effect on the impact analysis of the STT.

Amendment 1 carried unanimously. **Motion 35**, as amended, carried unanimously.

Mr. Burner commented that staff would make the necessary corrections to the regulatory package and Environmental Assessment, and submit the package as requested by the Council.

G. Pacific Halibut Management

G.1 Final Incidental Landing Restrictions for 2014-2015 Salmon Troll Fishery (4/6/2014; 10:33 a.m.)

G.1.a Agenda Item Overview

Ms. Kelly Ames presented the Agenda Item Overview and Agenda Item G.1.a, Attachment 1: Summary of Pacific Halibut Incidental Catch Management.

G.1.b Reports and Comments of Advisory Bodies and Management Entities

Mr. Paul Heikkila and Mr. Jim Olson presented Agenda Item G.1.b, Supplemental SAS Report. Mr. Brian Corrigan presented Agenda Item G.1.b, Supplemental EC Report.

G.1.c Public Comment

None.

G.1.d Council Action: Adopt Final Incidental Catch Recommendations for 2014 and April 2015 Non-Indian Salmon Troll Fisheries

Ms. Culver moved and Mr. Lincoln seconded **Motion 7** that the Council adopt Alternative 2 in Agenda Item G.1.b, Supplemental SAS Report for final landing restrictions for Pacific halibut caught incidentally in the non-treaty salmon troll fishery May 1, 2014 through December 31, 2014 and April 1-30, 2015 —license holders may land no more than one Pacific halibut per each four Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 12 halibut landed per trip.

Ms. Culver stated that her motion reflects the consensus reached by the SAS and is consistent with what is currently in place for the April 2014 fishery which would make a seamless transition of regulations. She also noted her appreciation that NMFS is responding to the EC recommendation to have the numbers of salmon and halibut recorded on state fish tickets to ensure compliance with the ratio.

Mr. Lockhart clarified that the EC recommendation is one alternative in the salmon action items and will be determined in that agenda.

Motion 7 carried unanimously.

H. Coastal Pelagic Species Management

H.1 Sardine Assessment, Specifications and Management Measures (4/8/2014; 4:29 p.m.)

H.1.a Agenda Item Overview

Mr. Kerry Griffin presented the Agenda Item Overview and introduced the following attachments:

- Agenda Item H.1.a, Attachment 1: Letter from Ed Johnstone: Quinault Fisheries Policy Spokesperson, regarding the Quinault Indian Nation's Intent to establish a tribal allocation and to enter the 2014-15 Pacific sardine fishery;

- Agenda Item H.1.a, Attachment 2: Letter from Jerry Thon, NWSS Principal, withdrawing the EFP Request for the upcoming fishing year;
- Agenda Item H.1.a, Attachment 3: 2014 Pacific Sardine STAR Panel Report; and
- Agenda Item H.1.a, Attachment 4: Northwest Aerial Sardine Survey Sampling Results in 2013.

H.1.b Survey and Assessment Report

Dr. Kevin Hill presented Agenda Item H.1.b, Supplemental Stock Assessment PowerPoint: Assessment of the Pacific Sardine Resource (a summary of Agenda Item H.1.b, Stock Assessment Report Executive Summary: Assessment of the Pacific Sardine Resource in 2014 for U.S.A. Management in 2014-15, and Agenda Item H.1.b, Stock Assessment Report (Full Report Electronic Only): Assessment of the Pacific Sardine Resource in 2014 for U.S.A. Management in 2014-15).

[Council went out of order at this point and took the SSC Report and one public comment (noted with *) to accommodate schedules and reconvened this agenda item at 8:04 a.m. on 4/9/14]

H.1.c Reports and Comments of Advisory Bodies and Management Entities

Ms. Meisha Key* presented Agenda Item H.1.c, Supplemental SSC Report.

Ms. Lorna Wargo and Ms. Chelsea Protasio presented Agenda item H.1.c, Supplemental CPSMT Report.

Ms. Diane Pleschner-Steele presented Agenda Item H.1.c, Supplemental CPSAS Report.

Mr. David Sones read Agenda Item H.1.c, Supplemental Tribal Report: From Quinault Indian Nation.

Ms. Lorna Wargo and Ms. Chelsea Protasio provided a spreadsheet estimate of the incidental catch after season closure, Agenda Item H.1.c, Supplemental CPSMT Report 2. [provided following Public Comment]

H.1.d Public Comment

Agenda Item H.1.d, Public Comment.

Agenda Item H.1.d, Supplemental Public Comment 2.

Dr. Geoff Shester*, Oceana, Monterey, California

Mr. Steve Marx, Pew Charitable Trusts, Portland, Oregon presented Agenda Item H.1.d, Supplemental Public Comment 3: Letter from Steve Marx, Pew Charitable Trusts.

Ms. Diana Pleschner-Steele presented Agenda Item H.1.d, Supplemental Public Comment 4: Letter from Diane Pleschner-Steele, California Wetfish Producers Association.

H.1.e Council Action: Consider Pacific Sardine Assessment, and Adopt Final Harvest Specifications and Management Measures for the 2014-2015 Sardine Fisheries (4/9/2014; 10:17 a.m.)

Ms. Yaremko moved and Mr. Brizendine seconded **Motion 21** that the Council approve the following for use in managing the sardine fishery for the 2014-2015 season:

1. The sardine stock assessment, as reflected in the executive summary report of Agenda Item H.1.b;

2. Table 1 from Agenda Item H.1.c, Supplemental CPSMT Report, with a P* value of 0.4;
3. Table 3 from Agenda Item H.1.c, Supplemental CPSMT Report; and
4. Incidental landing allowance in other CPS fisheries of 45 percent Pacific sardine by weight, after the directed fishery closes.

Ms. Yaremko stated that the stock assessment was highly scrutinized and all parties agree it represents the best available science for the northern stock. The Stock Assessment Review (STAR) Panel and Stock Assessment Team evaluated the input data and fit the best model possible to the data. The STAR Panel and advisors raised a number of concerns and explored options to arrive at the best estimates with regard to the distribution term in the harvest control rule, splitting the Acoustic-Trawl Method survey, using a Beverton-Holt rather than a Ricker spawner-recruit curve, and partitioning the catch data between the northern and southern stocks. While there is considerable uncertainty in the recruitment estimate and corresponding age-1+ biomass estimate, all the reports indicate this assessment represents an improvement in our understanding of the fishery exploitation rates and biomass of the northern stock. Given this, the P* of 0.4 should adequately buffer against the risk of overfishing and this choice is consistent with our prior assessments of sardines. The annual catch limit (ACL) and annual catch target (ACT) recommendation in item 3 is consistent with the Council direction in March to apply the California Cooperative Oceanic Fisheries Investigations (CalCOFI) index in determining the ABC and OFL. The Fishery Management Plan provides that the ACT shall be defined as either the ACL or the harvest guideline (HG), whichever is lower. Using the CalCOFI index, the ACL is lower than the HG and therefore would be the basis for the ACT for the 2014-2015 fishery. The 45 percent incidental landing allowance and 500 mt per period set-aside should provide greater opportunity for directed harvest, given the low allowable directed allocation for each period. This appears to have been the consensus of the fleet to maximize directed opportunities without impacting other CPS fisheries.

Mr. Roth stated that the sardine issue is an example of a situation in which we need to take a broad ecosystem approach. There are at least a couple of reasons for this. First, the uncertainty in our biomass estimates mandates that we be precautionary in our actions. Secondly, sardine are the keystone forage species for a number of other species the Council manages, as well as for numerous sea birds and marine mammals. Everything that he sees from an ecosystem standpoint indicates a continued decline in the biomass rather than the up-tick we are looking at for 2014. Given that uncertainty and broader downward ecosystem trend, he encouraged the Council to act conservatively in what actions it takes.

Mr. Wolford followed up on Mr. Roth's comments. He noted that the zero year class issue is problematic. However, he thought that the stock assessment did a good job of looking at the extremes of that issue by considering what might happen if that year class failed completely or what if it remained at that low value for two or three years. The estimated impact was noticeable, but not that scary—about a 20 percent reduction in the biomass estimate. This is not all that different from where we are with this motion, and goes along the way of satisfying the need for protection.

Ms. Culver spoke in general support of the motion and agreed with the comments by the other Council members. However, she was concerned about the determination of the needs for the

incidental fisheries. She believes the data for recent years with lower abundance shows that higher amounts of incidental catch are not needed. She would also like to see flexibility in the set-aside so that any unused set-aside would be rolled to the incidental fishery in subsequent periods.

Ms. Culver moved and Dr. Braby seconded Amendment 1 to change item three in the original motion (Table 3) to set an incidental set-aside of 1,000 mt that would be taken off the top and applied to the fishing year so that the adjusted, directed allocations would be: 7,317 mt for Period 1, 4,573 mt for Period 2, and 6,403 mt for Period 3, resulting in a total directed allocation of 18,293 mt.

Ms. Culver stated that 1,000 mt (incidental set-aside) accommodates the need in all of the years from 2008 to 2013, except for 2010, in which 1,095 tons were taken. In 2010, the stock biomass was substantially higher than it has been in 2011 through 2014, and she expects the biomass is going to be close to what the catches were in 2013. Therefore, she thinks the 1000 mt would accommodate the incidental catches, and by having it apply to the entire fishing year, no period would be impacted.

Mr. Helvey responded that the reason for not having an off-the-top incidental reduction was to prevent the fishery from closing if you used that entire set-aside in one period. He agreed that was unlikely, but there was some risk.

Mr. Crabbe stated that he was sensitive to the difficulty of selecting the right amount for the set-aside and the impact on the wet-fish fishery if the incidental fishery had to be closed. While they did not have the numbers available to them, the industry did have experience with previous seasons, and they favored the 500 mt for each period. The risk to the entire fleet, and most of that fleet are only wet-fish fishers, is high. He would put more weight on the knowledge and experience in the industry.

Ms. Yaremko was also not in favor of the amendment. There was too much uncertainty in what the effort would be. The allocation by period spreads the risk over the entire season. If the entire set-aside were taken early in the season, it would result in a longer period of closure for the entire fishery.

Amendment 1 failed. **Motion 21** carried unanimously.

Ms. Yaremko made a few observations about the fishery concerning exclusion of the aerial survey from the assessment. She noted the disconnect between the aerial survey numbers and those from the other assessment methods, the large investment that has been made and potential value from the aerial survey, and the importance of having the aerial survey information as an alternative source of sardine assessment information. She also expressed concern about using only the northern stock biomass estimate, and the need to include further consideration of the southern stock. She spoke about the switch from sardine to anchovy and the need for further collaboration with Mexico.

Ms. Culver noted some questions for the SSC, including when the next stock assessment would occur and if they wanted a full or update assessment. She also wondered if the stratification into

the northern and southern sub-populations would have any effect on the management strategy evaluation and the SSC recommendations from that.

Dr. Braby expressed her concern for the assessment focus on the northern population when our fisheries impact the southern stock as well. There are multiple ways for that to be resolved; it should be a priority, and may result in a change in the assessment schedule. She is confident that the Council is being very conservative in its approach to sardine management. She also expressed support for the continued use of the aerial survey and encouraged following through with a methodology review and to eventually bring it back to the assessment.

Mr. Helvey reported that NMFS is committed to work on the southern sub-population and the consideration of co-management with Mexico. Planning has been initiated on a bilateral meeting with Mexico to frame the agenda to cover both the scientific and management aspects of these issues.

I. Ecosystem Based Management

I.1 Protecting Unfished and Unmanaged Forage Fish Species Initiative (4/10/2014; 8:04 a.m.)

I.1.a Agenda Item Overview

Mr. Mike Burner presented the Agenda Item Overview and introduced Agenda Item I.1.a, Attachment 1: Ecosystem Initiative 1: Protecting Unfished and Unmanaged Forage Fish Species.

I.1.b Reports and Comments of Advisory Bodies and Management Entities

Ms. Yvonne deReynier presented Agenda Item I.1.b, EWG Report and Agenda Item I.1.b, Supplemental EWG PowerPoint.

Mr. Paul Dye presented Agenda Item I.1.b, Supplemental EAS Report.

Ms. Dorothy Lowman directed the Council to Agenda Item I.1.b, HMSAS Report.

Mr. Mike Burner read Agenda Item I.1.b, Supplemental SSC Report.

Mr. Tim Roth presented Agenda Item I.1.b, Supplemental HC Report.

Mr. Kirk Hughes presented Agenda Item I.1.b, Supplemental HMSMT Report.

Mr. Mike Burner read Agenda Item I.1.b, Supplemental SAS Report.

Mr. Tommy Ancona presented Agenda Item I.1.b, Supplemental GAP Report.

Mr. Kerry Griffin presented Agenda Item I.1.b, Supplemental CPSMT Report.

Ms. Diane Pleschner-Steele presented Agenda Item I.1.b, Supplemental CPSAS Report.

Ms. Marci Yaremko presented Agenda Item I.1.b, Supplemental CDFW Report.

I.1.c Public Comment

Agenda Item I.1.c, Public Comment.

Agenda Item I.1.c, Supplemental Public Comment Summary.

Agenda Item I.1.c, Supplemental Public Comment 2 (Electronic Only).

Agenda Item I.1.c, Supplemental Public Comment 4.

Agenda Item I.1.c, Supplemental Public Comment 5.

Agenda Item I.1.c, Supplemental Public Comment 6.

Mr. Ben Dennis, Washington State Council Federation of Fly Fishers, Vancouver, Washington and Mr. David Bybee, Sierra Club, Barberton, Washington.
Mr. Phil Pirone, Pro-cure Bait Scents, Inc., Salem, Oregon.
Mr. Zeke Grader, Pacific Coast Federation of Fishermen's Associations, San Francisco, California.
Ms. Patricia Unterman, Hayes Street Grill, San Francisco, California.
Ms. Anna Weinstein, Audubon California, San Francisco, California discussed Agenda Item I.1.c, Supplemental Public Comment 3: Letter from Audubon California and Shearwater Journeys.
Mr. Tom Wolf, Oregon Trout Unlimited, Hillsboro, Oregon.
Mr. Lyf Gildersleave, Flying Fish Company, Portland, Oregon.
Mr. John Sikora, California Trout Unlimited, Placerville, California.
Mr. Bob Rees, NW Guides and Anglers Association, Tillamook, Oregon.
Mr. Norm Ritchie, Association of NW Steelheaders, Portland, Oregon.
Mr. Greg Helms, Ocean Conservancy, Santa Barbara, California.
Mr. Conrad Gowell, Native Fish Society, Albany, Oregon.
Mr. David Jennings, Black Hills Audubon Society, Olympia, Washington.
Mr. Jay Withgott, Portland Audubon, Portland, Oregon.
Mr. Robin Hartmann, Oregon Shores Conservation Coalition, Roseburg, Oregon.
Mr. Rennie Ferris, Newport, Oregon.
Mr. Paul Englemeyer, Audubon Society, Yachats, Oregon.
Ms. Theresa Labriola, Wild Oceans, Mosier, Oregon.
Mr. Tom Rudolph and Mr. Steve Marx, PEW Charitable Trusts, Portland, Oregon.
Mr. Andy Diaz, Daruma Sushi +Sake and Blackbird Wind Shop Owner, Portland, Oregon.
Ms. Meg Ruby, Wetlands Conservancy, Portland, Oregon.
Ms. Catherine Pruett, Salmon Drift Creek Watershed Council, Lincoln City, Oregon.
[Ms. Jodi Emmet de Maciel did not testify.]

I.1.d Council Action: Review List of Species and Adopt Range of Alternatives (4/10/2014; 10:54 a.m.)

Ms. Kirchner moved and Mr. Lincoln seconded **Motion 36** that the Council adopt the revised Purpose and Need statement as shown in Agenda Item I.1.b, Ecosystem Workgroup Summary Report, dated April 2014 with the addition of the following sentence: "This action is not intended to supersede tribal or state fishery management for these species, and coordination would still occur through the existing Council process." The list of species should be revised to include the additional families of squid as identified in Agenda Item I.1.b, Supplemental EAS Report, dated April 2014. Additionally, the Council identifies the Ecosystem Trophic Role Pathway (Alternative 2.2.a, Agenda Item I.1.a, Attachment 1) as the pathway to move forward under Alternative 2 and as a preliminary preferred alternative; and the species identified through this initiative would be considered ecosystem component species. Additionally, remove alternatives 2.3.1 (brings all species into the CPS FMP as FMU Species) and 2.3.2 (Converts the FEP to an EFMP) from the analysis. The following is included for guidance: The EWG should come back to the Council with draft FMP amendatory language and a report on ways to define *de minimis* and continue to provide for incidental catch levels of these species.

Ms. Kirchner stated that she can't remember working on an issue that had this level of agreement between the teams and public comment. This has been outstanding. This is an example of the

Council being proactive in its management rather than reactive. The revision to the purpose and need statement makes the goal clear right from the beginning. She noted that each state has different concerns, methods, and processes for conforming state actions. Her goal in the motion was to try to account for the state and tribal fisheries and management without potentially undoing management from another state. In this regard, her language is a modification of the language proposed by CDFW that she thought could meld the needs of all three states. She understands that additional families of squid have been identified in many diet studies for Council-managed species and thinks it is appropriate to add those species to the list of forage fish. We heard great agreement on going with the ecosystem trophic role pathway. This does what we need to do to protect unmanaged forage fish from developing commercial fisheries in a simple way that covers all FMPs and makes it so we can take one action to do all we need to do. In previous discussion we have committed to taking action to protect these species, and so she has moved this as a PPA to signal to the public that we are moving forward with the analysis. We heard from Ms. deReynier that we needed to remove a couple of alternatives to assist the workgroup in their work. We expect the workgroup to report back to us at some point which we can establish in further agenda planning.

Ms. Culver, Ms. Yaremko, and Mr. Roth spoke in strong support of the motion and expressed appreciation to all of the public representatives that testified at the Council as well as the advisory body statements.

Ms. Kirchner asked Ms. deReynier when she thought the workgroup could come back to the Council with the draft FMP language and *de minimis* definition.

Ms. deReynier stated that she thought they could come back in September if there was room on the Council agenda, or November if that was a better fit with the Council schedule. If the report was provided in September, she recommended that final consideration not be at the November meeting, due to the short time period between the two meetings which might not give adequate time for development of the advisory body statements.

Mr. Wolford expressed his support of the motion, but wondered if the addition of “new directed commercial fisheries” in the purpose and need statement truly served our interests. It excludes recreational fisheries, and he wondered if that were necessary at this time. An example is that at the time the Humboldt squid showed up, it did not take long for a recreational fishery to develop for that species.

Ms. Kirchner responded that the Council discussions thus far have been on prohibiting directed commercial fisheries. We have tried very hard to narrow this issue to the commercial fisheries so that we could have timely implementation of the measures that are most needed and respond to directed commercial fisheries which could take a very large quantity in a very short time. For most of these species, the recreational interest is not there. If we include recreational fisheries, this could broaden the scope and cause a much bigger process that would slow our ability to get the protections that are most critical in place. Not saying that we might not need to include recreational fisheries down the road.

Mr. Feldner stated that he had some of the same concern that was voiced by Mr. Wolford. If later we need to deal with a problem caused by the recreational fishery, does the language identifying the commercial fishery prohibit us from taking action under this plan?

Several Council members discussed this concern and generally agreed that they might have to address it in the future. However, the consensus seemed to be that it was better to move forward on this known threat in a timely manner than risk delaying the action for something that may or may not become an issue in the future.

Motion 36 carried unanimously.

Ms. Culver and Ms. Kirchner stated their intent to have the next step on this agenda item in September.

J. Administrative Matters

J.1 Approval of Council Meeting Minutes (4/10/2014; 11:44 a.m.)

J.1.a Council Member Review and Comments

Ms. Dorothy Lowman asked for Comments and Corrections to Agenda Item J.1.a, Attachment 1: Draft Minutes: 221st Session of the Pacific Fishery Management Council (November 2013).

J.1.b Council Action: Approve November 2013 Council Meeting Minutes

Ms. Kirchner identified a mischaracterization of her statement in Agenda Item H.6 on page 44 which was later corrected by Council staff. The draft minutes read as follows:

For shortspine thornyhead, the P* is a change from the status quo P* of 0.45. The new stock assessment is a category 2 assessment, which is a downgrade from the previous [category 1] assessment and indicates there is no longer a need for the scientific uncertainty buffer."

Staff corrected Ms. Kirchner's statement to read:

"For shortspine thornyhead, the P* is a change from the status quo P* of 0.45. The new stock assessment is a category 2 assessment, which is a downgrade from the previous assessment. The new assessment indicates there is no longer a need for the scientific uncertainty buffer."

Mr. Ortmann moved and Mr. Pollard seconded **Motion 37** that the Council approve Agenda Item J.1.a, Attachment 1: Draft Minutes: 221st Session of the Pacific Fishery Management Council (November 2013) with the corrections as noted.

Motion 37 carried unanimously.

J.2 Membership Appointments and Council Operating Procedures (4/10/2014; 11:48 a.m.)

J.2.a Agenda Item Overview

Mr. Chuck Tracy presented the Agenda Item Overview and introduced Agenda Item J.2.a, Attachment 1: Proposed Revisions to COP 9, Annual Management Cycle and Activities Related to Pacific Halibut Management.

J.2.b Reports and Comments of Advisory Bodies and Management Entities

Ms. Kelly Ames read Agenda Item J.2.b, Supplemental GMT Report.

J.2.c Public Comment

None.

J.2.d Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to the Council Operating Procedures

Ms. Lowman appointed Dr. Galen Johnson to fill the SSC seat on the Model Evaluation Workgroup. [It is also noted that LCDR Joe Giammanco is confirmed as the new USCG 11th District representative on the EC with LT Shannon Anthony as his alternate.]

Mr. Roth moved and Mr. Lockhart seconded **Motion 38** that the Council appoint Dr. Steve Haeseker to fill the U.S. Fish and Wildlife seat on the Habitat Committee, and to designate Ms. Christina Wang as his alternate.

Motion 38 carried unanimously.

Mr. Lockhart moved and Mr. Pollard seconded **Motion 39** that the Council modify Council Operating Procedure 3 by:

- 1) Adding a seat on the GMT for a NMFS Northwest Fisheries Science Center representative of the West Coast Groundfish Observer Program; and
- 2) Changing the specification that one of the GMT members should be an economist to one should be a social scientist.

Motion 39 carried unanimously.

Mr. Lockhart moved and Mr. Pollard seconded **Motion 40** that the Council modify Council Operating Procedure 9 to reflect the changes to “SCHEDULE 4. Annual management cycle and activities related to Pacific halibut management,” as presented in Agenda Item J.2.a, Attachment 1.

Ms. Culver noted some issues with regard to the language under Schedule 4 in Attachment 1. She noted that the schedule called for the SSC to review the Pacific halibut stock assessment in September. However, she did not think the assessment is available from the International Pacific Halibut Commission (IPHC) at that time, since they do not meet until November. That language has probably been there without review for a long time. The Council also does not adopt

recommendations for changes to IPHC regulations in November, but rather makes recommendations for NMFS regulations. Also, the language for the opening of the incidental fishery in April has caused some confusion in the past for the sablefish fishery, as the final rule has not opened the fishery on April 1. That should be clarified to state that incidental retention in the commercial fishery goes into effect when it is published in the final rule. Also, under May, it states the non-Indian Pacific halibut fishery opens under IPHC regulations. However, the fishery often opens at other times.

Ms. Culver moved and Ms. Kirchner seconded Amendment 1 to make the following changes to Schedule 4:

- September—where it says “SSC reviews halibut stock assessment: strike “halibut stock assessment”
- Oct/November: strike “IPHC regulations and”
- On page 2 under April: where it says “NMFS publishes final rule to implement catch sharing plan” add: “and for incidental retention for Pacific halibut in the commercial non-Indian troll fishery and the longline sablefish fishery north of Point Chehalis as appropriate.” Strike the proposed new language as a separate (the last) paragraph (under April).
- May: strike the sentence “Non-Indian Pacific halibut fisheries . . .”

Amendment 1 carried unanimously. **Motion 40**, as amended, carried unanimously.

Ms. Yaremko expressed a desire to add a representative from the NMFS WCGOP program on the HMSMT.

Mr. Lockhart indicated he was willing to discuss that with the science center and consider it formally in June. If there was a need for such expertise prior to June, he was willing to work to get such a representative on an informal basis as well.

Ms. Yaremko agreed and was hoping that an appropriate representative could be available to assist the HMSMT in the meeting in May, as well as the meeting in June.

Ms. Lowman confirmed Council consensus to consider such an appointment.

J.3 Future Council Meeting Agenda and Workload Planning (4/10/2014; 12:14 p.m.)

J.3.a Agenda Item Overview

Dr. Donald McIsaac presented the Agenda Item Overview and directed the Council to the following documents:

- Agenda Item J.3.a. Supplemental Attachment 3: Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary; and
- Agenda Item J.3.a, Supplemental Attachment 4: Draft Proposed Council Meeting Agenda, June 19-25, 2014 in Garden Grove, CA.

J.3.b Reports and Comments of Advisory Bodies and Management Entities

Ms. Kelly Ames read Agenda Item J.3.b, Supplemental GMT Report.

J.3.c Public Comment

Mr. Steve Marx, PEW Charitable Trusts, Portland, Oregon.
Mr. Shems Jud, Environmental Defense Fund, Portland, Oregon.

J.3.d Council Discussion and Guidance on Future Meeting Agenda and Workload Planning

The Council began by working their way through the June meeting agenda with Council members providing suggestions and priorities for the June and then future agendas, beginning with habitat issues and proceeding through the other agenda items. Considerable discussion ensued over priority and scheduling of the various issues, including several habitat issues, the HMS agenda (especially the work on the drift gillnet fishery), timing of changes in Pacific halibut management resulting from the California allocation issue, the EM agenda (especially state staff workload issues on the broad program and how it might be narrowed to just the whiting sector), the groundfish omnibus package, and unmanaged forage fish.

ADJOURN

Ms. Lowman commented that this was Mr. Roth's and Mr. Gordy William's last Council meeting and expressed the Council's appreciation for their service. Each member provided a few comments to the Council.

The Council adjourned on April 10, 2014 at 3:00 p.m.



Dorothy Lowman
Council Chair

November 19, 2014

Date