

FINAL COUNCIL MEETING RECORD
236th Session of the
Pacific Fishery Management Council
September 12-20, 2016
The Riverside Hotel
2900 Chinden Boulevard, Boise, ID 83714

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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: 9-15-16pm1 0:00:37](#)]

1. Opening Remarks – Herb Pollard, Chair

Mr. Herb Pollard, Council Chair, called the 236th meeting of the Pacific Fishery Management Council (Council) to order at 1:00 p.m. on September 15, 2016. A closed session was held before this open session to discuss litigation and personnel matters.

2. Council Member Appointments – Frank Lockhart [[mp3: 9-15-16pm1 0:03:37](#)]

Mr. Frank Lockhart presented the newly-appointed Council members with their Certificates of appointments and Mr. Marc Gorelnik was sworn in as a Council Member.

3. Roll Call – Chuck Tracy [[mp3: 9-15-16pm1 0:06:36](#)]

Council Members present during the meeting week:

National Marine Fisheries Service:	Dr. Peter Dygert, designee Mr. Frank Lockhart, designee Ms. Heidi Taylor, designee
Washington State Official:	Ms. Michele Culver, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Rich Lincoln
Oregon State Official:	Dr. Caren Braby, designee Ms. Maggie Sommer, designee
Oregon Obligatory:	Ms. Dorothy Lowman
California State Official:	Ms. Briana Brady, designee Ms. Joanna Grebel, designee Ms. Marci Yaremko, designee
California Obligatory:	Mr. David Crabbe
Idaho State Official:	Mr. Virgil Moore Mr. Peter Hassemer, designee
Idaho Obligatory:	Mr. Herb Pollard, Chair
Tribal Official:	Mr. Joseph Oatman
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
U.S. Fish and Wildlife Service:	Dr. Steven Haeseker, nonvoting designee

Absent from the Meeting:

Alaska State Official:	Mr. Charles Swanton (nonvoting)
U.S. State Department:	Mr. David Hogan, nonvoting designee

4. Executive Director's Report – Chuck Tracy [[mp3: 9-15-16pm1 0:07:52](#)]

Mr. Tracy introduced the Informational Reports as included in this meeting's briefing materials.

5. Agenda – Herb Pollard [[mp3: 9-15-16pm1 0:13:12](#)]

a. Council Action: Approve Agenda

Motion: Adopt [Agenda Item A.5](#), September 12-20, 2016 Council Meeting Agenda
Phil Anderson/Marc Gorelnik (Motion carried unanimously)

B. Open Comment Period

1. [Comments on Non-Agenda Items](#) [[mp3: 9-15-16pm1 0:13:49](#)]

a. Advisory Body and Management Entity

[Agenda Item B.1.a, Supplemental ODFW Report](#): Response to Polley letter regarding trawling nearshore in the Cape Kiwanda/Pacific City area

b. Public Comment [[mp3: 9-15-16pm1 0:16:06](#)]

Shems Jud (Environmental Defense Fund) and Travis Hunter (Trawler) presented [Agenda Item B.1.b, Supplemental Open Comment 6: \(Video, Electronic Only\)](#)

Ben Enticknap, Oceana presented - [Agenda Item B.1.b, Supplemental Open Comment 7: Comparative Analysis of Combined EFH and Trawl Rockfish Conservation Alternatives \(Oceana PowerPoint\)](#)

Brad Pettinger discussed the US Coast Guard letter (Agenda Item B.1.b, Supplemental Public Comment 8

[Agenda Item B.1.b, Open Comment](#): Email from Mr. Brian Burke regarding climate change and fisheries

[Agenda Item B.1.b, Supplemental Open Comment 2](#): Letter to Curt Melcher, Director ODFW, from Coastal Conservation Association re: trawler activity in Sand Lake and Cape Kiwanda areas

[Agenda Item B.1.b, Supplemental Open Comment 3](#): Letter from Oceana re: Submission of Groundfish Essential Fish Habitat Analysis (*Electronic Only*)

[Agenda Item B.1.b, Supplemental Open Comment 4](#): Letter from Ventura County Commercial Fishermen's Association re: Groundfish Essential Fish Habitat (EFH) and Rockfish Conservation Area (RCA) Amendment ROA that is tentatively scheduled under Agenda Item H.3 at the upcoming November PFMC meeting

[Agenda Item B.1.b, Supplemental Open Comment 5](#): Letter from EDF re: trawl gear modification workshop that was held in Newport from July 26th to 28th

[Agenda Item B.1.b, Supplemental Public Comment 8](#): Letter from USCG to NOAA Fisheries (*Electronic Only*)

c. Council Discussion and Comments as Appropriate [[mp3: 9-15-16pm1 0:45:42](#)]

Motion: None

C. Habitat

1. [Current Habitat Issues](#) – Jennifer Gilden [[mp3: 9-15-16pm1 0:48:34](#)]

[Agenda Item C.1, Attachment 1](#): Coast Seafoods Recirculated Draft Environmental Report Notification and Time Extension Notice

[Agenda Item C.1, Attachment 2](#): Council Letter to Humboldt Bay Harbor, Recreation and Conservation District

a. [Report of the Habitat Committee](#) – Eric Wilkins [[mp3: 9-15-16pm1 0:49:41](#)]

b. Reports and Comments of Advisory Bodies and Management Entities

None

c. Public Comment [[mp3: 9-15-16pm1 1:04:55](#)]

Anna Weinstein, Audubon

Nicole Porthey, Pacific Environment *did not testify*

d. Council Action: Consider Habitat Committee Recommendations [[mp3: 9-15-16pm1 1:07:39](#)]

Motion: None

Staff Summary: The Council directed the Habitat Committee (HC) to draft a comment letter on the Coast Seafoods Expansion Project, if relevant and to the extent possible, for the November briefing book. The Council also directed the HC to develop scoping comments on the Columbia/Snake River Biological Opinion for inclusion in the November briefing book, at which time the HC and Council could reconsider if a request for an extension of the comment deadline is warranted. The Council recommended that the HC review its Council Operating Procedures to explore whether there might be ways to facilitate commenting on issues when comment deadlines do not coincide with Council meetings.

D. Ecosystem-Based Management

1. [Fishery Ecosystem Plan Coordinated Ecosystem Indicator Review Initiative](#) – Kit Dahl [[mp3: 9-15-16pm2 0:00:37](#)]

a. Reports and Comments of Advisory Bodies and Management Entities

[Agenda Item D.1.a, Ecosystem Workgroup Report](#)

[Agenda Item D.1.a, Supplemental Ecosystem Workgroup Report 2](#)

[Agenda Item D.1.a, Supplemental EWG PowerPoint](#): Fishery Ecosystem Plan Initiative 2: Coordinated Ecosystem Indicators and Annual Report Review

[Agenda Item D.1.a, Highly Migratory Species Management Team Report](#)

[Agenda Item D.1.a, Supplemental SSC Report](#)

[Agenda Item D.1.a, Salmon Advisory Subpanel Report](#)

[Agenda Item D.1.a, Supplemental EAS Report](#)

[Agenda Item D.1.a, Supplemental GMT Report](#)

[Agenda Item D.1.a, Supplemental HC Report](#)

[Agenda Item D.1.a, Supplemental CPSMT Report](#)

[Agenda Item D.1.a, Supplemental CPSAS Report](#)

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

b. Public Comment [[mp3: 9-15-16pm3](#) 0:00:10]

Ben Enticknap, Oceana

Steve Marx, PEW Charitable Trusts

Corey Ridings, Ocean Conservancy

Theresa Labriola, Wild Oceans

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

c. Council Action: Final Council Guidance on Indicators for Incorporation into the 2017 State of the California Current Ecosystem Report [[mp3: 9-15-16pm3](#) 0:26:18]

Motion: None

Staff Summary: The Council requested the National Marine Fisheries Service (NMFS) Northwest and Southwest Fisheries Science Centers' California Current Integrated Ecosystem Assessment Team to review the recommendations found in the advisory body reports submitted under this agenda item. The Assessment Team would determine which recommendations could be incorporated into the 2017 Annual State of the California Current Ecosystem Report and those that should be addressed in subsequent reports, including Fishery Management Plan-specific or other focal-area reports. The Council also endorsed consideration of ecosystem-level goals and objectives, which would be taken up in the 5-year review of the Council's Fishery Ecosystem Plan tentatively scheduled to begin in 2018.

2. [Ecosystem-Based Fishery Management Roadmap](#) – Kit Dahl [[mp3: 9-15-16pm3](#) 0:58:49]

[Agenda Item D.2, Attachment 1:](#) NMFS Policy Directive 01-120, Ecosystem-Based Fisheries Management Policy

[Agenda Item D.2, Attachment 2:](#) NMFS Ecosystem-based Fisheries Management Road Map

a. [NMFS Report](#) – Heather Sagar

b. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-16-16am1](#) 0:00:42]

[Agenda Item D.2.b, Supplemental Ecosystem Workgroup Report](#)

[Agenda Item D.2.b, Supplemental EAS Report](#)

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

[Agenda Item D.2.b, Supplemental HC Report](#)

[Agenda Item D.2.b, Supplemental GMT Report](#)

[Agenda Item D.2.b, Supplemental GAP Report](#)

c. Public Comment [[mp3: 9-16-16am1](#) 0:24:49]

Steve Marx, PEW Charitable Trusts

Corey Ridings, Ocean Conservancy

Theresa Labriola, Wild Oceans

- d. **Council Action: Review and Provide Comments on the NMFS Ecosystem-Based Fishery Management Roadmap** [[mp3: 9-16-16am1 0:39:28](#)]

Motion: None

Staff Summary: The Council directed staff to prepare a comment letter on the draft NMFS Ecosystem-Based Fishery Management Roadmap document based on advisory body recommendations, pertinent public comments, and Council discussion.

E. Coastal Pelagic Species Management

1. **Minimum Stock Size Thresholds Report**– Kerry Griffin [[mp3: 9-16-16am1 0:54:42](#)]

[Agenda Item E.1, Attachment 1](#): Oceana vs. Pritzker Settlement Agreement

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-16-16am1 0:59:52](#)]

[Agenda Item E.1.a, Supplemental NMFS Report](#): Review and Re-evaluation of Minimum Stock Size Thresholds for Finfish in the Coastal Pelagic Species Fishery Management Plan for the U.S. West Coast

[Agenda Item E.1.a, Supplemental NMFS Report 2](#): Cover letter for the report

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

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

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

- b. **Public Comment** [[mp3: 9-16-16am1 1:32:45](#)]

Andrea Treece, Geoff Shester, Mariel Combs, Oceana and Earthjustice
Diane Pleschner-Steele, California Wetfish Producers Association

- c. **Council Action: Review and Provide Guidance on Future Process and Schedule as Appropriate** [[mp3: 9-16-16am2 0:00:07](#)]

Motion: Council adopt that MSSTs remain as currently listed and that the SWFSC further explore methods for MSSTs for the Pacific sardine, Pacific mackerel, northern sub-stock of northern anchovy, the central sub-stock of northern anchovy, and jack mackerel based on the guidance provided by the SSC report (Agenda Item E.1.a, Supplement SSC Report) and as data become available.

Briana Brady/David Crabbe (Motion Carried. Mr. Lincoln, Ms. Lowman, Ms. Sommer, Mr. Niles, and Mr. Anderson voted no).

Staff Summary: The Council elected to maintain the current minimum stock size thresholds (MSSTs) for coastal pelagic species (CPS) stocks, and asked the National Oceanic and Atmospheric Administration Southwest Fisheries Science Center to further explore methods for developing MSSTs for Pacific sardine, Pacific mackerel, the northern sub-stock of northern anchovy, the central sub-stock of northern anchovy, and jack mackerel based on the guidance provided by the Scientific and Statistical Committee (SSC) [report](#) and as data become available.

2. [Stock Assessment Workshop Report](#) – Kerry Griffin [[mp3: 9-16-16am2 0:53:29](#)]
 - a. [Stock Assessment Workshop Report](#) – Will Satterthwaite [[mp3: 9-16-16am2 0:56:07](#)]

[Agenda Item E.2.a, Supplemental CPS Assessment Workshop PowerPoint](#) (Satterthwaite)

- b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-16-16pm1 0:00:32](#)]

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

[Agenda Item E.2.b, USFWS Report](#)

- c. **Public Comment** [[mp3: 9-16-16pm1 0:11:38](#)]

Geoff Shester, Oceana

Diane Pleschner-Steele, California Wetfish Producers Association

[Agenda Item E.2.c, Public Comment](#)

[Agenda Item E.2.c, Supplemental Public Comment 2](#) (*Electronic Only*)

- d. **Council Action: Review and Provide Guidance on Future Stock Assessment Priorities** [[mp3: 9-16-16pm1 0:31:56](#)]

Motion: None

Staff Summary: The Council heard a report on the May 2016 Stock Assessment Workshop on potential methods for assessing data-limited West Coast CPS stocks. The Council endorsed the recommendations in section 6 of the [report](#), and identified the central subpopulation of northern anchovy as a priority stock for assessment.

3. [Anchovy Management Update](#)– Kerry Griffin [[mp3: 9-16-16pm1 0:35:54](#)]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-16-16pm1 1:06:31*](#)]

[Agenda Item E.3.a, CPSMT Report](#): Anchovy Management White Paper

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

[Agenda Item E.3.a, Supplemental CPSMT PowerPoint](#): Overview of CPSMT White Paper on Management Options for Northern Anchovy

[Agenda Item E.3.a, USFWS Report](#)

[Agenda Item E.3.a, Supplemental Tribal Report](#)

[Agenda Item E.3.a, Supplemental WDFW, ODFW and Quinault Joint Report](#)

[Agenda Item E.3.a, Supplemental SSC Report](#)

[Agenda Item E.3.a, Supplemental CPSAS Report](#)

[Agenda Item E.3.a, Supplemental SAS Report](#)

- b. **Public Comment** [[mp3: 9-16-16pm2 0:05:33*](#)]

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

[Agenda Item E.3.b, Supplemental Public Comment 2](#) (*Electronic Only*)

Jeff Boehm, Marine Mammal Center presented [Agenda Item E.3.b, Supplemental Public Comment PowerPoint](#): Boehm (*Electronic Only*)

Geoff Shester, Oceana presented [Agenda Item E.3.b, Supplemental Public Comment PowerPoint 2: Shester \(Electronic Only\)](#)

Andrea Treece, Earthjustice presented [Agenda Item E.3.b, Supplemental Public Comment PowerPoint 3: Weinstein \(Electronic Only\)](#)

Diane Pleschner-Steele, West Coast Seafood Processors Association

Anna Weinstein, Audubon

Butch Smith, Ilwaco Charter Association

Mike Conroy, West Coast Fisheries Consultants

Gilly Lyons, PEW Charitable Trusts

- c. **Council Action: Discuss and Provide Guidance on Future Anchovy Fishery Management** [[mp3: 9-16-16pm2 1:00:21](#)]

Motion: None

Staff Summary: The Council was briefed on current and potential management approaches of CPS stocks presented in a [white paper](#) developed by the CPSMT and considered information that could potentially affect future management of anchovy stocks. The Council also received an update on the 2016 anchovy fishery in the Columbia River area which has experienced a substantial increase in landings. Regarding future management, the Council requested the results of an October meeting to review anchovy abundance information be brought back in November to inform a consideration of changing the anchovy harvest specifications, management measures, and management category. For the 2016 fishery in the Columbia River, the Council asked the states to report on any management action considered or implemented, and for the Coastal Pelagic Species Management Team (CPSMT) to track and compile information regarding the status of the northern subpopulation of northern anchovy, and report back to the Council at the November 2016 meeting.

4. **Artisanal Fishery Management Issue Scoping**– Kerry Griffin [[mp3: 9-16-16pm3 0:00:04](#)]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-16-16pm3 0:06:42](#)]

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

[Agenda Item E.4.a, Supplemental CPSMT Report 2](#)

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

- b. **Public Comment**

None

- c. **Council Action: Scope Issues and Provide Guidance on a Future Process and Schedule for Artisanal Fishery Management Alternatives** [[mp3: 9-16-16pm3 0:17:41](#)]

Motion: None

Staff Summary: The Council considered a CPSMT [report](#) on potential mechanisms and scope to accommodate small-scale CPS fishing, when directed CPS fisheries are closed. The Council asked

the CPSMT to develop alternatives, consistent with the scope described in the CPSMT [supplemental report](#) to be presented at the November 2016 Council meeting.

F. Groundfish Management

1. [National Marine Fisheries Service Report](#) – Brett Wiedoff [[mp3: 9-17-16am1 0:00:51](#)]

[Agenda Item F.1, Supplemental Attachment 1](#): Electronic Monitoring Proposed Rule Announcement

a. Regulatory Activities – Frank Lockhart [[mp3: 9-17-16am1 0:02:49](#)]

[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, NMFS Report 3](#): Estimated Discard and Catch of Groundfish Species in the 2015 U.S. West Coast Fisheries, (*Electronic Only*)

b. Fisheries Science Center Activities –John Stein [[mp3: 9-17-16am1 0:18:39](#)]

[Agenda Item F.1.b, Supplemental NMFS Groundfish Science Report](#): Groundfish Science Report PowerPoint (McClure, *Electronic Only*)

c. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-17-16am1 0:31:32](#)]

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

d. Public Comment [[mp3: 9-17-16am1 0:36:31](#)]

[Agenda Item F.1.d, Supplemental Public Comment 1](#)

[Agenda Item F.1.d, Supplemental Public Comment 2](#)

[Agenda Item F.1.d, Supplemental Public Comment 3](#)

[Agenda Item F.1.d, Supplemental Public Comment 4](#)

Jeff Lackey

Lori Steele, West Coast Seafood Processors Association

Brad Pettinger, Oregon Trawl Commission

Mike Okoniewski, Pacific Seafood

e. Council Discussion [[mp3: 9-17-16am1 0:59:29](#)]

Motion: None

2. [Methodology Review Preliminary Topic Selection](#) – John DeVore [[mp3: 9-17-16am2 0:00:28](#)]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-17-16am2 0:04:06](#)]

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

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

b. Public Comment

None

- c. **Council Action: Provide Guidance on Preliminary Topics for the 2017 Methodology Review** [[mp3: 9-17-16am2 0:25:32](#)]

Motion: None

Staff Summary: The Council adopted the topics recommended by the SSC ([Agenda Item F.2.a, Supplemental SSC Report](#)) and the Groundfish Management Team ([Agenda Item F.2.a, Supplemental GMT Report](#)) for formal methodology review. This is a preliminary decision for public review. The Council will decide those topics that will undergo a formal methodology review by the SSC at their November meeting in Garden Grove, California.

3. **2017-2018 Harvest Specifications and Management Measures** – Kelly Ames and John DeVore [[mp3: 9-17-16pm1 0:54:54](#)]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16pm1 1:02:11](#)]

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

- b. **Public Comment** [[mp3: 9-17-16pm1 1:04:42](#)]

Heather Mann, Midwater Trawlers Cooperative

- c. **Council Action: Council Discussion and Guidance on Rulemaking as Needed** [[mp3: 9-17-16pm1 1:06:03](#)]

Motion: None

Staff Summary: The Council confirmed their actions taken to adopt final 2017 and 2018 groundfish harvest specifications and management measures in June 2016 as interpreted by Council and NMFS staff (see [Agenda Item F.3, Situation Summary](#)). Specifically: 1) that the southern Slope Rockfish complex include the contribution from blackgill rockfish (with a harvest guideline for southern blackgill rockfish) in the interim until Amendment 26 is implemented and; 2) to manage yellowtail rockfish north of 40° 10'N. latitude with stock-specific fixed gear trip limits and maintain the existing 200 lbs/month limit for the remaining species.

4. **Scoping of Trawl Sector Quota Pounds Trading** – Brett Wiedoff and Jim Seger [[mp3: 9-17-16pm2 0:00:15](#)]

[Agenda Item F.4, Supplemental Staff Agenda Item Overview PowerPoint](#) (Wiedoff, Electronic Only)

[Agenda Item F.4, Attachment 1](#): Scoping Trawl Sector Quota Pounds Trading

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16pm2 0:09:14](#)]

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

- b. **Public Comment** [[mp3: 9-17-16pm2 0:36:00](#)]

Mike Okoniewski, Pacific Seafoods

Heather Mann, Midwater Trawlers Cooperative

- c. **Council Action: Scope Issues and Provide Guidance on Future Process and Schedule** [[mp3: 9-17-16pm2 0:46:16](#)]

Motion: None

Staff Summary: The Council provided guidance to Council staff regarding future consideration of this agenda item. Specifically, the Council retained the agenda item for further scoping in June 2017 and recommended that the ideas presented in [Agenda Item F.4, Attachment 1](#), the [GAP Report](#), the [GMT Report](#), and comments from the public be considered in light of the information being gathered during the [Trawl Catch Share Program and Intersector Allocation 5-Year review](#). In June 2017, the Council will receive a staff report regarding how these two separate actions may inform a path forward to better-achieve optimum yields in the trawl sectors.

5. **5-Year Catch Share Program and Intersector Allocation Review Update** – Jim Seger [[mp3: 9-17-16pm3 0:00:06](#)]

[Agenda Item F.5, Attachment 1](#): Catch Share Review Calendar: Approved and Alternative Process
[Agenda Item F.5, Attachment 2](#): Clarifications, Interpretations, and Trailing Actions on The Trawl Rationalization Program

[Agenda Item F.5, Attachment 3](#): Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery, Description of Trawl Rationalization (Catch Shares) Program Appendix E

[Agenda Item F.5, Attachment 4](#): Evaluating the Performance of Groundfish Fishery Management Plan (FMP) Allocations since Implementation of the Trawl Catch Share Program

[Agenda Item F.5, Attachment 5](#): NMFS Allocation Policy Guidance

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16pm3 0:22:57](#)]

[Agenda Item F.5.a, NMFS Report](#): Exploration of landings, harvest specification and attainment time series, for stocks of interest in the historical shorebased LE trawl fishery and contemporary IFQ program

[Agenda Item F.5.a, Supplemental SSC Report](#)

[Agenda Item F.5.a, Supplemental GMT Report](#)

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

- b. **Public Comment** [[mp3: 9-17-16pm3 0:32:19](#)]

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

Mike Okoniewski, Pacific Seafoods

Michelle Norvell, Fort Bragg Groundfish Association

Lori Steele, West Coast Seafood Processors Association

- c. **Council Action: Provide Guidance on Plans for the 5-Year Review of the Trawl Catch Share Program and Allocations, Including Refining the Process, Ad Hoc Community Advisory Board Tasks, and Other Guidance as Needed** [[mp3: 9-17-16pm3 0:47:09](#)]

Motion: None

Staff Summary: Under an accelerated calendar for the catch share review adopted by the Council, the review is scheduled to be finished by November 2017, at which time the Council would adopt ranges of alternatives for priority follow-on action(s). Action(s) would be analyzed over the winter of 2017-2018, with the intent of scheduling final action in the spring. The Council also requested the Northwest Fishery Science Center's Economic Data Collection Program (EDC) meet with the newly-appointed ad hoc Community Advisory Board (CAB) and other interested parties to further inform them about the EDC data and results. The update of the catch share review description will be completed at the November Council 2016 meeting. Additionally, at the November meeting, the Council will consider a schedule for moving ahead with the review of intersector allocations specified in the groundfish fishery management plan.

6. [Inseason Management Final Action](#) – Kelly Ames [[mp3: 9-18-16am1 0:00:33](#)]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-18-16am1 0:03:30](#)]

[Agenda Item F.6.a, Supplemental GMT Report](#)
[Agenda Item F.6.a, Supplemental CDFW Report](#)
[Agenda Item F.6.a, Supplemental ODFW Report](#)

b. Public Comment

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

c. Council Action: Adopt Final Inseason Adjustments, as Necessary, to Achieve but Not Exceed Annual Catch Limits [[mp3: 9-18-16am1 0:17:27](#)]

Motion: None

Staff Summary: The Council considered the progress of the groundfish fishery to date (see [Agenda Item F.6.a, Supplemental GMT Report](#)) and determined that no inseason adjustments to management measures were necessary at this time.

7. [Amendment 21 At-Sea Sector Set-Asides Final Action](#) – John DeVore [[mp3: 9-18-16am1 0:18:45](#)]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-18-16am1 0:22:45](#)]

[Agenda Item F.7.a, WDFW Report](#): Assessment of Managing Darkblotched Rockfish and Pacific Ocean Perch as Set Asides in the At-Sea Sectors

[Agenda Item F.7.a, Supplemental WDFW PowerPoint](#)

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

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

b. Public Comment [[mp3: 9-18-16am2 0:00:17](#)]

[Agenda Item F.7.b, Supplemental Public Comment](#)

Jeff Lackey

Heather Mann, Midwater Trawlers Cooperative

Brent Paine, United Catcher Boats

Dan Waldeck, Pacific Whiting Conservation Cooperative

c. Council Action: Adopt Final Set-Asides of Darkblotched Rockfish and Pacific Ocean Perch for At-Sea Sectors [mp3: 9-18-16am2 0:28:44]

Motion: Council adopt as its FPA, alternative 1 as described in Agenda Item F.7.a, WDFW Report.

Michele Culver/Maggie Sommer

Amendment 1: Add the following: ‘for the 2017-18 groundfish fishery that the CP and MS sectors for pacific whiting fishery be expected to manage their respective sectors to the set-aside amounts of POP (12.7 CP 9.0 MS) and darkblotched rockfish (16.4 CP 11.7 MS) and further that the accumulative total for the two sectors of POP would not exceed 46.7 mt and for darkblotched RF not exceed 78.1 mt 2017, 78.5 mt 2018.’

Phil Anderson/ Jeff Feldner (Motion withdrawn with agreement of the second).

Amendment 2: Add the following: ‘for the 2017-18 groundfish fishery that the CP and MS sectors for the pacific whiting fishery be expected to manage their respective sectors to the set-aside amounts of POP (12.7 CP, 9.0 MS) and darkblotched rockfish (16.4 CP, 11.7 MS). In the event the species-specific set-aside amounts plus the buffer amounts are anticipated to be exceeded inseason, NMFS has the authority to automatically close the at-sea whiting fishery.

Phil Anderson/ Jeff Feldner (Amendment carried unanimously)

Main Motion, as amended, carried unanimously.

Staff Summary: The Council adopted Alternative 1 as provided in [Agenda Item F.7.a, WDFW Report](#) to manage the allocated amounts of darkblotched rockfish and Pacific ocean perch to the at-sea whiting sectors as set-asides rather than as total catch limits. The Council also recommended giving NMFS inseason authority to automatically close the 2017 or 2018 at-sea whiting fisheries in the event the species-specific set-aside amounts plus the buffer amounts are anticipated to be exceeded.

8. [Mid-Biennium Annual Catch Limit Adjustment and Rebuilding Harvest Rate Adjustment Policies – John DeVore \[mp3: 9-18-16pm1 0:00:05\]](#)

[Agenda Item F.8.a, Attachment 1](#): Evaluating the Performance of a Proposed 40-10 Harvest Control Rule Rebuilding Rule Revision Relative to the Current Rebuilding Rules

a. [Reports and Comments of Advisory Bodies and Management Entities \[mp3: 9-18-16pm1 0:11:19\]](#)

[Agenda Item F.8.a, Supplemental SSC Report](#)

[Agenda Item F.8.a, Supplemental GMT Report](#)

[Agenda Item F.8.a, Supplemental GAP Report](#)

b. [Public Comment \[mp3: 9-18-16pm1 0:39:25\]](#)

Brad Pettinger, Oregon Trawl Commission

c. [Council Action: Adopt Range of Policy Alternatives for Mid-Biennium Annual Catch Limit Adjustments and Rebuilding Harvest Rate Adjustments; Provide Further Direction as Necessary \[mp3: 9-18-16pm1 0:43:56\]](#)

Motion: For the greenlight policy, Council adopt no action and overfished species as the range of alternatives for further analysis.

Joanna Grebel/Marc Gorelnik

Motion (as a Substitute): For the greenlight policy, Council adopt no action, overfished species only, and overfished species or species currently scheduled for assessment that are constraining on the fisheries. Scoping of applying the framework in the upcoming assessment biennial cycle should be limited to the 4 overfished species scheduled for assessment.

Corey Niles/Rich Lincoln (Motion carried unanimously)

Staff Summary: The Council directed staff to prepare strawman alternatives exploring a Groundfish Fishery Management Plan provision to allow increases in harvest specifications in the second year of a groundfish management cycle in cases where a new stock assessment indicates a stock's status and its available harvest have substantially improved, and an increase in harvest one year earlier than anticipated could mitigate problems in the fishery. The Council directed development of alternatives with application to overfished species only as well as to overfished species and other constraining stocks. Further guidance was given to exclude automatic actions to implement a mid-biennium harvest increase and clarification that default harvest control rules would inform any increase in harvest specifications. The Council is scheduled to adopt a range of alternatives and a preliminary preferred alternative at their November meeting in Garden Grove, California.

The Council decided to take no action at this time on the proposed rebuilding harvest rate adjustment strategy for rebuilding stocks.

G. Administrative Matters

1. Legislative Matters – Jennifer Gilden [[mp3: 9-17-16am2 0:26:49](#)]

[Agenda Item G.1, Attachment 1](#): Staff Summary of Federal Legislation

[Agenda Item G.1, Attachment 2](#): Request for Comment from U.S. Congressman Hunter on HR 5797, the California Seamounts and Ridges National Marine Conservation Area Designation and Management Act

[Agenda Item G.1, Attachment 3](#): Text of HR 5797

[Agenda Item G.1, Attachment 4](#): Letter from the Council to the House Committee on Natural Resources regarding HR 4576, the Ensuring Access to Pacific Fisheries Act

[Agenda Item G.1, Attachment 5](#): Latest version of HR 4576 (*Electronic Only*)

[Agenda Item G.1, Attachment 6](#): June, 2015 letter from the Council on the West Coast Dungeness Crab Management Act

[Agenda Item G.1, Attachment 7](#): Draft letter to Rep. Duncan Hunter on HR 5797

[Agenda Item G.1, Supplemental Attachment 8](#): Letter from the Council to the Honorable President Obama on Potential Monument Designation

[Agenda Item G.1, Supplemental Attachment 9](#): Letter to Herb Pollard from Honorable Congressman Sam Farr re: H.R. 5797, the California Seamounts and Ridges National Marine Conservation Area Designation and Management Act

[Agenda Item G.1, Supplemental Attachment 10](#): Reply Letter from Congressman Sam Farr to Chuck Tracy re: Joint Jurisdiction of Secretaries of Commerce and Interior over Proposed Seamount Conservation Area

- a. [Report of the Legislative Committee](#) – Dave Hanson [[mp3: 9-17-16am2 0:30:18](#)]
- b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16am2 0:34:58](#)]

[Agenda Item G.1.b, Supplemental HC Report](#)

[Agenda Item G.1.b, Supplemental CPSAS Report](#)

[Agenda Item G.1.b, Supplemental HMSAS Report](#)

- c. **Public Comment** [[mp3: 9-17-16am2 0:42:32](#)]

[Agenda Item G.1.c, Public Comment](#)

[Agenda Item G.1.c, Supplemental Public Comment 2](#)

Nicole Porthey, Pacific Environment

Diane Pleschner-Steele, California Wetfish Producers Associations

- d. **Council Action: Consider the Report and Recommendations of the Legislative Committee; Provide Additional Direction as Appropriate** [[mp3: 9-17-16am2 1:05:50](#)]

Motion: Council to approve the recommendations of the Legislative Committee as contained in Agenda Item G.1.a, Supplemental LC Report.

Dorothy Lowman/Maggie Sommer (Motion Carried, Mr. Lockhart abstained)

Staff Summary: The Council adopted the recommendations provided by the Legislative Committee in the Legislative Report ([Agenda Item G.1.a, Supplemental LC Report](#)), including completing the draft letter to Reps. Duncan Hunter and Sam Farr and incorporating the edits to the letter suggested by the Habitat Committee.

2. [West Coast Regional Operating Agreement Initial Review](#) – Chuck Tracy [[mp3: 9-20-16am1 0:01:49](#)]

[Agenda Item G.2, Attachment 1](#): Operational Guideline for the Magnuson-Stevens Fishery Conservation and Management Act Fishery Management Process

[Agenda Item G.2, Attachment 2](#): 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, Northwest; NOAA Fisheries Service Office of Law Enforcement, Southwest; NOAA General Counsel, Northwest Section; and NOAA General Counsel, Southwest Section

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

None

- b. **Public Comment**

None

- c. **Council Action: Review and Provide Comments on the West Coast Regional Operating Agreement** [[mp3: 9-20-16am1 0:11:00](#)]

Motion: None

3. [Fiscal Matters](#) – Patricia Crouse [[mp3: 9-20-16am1 0:14:26](#)]

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

- a. [Report of the Budget Committee](#) – Dorothy Lowman [[mp3: 9-20-16am1 0:15:11](#)]
- b. **Reports and Comments of Advisory Bodies and Management Entities**

None

- c. **Public Comment**

None

- d. **Council Action: Consider Budget Committee Recommendations** [[mp3: 9-20-16am1 0:19:52](#)]

Motion: Council accept the recommendations of the Budget Committee as shown in Agenda Item G.3.a, Supplemental Budget Committee Report.

Phil Anderson/Buzz Brizendine (Motion carried unanimously)

Staff Summary: The Council approved the recommendations of the Budget Committee in [Agenda Item G.3.a, Supplemental BC Report](#). The BC will meet for an extended session in November to recommend a 2017 provisional budget and the potential need for additional special projects based on the most current year-at-a glance planning calendar.

4. [Approval of Council Meeting Record](#) – Herb Pollard [[mp3: 9-20-16am1 0:23:30](#)]

[Agenda Item G.4, Supplemental Attachment 1](#): Draft Council Meeting Record: 235th Session of the Pacific Fishery Management Council (June 23-28, 2016)

- a. **Council Action: Approve Previous Council Meeting Record(s)** [[mp3: 9-20-16am1 0:24:16](#)]

Motion: Council approve the June 23-28, 2016 Council Meeting record (Agenda Item G.4, Supplemental Attachment 1) with the edits made by Mike Burner (highlighted in attachment).

David Crabbe/Rich Lincoln (Motion carried unanimously)

Staff Summary: The Council approved the June 2016 meeting record as presented in [Agenda Item G.4, Supplemental Attachment 1](#), with one clarification.

5. [Membership Appointments and Council Operating Procedures](#) – Mike Burner [[mp3: 9-20-16am1 0:25:51](#)]

[Agenda Item G.5, Supplemental Attachment 1](#): NMFS West Coast Region designees as of September 12, 2016

[Agenda Item G.5, Supplemental Attachment 2](#): DRAFT Revised Excerpt From Council Operating Procedure 9

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

None

b. **Public Comment**

None

c. **Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures [[mp3: 9-20-16am1 0:33:26](#)]**

Motion: Council appoint Mr. Larry Phillips to the Washington Department of Fish and Wildlife seat on the Highly Migratory Species Management Team and Ms. Wendy Beeghley to the Washington Department of Fish and Wildlife seat on the Salmon Technical Team.
Corey Niles/ Rich Lincoln (Motion carried unanimously)

Motion: Council appoint Mr. Jim Yarnall to the California Sport Fisheries seat on the Salmon Advisory Subpanel.
Marc Gorelnik/Marci Yaremko (Motion carried unanimously)

Staff Summary: The Council appointed Mr. Larry Phillips to replace Mr. Kirt Hughes in the Washington Department of Fish and Wildlife seat on the Highly Migratory Species Management Team and appointed Ms. Wendy Beeghley to replace Mr. Doug Milward in the Washington Department of Fish and Wildlife seat on the Salmon Technical Team.

The Council also appointed Mr. Jim Yarnall to replace Mr. Marc Gorelnik the California Sport Fisheries seat on the Salmon Advisory Subpanel.

Council Chair Mr. Herb Pollard appointed the following representatives to the ad hoc Community Advisory Board (CAB) to engage in the 5-Year Catch Share Program review and appointed Mr. Shems Jud as the Chair of the CAB.

Shoreside Trawl, IFQ Program Participants

Washington (1)

- Mr. Nate Stone

Oregon (2)

- Mr. Brad Pettinger
- Mr. Mike Retherford

California (2)

- Mr. Chris Kubiak
- Ms. Michelle Norvell

Shoreside Nontrawl, IFQ Program Participant (Gear Switched) (1)

- Ms. Michele Longo-Eder

At-sea Co-op Participants

Catcher-Processor (1)

- Mr. Dan Waldeck

Mothership Processor (1)

- Mr. James Mize

Mothership Catcher Vessel (1)

- Mr. Kurt Cochran

Shoreside Buyers/Processors (3)

- Mr. Andrew Bornstein
- Mr. Jim Caito
- Mr. Mike Okoniewski

At-large (Expanded to 4 seats)

- Mr. Paul Clampitt
- Mr. Robert Dooley
- Mr. Shems Jud
- Mr. Steve Scheiblauser

6. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 9-20-16am2 0:00:14](#)]

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

[Agenda Item G.6, Attachment 2](#): Draft Proposed Council Meeting Agenda, November 15-21, 2016 in Garden Grove

[Agenda Item G.6, Attachment 3](#): Groundfish Workload Priorities

[Agenda Item G.6, Supplemental Attachment 4](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary as of September 20, 2016

[Agenda Item G.6, Supplemental Attachment 5](#): Draft Preliminary Proposed Council Meeting Agenda, November 13-21, 2016 in Garden Grove (as of September 20, 2016)

[Agenda Item G.6, Supplemental Attachment 6](#): Groundfish Workload Priorities as of September 20, 2016

a. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 9-20-16am2 0:42:44](#)]

[Agenda Item G.6.a, Supplemental CDFW Report](#): Future agenda and workload planning: Development of Swordfish Monitoring and Management Plan

[Agenda Item G.6.a, Supplemental HC Report](#)

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

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

b. [Public Comment](#) [[mp3: 9-20-16am2 0:59:43](#)]

Tara Brock, PEW Charitable Trusts

Theresa Labriola, Wild Oceans

- c. **Council Discussion and Guidance on Future Meeting Agenda and Workload Planning** [[mp3: 9-20-16am2](#) 1:05:42]

Motion: None

H. Salmon Management

1. **Sacramento River Winter Chinook Harvest Control Rule Update** – Mike Burner [[mp3: 9-17-16am3](#) 0:00:02]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16am3](#) 0:06:53]

[Agenda Item H.1.a, SRWCW Report](#)

[Agenda Item H.1.a, Supplemental CDFW Report](#)

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

- b. **Public Comment**

None

- c. **Council Action: Review Progress and Provide Guidance and Preliminary Recommendation on Control Rule Alternatives and Future Analyses** [[mp3: 9-17-16am3](#) 0:29:19]

Motion: None

Staff Summary: The Council received an update on progress towards the development of a new harvest control rule including the development of a new predictor of Sacramento River winter Chinook abundance. The Council also reviewed and approved a draft range of alternative control rules for initial consideration and potential future adjustment. The Council does not anticipate that a new control rule will be available for 2017 ocean salmon fishery management, and plans to continue work on recommendations for a new control rule to be used in 2018 and beyond.

2. **Salmon Methodology Review** – Mike Burner [[mp3: 9-17-16am3](#) 0:34:44]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-16am3](#) 0:39:00]

[Agenda Item H.2.a Supplemental MEW Report](#)

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

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

[Agenda Item H.2.a, Supplemental SRWCW Report](#)

- b. **Public Comment**

None

- c. **Council Action: Identify Priority Projects for Review in 2016** [[mp3: 9-17-16am3](#) 0:51:07]

Motion: None

Staff Summary: The Council approved the proposed forecasting methodology for Sacramento River winter Chinook as a final topic for the 2016 salmon methodology review. The methodology review is tentatively scheduled for a one-day meeting on October 18, 2016, in Portland, Oregon. The Council did not include the two preliminary topics on the Chinook Fishery Regulation Assessment Model (FRAM) for methodology review in 2016. Rather, the Council recommended scheduling an informational update on the new Chinook FRAM base period for the November 2016 Council meeting in Garden Grove, California.

I. Pacific Halibut Management

1. [2017 Catch Sharing Plan and Annual Regulation Changes](#) – Kelly Ames [[mp3: 9-17-16pm1 0:00:24](#)]

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

[Agenda Item I.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: 9-17-16pm1 0:03:56](#)]

Agenda Item I.1.a, Supplemental NMFS Report: Report on the 2016 Pacific Halibut Fisheries in Area 2A (Report not available at this meeting)

[Agenda Item I.1.a, IPHC Letter](#): Response to the Council's Data Request

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

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

[Agenda Item I.1.a, Supplemental EC Report](#)

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

b. **Public Comment** [[mp3: 9-17-16pm1 0:41:56](#)]

Butch Smith

c. **Council Action: Adopt for Public Review Proposed Changes for the 2017 Pacific Halibut Catch Sharing Plan and Annual Fishing Regulations** [[mp3: 9-17-16pm1 0:47:02](#)]

Motion: Council to adopt for public review the 2017 Pacific Halibut Catch Sharing Plan and the annual fishing regulations as shown in Agenda Item I.1.a, Supplemental WDFW Report. Michele Culver/Phil Anderson (Motion carried unanimously)

Motion: Council to adopt for public review the 2017 Pacific Halibut Catch Sharing Plan and the annual fishing regulations as shown in Agenda Item I.1.a, Supplemental ODFW Report. Maggie Sommer/Jeff Feldner (Motion carried unanimously)

Staff Summary: The Council adopted for public review, proposed changes to the 2017 Area 2A Catch Sharing Plan and annual fishing regulations. The changes are specific to the Washington and Oregon recreational fisheries and are described in the reports provided by the Washington

Department of Fish and Wildlife ([Agenda Item I.1.a, Supplemental WDFW Report, September, 2016](#)) and the Oregon Department of Fish and Wildlife ([Agenda Item I.1.a, ODFW Report, September, 2016](#)). No changes were proposed for the Southern Oregon or California sub-area recreational fisheries, or any commercial fisheries. The same 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 I.1, Attachment 1, September 2016](#)), will be used in 2017.

J. Highly Migratory Species Management

1. Update on International Issues – Kit Dahl [[mp3: 9-18-16pm2 0:00:21](#)]

[Agenda Item J.1, Attachment 1](#): Resolutions adopted by the IATTC at its 90th Meeting

[Agenda Item J.1, Attachment 2](#): July 26, 2016, letter from Mr. Barry Thom, NMFS West Coast Regional Administrator and Commissioner to the IATTC, to IATTC Executive Director, Guillermo Compeán and IATTC Chair, Mr. Guillermo Morán

[Agenda Item J.1 Supplemental Attachment 3](#): Staff Report: Twelfth Western and Central Pacific Fisheries Commission Northern Committee Meeting

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-18-16pm2 0:05:41](#)]

[Agenda Item J.1.a, NMFS Report](#): Report on the International Management of Highly Migratory Species

[Agenda Item J.1.a, Supplemental NMFS Report 2](#)

[Agenda Item J.1.a, Supplemental HMSMT Report](#)

[Agenda Item J.1.a, Supplemental HMSAS Report](#)

b. Public Comment [[mp3: 9-18-16pm2 0:29:49](#)]

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

Peter Flournoy

Theresa Labriola

c. Council Action: Provide Recommendations to the U.S. Delegations to the Inter-American Tropical Tuna Commission (IATTC) and Western and Central Pacific Fisheries Commission (WCPFC) [[mp3: 9-18-16pm2 0:43:17](#)]

Motion: None

Staff Summary: The Council was briefed on the proposal the U.S. is submitting for the 90th Meeting of the Inter-American Tropical Tuna Commission (IATTC) (resumed) for Pacific bluefin tuna conservation. This proposal includes the continuation of the 2015-2016 commercial limit for Pacific bluefin in the Convention Area of 600 metric tons into 2017 and 2018. It will also reflect outcomes from the Western and Central Pacific Fisheries Commission Northern Committee/IATTC Joint Working Group meeting on a long-term rebuilding plan for Pacific bluefin. The rebuilding plan identifies an initial rebuilding target of median spawning biomass (1952-2014) to be achieved by 2024, and a second rebuilding target to be achieved by 2030, which is yet to be determined. The IATTC would adopt this second rebuilding target in 2018, consistent with the outcome of the next Joint Working Group meeting in 2017. The Council supports the U.S.

proposal including these rebuilding objectives with the proviso that the second rebuilding target should be set at a biomass level that approximates B_{MSY} , and will send a letter to that effect to U.S. Commissioner, Mr. Barry Thom.

The Council also emphasized that it should have the opportunity to review and comment on any domestic regulations proposed to implement any Pacific bluefin tuna Resolution adopted by the IATTC.

2. Exempted Fishing Permits – Kit Dahl [[mp3: 9-18-16pm2 1:02:43](#)]

Agenda Item J.2, Attachment 1: Revised Exempted Fishing Permit Application from David Stephens

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-18-16pm2 1:07:43](#)]

Agenda Item J.2.a, NMFS Report

Agenda Item J.2.a, Supplemental NMFS Report 2

Agenda Item J.2.a, HMSMT Report

Agenda Item J.2.a, Supplemental HMSAS Report

b. Public Comment [[mp3: 9-18-16pm2 1:14:29](#)]

Agenda Item J.2.b, Public Comment

Jack Stephens

Ben Stephens

Dave Stephens

Theresa Labriola, Wild Oceans

Geoff Shester, Oceana

c. Council Action: Review Preliminary Proposals and Consider Recommendations for Final Permits as Appropriate [[mp3: 9-18-16pm2 1:34:20](#)]

Motion: Council recommend to NMFS to approve the EFP application we have before us with an observer coverage potentially as low as 30 percent consistent with meeting the requirements that have been in place with the PIER EFP operations.

Rich Lincoln/Buzz Brizendine (Motion carried unanimously)

Staff Summary: The Council reviewed the revised application submitted by Mr. Dave Stephens to use deep-set buoy gear (Agenda Item J.2, Attachment 1) and recommended that NMFS issue an exempted fishing permit (EFP) for this activity. Based on Mr. Stephens' experience in using this gear type, the Council recommended that NMFS consider an observer coverage rate as low as 30 percent, which is consistent with the coverage rate for the current EFP issued to the Pflegler Institute of Environmental Research to test deep-set buoy gear.

3. Biennial Harvest Specifications and Management Measures – Kit Dahl [[mp3: 9-19-16am1 0:00:11](#)]

Agenda Item J.3, Attachment 1: The National Marine Fisheries Service's Response to a Petition from the Center for Biological Diversity Requesting a Rulemaking for Pacific Bluefin Tuna

[Agenda Item J.3, Attachment 2](#): August 17, 2016, letter from William Stelle, Jr., to Chairman Pollard notifying the Council that National Marine Fisheries Service has determined that the Western and Central North Pacific Ocean stock of striped marlin is overfished and subject to overfishing

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-19-16am1 0:07:48](#)]

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

[Agenda Item J.3.a, Supplemental HMSMT Report 2](#)

[Agenda Item J.3.a, Supplemental HMSMT PowerPoint](#) (*Electronic Only*, Sippel)

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

[Agenda Item J.3.a, Supplemental NMFS Report](#)

- b. **Public Comment** [[mp3: 9-19-16am1 1:01:32](#)]

Theresa Labriola, Wild Oceans

- c. **Council Action: Consider Adopting Harvest Specifications for Public Review, and Adopt Housekeeping Changes to the Fishery Management Plan** [[mp3: 9-19-16am1 1:05:23](#)]

Motion: None

Staff Summary: The Council concluded that these tasks described in [Agenda Item J.3.a, Supplemental HMSMT Report 2](#) are broader in scope than could be taken up under the biennial management process; therefore, the Council initiated an FMP amendment to change the framework and process for selecting stock status determination criteria (maximum fishing mortality rate and minimum stock size threshold). The Council directed the Highly Migratory Species Management Team (HMSMT) to meet with the Highly Migratory Species Advisory Subpanel (HMSAS) at the November Council meeting to review and discuss proposed amendments to the text of the HMS FMP. Public review of proposed changes and Council final action would occur in 2017.

The Council was briefed on the Southwest Fisheries Science Center's proposed peer review process for a March 2016 [common thresher shark stock assessment](#), which would employ a panel drawn from the Center for Independent Experts. The Council asked that its SSC be given the opportunity to comment on the terms of reference that will be developed for the peer review.

The Council deferred its final response to the Center for Biological Diversity's petition for rulemaking on Pacific bluefin tuna until the November meeting to allow consideration of the results of the IATTC meeting. In the future, this topic will be addressed under the International Issues agenda topic, along with an update on the thresher shark assessment and a notice that the Western and Central North Pacific Ocean stock of striped marlin is overfished and subject to overfishing.

4. [Deep-Set Buoy Gear Exempted Fishing Permit Criteria to Advance Gear Authorization](#) – Kit Dahl [[mp3: 9-19-16am2 0:00:17](#)]

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-19-16am2 0:05:19](#)]

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

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

b. **Public Comment** [[mp3: 9-19-16am2 0:59:14](#)] and [[mp3: 9-19-16pm1 0:00:12](#)]

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

Tara Brock, PEW Charitable Trusts

Kelly Fukushima

Goeff Shester, Oceana presented [Agenda Item J.4.b, Supplemental Public Comment PowerPoint](#)
(Shester)

Cassie Burdyshaw, Turtle Island Restoration Network

Mike Conroy, West Coast Fisheries Consultants

Theresa Labriola, Wild Oceans

Melissa Mahoney, Environmental Defense Fund

c. **Council Action: Identify Criteria for Future Deep-Set Buoy Gear Exempted Fishing Permit Applications to Advance Consideration of Gear Authorization under the Fishery Management Plan** [[mp3: 9-19-16pm1 0:31:51](#)]

Motion: Council accept the recommendations in the advisory body statements as useful guidance in considering future EFP applications, and task the HMSMT with crafting an EFP template for applications. Furthermore, task the HMSMT with developing criteria for deciding the appropriate observer coverage levels for all new DSBG EFPs. Additionally, Council staff, with input from the HMSMT and HMSAS, should continue working on the framework to advance Consideration of Gear Authorization under the Fishery Management Plan, building on the initial outline offered in the staff summary provided in Agenda Item D.5, Attachment 1, from June 2016.

David Crabbe/Marci Yaremko (Motion carried unanimously)

Staff Summary: The Council:

- Accepted [Agenda Item J.4.a, Supplemental HMSMT Report](#), and [Agenda Item J.4.a, Supplemental HMSAS Report](#), under this agenda item, as useful guidance in considering future deep-set buoy gear EFP applications.
- Tasked the HMSMT to develop a deep-set buoy gear EFP application template that would simplify the completion of applications. The HMSMT will provide a proposed template for Council review and adoption at the November Council meeting.
- Tasked the HMSMT with developing criteria for deciding the appropriate observer coverage levels for all new deep-set buoy gear EFPs.
- Directed Council staff, with input from the HMSMT and HMSAS, to continue working on the framework to advance authorization of deep-set buoy gear under the Fishery Management Plan, building on the initial outline offered in the staff summary provided in [Agenda Item D.5, Attachment 1, June, 2016](#).

5. **[Federal Drift Gillnet Permit Amendment](#)** – Kit Dahl [[mp3: 9-19-16pm2 0:00:02](#)]

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-19-16pm2 0:05:14](#)]

[Agenda Item J.5.a, Supplemental CDFW Report](#)
[Agenda Item J.5.a, HMSMT Report](#)
[Agenda Item J.5.a, Supplemental HMSAS Report](#)

b. **Public Comment** [[mp3: 9-19-16pm2 0:50:25](#)]

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

Goeff Shester, Oceana presented [Agenda Item J.5.b, Supplemental Public Comment PowerPoint](#) (Shester)

Melissa Mahoney, Environmental Defense Fund
Tara Brock, PEW Charitable Trusts
Cassie Burdyslaw, Turtle Island Restoration Network
Peter Flournoy, American Fisherman's Research Foundation
Gary Burke, CFSB

c. **Council Action: Approve a Range of Alternatives for Developing a Federal Limited-Access Permit for the California Large-Mesh Drift Gillnet Fishery** [[mp3: 9-19-16pm2 1:20:38](#)]

Motion: Council approve the range of alternatives as shown in Agenda item J.5.a, HMSMT report, with an amendment to alternative 1 to clarify that the alternative would include the state's existing DGN transfer requirement that the permit (whether state or Federal) be held by the individual for 3 years before being eligible for transfer.

Marci Yaremko/David Crabbe (Motion carried, Mr. Lincoln voted no)

Staff Summary: The Council approved the range of alternatives described in [Agenda item J.5.a, HMSMT Report](#), with an amendment to Alternative 1 to clarify that the alternative would include California's existing drift gillnet (DGN) transfer requirement that the permit (whether state or Federal) be held by the individual for three years before being eligible for transfer. These alternatives are:

- **No Action Alternative** (Status quo): The Council would not move forward with creating a Federal DGN permit. DGN permitting would continue under the state of California Limited Entry permit program.
- **Alternative 1:** Federalization of DGN permitting as currently issued by the state of California. As soon as possible after Council final action, only fishers authorized to fish with large mesh DGN gear under state law would be entitled to a NMFS commercial HMS permit endorsed for DGN. This would mean that fishers who hold valid state DGN permits on the date of Final Rule publication would be eligible to possess an HMS permit DGN endorsement. Permits could only be transferred once every three years.

INFORMATIONAL REPORTS

[Informational Report 1:](#) Letter to PFMC from NOS re: Pending nomination of GFNMS-CBNMS-MBNMS for World Heritage Status

[Informational Report 2:](#) Letter to the Honorable Barack H. Obama, President of the United States from RFMCs re: designation of marine national monuments using Antiquities Act

[Informational Report 3](#): NMFS announces FY17 Saltonstall-Kennedy Federal Funding Opportunity

[Informational Report 4](#): Pacific Halibut Bycatch in US West Coast Fisheries (2002-2015); NOAA Publication date: August 2016 (*Electronic Only*)

[Informational Report 5](#): Limited Entry Fixed Gear Sablefish Fishery Data

[Supplemental Informational Report 6](#): Oceana is inviting the public to a presentation (Discoveries from Southern California; Exploring the Living Seafloor) on Friday, September 16 from 6 pm to 7 pm

[Supplemental Informational Report 7](#): 60-Day Notice of Intent to Sue: Violations of the Endangered Species Act and Marine Mammal Protection Act Related to the California Drift Gillnet Fishery and the California/Oregon/Washington Sablefish Pot Fishery

[Supplemental Informational Report 8](#): Update: Marine Resources Education Program (MREP) Workshop, Santa Cruz

[Supplemental Informational Report 9](#): Status Report of the 2016 Ocean Salmon Fisheries off Washington, Oregon, and California; Preliminary Data Through August 31, 2016

ADJOURN

The Council meeting adjourned on Tuesday, September 20, 2016 at 11:36 a.m.



Herb Pollard
Council Chair

November 21, 2016
Date