

DRAFT COUNCIL MEETING RECORD
237th Session of the
Pacific Fishery Management Council
November 13-21, 2016
Hyatt Regency Garden Grove
11999 Harbor Blvd, Garden Grove, CA 92840

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INTRODUCTION

This document contains or identifies the various elements, documents, and sources comprising the complete and official record of Council meeting discussions and actions. In addition to the Meeting Summary, which follows this introductory section (see #7 below), it includes information or references that serve as the functional detailed minutes for this Council meeting as required by §302(i)(2)(E) of the Magnuson-Stevens Act. The full record is maintained at the Council office, is available on the Council website (<http://www.pcouncil.org/>) or upon request from the Council office, and consists of the following:

1. **Meeting Notice and Proposed Agenda** – These documents are available on the Council Website prior to and following each meeting at <http://www.pcouncil.org/>.
2. **Attendance Records** – These documents are available for the Council meeting and each advisory body meeting by request from the Council office.
3. **All Documents, Reports, and Presentations for Council Consideration** – These items include (1) all documents produced or received for the meeting briefing book, validated by a label assigned by the Council Secretariat and distributed to Council Members; (2) written public comments received at the Council meeting in accordance with agenda labeling requirements; and (3) electronic material or handout materials used in presentations to Council Members during the open session. They are available from links in the Meeting Summary of this document or at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>.
4. **Council Decisions Summary Document** – This document is distributed shortly after each Council meeting. It provides very brief descriptions of most key Council decisions and is available at <http://www.pcouncil.org/resources/archives/council-meeting-decisions/> and also provided by agenda item in the Meeting Summary of this document.
5. **Draft or Final Decision Documents Finalized after the Council Meeting** – Documents such as Environmental Impact Statements or Environmental Assessments are available on the Council website as they are completed.
6. **Gavel-to-Gavel Audio Recordings** – These recordings contain the testimony, presentations, discussions, and actions occurring at the meeting and are labeled by date and time (e.g., 04-11-15am1) and have been annotated as to the time on the recording for the start of each agenda line item to help facilitate review. The recordings may be accessed from the links contained within the Meeting Summary of this document or at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>.
7. **Meeting Summary** (immediately follows this section) – The Meeting Summary lists, in agenda item order, the briefing book documents, reports, presentations, and Council motions and actions, including a brief summary from the Council Decisions Summary Document for each agenda item. It constitutes the meeting record formally approved by the Council. The agenda heading for each agenda item, and most listed documents, serve as internet links to the actual briefing book documents. Internet links in brackets (e.g., [[mp3: 11-11-14pm1 @01:21:15](#)]) refer to the audio recording and elapsed time on the recording at which the agenda item was initiated. Links to the audio recordings are annotated by agenda item and may also be accessed at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>.

MEETING SUMMARY

A. Call to Order [[mp3: 11-16-16am1 0:00:07](#)]

1. Opening Remarks – Herb Pollard, Chair

Mr. Herb Pollard, Council Chair, called the 237th meeting of the Pacific Fishery Management Council (Council) to order at 9 a.m. on November 16, 2016. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Chuck Tracy [[mp3: 11-16-16am1 0:03:07](#)]

Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Frank Lockhart, designee Ms. Heidi Taylor, designee
Washington State Official:	Mr. Kyle Adicks, designee Ms. Michele Culver, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Rich Lincoln
Oregon State Official:	Mr. Troy Buell, designee Ms. Maggie Sommer, designee
Oregon Obligatory:	Ms. Dorothy Lowman
California State Official:	Ms. Briana Brady, designee Ms. Joanna Grebel, designee Mr. Brett Kormos, designee Ms. Marci Yaremko, designee
California Obligatory:	Mr. David Crabbe
Idaho State Official:	Mr. Peter Hassemer, designee
Idaho Obligatory:	Mr. Herb Pollard, Chair
Tribal Official:	Mr. Joseph Oatman Mr. David Sones, designee
At-Large:	Mr. Phil Anderson, Vice-Chair Mr. William L. “Buzz” Brizendine Mr. Jeff Feldner Mr. Marc Gorelnik
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Gregg Casad, nonvoting designee LCDR Jason Brand, nonvoting designee
U.S. Fish and Wildlife Service:	Dr. Steven Haeseker, nonvoting designee
U.S. State Department:	Mr. David Hogan, nonvoting designee

Absent from the Meeting:

Alaska State Official: Mr. Charles Swanton (nonvoting)

3. Executive Director’s Report – Chuck Tracy [[mp3: 11-16-16am1 0:04:43](#)]

Mr. Tracy presented the informational reports available.

4. Agenda – Herb Pollard [[mp3: 11-16-16am1 0:13:30](#)]

a. Council Action: Approve Agenda

Motion: Adopt [Agenda Item A.4](#), November 13-21, 2016 Council Meeting.
David Crabbe/Buzz Brizendine (Motion carried unanimously)

B. Open Comment

1. [Comments on Non-Agenda Items](#) [[mp3: 11-16-16am1 0:14:28](#)]

a. Advisory Body and Management Entity

None

b. Public Comment

Melissa Mahoney, Environmental Defense Fund [Agenda Item B.1.b, Public Comment 6](#): Letter to Mr. Herb Pollard from Ms. Melissa Mahoney Regarding Briefing on the Transfer Effect Workshop and Conservation

John Gibbs, Commercial Fisher

Mark Helvey, Sustainable Seafood Consultant

[Agenda Item B.1.b, Public Comment 1](#): Letter to Mr. Barry Thom Regarding Consideration of an Exempted Fishing Permit (EFP) to Fish with Longline Gear

[Agenda Item B.1.b, Public Comment 2](#): Consideration of an EFP to Fish with Longline Gear in the West Coast Exclusive Economic Zone, Draft Environmental Assessment Submitted by Jonathon Gonzalez

[Agenda Item B.1.b, Public Comment 3](#): Letter to Mr. Barry Thom from Ms. Rebecca Lewison Regarding EFP to Fish with Longline Gear

[Agenda Item B.1.b, Public Comment 4](#): Letter to Mr. Barry Thom from Mr. Shems Jud Regarding EFP to Fish with Longline Gear

[Agenda Item B.1.b, Public Comment 5](#): Letter to Mr. Barry Thom from the Aquarium of the Pacific Regarding EFP to Fish with Longline Gear

c. Council Discussion and Comments as Appropriate

C. Administrative

1. [West Coast Regional Operating Agreement Final Review](#) – Chuck Tracy [[mp3: 11-16-16am1 0:31:05](#)]

[Agenda Item C.1, Attachment 1](#): Draft Operating Agreement Among the Pacific Fishery Management Council; NOAA Fisheries Service West Coast Regional Office; NOAA Fisheries Service Northwest Fisheries Science Center; NOAA Fisheries Service Southwest Fisheries Science Center; NOAA Fisheries Service Office of Law Enforcement West Coast Division; NOAA General Counsel, Northwest Section; and NOAA General Counsel, Southwest Section

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-16-16am1 0:42:36](#)]

b. Public Comment

None

c. **Council Action: Review and Provide Final Comments on the West Coast Regional Operating Agreement** [[mp3: 11-16-16am1 0:47:04](#)]

Motion: Make the following edits to the draft Operating Agreement, Agenda Item C.1, Attachment 1:

- On Page 5, under WCR, bullet 6, delete the words “and the NOAA NEPA Coordinator”
- On Page 6, bullet 4, delete the current bullet and replace with:
 - Identifying the type of NEPA analysis expected to be undertaken to support the decision-making process (i.e., Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement), after conferring with Pacific Council staff, as appropriate.

Frank Lockhart/Pete Hassemer

Amendment 1: Insert “Pacific Council” between “the” and “decision-making process” and strike “as appropriate.”

Michele Culver/Phil Anderson (Amendment carried unanimously)

Motion as amended carried unanimously

Staff Summary: The Council directed staff to work with NMFS/National Oceanic and Atmospheric Administration (NOAA) staff to finalize a revised Regional Operating Agreement (ROA) and prepare the document for signatures by the parties. The ROA is a document that describes roles and responsibilities of the regional Council staff and its corresponding NMFS/NOAA General Counsel regional partners in planning, developing, and approving fishery management plans, amendments, and regulations.

2. **National Standard Guidelines Update** – John DeVore [[mp3: 11-18-16am2 0:00:11](#)]

a. **NFMS Report** – Erin Schnettler [[mp3: 11-18-16am2 0:02:33](#)]

[Agenda Item C.2.a, NMFS Report 1](#): *Federal Register* Notice of the Final Rule to Revise National Standard Guidelines

[Agenda Item C.2.a, NMFS Report 2](#): Final Changes to the National Standard Guidelines

[Agenda Item C.2.a, NMFS Report 3](#): National Standard 1 Guidelines, Summary of 2016 Revisions

[Agenda Item C.2.a, Supplemental NMFS PowerPoint](#): National Standard 1 Guidelines; Summary of 2016 Revisions (Schnettler)

b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-18-16am2 0:51:57](#)]

[Agenda Item C.2.b, Supplemental SSC Report](#)

c. **Public Comment**

None

d. **Council Discussion** [[mp3: 11-18-16am2 0:55:24](#)]

3. **Fiscal Matters** – Patricia Crouse [[mp3: 11-21-16am2 0:24:44](#)]

[Agenda Item C.3, Supplemental Attachment 1](#): Executive Director’s Report to the Budget Committee

- a. [Report of the Budget Committee](#) – Dorothy Lowman [[mp3: 11-21-16am2 0:25:02](#)]

None

- b. **Reports and Comments of Advisory Bodies and Management Entities**

- c. **Public Comment**

None

- d. **Council Action: Consider Budget Committee Recommendations** [[mp3: 11-21-16am2 0:30:53](#)]

Motion: Council adopt the recommendations of the Budget Committee (Agenda Item C.3.a, Supplemental BC Report, November 2016).

Dorothy Lowman/Pete Hassemmer (Motion carried unanimously)

Staff Summary: The Council approved the recommendations of the Budget Committee in [Agenda Item C.3.a Supplemental BC Report](#). The BC approved the 2017 provisional budget for the calendar year beginning January 1, 2017, approved the Executive Director to request special funding as needed, and added a placeholder on the April 2017 Council Meeting to convene the BC meeting, as necessary.

4. [Approval of Council Meeting Record](#) – Herb Pollard [[mp3: 11-21-16am2 0:34:02](#)]

[Agenda Item C.4, Attachment 1](#): Draft Council Meeting Record: 236th Session of the Pacific Fishery Management Council (September 12-20, 2016)

- a. **Council Action: Approve Previous Council Meeting Record(s)** [[mp3: 11-21-16am2 0:34:05](#)]

Motion: Council approve the draft September 2016 Council Meeting record (Agenda Item C.4, Attachment 1).

David Crabbe/Buzz Brizendine (Motion carried unanimously)

Staff Summary: The Council approved a Provisional CY 2017 Operating Budget of \$4,884,362, which included hosting a meeting of the Scientific Coordination Subcommittee (SCS) of the Council Coordination Committee in late 2017. The SCS consists of SSC chairs, members, and Council staff from the eight regional Councils who meet to discuss science issues of national interest. The Council also tasked the Executive Director with pursuing additional funding for special projects not covered by base-level funding. The Council is scheduled to adopt a final CY 2017 operational budget at its June 2017 meeting.

5. [Membership Appointments and Council Operating Procedures](#) – Mike Burner [[mp3: 11-21-16am2 0:36:12](#)]

[Agenda Item C.5, Attachment 1](#): Draft revised excerpt from COP 9 regarding the annual management cycle and activities related to Pacific halibut management

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-21-16am2 0:39:13](#)]

[Agenda Item C.5.a, Supplemental EC Report](#)
[Agenda Item C.5.a, Supplemental GAP Report](#)

b. Public Comment

None

c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures [[mp3: 11-21-16am2 0:41:21](#)]

Motion: Council adopt the revisions to Council Operating Procedure 9 consistent w/ the language contained in Agenda Item C.5, Attachment 1, November 2016.

Phil Anderson/Joe Oatman (Motion carried unanimously)

Motion: Council adopt the revisions to Council Operating Procedure 5 consistent w/ the language contained in Agenda Item C.5.a, Supplemental EC Report, November 2016.

Gregg Casad/Phil Anderson (Motion carried unanimously)

Staff Summary: Council Chair Herb Pollard appointed Mr. Josh Churchman to the trawl catch share review as hoc Community Advisory Board as an at-large member.

The Council adopted revisions to Council Operating Procedure 9 regarding the annual management cycle and activities related to Pacific halibut management, which specify a meeting be held to assist the management entities in coordinating their input to the International Pacific Halibut Commission annual meeting and to prepare the Council representative for the annual meeting.

6. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 11-21-16am2 0:48:58](#)]

[Agenda Item C.6, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[Agenda Item C.6, Attachment 2](#): Draft Proposed Council Meeting Agenda, March 7-14, 2017 in Vancouver, Washington

[Agenda Item C.6, Attachment 3](#): Draft Proposed Council Meeting Agenda, April 6-12, 2017 in Sacramento, California

[Agenda Item C.6, Attachment 4](#): Groundfish Workload Priorities

[Agenda Item C.6, Attachment 5](#): Limited Entry Fixed Gear Sablefish Fishery Summary

[Agenda Item C.6, Attachment 6](#): Joint NMFS/Council Staff Report on a Potential Timeline for Electronic Monitoring Regulatory Development

[Agenda Item C.6, Supplemental Attachment 7](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary; updated 11/21/2016

[Agenda Item C.6, Supplemental Attachment 8](#): Proposed Pacific Council Meeting Agenda, March 7-13, 2017 in Vancouver, WA 11/21/2016

[Agenda Item C.6, Supplemental Attachment 9](#): Proposed Pacific Council Meeting Agenda, April 6-12, 2017 in Sacramento, CA 11/21/2016

[Agenda Item C.6.a, Supplemental NMFS Report](#): Letter to PFMC from NMFS regarding Mr. Hearty's HMS Permit denial; request re-consideration; add to future agenda

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-21-16am2 1:35:55](#)]

[Agenda Item C.6.a, Supplemental SSC Report](#)

[Agenda Item C.6.a, Supplemental EFH Project Team Report](#)

[Agenda Item C.6.a, Supplemental GMT Report](#)

[Agenda Item C.6.a, Supplemental GAP Report](#)

[Agenda Item C.6.a, Supplemental HMSAS Report](#)

- b. **Public Comment** [[mp3: 11-21-16am2 1:58:17](#)]

[Agenda Item C.6.b, Supplemental Public Comment](#)

Geoff Shester, Oceana

Tara Brock, PEW Charitable Trust

Cassie Burdyslaw, Turtle Island Restoration Network

Corey Ridings, Ocean Conservancy

- c. **Council Discussion and Guidance on Future Meeting Agenda and Workload Planning** [[mp3: 11-21-16am2 2:09:05](#)]

D. Salmon Management

1. **National Marine Fisheries Service Report** – Mike Burner [[mp3: 11-16-16am2 0:00:22](#)]

- a. **Regulatory Activities** – Frank Lockhart [[mp3: 11-16-16am2 0:01:19](#)]

- b. **Fisheries Science Center Activities** [[mp3: 11-16-16am2 0:02:10](#)]

- c. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-16-16am2 0:20:15](#)]

[Agenda Item D.1.c, Supplemental SAS Report](#)

- d. **Public Comment**

None

- e. **Council Discussion** [[mp3: 11-16-16am2 0:24:09](#)]

Motion: None

2. **Salmon Methodology Review**– Mike Burner [[mp3: 11-16-16am2 0:53:03](#)]

[Agenda Item D.2, Attachment 1](#): An evaluation of preseason abundance forecasts for Sacramento River winter Chinook salmon

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-16-16am2 0:56:30](#)]

[Agenda Item D.2.a, Supplemental STT Report](#)

[Agenda Item D.2.a, Supplemental SSC Report](#)

b. Public Comment

None

c. Council Action: Adopt Final Methodology Changes [[mp3: 11-16-16am2 1:01:18](#)]

Motion: None

Staff Summary: The Council reviewed progress on the development of a new forecast method for Sacramento River winter Chinook. The new forecast was not intended for use in 2017, but rather is part of a larger effort to develop a new forward-looking harvest policy that would replace the existing policy that is based on spawning escapement from the previous three years. In 2017, the Council's ad hoc Sacramento River Winter Chinook Workgroup will consider feedback from the Salmon Technical Team and the Scientific and Statistical Committee as it proceeds with the development and analysis of alternative harvest policies for potential implementation in 2018.

3. [Chinook Fishery Regulation Assessment Model Update](#)– Mike Burner [[mp3: 11-16-16am2 1:02:43](#)]

[Agenda Item D.3, Attachment 1](#): Report on the Chinook Base Period for the Fishery Regulation Assessment Model (FRAM)

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-16-16am2 1:05:49](#)]

[Agenda Item D.3.a, Supplemental FRAM Workgroup PowerPoint](#): Chinook FRAM Base Period Update

b. Public Comment

None

c. Council Discussion [[mp3: 11-16-16am2 1:36:41](#)]

Staff Summary: The Council received an update on the implementation of a new base period in the Chinook FRAM from Ms. Angelika Hagen-Breaux and Mr. Larrie LaVoy. The Council considered the schedule for model implementation and compared results of the new and old base periods for stocks of particular interest. The Council anticipates that additional validation of the new model will occur over the winter before its application to the 2017 ocean salmon season setting process. The Council intends to work with National Marine Fisheries Service and the Co-managers to respond to any necessary changes to management objectives or harvest policies in response to the new model outputs.

4. [Preseason Salmon Management Schedule for 2017](#) – Mike Burner [[mp3: 11-16-16pm1 0:00:22](#)]

[Agenda Item D.4, Attachment 1](#): Pacific Fishery Management Council Schedule and Process for Developing 2017 Ocean Salmon Fishery Management Measures

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-16-16pm1 0:04:38](#)]

None

b. Public Comment

None

c. Council Action: Adopt 2017 Final Preseason Management Schedule [[mp3: 11-16-16pm1 0:05:33](#)]

Motion: Council to confirm the staff suggestions for hearing sites/proposed schedule as shown in Agenda Item D.4, Attachment 1.

Herb Pollard/Pete Hassemer (Motion carried unanimously)

Staff Summary: The Council adopted the tentative 2017 salmon management schedule ([Agenda Item D.4, Attachment 1](#)) including plans for public hearings in Westport, Washington and Coos Bay, Oregon on March 27 and Fort Bragg, California on March 28.

E. Pacific Halibut Management

1. [Final 2017 Catch Sharing Plan and Annual Regulation Changes](#) – Kelly Ames [[mp3: 11-16-16pm1 0:12:44](#)]

[Agenda Item E.1, Attachment 1](#): 2016 Pacific Halibut Catch Sharing Plan for Area 2A

[Agenda Item E.1, Attachment 2](#): Visual Representation of the 2016 Area 2A Catch Sharing Plan for Pacific Halibut

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-16-16pm1 0:15:32](#)]

[Agenda Item E.1.a, WDFW Report](#): Washington Department of Fish and Wildlife Report on Proposed Changes to the Catch Sharing Plan and 2017 Annual Regulations

[Agenda Item E.1.a, Supplemental WDFW Report 2](#): WDFW Report on Proposed Changes to the Catch Sharing Plan and 2017 Annual Regulations

[Agenda Item E.1.a, ODFW Report](#): Oregon Department of Fish and Wildlife Report on Proposed Changes to the Pacific Halibut Catch Sharing Plan for the 2017 Fishery

[Agenda Item E.1.a, NMFS Report](#): Report on the 2016 Pacific Halibut Fisheries in Area 2A

[Agenda Item E.1.a, Supplemental IPHC News Release](#): Commission Staff Recommends Head-On Landed Weight Requirement for Commercial Fishery

[Agenda Item E.1.a, Supplemental CDFW Report](#): Recreational Pacific Halibut Catches in 2016

[Agenda Item E.1.a, Supplemental GAP Report](#)

[Agenda Item E.1.a, Supplemental SAS Report](#)

b. Public Comment [[mp3: 11-16-16pm1 0:49:43](#)]

Butch Smith, Ilwaco Charter Association

[Agenda Item E.1.b, Supplemental Public Comment](#)

c. Council Action: Adopt Final Changes for the 2017 Pacific Halibut Catch Sharing Plan and Annual Fishing Regulations [[mp3: 11-16-16pm1 0:52:10](#)]

Motion: Council to adopt the Pacific halibut proposals for 2017 contained in Agenda Item E.1.a ODFW Report.

Maggie Sommer/Jeff Feldner (Motion carried unanimously)

Motion: Council to adopt the Pacific halibut proposals for 2017 contained in Agenda Item E.1.a, WDFW Report, and the Washington statewide season dates in Agenda Item E.1.a, Supplemental WDFW Report 2.

Michele Culver/Rich Lincoln (Motion carried unanimously)

Staff Summary: The Council adopted final changes to the 2017 Catch Sharing Plan and annual fishing regulations for the Washington and Oregon recreational fisheries, described in the reports provided by the Washington Department of Fish and Wildlife ([Agenda Item E.1.a, WDFW Report, Agenda Item E.1.a, Supplemental WDFW Report 2](#)) and the Oregon Department of Fish and Wildlife ([Agenda Item E.1.a, ODFW Report](#)). For the Washington recreational fisheries, statewide season dates for the South Coast, North Coast, and Puget Sound subareas would be Thursday, May 4; Saturday, May 6; and Thursday, May 11. If sufficient quota remains, the seasons would continue as follows: Sunday, May 21 and/or Thursday, May 25 and Thursday, June 1 and/or Sunday, June 4. Other changes for the Washington recreational fisheries include allowing lingcod retention on halibut days during the month of May in the Columbia River subarea north of the Washington-Oregon border and specify that in the South Coast subarea, the nearshore fishery will open on the Saturday after the quota for the primary season has been achieved. For the Oregon recreational fisheries in all subareas, inseason adjustments (e.g., area restrictions) would be allowed based on bycatch of other limiting species, such as yelloweye rockfish. Additionally, changes to the groundfish retention rules were modified for the Central Coast subarea fisheries.

No changes were proposed for the Southern Oregon or California sub-area recreational fisheries, nor any commercial fisheries. A similar approach to establish the California recreational season structure and inseason management processes used in 2016, as described in the current Catch Sharing Plan ([Agenda Item E.1, Attachment 1](#) and [Agenda Item E.1.a, Supplemental CDFW Report](#)), will be used in 2017.

F. Groundfish Management

1. [National Marine Fisheries Service Report](#) – Brett Wiedoff [[mp3: 11-17-16am1 0:02:43](#)]

[Agenda Item F.1, Supplemental Attachment 1](#): Potential Revision to Sablefish Apportionment of 2017 and 2018 Annual Catch Limits

a. [Regulatory Activities](#) – Frank Lockhart [[mp3: 11-17-16am1 0:43:13](#)] & [[mp3: 11-17-16am2 0:00:58](#)]

[Agenda Item F.1.a, NMFS Report 1](#): Groundfish and Halibut *Federal Register* Notices

[Agenda Item F.1.a, NMFS Report 2](#): Rulemaking Plan for 2016, Groundfish

[Agenda Item F.1.a, Supplemental NMFS Report 3](#): Proposed Rule and Request for Comments on 2017-2018 Biennial Specifications and Management Measures; Amendment 27 – *Federal Register* notice dated October 28, 2016

[Agenda Item F.1.a, Supplemental NMFS Report 4](#): Elimination of Notary Requirement

b. [Fisheries Science Center Activities](#) –John Stein [[mp3: 11-17-16am1 0:14:21](#)]

[Agenda Item F.1.b, Supplemental NWFSC PPT](#): Groundfish Science Report, NWFSC (McClure)

- c. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-17-16am1 1:30:39](#)]

[Agenda Item F.1.c, Supplemental GAP Report](#)

- d. **Public Comment** [[mp3: 11-17-16am2 0:05:57](#)]

John Corbin (as given by Gerry Richter) [Agenda Item F.1.d, Supplemental Public Comment](#)
Gerry Richter
Tom Libby
Brad Pettinger
Michele Longo Eder
Bob Alverson, Fishing Vessel Owners Association

- e. **Council Discussion** [[mp3: 11-17-16am2 0:32:32](#)]

- 2. **Methodology Review Final Topic Selection** – John DeVore [[mp3: 11-17-16am2 0:54:57](#)]

[Agenda Item F.2, Attachment 1](#): Draft report on Accepted Practices Guidelines for Groundfish Stock Assessments

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-17-16am2 0:59:58](#)]

[Agenda Item F.2.a, GMT Report 1](#): Groundfish Management Team Report on Progress on Updates to Models Previously Reviewed by the Scientific and Statistical Committee

[Agenda Item F.2.a, GMT Report 2](#): Groundfish Management Team Report on Proposed Changes to the Nearshore and Non-nearshore Models for Use in the 2019-2020 Biennial Harvest Specifications and Management Measures Analysis

[Agenda Item F.2.a, Supplemental SSC Report](#)

[Agenda Item F.2.a, Supplemental GAP Report](#)

- b. **Public Comment**

None

- c. **Council Action: Adopt Final Topics for the 2017 Methodology Review** [[mp3: 11-17-16am2 1:14:23](#)]

Motion: Council adopt the methodology review topics and timelines recommended by the GMT and SSC as represented in Agenda Item F.2.a, Supplemental SSC Report, November 2016. In addition, the Council approve a GAP member attend the meetings requested in the GAP report. Phil Anderson/Rich Lincoln (Motion carried unanimously)

Staff Summary: The Council adopted the methodology review topics and timeline for 2017 reviews recommended by the Groundfish Management Team and the Scientific and Statistical Committee (SSC) detailed in [Agenda Item F.2.a, Supplemental SSC Report](#). These methodologies, if endorsed by the SSC in their reviews, will be used in analyses to inform future harvest specifications and management measures decisions as well as stock assessments in 2017.

3. [Inseason Management Final Action](#) – Kelly Ames [[mp3: 11-17-16pm2 0:01:53](#)]

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-17-16pm2 0:02:10](#)]

[Agenda Item F.3.a, Supplemental GMT Report](#)

[Agenda Item F.3.a, Supplemental GAP Report](#)

[Agenda Item F.3.a, Supplemental ODFW Report](#)

[Agenda Item F.3.a, Supplemental CDFW Report](#): Summary of 2016 Groundfish Mortality in California

b. **Public Comment**

[Agenda Item F.3.b, Public Comment](#)

c. **Council Action: Adopt Final Inseason Adjustments, as Necessary, to Achieve but Not Exceed Annual Catch Limits** [[mp3: 11-17-16pm2 0:31:10](#)]

Motion: Council make an inseason management recommendation to National Marine Fisheries Service (NMFS) that requests them to correct the computational error contained in the Proposed Rule for the 2017/18 Biennial Harvest Specifications and Management Measures for the sablefish 2017/2018 ACL's north and south of 36° N. latitude as quickly as possible. Further, direct the Executive Director to send a letter to NMFS by November 27, 2016 that states the Council's request with the accompanying rationale consistent with the discussions held by the Council on this issue at its November meeting under agenda items F.1 and F.3 including supporting comments from the Groundfish Management Team, the Groundfish Advisory Subpanel, and comments by members of the public.

Phil Anderson/Michele Culver (Motion carried, Mr. Lockhart abstained)

Motion: Council adopt Agenda Item F.3.a, Supplemental GMT Report, Page 10, the sablefish trip limits consistent with option C, be in place from January 1, 2017; revise Option B concurrent with the correction of the computational error; TLs described on page 10, GMT recommendation 2 b) i thru iii

Michele Culver/Rich Lincoln (Motion withdrawn)

Motion: Council adopt Agenda Item F.3.a, Supplemental GMT Report sablefish trip limits consistent w/ Option B described on page 10 GMT Recommendation 2b, i thru iii

Michele Culver/Phil Anderson (Motion carried unanimously)

Staff Summary: The National Marine Fisheries Service (NMFS) recently published the proposed rule for 2017 and 2018 groundfish harvest specifications and management measures ([Agenda Item F.1.a, Supplemental NMFS Report 3](#)) proposing the Council's preferred alternatives. The proposed rule apportioned the coastwide 2017 and 2018 annual catch limits (ACLs) of sablefish north and south of 36° N. lat. according to the relative biomass reported in the [2015 sablefish update assessment](#) of 15.1 percent in the south and 84.9 percent in the north to determine ACLs north and south. However, that apportionment represented the estimated relative biomass north and south of Pt. Conception at 34° 27' N. lat. rather than 36° N. lat., the management line used to manage sablefish. The Council recommended NMFS use the recalculated values of 26.2 percent in the south and 73.8 percent in the north be used in the final rule implementing the regulations ([Agenda Item F.1, Supplemental Attachment 1](#)).

The Council is also recommending adjustments to 2017 cumulative landing limits for sablefish that are responsive to the recommended reapportionment of proposed sablefish ACLs. The recommended cumulative landing limits are as follows:

- Limited Entry Fixed Gear North of 36° N. lat.: 1,100 lbs./week, not to exceed 3,300 lbs. bimonthly;
- Open Access Fixed Gear North of 36° N. lat.: 300 lbs./day or 1 landing per week up to 900 lbs., not to exceed 1,800 lbs. bimonthly; and
- Limited Entry Fixed Gear South of 36° N. lat.: 2,000 lbs./week.

4. [Groundfish Essential Fish Habitat \(EFH\) and Rockfish Conservation Area \(RCA\) Amendment 28 Alternatives](#) – Kerry Griffin [[mp3: 11-18-16am3 0:00:03](#)]

a. [Project Team Report](#) – Kerry Griffin and Kelly Ames [[mp3: 11-18-16am3 0:04:21](#)]

[Agenda Item F.4.a, Supplemental EFH/RCA Project Team PowerPoint](#): (Griffin/Ames)

[Agenda Item F.4.a, Project Team Report](#): Modifications to Pacific Coast Groundfish Essential Fish Habitat and Trawl Rockfish Conservation Areas (Amendment 28 to the Pacific Coast Groundfish Fishery Management Plan); Description and Analysis of Alternatives for Council Decision-making

[Agenda Item F.4.a, Supplemental Project Team Report 2](#): Project Team Report 2 on EFH and RCA Supplemental Materials

b. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 11-18-16pm1 0:00:17](#)]

[Agenda Item F.4.b, Supplemental Lt. Governor Report](#)

[Agenda Item F.4.b, Supplemental CDFW Report](#)

[Agenda Item F.4.b, Supplemental NMS Letter to PFMC](#) (Greater Farallones National Marine Sanctuary)

[Agenda Item F.4.b, Supplemental SSC Report](#)

[Agenda Item F.4.b, Supplemental GMT Report](#)

[Agenda Item F.4.b, Supplemental GAP Report](#)

[Agenda Item F.4.b, Supplemental HC Report](#)

c. [Public Comment](#) [[mp3: 11-18-16pm2 0:00:15](#)] and [[mp3: 11-18-16pm3 0:00:31](#)]

[Agenda Item F.4.c, Public Comment](#)

[Agenda Item F.4.c, Supplemental Public Comment 2](#) (*FULL Version Electronic Only*)

[Agenda Item F.4.c, Supplemental Public Comment 3](#)

[Agenda Item F.4.c, Supplemental Public Comment 5](#)

Brad Pettinger, Tom Libby, Seth Atkinson, Shems Jud and Kate Kauer presented [Agenda Item F.4.c, Supplemental Public Comment PowerPoint 3](#): (Collaborative EFH-RCA Package)

Ben Enticknap and Geoff Shester presented [Agenda Item F.4.c, Supplemental Public Comment PowerPoint](#): (Oceana)

Alana and Jude Flores

Mark Cooper, F/V Perseverance

Andrea Treece, Earthjustice

Jeff Lackey, F/V Miss Sue

Paul Kujala, F/V Cape Windy
Grace Reville, Yale University
Rebecca Lehman, Yale University
David Kirk, Port San Luis Commercial Fisherman's Association
Kevin Dunn, F/V Iron Lady
Tom Libby
Benjamin Grupe
Tom Rudolph presented [Agenda Item F.4.c, Supplemental Public Comment PowerPoint 2:](#)
(Rudolph)
Mike Okoniewski, Pacific Seafood
Bob Alverson, Fishing Vessel Owners Association
Steve Bodnar, Coos Bay Trawlers Association
Emily Farr, Yale University
Michele Norvell, Fort Bragg Groundfish Association
Jeremiah Obrien, presented [Agenda Item F.4.c, Supplemental Public Comment 4](#)
Heather Mann, Midwater Trawlers Cooperative
Brad Pettinger, Oregon Trawl Commission

d. Council Action: Consider Revisions to the Range of Alternatives, Identify Preliminary Preferred Alternatives, and Provide Additional Guidance as Necessary [[mp3: 11-20-16pm1 0:00:19](#)]

Motion: For the area from the Oregon/Washington border to the Oregon/California, and including in their entirety those areas divided by a state border:

1. Move forward for further analysis:
 - a) Alternative 1b, Collaborative proposal
 - b) Alternative 1c, Oceana et al proposal
 - c) All six areas off Oregon proposed by the Midwater Trawler's Cooperative in public comment (Agenda Item F.4.c, Supplemental Public Comment 2) with Heceta Head and Daisy Bank as modified by the GAP (Agenda item F.4.b, Supplemental GAP Report)
 - d) From the individual polygons, Proposal "None", Garibaldi Reef South closure (Agenda Item F.4.a, Project Team Report, Appendix F, Table F-4a)
2. For subject area 3, Adjustments to the Trawl RCA, adopt Alternatives 3b (Remove RCAs) and 3d (Block Area Closures) for groundfish and protected species (primarily salmon) as a Preliminary Preferred Alternative.

For all areas from coast-wide, remove from further analysis:

1. Subject Area 2, new EFHCAs within the trawl RCA based on the presence of priority habitats
2. Alternative 3c, Discrete Area Closures for overfished species

Revise the Purpose and Need Statement as follows:

- P2: Reconsider the purpose of Rockfish Conservation Areas as long-term closures to reduce catch of overfished species in the bottom trawl sector in light of the 2011 implementation of the IFQ program and the individual catch accountability that it provides.

N2: Consider transitioning from long-term Rockfish Conservation Area closures to the Shorebased Individual Fishing Quota Program (IFQ) as the primary catch control tool for IFQ species in the bottom trawl sector in order to provide the bottom trawl sector increased flexibility to achieve Optimum Yield and economic efficiency.

Add methane seeps to the description of groundfish habitat in Appendix B.

Troy Buell/Jeff Feldner

Amendment 1: Change the language in the first section of the Motion:

- strike “Oregon/California” and replace with “US/Mexico”
- 1.b – add “With CDFW Recommended modifications for the S. CA Bight (Agenda Item F.4.b, Supplemental CDFW Report).
- Add “3. For subject area 10, include corrected coordinates for Potato Bank

Joanna Grebel/David Crabbe (Amendment carried unanimously)

Amendment 2: strike in the second paragraph “coast-wide” and replace with “the OR/WA border to the US/Mex border”.

Phil Anderson/Rich Lincoln (Amendment carried unanimously)

Amendment 3: Include for analysis the modification to Rittenburg bank closure as shown in the map below.



David Crabbe/Buzz Brizendine (Amendment carried unanimously)

Motion as amended carried unanimously

Motion: Council include the following items in their Preliminary Preferred Alternative:

1. Regarding Essential Fish Habitat Conservation Areas in waters adjacent to Washington, approve Alternative 1a (No Action), and
2. Regarding proposed revisions to the Rockfish Conservation Areas in waters adjacent to Washington, approve Alternative 3a (No Action).

Corey Niles/Phil Anderson (Motion carried, Mr. Buell, Mr. Feldner, Mr. Hassemer, Mr. Lincoln and Ms. Lowman voted no).

Staff Summary: The Council provided guidance on further analysis of alternatives for revisions to groundfish EFH and the trawl RCA. For waters off Oregon and California, the Council adopted the following:

- Move forward [Alternative 1b](#) (Collaborative) for further analysis,
- Move forward [Alternative 1c](#) (Oceana et al.) for further analysis, with CDFW recommended modifications to areas in the Southern California Bight ([Agenda Item F.4.b, Supplemental CDFW Report](#)),
- Include for further analysis all six areas off Oregon proposed by the Midwater Trawler's Cooperative in public comment ([Agenda Item F.4.c, Supplemental Public Comment 2](#)), with Heceta Head and Daisy Bank as modified by the GAP report ([Agenda Item F.4.b, Supplemental GAP Report](#)),
- Include for further analysis the individual area "Garibaldi Reef South" closure ([Agenda Item F.4.a, Project Team Report](#); Appendix F, Table F-4a),
- Include for further analysis the modification to Rittenburg Bank closure ([Agenda Item F.4.b, Supplemental NMS Report](#)),
- For Subject Area 10, include corrected coordinates for Potato Bank,
- Eliminate Subject Area 2 (New EFH Conservation Areas (EFHCAs) within the trawl RCA, based on priority habitats),
- Eliminate Alternative 3c (Discrete Area Closures for Overfished Species), and
- Adopt Alternatives 3b (Remove groundfish trawl RCAs) and 3d (Block Area Closures) for groundfish and protected species (primarily salmon) as a Preliminary Preferred Alternative. This would address any unexpected catches of groundfish or protected species, as necessary.

The Council adopted the following for waters off Washington:

- Adopt [Alternative 1a](#) (No Action) as a preliminary preferred alternative, which would maintain the existing configuration of EFHCAs.
- Adopt [Alternative 3a](#) (No Action) as a preliminary preferred alternative, which would maintain the trawl RCA, but continue analyzing the efficacy of discrete area closures to reduce catch of overfished species.

The Council adopted a modified Purpose and Need (page 2 of the [Analytical Document](#)), for Purpose 2 and Need 2 (P2 and N2), as follows:

P2: Reconsider the purpose of Rockfish Conservation Areas as long-term closures to reduce catch of overfished species in the bottom trawl sector in light of the 2011 implementation of the individual fishing quota program and the individual catch accountability that it provides.

N2: Consider transitioning from long-term Rockfish Conservation Area closures to the Shorebased Individual Fishing Quota (IFQ) Program as the primary catch control tool for IFQ species in the bottom trawl sector in order to provide the bottom trawl sector increased flexibility to achieve Optimum Yield and economic efficiency.

The Council also directed the Project Team to add methane seeps to the description of groundfish habitats in [Appendix B](#).

5. **Trawl Gear Modification Exempted Fishing Permit (EFP) Final Action** –Jim Seger
[mp3: 11-19-16am1 0:02:04]

Agenda Item F.5, Attachment 1: Selective Flatfish Trawl EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery

Agenda Item F.5, Supplemental Attachment 2: Selective Flatfish Trawl EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery; EFP Participation Requirements/Rules (DRAFT)

Agenda Item F.5, Supplemental Attachment 3: Selective Flatfish Trawl EFP PowerPoint (Steele, Jud, Pettinger, Okoniewski)

a. **Reports and Comments of Advisory Bodies and Management Entities** [mp3: 11-19-16am1 0:02:09] and [mp3: 11-19-16am2 0:00:40]

Agenda Item F.5.a, Supplemental NMFS Report

Agenda Item F.5.a, Supplemental NMFS PowerPoint (Hooper)

Agenda Item F.5.a, Supplemental GMT Report

Agenda Item F.5.a, Supplemental GAP Report

b. **Public Comment** [mp3: 11-19-16am2 0:52:48]

Brad Pettinger, Oregon Trawl Commission

Kevin Dunn, F/V Iron Lady

Travis Hunter

Steve Bodnar, Coos Bay Trawlers Association

Mike Okoniewski, Pacific Seafood

Tom Libby

Andrew Bornstein, Bornstein Seafood

Paul Kujala

Lori Steele, West Coast Seafood Processors Association

Jeff Lackey, F/V Miss Sue

c. **Council Action: Adopt Final EFP Recommendations to NMFS for Modification of Trawl Gear Regulations** [mp3: 11-19-16am3 0:00:05]

Motion: Recommend that NMFS approve the trawl gear modification EFP as proposed in Agenda Item F.5 Attachment 1 and Supplemental Attachments 2 and 3, with the following modifications:

- Set the Chinook salmon limit for this EFP at 4,000 fish.
- Add a sub-limit of 17 percent, or 680 Chinook, for the Eureka management area.
- Remove the provision to trigger a closure of the Columbia River Salmon Conservation Zone to EFP fishing when 1,000 Chinook have been caught by EFP fishers.
- Allow use of EM consistent with EM EFP provisions.

Require that the EFP applicants prepare an informational report for the April 2017 Council meeting briefing book, and a full report for the June 2017 meeting.

Recommend against automatic renewal, and schedule a review at the September 2017 Council meeting. Further, reiterate to NMFS the Council's desire to implement this EFP as soon as possible in January 2017.

Maggie Sommer/Michele Culver

Amendment 1: Add an additional bullet to the “high bycatch trip” definition proposed by the proponents, as follows:

- For the California KMZ, which is defined consistent with salmon regulations as waters from the CA/Oregon border south to Horse Mt: 1 adult chinook, defined as 20 inches or greater.

Marci Yaremko/Marc Gorelnik (Amendment 1 carried, Ms. Sommer and Ms. Culver voted no, and Mr. Lockhart abstained)

Motion as amended carried unanimously

Staff Summary: The Council recommended that NMFS implement the Selective Flatfish Trawl EFP (as described in Agenda Item F.5, [Attachment 1](#), [Supplemental Attachment 2](#), and [Supplemental Attachment 3](#)) with the following modifications:

- Set the Chinook salmon limit for this EFP at no more than 4,000 fish.
- Add a sub-limit of 17 percent, or 680 Chinook, for the Eureka management area (number of fish to be adjusted to the final Chinook salmon limit).
- Remove the provision to trigger a closure of the Columbia River Salmon Conservation Zone to EFP fishing when 1,000 Chinook have been caught by EFP fishers (such that there would not be a conservation zone closure in this area).
- Add the following criteria to the definition of a high bycatch trip: 1 adult Chinook (defined as 20 inches or greater) caught in the California portion of the Klamath Management Zone (KMZ, defined consistent with salmon regulations as waters from the California/Oregon border south to Horse Mountain).

Further, the Council recommended that vessels be allowed to fish concurrently under both this EFP and the electronic monitoring EFP, and that the EFP applicants prepare an informational report for the April 2017 Council meeting briefing book, and a full report for the June 2017 meeting. Additionally, the permit should not be automatically renewed, but rather resubmitted to the Council in September 2017 for recommendations for 2018—if an extension of the EFP is needed.

6. [5-Year Catch Share Program and Intersector Allocation Review Plans and Fishery Management Update](#) – Jim Seger [[mp3: 11-20-16am2 0:00:08](#)]

[Agenda Item F.6, Attachment 1](#): Catch Share Review Calendar

[Agenda Item F.6, Attachment 2](#): Evaluating the Performance of Amendment 21 Allocations Since Implementation of the Trawl Catch Share Program (Through 2015)

[Agenda Item F.6, Attachment 3](#): Five-Year Review of Intersector Allocations

[Agenda Item F.6, Attachment 4](#): Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery, Description of Trawl Rationalization (Catch Shares) Program Appendix E

a. [Overview of the 5-Year Review Blueprint](#) – Abigail Harley [[mp3: 11-20-16am2 0:00:10](#)]

[Agenda Item F.6.a, Blueprint](#): West Coast Groundfish Trawl Catch Share Program Five-year Review – Annotated Outline (Blueprint)

[Agenda Item F.6.a, Supplemental PowerPoint](#): Groundfish Trawl Catch Share Program 5-year Review; Detailed Outline for Review (Harley)

b. [Summary of Public Hearings – Hearings Officers](#) [[mp3: 11-20-16am2 0:16:18](#)]

c. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 11-20-16am2 0:17:16](#)]

[Agenda Item F.6.c, Supplemental CAB Report](#)

[Agenda Item F.6.c, Supplemental SSC Report](#)

[Agenda Item F.6.c, Supplemental GMT Report](#)

[Agenda Item F.6.c, Supplemental GAP Report](#)

d. [Public Comment](#) [[mp3: 11-20-16am2 0:44:00](#)]

[Agenda Item F.6.d, Public Comment](#)

[Agenda Item F.6.d, Supplemental Public Comment 2](#)

[Agenda Item F.6.d, Supplemental Public Comment 3](#)

[Agenda Item F.6.d, Supplemental Public Comment 4](#)

Paul Clampitt F/V Augustine – statement read into the record by Michele Longo Eder

Michele Longo Eder

John Corbin, Buck & Ann Fisheries

Gerry Richter and Chris Hoeflinger, Commercial Fisherman of Santa Barbara, Inc

Tom Libby

Lori Steele, West Coast Seafood Processors Association

Brent Paine, United Catcher Boats

Mike Okoniewski, Pacific Seafood

Kate Kauer, The Nature Conservancy

e. **Council Action: Provide Guidance on Plans for the 5-Year Review of the Trawl Catch Share Program and Allocations, Including Ad Hoc Community Advisory Board Tasks, Adopt Language Update for Appendix E to the Groundfish Fishery Management Plan, and Provide Other Guidance as Needed** [[mp3: 11-20-16am2 1:47:38](#)]

Staff Summary: In development of the catch share review report, the Council directed analysts to take into account and focus on concerns about the catch share program articulated through public comment; community hearings; Community Advisory Board, Groundfish Advisory Subpanel, Groundfish Management Team, and Scientific and Statistical Committee reports; and the 2016 Pacific Coast Groundfish Quota Program Workshop (“Santa Rosa III”). The Council deferred, until June 2017, finalization of the update to the description of the trawl catch share program (Appendix E, to the groundfish FMP). The Council is scheduled to release a public review draft of the program review report at the June 2017 meeting.

The Council directed staff to begin developing a review of intersector allocations and report back on progress at the April 2017 Council meeting following the approach outlined in [Agenda Item F.6, Attachment 3](#). Any revisions to the allocations would follow the review and be developed through the Council’s Groundfish Allocation Committee, although the catch share review Community Advisory Board may address within trawl allocation and comment on trawl/nontrawl allocations as they relate to performance of the catch share program. At this time, it is not the

Council's intent to focus on reconsideration of within trawl whiting, sablefish, or trawl/nontrawl allocations.

7. [Mid-Biennium Harvest Specification Adjustment Policies](#) – John DeVore [[mp3: 11-20-16pm3 0:00:02](#)]

[Agenda Item F.7, Attachment 1](#): Strawman Alternatives in Consideration of Establishing a Fishery Management Plan Framework to Allow a Mid-Biennium Increase in Harvest Specifications

a. **Reports and Comments of Advisory Bodies and Management Entities**

[Agenda Item F.7.a, Supplemental ODFW Report](#): Green Light Framework

[Agenda Item F.7.a, Supplemental GMT Report](#)

[Agenda Item F.7.a, Supplemental GAP Report](#)

b. **Public Comment**

None

c. **Council Action: Adopt a Range of Alternatives and, if Appropriate, a Preliminary Preferred Policy Alternative for Mid-Biennium Harvest Specification Adjustments; Provide Further Direction as Necessary** [[mp3: 11-20-16pm3 0:38:36](#)]

Motion: Council approve for a mid-biennium harvest specifications increase framework: Adopt the draft statements of purpose and need in Agenda Item F.7, ODFW Supplemental Report, except remove the word “constraining” from the purpose.

Affirm the intent to:

- Only consider a mid-biennium increase in harvest specifications for newly-assessed stocks when it would result in significant benefits to fisheries and communities.
- Limit consideration of a mid-biennium ACL increase to fall within the range of the pre-specified ACL and the ACL specified under default harvest control rules.
- Limit management measures that could be considered with a mid-biennium increase in harvest specifications to routine management measures.

Adopt the following range of alternatives and preliminary preferred alternative for stocks eligible for a mid-biennium increase in harvest specifications:

- 1) No Action
- 2) Overfished stocks scheduled for assessment
- 3) Any stock scheduled for assessment (PPA)

Recommend that a qualitative approach be used to evaluate these alternatives.

Request that prior to selection of a final preferred alternative, Council staff develop a draft process and schedule for implementing a green light action in the future. Include an exploration of frontloading workload and of other regions' harvest specifications process, to inform potential regulatory pathways.

Schedule final action for September, 2017.

Maggie Sommer/Joanna Grebel (Motion carried unanimously)

Staff Summary: The Council adopted a range of alternatives for a mid-biennium harvest specification adjustment policy that included: 1) no-action, 2) consideration for overfished species only, and 3) any stock scheduled for assessment. The Council also identified alternative 3 as their preliminary preferred alternative, which would allow an increase in groundfish harvest specifications in the second year of a biennial management cycle when a new assessment indicates a substantial increase in the available harvest of a stock. The new policy would allow such an increase for any newly-assessed stock in cases where a significant increase in available yield would provide substantial benefits to fisheries and fishery-dependent communities. The Council scheduled final action on this policy for their September 2017 meeting. The Council also directed staff to develop a draft process and schedule for future implementation of potential adjustments.

G. Coastal Pelagic Species Management

1. [National Marine Fisheries Service Report](#) – Kerry Griffin [[mp3: 11-17-16am2 1:19:48](#)]

a. **Regulatory Activities** – Frank Lockhart [[mp3: 11-17-16am2 1:20:20](#)]

b. **Fisheries Science Center Activities** –Cisco Werner [[mp3: 11-17-16am2 1:21:23](#)]

[Agenda Item G.1.b, Supplemental SWFSC PowerPoint](#): SWFSC Activities (Werner/DiNardo)

c. **Reports and Comments of Advisory Bodies and Management Entities**

None

d. **Public Comment** [[mp3: 11-17-16am2 1:42:24](#)]

Diane Pleschner-Steele, California Wetfish Producers Association

e. **Council Discussion** [[mp3: 11-17-16am2 1:49:06](#)]

2. [Methodology Review Preliminary Topic Selection](#) – Kerry Griffin [[mp3: 11-17-16pm1 0:00:11](#)]

[Agenda Item G.2, Attachment 1](#): CDFW/CWPA proposal for nearshore aerial CPS surveys in the Southern California Bight

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-17-16pm1 0:03:42](#)]

[Agenda Item G.2.a, Supplemental CDFW/CWPA PowerPoint](#): Southern California Coastal Pelagic Species Aerial Survey (Kirk Lynn)

[Agenda Item G.2.a, Supplemental SSC Report](#)

[Agenda Item G.2.a, Supplemental CPSMT Report](#)

[Agenda Item G.2.a, Supplemental CPSAS Report](#)

b. **Public Comment** [[mp3: 11-17-16pm1 0:27:35](#)]

Diane Pleschner-Steele, California Wetfish Producers Association

Mike Okoniewski, Pacific Seafood
Al Carter, Ocean Gold

c. Council Action: Provide Guidance on Preliminary Topics for Methodology Review in 2017 [[mp3: 11-17-16pm1 0:38:04](#)]

Motion: Council approve scheduling a formal methodology review for the CDFW/CWPA aerial survey and timeline as recommended by the SSC and CPSMT in Supplemental Reports G.2.a, November 2016.

Briana Brady/Marc Gorelnik (Motion carried unanimously)

Staff Summary: The Council approved a methodology review for the California Department of Fish and Wildlife and California Wetfish Producers Association [aerial survey](#), to be scheduled some time in spring 2017, with the Coastal Pelagic Species Advisory Subpanel's report back to the Council scheduled for June 2017.

3. [Small-Scale Fishery Management Alternatives](#)– Kerry Griffin [[mp3: 11-17-16pm1 0:43:51](#)]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-17-16pm1 0:47:27](#)]

[Agenda Item G.3.a, CPSMT Report](#)

[Agenda Item G.3.a, Supplemental CPSMT Report 2](#)

[Agenda Item G.3.a, Supplemental **REVISED** CPSAS Report](#)

b. Public Comment [[mp3: 11-17-16pm1 1:10:19](#)]

Mike Okoniewski, Pacific Seafood

Diane Pleschner-Steele, California Wetfish Producers Association

[Agenda Item G.3.b, Public Comment](#)

[Agenda Item G.3.b, Supplemental Public Comment 2](#)

c. Council Action: Adopt a Range of Policy Alternatives for Small-Scale Fishery Management; Adopt Preliminary Preferred as Appropriate [[mp3: 11-17-16pm1 1:13:32](#)]

Motion: Council to adopt the range of alternatives and preliminary preferred alternative recommended in Agenda Item G.3.a, Supplemental CPSMT Report 2 for small-scale CPS fishery trip limits, to be applicable when the directed fishery for a CPS finfish is closed.

Range of alternatives:

1. Status quo
2. Allow a trip limit up to a maximum of 0.5 mt for CPS
3. Allow a trip limit up to a maximum of 1.0 mt for CPS

Preliminary Preferred Alternative: Alternative 3, with the modification that only one trip, with a maximum of 1.0 mt, is allowed per vessel per day.

In addition, request that the CPSMT monitor landings and prepare an informational report for the September 2017 Council meeting.

Maggie Sommer/Briana Brady (Motion carried unanimously)

Staff Summary: The Council selected the following range of alternatives to allow small-scale directed fishing to continue when the directed Coastal Pelagic Species (CPS) finfish fishery is closed: 1) No Action, 2) allow a trip limit up to 0.5 mt for CPS, 3) allow a trip limit up to 1.0 mt for CPS, and 4) allow a trip limit of up to 1.0 mt for CPS with a limit of one trip per vessel per day or one beach seine delivery per day. Alternative 4 was identified as the Council's preliminary preferred alternative. Selection of a final preferred alternative is scheduled for the April 2017 Council meeting. The Council also asked for an update on the fishery as an informational report at the September 2017 meeting.

**4. [Northern Anchovy Stock Assessment and Management Measures](#)– Kerry Griffin
[[mp3: 11-19-16pm1 0:00:22](#)]**

a. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 11-19-16pm1 0:09:37](#)] and [[mp3: 11-19-16pm2 0:00:20](#)]

[Agenda Item G.4.a, SWFSC Report](#): Egg and Larval Production of the Central Subpopulation of the Northern Anchovy in the Southern California Bight

[Agenda Item G.4.a, Supplemental SWFSC Report 2](#): Summary of Current Information Available on Coastal Pelagic Species with Emphasis on the Central Subpopulation of Northern Anchovy

[Agenda Item G.4.a, Supplemental SWFSC PowerPoint](#): Summary of Current Information Available on Coastal Pelagic Species with Emphasis on the Central Subpopulation of Northern Anchovy (DiNardo/Sweetnam)

[Agenda Item G.4.a, Supplemental ODFW/WDFW/Quinalt Report](#)

[Agenda Item G.4.a, Supplemental USFWS Report](#)

[Agenda Item G.4.a, Supplemental SSC Report](#)

[Agenda Item G.4.a, Supplemental CPSMT Report](#)

[Agenda Item G.4.a, Supplemental CPSAS Report](#)

b. [Public Comment](#) [[mp3: 11-19-16pm2 0:10:54](#)]

[Agenda Item G.4.b, Public Comment](#)

[Agenda Item G.4.b, Supplemental Public Comment 2](#) (*Full Version Electronic Only*)

[Agenda Item G.4.b, Supplemental Public Comment 3](#)

Diane Pleschner-Steele, California Wetfish Producers Association presented [Agenda Item G.4.b, Supplemental Public Comment PowerPoint 2](#): Pleschner-Steele ([Pleschner-Steele video contained in PowerPoint](#) *provided as convenience for unsupported browsers*)

Neil Guglielmo

Devon Reed

Steve Marx, PEW Charitable Trust

Nick Jurlin presented [Agenda Item G.4.b, Supplemental Public Comment PowerPoint 4](#): Jurlin

Corbin Hanson

Richie Ashley *did not testify

Geoff Shester, Oceana

Jamie Ashley

Pete Guglielmo

Jeff Boehm, The Marine Mammal Center presented [Agenda Item G.4.b, Supplemental Public Comment PowerPoint 3](#): Boehm

Theresa Labriola, Wild Oceans

Louis Zimm presented [Agenda Item G.4.b, Supplemental Public Comment PowerPoint 1](#): Zimm

Mike Okoniewski, Pacific Seafood

Norman Ritchie, Association of Northwest Steelheaders

- c. **Council Action: Review Stock Status and Consider Revisions to Harvest Specifications, Management Measures, and Management Category** [[mp3: 11-19-16pm3 0:00:24](#)]

Motion: Council to task the SWFSC, SSC, CPSMT, and the CPSAS continue work consistent with the last two paragraphs in ‘Agenda Item G4a, Supplemental SSC Report, November 2016’, which refer to OFL and developing an integrated stock assessment and procedures for setting and updating OFLs and ABCs for monitored species; in addition, this should include developing an MSST for CSNA. That the Council receives an update on how to move forward with a process to revise OFL from the SSC in April 2017, acknowledging that the ATM will be reviewed for use for anchovy in spring 2018.

Briana Brady/Buzz Brizendine

Amendment 1: replace the last sentence in the motion with “The Council request the Science and Statistical Committee to recommend a revised OFL and ABC based on the best available science, including analysis of recent data as described in SSC Report (Agenda Item G.4.a), for the CSNA for consideration by the Council at the April 2017 meeting.”

Steven Haeseker/Rich Lincoln

Amendment 2 (as a substitute): replace the last sentence in the motion with “The Council request the SSC examine the current OFL, identify alternatives to develop a revised OFL, based on the best available science, for the CSNA and develop a proposed process and timeline to consider OFL alternatives for the April 2017 meeting.”

Michele Culver/Frank Lockhart (Amendment carried unanimously)

Amendment 3: add a statement at the end of the amended motion “Acknowledging that the ATM will be reviewed for use for anchovy in spring 2018.”

David Crabbe/Marc Gorelnik (Amendment carried unanimously)

Amendment 4: strike “for monitored species” and add “central subpopulation of northern anchovy.”

David Crabbe/Briana Brady (Amendment carried unanimously)

Motion as amended carried unanimously

Staff Summary: The Council directed the Scientific and Statistical Committee (SSC), Southwest Fisheries Science Center, Coastal Pelagic Species Management Team, and Coastal Pelagic Species Advisory Subpanel to develop an integrated stock assessment and procedures for setting and updating overfishing limit (OFL), acceptable biological catch, and Minimum Stock Size Threshold for the central subpopulation of northern anchovy (CSNA), consistent with [Agenda Item G.4.a, Supplemental SSC Report](#). The Council also directed the SSC to identify alternative approaches

to developing a revised OFL for the CSNA, as well as a process and timeline to consider OFL alternatives, for consideration at the April 2017 Council meeting.

H. Habitat

1. Current Habitat Issues – Jennifer Gilden [[mp3: 11-18-16am1 0:01:54](#)]

[Agenda Item H.1, Attachment 1](#): Draft letter on FCRPS Biological Opinion

- a. Report of the Habitat Committee – Joel Kawahara [[mp3: 11-18-16am1 0:02:38](#)]
- b. **Reports and Comments of Advisory Bodies and Management Entities**
- c. **Public Comment** [[mp3: 11-18-16am1 0:14:31](#)]

Ben Enticknap, Oceana

- d. **Council Action: Consider Habitat Committee Recommendations** [[mp3: 11-18-16am1 0:17:18](#)]

Motion: Council approve the letter in Agenda Item H.1, Attachment 1, with the following modification (strikeout/underline) text:

Recommendations: This EIS should consider a ~~comprehensive~~ full suite of hydrosystem configurations and operations to assess conditions against a standard that will allow delisting and recovery of Columbia River salmon ESUs. Alternatives to evaluate should encompass aggressive reconfiguration of long-standing operations that improve migration conditions and would lead to improvements in the full life-cycle survival of anadromous species in the Columbia River up to and including additional drawdown of reservoirs, breaching of the four lowermost dams on the Snake River, and seasonal flow augmentation.

Maggie Sommer/Phil Anderson (Motion carried, Mr. Lockhart abstained).

Staff Summary: The Council directed staff to revise the [draft letter](#) on Columbia River hydropower operations with edits intended to clarify the intent to address improved life cycle survival and send the letter prior to the comment deadline of January 17, 2017.

I. Highly Migratory Species Management

1. **National Marine Fisheries Service Report** – Kit Dahl [[mp3: 11-20-16am1 0:01:52](#)]

- a. Regulatory Activities – Heidi Taylor [[mp3: 11-20-16am1 0:02:35](#)]
- b. **Fisheries Science Center Activities** –Cisco Werner [[mp3: 11-20-16am1 0:13:52](#)]
- c. **Reports and Comments of Advisory Bodies and Management Entities**

None

- d. **Public Comment**

None

- e. **Council Discussion** [[mp3: 11-20-16am1 0:17:00](#)]

2. International Issues – Kit Dahl [[mp3: 11-20-16am1 0:18:57](#)]

[Agenda Item I.2, Attachment 1](#): Resolution C-16-08, Measures for the Conservation and Management of Pacific Bluefin Tuna in the Eastern Pacific Ocean

[Agenda Item I.2, Attachment 2](#): Western and Central Pacific Fisheries Commission, Thirteenth Regular Session, Denarau Island, Fiji, 5 – 9 December, 2016, Provisional Agenda

[Agenda Item I.2, Attachment 3](#): Conservation and Management Measure Proposed by the Northern Committee to Establish a Multi-Annual Rebuilding Plan for Pacific Bluefin Tuna

[Agenda Item I.2, Attachment 4](#): Recommendations from the Permanent Advisory Committee to the U.S. Commissioners for the Western and Central Pacific Fisheries Commission

[Agenda Item I.2, Supplemental Attachment 5](#): Delegation Proposals Submitted for WCPFC13

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 11-20-16am1 0:28:39](#)]

[Agenda Item I.2.a, NMFS Report](#): International Issues

[Agenda Item I.2.a, Supplemental NMFS Report 2](#): Report on the Petition to List Pacific Bluefin Tuna Under the ESA

[Agenda Item I.2.a, Supplemental CDFW Report](#)

[Agenda Item I.2.a, Supplemental HMSMT Report](#)

[Agenda Item I.2.a, Supplemental HMSAS Report](#)

b. Public Comment [[mp3: 11-20-16am1 0:54:40](#)]

[Agenda Item I.2.b, Public Comment](#)

Doug Fricke

Theresa Labriola, Wild Oceans

c. Council Action: 1) Provide Recommendations to the U.S. Delegations to the Thirteenth Meeting of the Western and Central Pacific Fisheries Commission (WCPFC); 2) Comment on Domestic Pacific Bluefin Commercial Fishery Regulations, as Appropriate; 3) Respond to the Center for Biological Diversity’s Petition for Rulemaking [[mp3: 11-20-16am1 1:03:01](#)]

Staff Summary: The Council made recommendations to the U.S. Delegation to the Thirteenth Meeting of the Western and Central Pacific Fisheries Commission (WCPFC) with respect to Pacific bluefin tuna. The WCPFC Northern Committee has put forward a conservation and management measure that the Commission will consider at its upcoming meeting. The proposed measure establishes an interim rebuilding target to be met by 2024. A second rebuilding target will be chosen in 2017 to be achieved by 2030. The Council reiterated its previous recommendations by noting that the stock should be rebuilt to a higher spawning biomass than the interim target, consistent with producing maximum sustainable yield. The current measure requires members to reduce catch of Pacific bluefin less than 30 kg to 50 percent of 2002-2004 average catch. While reducing catch of small fish in the Western Pacific is important, future changes to the measure should protect the spawning age population, which could be accomplished in part by closing areas during times of the year that spawning is known to occur. The provision that allows members to use part of the catch limit for Pacific bluefin tuna smaller than 30 kg to catch Pacific bluefin tuna 30 kg or larger in the same year should be carefully reviewed, as stipulated, for its impact on current spawning biomass.

The Council recommended that NMFS continue the current landing limits for Pacific bluefin tuna for 2017-2018 as part of implementing domestic obligations pursuant to Inter-American Tropical Tuna Commission Resolution C-16-08 (Measures for the Conservation and Management of Pacific Bluefin Tuna in the Eastern Pacific Ocean). This Resolution establishes a 600 metric ton (mt) biennial commercial catch limit for Pacific bluefin in the Eastern Pacific Ocean for 2017 and 2018, and catch is not to exceed 425 mt in either year. Recommended landing limits are a 25 mt trip limit until catch is within 50 mt of the annual limit, at which time a 2 mt trip limit would be imposed.

The Council concurred with NMFS' response to the portion of the Center for Biological Diversity's (CBD) Petition for Rulemaking that calls for landings of Pacific bluefin to be prohibited or substantially limited. NMFS concluded that there is little evidence to suggest that imposing a unilateral prohibition on the retention of Pacific bluefin by U.S. West Coast fishermen would either end overfishing or have a consequential impact on reducing overfishing. The Council noted that a prohibition on retention would have significant economic impacts and place a disproportionate burden on the U.S. West Coast fishing industry, and hence would not be in the best interest of the nation. CBD also requested that management reference points be established for Pacific bluefin as required by the Magnuson-Stevens Fishery Conservation and Management Act. In its response, NMFS concurred and noted that this task is appropriate for the Council to undertake consistent with its obligations stemming from the Highly Migratory Species Fishery Management Plan. The Council directed its Highly Migratory Species Management Team to identify Pacific bluefin management reference points for Council review in 2017. These management reference points are maximum sustainable yield, optimum yield, status determination criteria, and the overfishing limit.

3. [U.S. – Canada Albacore Tuna Treaty](#) – Kit Dahl [[mp3: 11-20-16pm2 0:00:39](#)]

[Agenda Item I.3, Attachment 1](#): Canada-United States Albacore Treaty Data Working Group (DWG) May 4, 2016, Meeting Minutes

[Agenda Item I.3, Supplemental REVISED Attachment 2](#): 2016 Albacore Landings by the Surface (Troll and Baitboat) Fleet Reported in the PacFIN Data System as of October 19, 2016

[Agenda Item I.3, REVISED Attachment 3](#): June 2014 Agenda Item E.1.b, NMFS Report

[Agenda Item I.3, Supplemental Attachment 4](#): Catch Attribution Arrangement for Draft Letter of Intent Between the Government of the United States of America and the Government of Canada

a. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 11-20-16pm2 0:05:24](#)]

[Agenda Item I.3.a, Supplemental HMSMT Report](#)

[Agenda Item I.3.a, Supplemental HMSAS Report](#)

b. [Public Comment](#) [[mp3: 11-20-16pm2 0:29:34](#)]

Rick Goche, Oregon Albacore Commission

Mike Conroy, American Albacore Fishing Association

[Agenda Item I.3.b, Supplemental Public Comment](#)

- c. **Council Action: 1) Provide Recommendations to NMFS and Department of State on Negotiating the Next Fishing Regime Under the U.S. – Canada Albacore Treaty** [[mp3: 11-20-16pm2 0:37:26](#)]

Staff Summary: The Council supported the Department of State in reaching a satisfactory conclusion to negotiations with the Government of Canada in relation to a renewed regime for reciprocal fishing and port access privileges in 2017 and beyond under the U.S.-Canada Albacore Treaty. The Council expressed appreciation for the Department of State's efforts to consult with stakeholders on their views, as represented in the [advisory body statements and public comments](#) received at the Council meeting.

4. **Deep-Set Buoy Gear Exempted Fishing Permits (EFPs)** – Kit Dahl [[mp3: 11-20-16pm2 0:44:57](#)]

[Agenda Item I.4, Supplemental Attachment 1](#): PIER EFP

[Agenda Item I.4, Supplemental Attachment 2](#): Hepp EFP

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 11-20-16pm2 0:50:21](#)]

[Agenda Item I.4.a, HMSMT Report](#)

[Agenda Item I.4.a, Supplemental HMSMT Report 2](#)

[Agenda Item I.4.a, Supplemental HMSAS Report](#)

[Agenda Item I.4.a, Supplemental EC Report](#)

- b. **Public Comment** [[mp3: 11-20-16pm2 1:15:02](#)]

[Agenda Item I.4.b, Public Comment](#)

[Agenda Item I.4.b, Supplemental Public Comment 2](#)

[Agenda Item I.4.b, Supplemental Public Comment 3](#)

Tara Brock, PEW Charitable Trusts

Jonathan Gonzalez, VCCFA presented [Agenda Item I.4.b, Supplemental Public Comment PowerPoint](#): Gonzalez

Martin Kastlunger

Cassie Burdyslaw, Turtle Island Restoration Network

Jordan Kastlunger

Lance Rinehart

Colin Wallace

Kelly Fukushima

Theresa Labriola, Wild Oceans

Fred Hepp, F/V Plomeria

Geoff Shester, Oceana

Stephen Mintz

- c. **Council Action: Preliminarily Approve New Deep-Set Buoy Gear EFPs for Public Review; Review and Provide Guidance on a EFP Application Template and Data Gathering Priorities** [[mp3: 11-20-16pm2 1:50:42](#)]

Motion: Council approve the DSBG EFPs for public review as shown in Agenda Item I.4, Supplemental Attachments 1 and 2, along with the recommendations from HMSMT Supplemental Report 2.

Marci Yaremko/Buzz Brizendine (Motion carried unanimously)

Motion: Council approve the extension of Mr. Steve Mintz' EFP through 2017-2018. Observer coverage consistent w/ the recommendations from Agenda Item I.4.a, Supplemental HMSMT Report 2; and the geographic area in the EFP would cover waters adjacent to CA/OR. The EFP would be authorized for use in the leatherback critical habitat area.

Marci Yaremko/Marc Gorelnik (Motion carried unanimously)

Staff Summary: The Council:

- Granted preliminary approval for the EFP applications submitted by [Mr. Fred Hepp](#) (standard deep-set buoy gear) and the [Pfleger Institute of Environmental Research](#), (linked buoy gear) taking into account the recommendations made in [Agenda Item I.4.a, Supplemental HMSMT Report](#). The Council will finalize its recommendation to NMFS on EFP issuance in March 2017.
- Recommended that NMFS reissue a standard deep-set buoy gear (DSBG) EFP to Mr. Stephen Mintz for 2017-2018 with observer coverage consistent with the recommendations from [Agenda Item I.4.a, Supplemental HMSMT Report 2](#). The geographic area for the EFP would cover waters adjacent to California and Oregon including designated leatherback sea turtle critical habitat.
- Approved for use the DSBG EFP application template developed by the HMSMT (see [Agenda Item I.4.a, HMSMT Report](#)) with the addition of a question to solicit information from the applicant on past violations. The final application template will be posted to the Council's and NMFS' websites for easy access.
- Approved the criteria proposed by the HMSMT for determining appropriate levels of observer coverage (see [Agenda Item I.4.a, Supplemental HMSMT Report 2](#)).
- Tasked the HMSMT with developing criteria for deciding if a DSBG EFP application could be approved in one Council meeting rather than the currently required two Council meetings. This would further streamline the process for approving and issuing EFPs for DSBG fishing that are very similar to current EFP fishing. The Council intends to consider one-meeting approval beginning with the March 2017 meeting.

5. [Swordfish Fishery Management](#) – Kit Dahl [[mp3: 11-21-16am1 0:02:29](#)]

[Agenda Item I.5, Attachment 1](#): Proposed Rule, DGN Hard Caps (81 FR 70660)

a. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 11-21-16am1 0:11:15](#)]

[Agenda Item I.5.a, Supplemental NMFS Report](#): Report on Swordfish Fishery Management

[Agenda Item I.5.a, Supplemental NMFS/CDFW Report](#)

[Agenda Item I.5.a, Supplemental HMSAS Report](#)

b. [Public Comment](#) [[mp3: 11-21-16am1 1:09:37](#)]

[Agenda Item I.5.b, Supplemental Public Comment](#)

[Agenda Item I.5.b, Supplemental Public Comment 2](#)

Arthur Lorton, F/V Sea Haven

Tara Brock, PEW Charitable Trusts

Peter Flourney, AFRF
Geoff Shester, Oceana
Cassie Burdyslaw, Turtle Island Restoration Network
Robert Osborn
Andrew Rasmussen, Commercial Fisherman of Santa Barbara
Gary Burke, CFSB
Kelly Fukushima
Logan Kock
Theresa Labriola, Wild Oceans
John Hall, California Pelagic Fishing Association
Jonathan Gonzalez, presented [Agenda Item I.5.b, Supplemental Public Comment PowerPoint:](#)
(Gonzalez)
Steven Shima, Santa Monica Seafood *testified with someone else*

- c. **Council Action: 1) Identify Fishery Permitting Priorities and Policies for the California Drift Gillnet Fishery and a Future Deep-Set Buoy Gear fishery, and 2) Provide Comments on the Drift Gillnet Fishery Hard Caps Proposed Rule**
[\[mp3: 11-21-16am2 0:00:15\]](#)

Staff Summary: The Council heard [Agenda Item I.5.a, Supplemental NMFS/CDFW Report](#) from CDFW and NMFS on their ongoing work to detail the elements of the Council's preliminary preferred alternative to create a Federal limited entry permit for the California large mesh drift gillnet fishery. The Council supports the direction the agencies are taking and looks forward to taking action on a detailed proposal on a Federal permit in March 2017.

The Council tasked its HMSMT to begin working on a range of alternatives for permitting and other aspects of authorizing a deep-set buoy gear fishery, using the [HMSAS's recommendations](#) as a starting point. The HMSMT will seek input from the HMSAS when developing the range of alternatives. The Council expects that continued fishing under EFPs, particularly in areas outside of the Southern California Bight, will inform the development of alternatives.

The Council recognized that as it moves forward on these initiatives, it will need to consider the interplay of various gear types used to target swordfish including currently authorized gear types and the potential to authorize deep-set buoy gear and pelagic longline to target swordfish.

The Council reviewed the proposed rule to establish hard caps for the California large mesh drift gillnet fishery and determined that it is consistent with the Council's final action on this matter in September 2015. The Council supports NMFS' decision to separate the monitoring requirements component of Council action for subsequent implementation as described in [Agenda Item I.5.a, Supplemental NMFS Report](#).

INFORMATIONAL REPORTS

[Informational Report 1](#): Public Forum on Fishing Vessel Classification Standards (GAO);
Saturday, November 19, 7 pm, Hyatt Regency, Royal E Room

[Informational Report 2](#): Letter dated October 13, 2016 to The Honorable President Barack Obama, from Congress Members regarding strong support for the protection of sensitive deep ocean habitats off the West Coast from oil, gas, and mineral development

[Informational Report 3](#): Draft Eulachon Recovery Plan October 2016; NMFS WCR (*Electronic Only*)

[Supplemental Informational Report 4](#): GAO Forum Handout

[Supplemental Informational Report 5](#): Fishery Specific Habitat Objectives – West Coast Pilot Draft Report, November 8, 2016 (*Electronic Only*)

[Supplemental Informational Report 6](#): Proposed ESA Recovery Plan for Snake River Spring/Summer Chinook Salmon (*Oncorhynchus tshawytscha*) and Snake River Steelhead (*Oncorhynchus mykiss*) (*Electronic Only*)

[Supplemental Informational Report 7](#): Summary of West Coast Regional Planning Body 2016 Annual Meeting

[Supplemental Informational Report 8](#): Letter from Center for Biological Diversity to NMFS Re: State authority to manage the Dungeness crab fishery out to the 200-mile limit of the EEZ (*Electronic Only*)

[Supplemental Informational Report 9](#): Status Report of the 2016 Ocean Salmon Fisheries Off Washington, Oregon, and California (Preliminary data through October 31, 2016)

ADJOURN

The Council meeting adjourned on November 21, 2016 at 2:20 p.m.

Herb Pollard
Council Chair

Date