

COUNCIL MEETING RECORD
241st Session of the
Pacific Fishery Management Council
September 11-18, 2017
The Riverside Hotel
2900 Chinden Boulevard, Boise, ID 82714

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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/>.
8. **Voting Log** – The voting log lists, in Agenda order, the summarized Council motions and actions for each agenda item that took place during the meeting.

MEETING SUMMARY

A. Call to Order [[mp3: 9-13-17am1](#)] @ 0:00:02]

1. Opening Remarks – Phil Anderson, Chair

Mr. Phil Anderson, Council Chair, called the 241st meeting of the Pacific Fishery Management Council (Council) to order at 9:30 a.m. on September 13, 2017. A closed session was held before this open session to discuss litigation and personnel matters.

2. Council Member Appointments – Ryan Wulff [[mp3: 9-13-17am1](#)] @ 0:06:20]

Mr. Wulff presented the newly-appointed Council members with their certificates of Appointments and Mr. Brad Pettinger was sworn in as a Council Member.

3. Roll Call – Chuck Tracy [[mp3: 9-13-17am1](#)] @ 0:08:08]

Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Ryan Wulff, designee 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:	Mr. John Ugoretz, designee Mr. Brett Kormos, designee Ms. Joanna Grebel, designee Ms. Marci Yaremko, designee
California Obligatory:	Mr. David Crabbe, Vice-Chair
Idaho State Official:	Mr. Peter Hassemmer, designee
Idaho Obligatory:	Mr. Herb Pollard
Tribal Official:	Mr. Joseph Oatman, designee
At-Large:	Mr. Phil Anderson, Chair Mr. William L. “Buzz” Brizendine Mr. Brad Pettinger Mr. Marc Gorelnik
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Gregg Casad, nonvoting designee CDR Jason Brand, nonvoting designee Mr. Brian Corrigan, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Mike Clark, 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: 9-13-17am1](#)] @ 0:09:23]

[Agenda Item A.4, Supplemental Attachment 1](#): Letter to Chris Oliver, Assistant Administrator for NOAA Fisheries from Philip Anderson, dated September 2, 2017 regarding Pacific Council priorities

[Agenda Item A.4, Supplemental Attachment 2](#): Letter to Chris Oliver, Assistant Administrator for NOAA Fisheries from the CCC (Welcome letter, list of RFMC meetings)

5. Agenda – Phil Anderson [[mp3: 9-13-17am1](#)] @ 0:16:31]

a. Council Action: Approve Agenda

Motion 1: Adopt the agenda as shown in [Agenda Item A.5, September 11-18, 2017](#)

Dorothy Lowman/Buzz Brizendine (Motion carried unanimously)

B. Open Comment Period

1. [Comments on Non-Agenda Items](#) - Mike Burner [[mp3: 9-13-17am1](#)] @ 0:17:19]

a. Advisory Body and Management Entity Comments

None

b. Public Comment

[Agenda Item B.1.b, Public Comment 1](#): Report by Mr. Gary Harden, *Kiss the Fish Goodbye*

[Agenda Item B.1.b, Supplemental Public Comment 2](#): Letter and document from West Coast Pelagic Conservation Group re: “*Pelagic Survey Highlights NOAA’s Collaborative Relationship With Industry*”

[Agenda Item B.1.b, Supplemental Public Comment 3](#): Oceana publication “*Exploring the Living Seafloor: Southern California Bight Expedition*”

[Agenda Item B.1.b, Supplemental Public Comment 4](#): E-mail from Ilene Kaplan re: aquaculture relevance and salmon returns regarding human consumption in 2017

Bob Dooley and Dan Wolford presented comments regarding the Marine Resource Education Program

Geoff Shester, Oceana discussed [Agenda Item B.1.b, Supplemental Public Comment 5](#): Request for action on proposed rule to adjust Pacific sardine harvest guideline control rule (*Electronic Only*)

Ben Enticknap, Oceana presented [Agenda Item B.1.b, Supplemental Public Presentation 1](#): Exploring the Living Seafloor: Southern California Expedition (*Enticknap, Oceana*)

Jonathan Gonzalez, Pacific Seafood, regarding the Essential Fish Habitat & Rockfish Conservation Area closures

c. Council Discussion and Comments as Appropriate

Staff Summary: None

C. Coastal Pelagic Species Management

1. [Acoustic Trawl Survey Methodology Review Terms of Reference](#) – Kerry Griffin [mp3: 9-13-17am1 @ 0:40:40]

[Agenda Item C.1, Attachment 1](#): Draft Terms of Reference for the 2018 Acoustic-Trawl Survey Methodology Review

- a. **Reports and Comments of Advisory Bodies and Management Entities** [mp3: 9-13-17am1 @ 0:43:52]

[Agenda Item C.1.a, Supplemental USFWS Report 1](#)

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

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

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

- b. **Public Comment** [mp3: 9-13-17am1 @ 1:12:53]

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

Geoff Shester, Oceana

Gilly Lyons, PEW Charitable Trusts

Anna Weinstein, Audubon California

- c. **Council Action: Approve Terms of Reference for the 2018 Acoustic Trawl Survey Methodology Review** [mp3: 9-13-17am2 @ 0:00:16]

Motion 2 [mp3: 9-13-17am2 @ 0:02:46]: Approve the draft terms of reference for the 2018 acoustic-trawl survey methodology review as shown in Agenda Item C.1, Attachment 1: Draft Terms of Reference for the 2018 Acoustic-Trawl Survey Methodology Review, September 2017, and include the recommendations of the SSC in Agenda Item C.1.a, Supplemental SSC Report, September 2017.

Michael Clark/Michele Culver (motion carries unanimously)

Staff Summary: The Council approved the proposed [terms of reference](#), incorporating recommended edits described in the supplemental [SSC report](#). The Southwest Fisheries Science Center's (SWFSC) acoustic-trawl survey methodology review is scheduled for January 29 - February 2, 2018.

D. Habitat

1. [Current Habitat Issues](#) – Jennifer Gilden [mp3: 9-13-17am2 @ 0:15:50]

[Agenda Item D.1, Supplemental Attachment 1](#): Report on Habitat Committee Webinar on Oroville Dam Relicensing and Related Matters

- a. [Report of the Habitat Committee](#) – Eric Wilkins [mp3: 9-13-17am2 @ 0:18:59]

- b. **Reports and Comments of Advisory Bodies and Management Entities** [mp3: 9-13-17am2 @ 0:27:23]

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

- c. **Public Comment** [mp3: 9-13-17am2 @ 0:28:24]

[Agenda Item D.1.c, Supplemental Public Presentation 1](#): Update on Coast Seafoods Aquaculture Development in Humboldt Bay (*Weinstein, Audobon*)

d. Council Action: Consider Habitat Committee Report and Recommendations
[\[mp3: 9-13-17am2 @ 0:34:54\]](#)

Motion 3 [\[mp3: 9-13-17am2 @ 0:43:05\]](#): Council direct staff to prepare two letters, one to the Federal Energy Regulatory Commission (FERC) and the other to the California Department of Water Resources (DWR), relating to essential fish habitat for fall Chinook and the operation of the Oroville Dam and related facilities.

The letter to DWR should:

1. Set forth the Council's prerogative under Section 305(b)(3) of the Magnuson-Stevens Act to "comment on and make recommendations to . . . any Federal or State agency concerning any [proposed] activity . . . that, in the view of the Council, may affect the habitat, including essential fish habitat, of a fishery resource under its authority."
2. Inform DWR that:
 - the Council manages the Sacramento fall Chinook and that this stock's largest contribution to the fishery comes from the Feather River;
 - the sole suitable spawning habitat for natural reproduction on the Feather River is in the "low flow channel," an eight-mile stretch from the Fish Barrier Dam down to the Thermalito Afterbay Outlet;
 - habitat below the Thermalito Afterbay Outlet (the "high flow channel") is presently unsuitable for fall Chinook spawning primarily because of lethally high water temperatures;
 - proposed activities under a Settlement Agreement will eliminate some or all of the currently available and essential spawning habitat for the fall Chinook on the Feather River through placement of a segregation weir; and
 - the proposed weir will also prevent fall Chinook from directly reaching the fish hatchery.
3. Encourage DWR to expedite implementation of the NFMS BiOp and Settlement Agreement Articles for temperature changes and habitat alterations to the low-flow and high flow channels prior to license renewal. (HC Recommendation No. 1, revised). Request that DWR proceed immediately with planning and other work that does not require advance FERC approval. To the extent that any work such as construction requires FERC approval, ask that DWR seek such approval during pendency of its relicensing application.
4. Encourage DWR to expedite the temperature changes to the low flow channel immediately, in compliance with the California State Water Quality Control Board request. (HC Recommendation No. 3).
5. Encourage DWR to prioritize developing methods to ensure that daily maximum temperatures are not exceeded. (HC Recommendation No. 4).
6. Continue to advocate for near-future solutions that directly (rather than indirectly) reduce water temp in the high flow channel. (HC Recommendation No. 5).
7. Assess reasons for reduced spawning in the high flow channel. (HC Recommendation No. 6).

The letter to FERC should:

1. Set forth the Council's prerogative under Section 305(b)(3) of the Magnuson-Stevens Act to "comment on and make recommendations to . . . any Federal or State agency concerning

any [proposed] activity . . . that, in the view of the Council, may affect the habitat, including essential fish habitat, of a fishery resource under its authority.”

2. Inform FERC that:

- the Council manages the Sacramento fall Chinook and that this stock’s largest contribution to the fishery comes from the Feather River;
- the sole suitable spawning habitat for natural reproduction on the Feather River is in the “low flow channel,” an eight-mile stretch from the Fish Barrier Dam down to the Thermalito Afterbay Outlet;
- habitat below the Thermalito Afterbay Outlet (the “high flow channel”) is presently unsuitable for fall Chinook spawning primarily because of lethally high water temperatures;
- proposed activities under a Settlement Agreement will eliminate some or all of the currently available and essential spawning habitat for the fall Chinook on the Feather River through placement of a segregation weir; and
- the proposed weir will also prevent fall Chinook from directly reaching the fish hatchery.

3. Request that FERC:

- require that suitable replacement habitat for fall Chinook, including thermal remediation, be in place before the implementation of the segregation weir;
- require that provisions for continued hatchery fish production be implemented prior to implementation of the segregation weir; and
- authorize DWR to proceed immediately with improvements to fish habitat, including satisfactory spawning temperature in the high-flow channel and low-flow channel, prior to renewal of operating license.

Marc Gorelnik/Rich Lincoln (motion carried, Ms. Yaremko and Mr. Lockhart abstained)

Staff Summary: The Council directed staff to send a letter to the California Department of Water Resources and the Federal Energy Regulatory Commission relating to essential fish habitat for fall Chinook and the operation of the Oroville Dam and related facilities.

E. Groundfish Management

1. [National Marine Fisheries Service Report](#) – Brett Wiedoff [[mp3: 9-13-17pm1 @ 0:01:51](#)]

a. **Regulatory Activities** – Frank Lockhart [[mp3: 9-13-17pm1 @ 0:03:20](#)]

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

[Agenda Item E.1.a, NMFS WCR Report 2](#): Rulemaking Plan for 2017, Groundfish

b. **Fisheries Science Center Activities** – Kevin Werner and Michelle McClure [[mp3: 9-13-17pm1 @ 0:16:29](#)]

[Agenda Item E.1.b, NMFS NWFSC Report 1](#): Letter from NWFSC Regarding Discard Mortality Rates in Commercial Nearshore Fishery

[Agenda Item E.1.b, NMFS NWFSC Report 2](#): Estimated Discard and Catch of Groundfish Species in the 2016 US West Coast Fisheries (*Electronic only*)

[Agenda Item E.1.b, NMFS NWFSC Report 3: Pacific Halibut Bycatch in US West Coast Fisheries \(2002-2016\) \(*Electronic only*\)](#)

[Agenda Item E.1.b, Supplemental NMFS NWFSC Presentation 1: Groundfish Science Report \(McClure\)](#)

- c. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-13-17pm1 @ 0:31:05](#)]

[Agenda Item E.1.c, Supplemental IPHC Letter 1: Letter from IPHC to PFMC re: NWFSC Observer Program](#)

- d. **Public Comment** [[mp3: 9-13-17pm1 @ 0:32:51](#)]

Geoff Shester, Oceana

Heather Mann, Midwater Trawlers Cooperative

Tom Rudolph, PEW Charitable Trusts

- e. **Council Discussion** [[mp3: 9-13-17pm1 @ 0:45:42](#)]

Motion: None

Staff Summary: None

2. **[Off-Year Science Improvements](#) –John DeVore** [[mp3: 9-14-17am1 @ 0:38:09](#)]

[Agenda Item E.2, Attachment 1: Recommendations for Future Research and Data Needs from Recent Stock Assessments, STAR Panel Reports, SSC Methodology Reviews, and Past Advisory Body Reports on Off-Year Science Improvements \(*Electronic only*\)](#)

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-14-17am1 @ 0:42:55](#)]

[Agenda Item E.2.a, Supplemental SSC Report 1](#)

[Agenda Item E.2.a, Supplemental GMT Report 1](#)

[Agenda Item E.2.a, Supplemental GAP Report 1](#)

- b. **Public Comment**

None

- c. **Council Action: Adopt a Plan for Improvements in Groundfish Management Science** [[mp3: 9-14-17am1 @ 1:15:56](#)]

Motion 6 [[mp3: 9-14-17am1 @ 1:29:35](#)]: Council preliminarily approve the following off-year science improvement workshops with further discussion and final approval scheduled for November 2017. Using Agenda Item E.2.a Supplemental SSC Report 1: The follow-up workshop on catch reconstruction, transboundary issues; conditional age at length data; and follow-up on productivity workshop.

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 7 [[mp3: 9-14-17am2 @ 0:00:23](#)]: Reconsider Motion 5 from Agenda Item G.1. Pacific Halibut

Maggie Sommer/Herb Pollard (motion carried unanimously)

Staff Summary: The Council adopted for public review the following [off-year science improvements](#) to be conducted next year by the Scientific and Statistical Committee (SSC): a follow-up workshop on historical catch reconstruction, a workshop on transboundary issues in groundfish stock assessments, a workshop on best practices for modeling conditional age-at-length data, and a follow-up workshop on modeling stock productivity in groundfish assessments. The Council is soliciting feedback on the October workshop on natural mortality sponsored by the Center for the Advancement of Population Assessment Methodology (CAPAM) and from Council staff and the National Marine Fisheries Service (NMFS) science centers on their ability to commit resources to these workshops.

3. Stock Assessment Methodology Review –John DeVore [mp3: 9-14-17am2 @ 0:04:27]

[Agenda Item E.3, Attachment 1](#): Improving Catch Estimation Methods in Sparsely Sampled Mixed Stock Fisheries

[Agenda Item E.3, Attachment 2](#): Proposal for a Methodological Review of the Data-Limited Methods Toolkit (DLMtool) for Use in the Pacific Fishery Management Council’s Stock Assessment Review (STAR) Process

a. Reports and Comments of Advisory Bodies and Management Entities [mp3: 9-14-17am2 @ 0:08:45]

[Agenda Item E.3.a, Supplemental ODFW Report 1](#)

[Agenda Item E.3.a, Supplemental CDFW Report 1](#)

[Agenda Item E.3.a, Supplemental SSC Report 1](#)

[Agenda Item E.3.a, Supplemental GMT Report 1](#)

[Agenda Item E.3.a, Supplemental GAP Report 1](#)

b. Public Comment

None

c. Council Action: Identify Priority Stock Assessment Methodology Review Topics for 2018 [mp3: 9-14-17am2 @ 0:35:39]

Motion 8 [mp3: 9-14-17am2 @ 0:44:55]: Council preliminarily approve stock assessment methodology review topics as described in Agenda Item E.3.a, Supplemental SSC Report 1, Supplemental GMT Report 1, Supplemental GAP Report 1, and the recreational fisheries data CPUE from Agenda Item E.2.a, Supplemental GMT Report 1 for further consideration in November.

Michele Culver/Rich Lincoln (motion carried unanimously)

Staff Summary: The Council adopted for public review the stock assessment methodology review topics recommended by the [Scientific and Statistical Committee](#) (SSC), the [Groundfish Management Team](#) (GMT), and the [Groundfish Advisory Subpanel](#) for a formal methodology review by the SSC next year. They also adopted the [GMT recommendation](#) to conduct a workshop to determine best practices for modeling recreational catch per unit effort data in groundfish assessments. The Council will determine both the off-year science improvements and the methodology review topics recommended concurrently at its November meeting.

4. **Coastwide Non-whiting Midwater Trawl Exempted Fishing Permit (EFP) Final Action and Gear Modification EFP Review** – Jim Seger [[mp3: 9-14-17am2 @ 0:56:19](#)]

a. **Report of the EFP Applicants** – Lori Steele [[mp3: 9-14-17am2 @ 0:58:46](#)]

[Agenda Item E.4.a, Supplemental EFP Application 1](#): Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery

b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-14-17am2 @ 1:05:40](#)]

[Agenda Item E.4.b, Supplemental NMFS Report 1](#)

[Agenda Item E.4.b, Supplemental GMT Report 1](#)

[Agenda Item E.4.b, Supplemental GAP Report 1](#)

[Agenda Item E.4.b, Supplemental SAS Report 1](#)

c. **Public Comment** [[mp3: 9-14-17am2 @ 1:54:34](#)]

Mike Okoniewski, Shems Jud, Travis Hunter & Jana Henning
Lori Steele, West Coast Seafood Processors Association

d. **Council Action: Review Progress Reports of the 2017 Gear Modification EFPs and Adopt Final 2018 Coastwide Non-whiting Midwater Trawl and Gear Modification EFPs, as appropriate** [[mp3: 9-14-17pm1 @ 0:01:00](#)]

Brad Pettinger announced he would be recusing himself from this action as an author of the EFP.

Council reconvened this agenda item on Saturday, Sept 16 [[mp3: 9-16-17am1 @ 0:03:14](#)].

[Agenda Item E.4.d, Supplemental Staff Report](#): Staff Report on Initial Council Deliberations on Coastwide Non-Whiting Trawl Exempted Fishing Permits Final Action and Gear Modification Review

c. **Public Comment**

None

d. **Council Action: Review Progress Reports of the 2017 Gear Modification EFPs and Adopt Final 2018 Coastwide Non-whiting Midwater Trawl and Gear Modification EFPs, as appropriate** [[mp3: 9-16-17am1 @ 0:27:48](#)]

Motion 14 [[mp3: 9-16-17am1 @ 0:28:14](#)]: Council recommend approval of the overall approach and provisions applying to both trawl Exempted Fishing Permits as described in Agenda Item E.4.d, Supplemental Staff Report, September 2017

Maggie Sommer/Brad Pettinger (motion carried, Mr. Lockhart abstained and Mr. Pettinger recused himself)

Motion 15 [[mp3: 9-16-17am1 @ 0:32:35](#)]: Council approve the following additional EFP activities and the following additional EFP constraints for the areas south of 42°:

1. An exemption that would allow use of midwater gear to target non-whiting from Jan 1-May 15 in the RCA, seaward of the RA and shoreward of the RCA, in the area from 42° to 40° 10', and

2. An exemption that would allow use of midwater gear to target non-whiting in the RCA south of 40° 10' (the gear is already allowed seaward in regulation. The gear would not be allowed shoreward, as proposed by applicants).
3. Should the SFFT bottom trawl exemption (e.g., the 2017 EFP) be allowed to extend South of 42° (post the 2018 salmon forecast; see item 2 from Agenda Item E.4.d, Supplemental Staff Report): this gear would be authorized shoreward of the RCA from 42° to 40° 10', from the time of issuance through the end of the year.
4. For all EFP activities authorized in items 1, 2, and 3 above that occur South of 42°, an 80-fish Chinook bycatch cap shall apply.

Marci Yaremko/Buzz Brizendine (motion carried, Mr. Lockhart abstained and Mr. Pettinger recused himself)

Staff Summary: The Council recommended the use of EFPs to provide exemptions to gear regulations and expand the times and areas in which midwater trawl gear can be used to target non-whiting species. The Council approved provisions and a process for moving forward with a gear and non-whiting midwater trawl EFP (or EFPs) for 2018, as described on the first two pages of the [Staff Report](#), and continuing onto the first four items listed on the third page. Additionally, under the EFP the opportunity to use midwater gear to target non-whiting species would be expanded as follows: prior to May 15, north of 40° 10' N. latitude in all depths (seaward, shoreward, and within the Rockfish Conservation Area [RCA]); and year-round within the RCA south of 40° 10' N. latitude. All midwater trawling will still be prohibited shoreward of the RCA in the area south of 40° 10' N. latitude. Further, pending a review of the salmon preseason forecasts for 2018, the southern boundary of the bottom trawl gear EFP provisions, which includes an exemption to the requirement to use of selective flatfish trawl shoreward of the RCA, could be extended from 42° N. latitude to 40° 10' N. latitude through the end of the year or until such time as the EFP is otherwise modified or closed. All fishing activities south of 42° covered by the EFP (or EFPs) would be subject to an 80 Chinook bycatch limit for the entire year.

**5. [Flexibility in Annual Catch Limit Management Response, Scoping](#) – John DeVore
[mp3: 9-14-17pm1 @ 0:52:46]**

[Agenda Item E.5, Attachment 1](#): National Standard 1 – Optimum Yield

[Agenda Item E.5, Attachment 2](#): Considerations and Focus Questions for the Carryover Provisions Envisioned in Revised National Standard 1 Guidelines

a. Reports and Comments of Advisory Bodies and Management Entities [mp3: 9-14-17pm1 @ 0:59:49]

[Agenda Item E.5.a, Supplemental GMT Report 1](#)

[Agenda Item E.5.a, Supplemental GAP Report 1](#)

b. Public Comment [mp3: 9-14-17pm1 @ 1:25:28]

Linda Buell, Oregon Charter Boat Association

c. Council Action: Scope a Multi-Year Average Catch Policy and Carryover Provisions, and Provide Guidance on Future Analyses and Considerations [mp3: 9-14-17pm1 @ 1:32:08]

Motion: None

Staff Summary: The Council received initial scoping comments and recommendations from the [Groundfish Management Team](#) (GMT) and the [Groundfish Advisory Subpanel](#) (GAP) on implementing a new multi-year annual catch limit (ACL) framework defining and describing overfishing status determination criteria for groundfish stocks in the Groundfish Fishery Management Plan (FMP). They also received GMT and GAP recommendations to pursue an FMP amendment to consider two new carry-over provisions that would allow some portion of unutilized harvestable surplus from one year to the next by increasing year-2 harvest specifications. Both the FMP multi-year ACL framework and the carry-over provisions would increase flexibility in managing fishing impacts relative to ACLs. The GMT, NMFS staff, and NOAA General Counsel will report back to the Council in November under the 2019-2020 biennial harvest specifications and management measures agenda item on analyses needed to move this FMP amendment forward.

6. [Electronic Monitoring – Preliminary Pacific Halibut Discard Mortality Rates and Third-Party Review](#) – Brett Wiedoff [[mp3: 9-14-17pm2@ 0:00:06](#)]

[Agenda Item E.6, Attachment 1](#): Predictors of Halibut Viability for Electronic Monitoring in the West Coast Trawl IFQ Fishery

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-14-17pm2@ 0:04:57](#)]

[Agenda Item E.6.a, Supplemental NMFS Report 1](#): Pacific Halibut Discard Mortality Rates and Discard Species List Changes

[Agenda Item E.6.a, Supplemental NMFS Report 2](#): Third Party Video Review

[Agenda Item E.6.a, Supplemental NMFS Presentation 1](#): NMFS Report on EM (Hooper)

[Agenda Item E.6.a, Supplemental GEMPAC Report 1](#)

[Agenda Item E.6.a, Supplemental GMT Report 1](#)

[Agenda Item E.6.a, Supplemental GMT Report 2](#)

[Agenda Item E.6.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 9-14-17pm2@ 1:24:37](#)]

Melissa Mahoney, Environmental Defense Fund

c. Council Action: Adopt Preliminary Pacific Halibut Discard Mortality Rates and a Third-Party Video Review Policy for Public Review [[mp3: 9-14-17pm2@ 1:30:15](#)]

Motion 9 [[mp3: 9-14-17pm2@ 1:48:46](#)]: Council put forth for public review the following preliminary preferred alternatives:

- The alternative calculation method put forth in Agenda Item E.6.a Supplemental GMT Report 1 for the Pacific Halibut Discard Mortality Rates for bottom trawl vessels using EM
- A third party provider model for video review

Dorothy Lowman/Maggie Sommer (motion carried unanimously)

Staff Summary: The Council adopted for public review the following electronic monitoring preliminary preferred alternatives:

1. The [GMT](#) draft Pacific halibut discard mortality rate (DMR) calculation method based on time on deck for bottom trawl vessels using electronic monitoring.
2. The Third-Party Review model with Pacific States Marine Fisheries Commission acting as either a potential video review provider or as the auditor of the video reviews as discussed in the [NMFS Report](#).

In addition, the Council requested that the Council's Scientific and Statistical Committee review the proposed DMR methodology at the November 2017 Council meeting. The GMT will further develop the DMR suboptions in their [report](#). NMFS will provide a report on its implementation plan for the Third-Party Review model. NMFS and the Council's Groundfish Electronic Monitoring Policy and Technical Advisory Committees will begin developing draft business rules to implement Third-Party video review including the level of video review necessary to audit logbooks and to audit video review providers, as well as the decision points for increasing and decreasing the level of video review based on compliance and other factors.

[[mp3: 9-15-17am1](#) @ 0:00:06] USCG Captain Jason Hamilton addressed the Council.

7. [Trawl Catch Share Review, Preliminary Range of Follow-on Actions, and Intersector Allocation](#) – Jim Seger [[mp3: 9-15-17am1](#) @ 0:16:17]

[Agenda Item E.7, Attachment 1](#): Calendars for Trawl Catch Share and Intersector Allocation Reviews

[Agenda Item E.7, Attachment 2](#): Chapters 4 and 5 of the “West Coast Groundfish Trawl Catch Share Program Five-year Review”

[Agenda Item E.7, Attachment 3](#): PCGFSS Abbreviated Community Summaries- Draft In Support of the 5-Year Review of the West Coast Groundfish Trawl Catch Share Program (*Electronic Only*)

[Agenda Item E.7, Attachment 4](#): Follow-on Actions—Background, Discussion, and Analysis

[Agenda Item E.7, Attachment 5](#): Proposed Groundfish Fishery Management Plan Language for Amendment 21-3

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-15-17am1](#) @ 0:25:40]

[Agenda Item E.7.a, CAB Report 1](#): Community Advisory Board Report on Preliminary Range of Follow-on Actions

[Agenda Item E.7.a, NMFS Report 1](#): Adaptive Management Program and Pass-Through of Quota Pounds

[Agenda Item E.7.a, Supplemental NMFS Report 2](#): Report on Trawl Rationalization Follow-On Actions

[Agenda Item E.7.a, WDFW Report 1](#): Washington Department of Fish and Wildlife Report on Catch Shares 5-Year Review, Range of Alternatives for Follow-on Actions

[Agenda Item E.7.a, Supplemental GMT Report 1](#)

[Agenda Item E.7.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 9-15-17am2](#) @ 0:00:25]

[Agenda Item E.7.b, Public Comment 1](#)

[Agenda Item E.7.b, Supplemental Public Comment 2](#)

[Agenda Item E.7.b, Supplemental Public Comment 3](#)

Brett Hearne, F/V Last Straw

John Corbin, Buck & Ann Fisheries

Gary Ripka, Fisherman

Jim Seavers

Bob Alverson, Fishing Vessel Owners Association

Mike Retherford and Mike Retherford Jr, F/V Excalibur

Mike Hyde, American Seafoods

Michele Longo- Eder

James Mize, Excellence MS

Jeff Lackey, Trawl Stakeholders Group

Dan Waldeck and Mike Luching, Pacific Whiting Conservation Cooperative

Brent Paine, Heather Mann and Donna Parker

Mike Okoniewski and Jonathan Gonzalez, Pacific Seafood presented [Agenda Item E.7.b, Supplemental Public Presentation 1](#) (Okoniewski/Gonzalez)

Bill James, Port San Luis Commercial Fisherman's Association

- c. Council Action: Adopt Draft Catch Share Review Recommendations, Including Research and Data Needs, Adopt a Range of Alternatives for Follow-On Actions, and Approve FMP Language on Set-Aside Management [[mp3: 9-15-17pm3](#) @ 0:00:46]**

Motion 10 [[mp3: 9-15-17pm3](#) @ 0:33:45]: Council approve the WDFW revised process and timeline described in Agenda Item E.7a, WDFW Report 1, and approve the following items for further analysis and consideration:

- Purpose and Need statements in Agenda Item E.7, Attachment 4, except as noted below and in the following alternatives:
 1. Meeting the at-sea whiting fishery bycatch needs
 - Alternatives listed in E.7.a, CAB Report 1, September 2017 (“CAB Report”). For 1.d, restrict review to the at-sea bycatch species
 - Process for each as described in E.7.a Supplemental GMT Report 1, September 2017 (“GMT report”)
 2. Trawl Sablefish area management
 - Recommend CAB revise the Purpose and Need Statement to address guidance in E.7.a, Supplemental NMFS Report 2 (“NMFS Report”)
 - CAB alternatives
 - Consider with gear switching as a follow-on Action
 3. Revising shoreside IFQ accumulation limits
 - CAB Alternatives (as bookends)
 - GMT Recommended process
 4. Meeting shoreside IFQ sector harvest complex needs
 - CAB Alternatives except remove:
 - Increase quota issued and
 - Change management tools for some species
 - Area Restriction alternative for Relief from QP limits
 - For post season trading, include an end date

- Add an alternative to revisit the provision which expires all QP not moved to vessel accounts by Sept 1st, as suggested in NMFS Report
 - GMT Recommended process
5. Gear Switching
- No action
 - Cap on amount of sablefish quota used with fixed gear (percentage based)
 - Reserved a portion of sablefish quota for use only with trawl gear (percentage based)
 - Consider with Sablefish Area Management as follow-on action
6. (#7 in CAB report) AMP pass-through
- Continue the pass-through until an alternative use of AMP is implemented
 - GMT Recommended process

Maggie Sommers/Joanna Grebel (motion carried unanimously)

Motion 11 [[mp3: 9-15-17pm3](#)] @ 1:02:25]: Council adopt, for gear switching, a control date of 9/15/2017.

Maggie Sommers/Brad Pettinger (motion carried, Ms. Grebel, Mr. Brizendine, and Mr. Gorelnik voted no)

Motion 12 [[mp3: 9-15-17pm3](#)] @ 0:31:43]: Council approve the Purpose and Need statement and the alternatives for the Catcher-Processor accumulation limits as described in Agenda Item E.7 Attachment 4 for analysis and further consideration as a follow-on action.

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 13: Council approve the Research and Data needs and Catch Share reviews chapters as described in E.7 Attachment 2 with the GMT recommended changes, the FMP Amendment language on the as-sea set asides as described in Agenda Item E.7 Attachment 5 and Agenda Item E.7, Attachment 3.

Michele Culver/Rich Lincoln (motion carried unanimously)

Staff Summary: The Council incorporated into the catch share review document the chapters on research and data needs and recommendations, provided in [Attachment 2](#), and the appendix provided in [Attachment 3](#)--with the addition of the research and data need recommendation provided in the [GMT Report](#).

For follow-on actions, the Council modified its schedule and delayed selection of final preferred alternatives from March 2018 to November 2018, as described in the [Washington Department of Fish and Wildlife report](#). The Council adopted the purpose and need statements provided in [Attachment 4](#), selecting the Community Advisory Board- ([CAB recommended](#)) purpose and need statement on the trawl sablefish area management. The Council provided the following preliminary guidance on each issue:

- At-sea whiting fishery bycatch needs - use the alternatives provided in the [CAB report](#) but limit the reconsideration of trawl/non-trawl allocations to at-sea bycatch species.
- Trawl sablefish management and revising the shoreside individual fishing quota (IFQ) accumulation limits - use the alternatives developed by the CAB.

- Meeting shoreside IFQ sector harvest complex needs - the use the CAB alternatives with the exception of increasing the amounts of quota issued, changing management tools for some species, and providing a relief from vessel quota pound (QP) limits through the use of area restrictions, all of which would be dropped from further consideration.
- For the CAB alternative to provide post-season trading - use the CAB alternative with the inclusion of a trading end date.
- Gear switching – use only the alternatives limiting the amount of QS that could be used by gear switching vessels (or ensure a certain amount of QS be available for use by trawl gear).
- Catcher-processor accumulation limits – use the alternatives contained in [Attachment 4](#).
- Adaptive Management Program (AMP) - continue the AMP QP pass-through until an alternative use of AMP QP is implemented.

With respect to the process for considering follow-on actions, the Council recommended following the process recommendations of the GMT report for each issue except: the trawl sablefish area management, gear switching, and catcher-processor accumulation limits issues. The Council decided to combine the trawl sablefish area management and gear switching issues as part of a single follow-on action, and to move catcher-processor accumulation limits forward as a follow-on issue. The Council also adopted September 15, 2017, as a control date for a limitation on gear switching. Such a control date provides public notice that if the Council adopts restrictions on gear switching it may or may not provide credit for activity after that date in establishing that limitation. A *Federal Register* notice will be published with a full explanation of the control date.

Finally, the Council adopted the FMP Amendment 21-3 language pertaining to at-sea set-asides of darkblotched rockfish and Pacific ocean perch, as provided in [Attachment 5](#).

8. [Adopt Final Stock Assessments](#) – John DeVore [[mp3: 9-16-17am2](#) @ 0:00:24]

[Agenda Item E.8, Attachment 1](#): Executive Summary of “DRAFT 2017 Lingcod Stock Assessment”

[Agenda Item E.8, Attachment 1](#): Full Document – “DRAFT 2017 Lingcod Stock Assessment” (*Electronic Only*)

[Agenda Item E.8, Attachment 2](#): Lingcod Stock Assessment Review (STAR) Panel Report

[Agenda Item E.8, Attachment 3](#): Executive Summary of “Status of Pacific ocean perch (*Sebastes alutus*) along the U.S. west coast in 2017

[Agenda Item E.8, Attachment 3](#): Full Document – “Status of Pacific ocean perch (*Sebastes alutus*) along the U.S. west coast in 2017” (*Electronic Only*)

[Agenda Item E.8, Attachment 4](#): Pacific Ocean Perch Stock Assessment Review (STAR) Panel Report

[Agenda Item E.8, Attachment 5](#): Executive Summary of “Stock assessment of the yelloweye rockfish (*Sebastes ruberrimus*) in state and Federal waters off California, Oregon and Washington

[Agenda Item E.8, Attachment 5](#): Full Document – “Stock assessment of the yelloweye rockfish (*Sebastes ruberrimus*) in state and Federal waters off California, Oregon and Washington (**Electronic Only**)

[Agenda Item E.8, Attachment 6](#): Yelloweye Rockfish Stock Assessment Review (STAR) Panel Report

[Agenda Item E.8, Attachment 7](#): Executive Summary of “Status of Yellowtail Rockfish (*Sebastes flavidus*) Along the U.S. Pacific Coast in 2017”

[Agenda Item E.8, Attachment 7](#): Full Document – “Status of Yellowtail Rockfish (*Sebastes flavidus*) Along the U.S. Pacific Coast in 2017” (**Electronic Only**)

[Agenda Item E.8, Attachment 8](#): Yellowtail Rockfish Stock Assessment Review (STAR) Panel Report

[Agenda Item E.8, Attachment 9](#): Executive Summary of “The Combined Status of Blue and Deacon Rockfishes in U.S. Waters off California and Oregon in 2017”

[Agenda Item E.8, Attachment 9](#): Full Document – “The Combined Status of Blue and Deacon Rockfishes in U.S. Waters off California and Oregon in 2017” (**Electronic Only**)

[Agenda Item E.8, Attachment 10](#): Blue and Deacon Rockfishes Stock Assessment Review (STAR) Panel Report

[Agenda Item E.8, Attachment 11](#): Executive Summary of “Status of California Scorpionfish (*Scorpaena guttata*) Off Southern California in 2017

[Agenda Item E.8, Attachment 11](#): Full Document – “Status of California Scorpionfish (*Scorpaena guttata*) Off Southern California in 2017” (**Electronic Only**)

[Agenda Item E.8, Attachment 12](#): California Scorpionfish Stock Assessment Review (STAR) Panel Report

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-16-17am2 @ 0:02:38](#)]

[Agenda Item E.8.a, WDFW Report 1](#)

[Agenda Item E.8.a, Supplemental SSC Report 1](#)

[Agenda Item E.8.a, Supplemental GMT Report 1](#)

[Agenda Item E.8.a, Supplemental GAP Report 1](#)

b. **Public Comment**

None

c. **Council Action: Approve Final Stock Assessments for 2019-2020 Management** [[mp3: 9-16-17am2 @ 0:46:57](#)]

Motion 16 [[mp3: 9-16-17am2 @ 0:47:58](#)]: Council adopt as final stock assessments endorsed by the SSC for 2019-2020 management, as shown in Agenda Item E.8.a, Supplemental SSC Report 1, September 2017.

Corey Niles/Joanna Grebel

Amendment 1 [[mp3: 9-16-17am2 @ 0:50:58](#)]: add “catch only updates” to the motion.

Joanna Grebel/Marc Gorelnik (amendment carried unanimously)

Motion as amended carried unanimously

Staff Summary: The Council adopted new stock assessments for lingcod, yelloweye rockfish, yellowtail rockfish, blue and deacon rockfishes, and California scorpionfish, as well as catch-only updates for canary and chilipepper rockfishes as recommended by the [Scientific and Statistical Committee](#) (SSC). The Council also requested additional yelloweye rebuilding runs as recommended by the [Groundfish Management Team](#) and the [Washington Department of Fish and Wildlife](#) in time for the September 28, SSC Groundfish Subcommittee review of a new yelloweye rockfish rebuilding analysis.

9. [Initial Harvest Specifications and Management Measure Actions for 2019-2020 Management](#) – John DeVore and Kelly Ames [[mp3: 9-17-17am1](#) @ 0:01:26]

[Agenda Item E.9, Supplemental REVISED Attachment 1](#): 2019 and 2020 Groundfish Harvest Specifications

[Agenda Item E.9, Attachment 2](#): The Status of Canary Rockfish (*Sebastes Pinniger*) in the California Current in 2017: A Catch-Only Update

[Agenda Item E.9, Attachment 3](#): A Catch-only Update of the Status of the Chilipepper Rockfish, *Sebastes Goodei*, in the California Current for 2017

[Agenda Item E.9, Attachment 4](#): Projection Uncertainty: Assessing the Change in Uncertainty During Projection Periods Based on Decision Table States of Nature

[Agenda Item E.9, Attachment 5](#): Estimating Among-Assessment Variation in Overfishing Limits

[Agenda Item E.9, Supplemental Attachment 6](#): 2019 and 2020 Groundfish Harvest Specifications Under Default Control Rules

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-17-17am1](#) @ 0:25:20]

[Agenda Item E.9.a, Supplemental NMFS Report 1](#)

[Agenda Item E.9.a, Supplemental ODFW Report 1](#)

[Agenda Item E.9.a, Supplemental CDFW Report 1](#)

[Agenda Item E.9.a, Supplemental WDFW Report 1](#)

[Agenda Item E.9.a, Supplemental SSC Report 1](#)

[Agenda Item E.9.a, Supplemental GMT Report 1](#)

[Agenda Item E.9.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 9-17-17am1](#) @ 1:21:40]

[Agenda Item E.9.b, Public Comment 1](#)

Bill James – did not testify

c. Council Action: Adopt Final Overfishing Limits and Sigma Values, a Range of P*/Acceptable Biological Catches, and a Preliminary Range of New Management Measures [[mp3: 9-17-17am1](#) @ 1:22:00] & [[mp3: 9-17-17am2](#) @ 0:00:08]

Motion 20 [[mp3: 9-17-17am2](#) @ 0:15:06]: Council adopt the 2019-2020 OFLs, stock categories and sigma values as provided in Agenda Item E.9 Supplemental Attachment 6, September 2017, as recommended by the SSC in E.9.a, Supplemental SSC Report 1, September 2017.

Maintain default harvest control rules, except adopt for preliminary analysis the following additional alternatives recommended by the GAP in E.9.a, Supplemental GAP report, September 2017:

- For Lingcod South, P* of 0.45
- For California Scorpionfish, ACL=ABC (P* = 0.45)

Joanna Grebel/Buzz Brizendine (motion carried unanimously)

Motion 21 [[mp3: 9-17-17am2](#) @ 0:21:02]: Council adopt Preliminary Management Measures in Table 1 of the GMT Report (Agenda Item E.9 a, Supplemental GMT Report 1, September 2017). Analyses pertaining to exemptions from or changes to depth restrictions for the commercial Pacific halibut fishery would apply to Oregon and California only.

Joanna Grebel/Marc Gorelnik

Amendment 1 [[mp3: 9-17-17am2](#) @ 0:28:16]: Add an option for the commercial Pacific halibut fishery to add a VMS requirement and a declaration process.

Michele Culver/Rich Lincoln (Amendment 1 carried unanimously)

Amendment 2 [[mp3: 9-17-17am2](#) @ 0:31:51]: Add an option for the commercial Pacific halibut fishery moving the nearshore RCA boundary from 100 to 75 fathom coastwide.

Michele Culver/Rich Lincoln (Amendment 2 carried unanimously)

Amendment 3 [[mp3: 9-17-17am2](#) @ 0:37:41]: Add an option to modify the commercial non trawl RCA 100 fathom boundary in Oregon to create cut outs.

Maggie Sommers/Dorothy Lowman (Amendment 3 carried, Mr. Anderson voted no)

Amendment 4 [[mp3: 9-17-17am2](#) @ 0:44:09]: Add the following stock complex alternative for further analysis: create a new stock complex composed of Oregon kelp greenling and Oregon cabezon.

Maggie Sommers (Motion withdrawn prior to second)

Motion 21 (as amended, carried unanimously)

Motion 22 [[mp3: 9-17-17am2](#) @ 0:54:31]: For 2019-2020 Groundfish management measures, add the following stock complex alternative for further analysis:

- Create a new stock complex composed of Oregon Kelp Greenling and Oregon Cabezon.

Maggie Sommers/Dorothy Lowman (motion carried unanimously)

Motion 23 [[mp3: 9-17-17am2](#) @ 1:00:57]: add modifications and or corrections to existing RCA lines as described in Agenda Item E.9.a, Supplemental CDFW Report 1.

Joanna Grebel/Marc Gorelnik (motion carried unanimously)

Staff Summary: The Council adopted the 2019 and 2020 overfishing levels (OFLs), stock categories, and sigma values (current biomass variances used to determine acceptable biological catches [ABCs]) recommended by the [Scientific and Statistical Committee](#). The Council also adopted those remaining harvest specifications with SSC-endorsed OFLs under default harvest control rules (HCRs) as provided in [Supplemental Attachment 6](#). The Council recommended consideration of alternative HCRs and ABCs/annual catch limits (ACLs) as follows:

1. Lingcod in California: ABCs based on an overfishing probability (P*) of 0.45 and decreased ACLs according to the 40-10 adjustment (the stock is below the management target and in the precautionary zone)
2. California scorpionfish: ACLs = ABCs (the default HCR is a constant catch of 150 mt)

The Council adopted the preliminary management measures in Table 1 of [Supplemental GMT Report 1](#). Additionally, the Council adopted consideration for new management measures for the directed commercial Pacific halibut fishery in California and Oregon, and commercial fixed gear groundfish fisheries, with alternatives as follows:

1. Exemption from the non-trawl Rockfish Conservation Area (RCA) or changes in depth restrictions for the directed commercial Pacific halibut fishery
2. Consideration for implementing a requirement to install a vessel monitoring system and declaration requirement for vessels exempt from RCA or depth restrictions in the directed commercial Pacific halibut fishery
3. An alternative to move the non-trawl RCA boundary from 100 fm to 75 fm for vessels participating in the directed commercial Pacific halibut fishery
4. An option to modify the commercial non-trawl RCA 100 fm boundary in Oregon to create cutouts

The Council also adopted a new management measure alternative to manage a new stock complex comprised of Oregon kelp greenling and Oregon cabezon. The Council also adopted an option to add modifications and/or corrections to existing RCA lines as described in [Supplemental CDFW Report 1](#).

The Council is scheduled to take final action on all 2019-2020 OFLs and ABCs, a final range of ACL alternatives, and a final list of new management measures for detailed analysis at their November meeting. The Council is scheduled to take final action on 2019-2020 harvest specifications at their April 2018 meeting and final action on 2019-2020 management measures at their June 2018 meeting.

10. [Final Action on Inseason Adjustments](#) – Kelly Ames [[mp3: 9-18-17am1](#)] @ 0:03:12]

a. [Reports and Comments of Advisory Bodies and Management Entities](#) [[mp3: 9-18-17am1](#)] @ 0:05:32]

[Agenda Item E.10.a, Supplemental NMFS Report 1](#): Letter to the PFMC from NMFS re: Council recommendations for inseason action – adjustments to the 2017 limited entry and open access fixed gear lingcod trip limits

[Agenda Item E.10.a, Supplemental ODFW Report 1](#)

[Agenda Item E.10.a, Supplemental CDFW Report 1](#)

[Agenda Item E.10.a, GMT Report 1](#): Groundfish Management Team Report on Inseason Adjustments: Canary Rockfish Buffer

[Agenda Item E.10.a, Supplemental GMT Report 2](#): Final Action on Inseason Adjustments

[Agenda Item E.10.a, Supplemental GAP Report 1](#)

b. **Public Comment** [[mp3: 9-18-17am1](#) @ 0:45:14]

[Agenda Item E.10.b, Public Comment 1](#)

John Holloway, RFA- OR

c. **Council Action: Adopt Final Inseason Adjustments as Necessary, to Achieve, but Not Exceed, Annual Catch Limits, and Other Management Objectives** [[mp3: 9-18-17am1](#) @ 0:51:16]

Motion 32 [[mp3: 9-18-17am1](#) @ 0:52:00]: Council adopt the GAP recommendations for open access and limited entry North of 36° and the recommendations for the California recreational fishery. Adopt the GMT recommendation to add a footnote in the trip limit table for lingcod and trawl gear.

Joanna Grebel/Buzz Brizendine (motion carried unanimously)

Staff Summary: The Council recommended that NMFS increase the sablefish trip limits, as soon as possible, as follows:

- Limited entry fixed gear fisheries north of 36° N. latitude - 1,500 lbs per week, no more than 4,500 lbs per 2-month period
- Open access north of 36° N. latitude - 300 lbs daily, or one landing of per week of up to 1,300 lbs, not to exceed 2,600 lbs per 2-month period

The Council also recommended the trawl trip limit tables include a reference to the 22 and 24 inch minimum size limits for lingcod, north and south of 42° N. latitude respectively, which are listed elsewhere in the regulations.

The California Department of Fish and Wildlife [reported](#) higher than anticipated yelloweye rockfish mortality in the California recreational fishery. In order to prevent a fishery closure projected for mid-October, the Council recommended that NMFS restrict the depths open to fishing for the California recreational fishery, except in the Southern Management Area which remains status quo, as follows:

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed			May 1 – Oct 31, <30fm						Oct 1-Dec 31 <20 fm		
Mendocino	Closed			May 1 – Oct 31, <20fm						Oct 1-Dec 31 <20 fm		
San Francisco	Closed			April 15 – Dec 31, <40fm						Oct 1-Dec 31 <30 fm		
Central	Closed			April 1-Dec 31 <50 fm						Oct 1-Dec 31 <40 fm		
Southern	Closed			Mar 1 – Dec 31, <60fm								

Oregon, through state action, closed their recreational groundfish fishery for all species except for flatfish on September 17 to prevent overages of the state recreational harvest guidelines (HG) from reducing opportunity to the Oregon commercial nearshore fishery, and to ensure total removals do not exceed the Oregon ACLs for black rockfish and cabezon (see [ODFW Report](#)). The Oregon recreational fishery also exceeded their Federal harvest guideline of yelloweye rockfish. The Council suggested Oregon proceed with re-opening Option 1 from the [ODFW Report](#), which

would allow fishing outside of 40 fathoms from October 1 to December 31 for all bottomfish, with retention of cabezon and black rockfish prohibited, provided the state ensures total mortality for all species will not exceed their Federal ACLs.

F. Salmon Management

1. [Methodology Review Final Topic Selection](#) – Robin Ehlke [[mp3: 9-13-17pm1](#) @ 0:57:19]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-13-17pm1](#) @ 1:03:10]

[Agenda Item F.1.a, Supplemental ODFW Report 1](#): Revision to definition of Newport – Coos Bay Ocean Salmon Catch Area Line

[Agenda Item F.1.a, Supplemental ODFW Report 2](#): Technical Revision to the Marine Survival Index of the OCN Coho Work Group Harvest Matrix

[Agenda Item F.1.a, Supplemental STT Report 1](#): Methodology Review

[Agenda Item F.1.a, Supplemental STT Report 2](#): Boundary Change Review

[Agenda Item F.1.a, Supplemental MEW Report 1](#)

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

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

b. Public Comment

None

c. Council Action: Identify Priority Projects for Review in 2017 [[mp3: 9-13-17pm1](#) @ 1:21:53]

Motion: None

Staff Summary: The Council approved the proposed Technical Revision to the Marine Survival Index of the Oregon Coastal Natural Coho Work Group Harvest Matrix as a final topic for the 2017 salmon methodology review. The methodology review is tentatively scheduled for a one-day webinar on October 17, 2017. The Council acknowledged the ODFW intent to adjust the commercial salmon fishing boundary between the north and central areas would not require a methodology review. Although initially identified as a topic for potential review in April 2017, the Fishery Regulation Assessment Model documentation updates will not be ready by October 2017 for review.

2. [Sacramento River Winter Chinook Control Rule, Preliminary Recommendations](#) – Robin Ehlke [[mp3: 9-13-17pm1](#) @ 1:24:48]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-13-17pm1](#) @ 1:29:45) & [[mp3: 9-13-17pm2](#)@ 0:00:12]

[Agenda Item F.2.a, Supplemental CDFW Report 1: Update on Current Activities](#)

[Agenda Item F.2.a, SRWCW Report 1](#): Evaluation of Alternative Sacramento River Winter Chinook Salmon Control Rules: Updated Management Strategy Evaluation Analysis

[Agenda Item F.2.a, Supplemental Ad Hoc SRWCW Presentation 1](#): Ad hoc SRWC Workgroup analysis of control rules (*O'Farrell*)

[Agenda Item F.2.a, Supplemental SSC Report 1](#)

[Agenda Item F.2.a, Supplemental STT Report 1](#)

[Agenda Item F.2.a, Supplemental SAS Report 1](#)

b. **Public Comment** [[mp3: 9-13-17pm2@ 0:11:35](#)]

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

Dan Wolford, Coastwide Fishing Club

c. **Council Action: Preliminary Recommendations for Control Rule Alternatives and Future Analyses** [[mp3: 9-13-17pm2@ 0:12:58](#)]

Motion: None

Staff Summary: The Council received an update from the Sacramento River Winter Chinook Workgroup (SRWC Workgroup) on the progress towards the development of a new harvest control rule, including the results of the analysis performed since the last report in April 2017. The Council adopted for public review four alternative control rules, one of which was a new control rule not previously considered. This new control rule (CR10) was a blending of two existing alternative control rules. The Council also directed the Workgroup to use the median of the forecast distribution, rather than the mode, in all calculations for control rule analyses. The specific control rules moving forward for public review are CR4, CR5, CR7 and CR10.

Final Council recommendations to NMFS on consultation standards for ESA listed SRWC are scheduled for the November meeting. It is anticipated that a new consultation standard will be in place for 2018 ocean salmon fisheries.

G. Pacific Halibut Management

1. [2018 and Beyond Catch Sharing Plan and Annual Regulation Changes](#) – **Robin Ehlke** [[mp3: 9-13-17pm2@ 0:21:47](#)]

[Agenda Item G.1, Attachment 1](#): 2017 Pacific Halibut Catch Sharing Plan for Area 2A

[Agenda Item G.1, Attachment 2](#): Visual Representation of the 2017 Area 2A Catch Sharing Plan for Pacific Halibut

[Agenda Item G.1, Attachment 3](#): Historical Catch Sharing Plan Allocations and Catch

a. **Report of the International Pacific Halibut Commission– Steve Keith, Jamie Goen** [[mp3: 9-13-17pm2@ 0:29:21](#)]

[Agenda Item G.1.a, IPHC Report 1](#): IPHC Regulatory Area 2A Directed Commercial Pacific Halibut Fishery Sample Vessel Fishing Period Limit Options for Longer Fishing Periods

[Agenda Item G.1.a, Supplemental IPHC Presentation 1](#): Sample Vessel Fishing Period Limit Options in IPHC Regulatory Area 2A

b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-13-17pm2@ 0:52:09](#)]

[Agenda Item G.1.b, NMFS Report 1](#): Report on the 2017 Pacific Halibut Fisheries in Area 2A

[Agenda Item G.1.b, WDFW Report 1](#): Washington Department of Fish and Wildlife Report on Pacific Halibut Catch Sharing Plan Changes for 2018

[Agenda Item G.1.b, Supplemental WDFW Report 2](#): Recommendations based on August 28, 2017 WDFW Meeting re: Proposed Changes to the Catch Sharing Plan and 2018 Annual Regulations

[Agenda Item G.1.b, ODFW Report 1](#): Oregon Department of Fish and Wildlife Report on Proposed Changes to the Pacific Halibut Catch Sharing Plan for the 2018 Fishery

[Agenda Item G.1.b, ODFW Report 2](#): Summary of Oregon Department of Fish and Wildlife Public Meetings on Proposed Changes to the Non-Tribal Directed Commercial Fishery for Pacific Halibut

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

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

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

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

c. Public Comment [[mp3: 9-13-17pm2@ 1:39:04](#)]

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

Dave Croonquist, Port Angeles Salmon and Halibut Coalition

Lance Gray

Robert Greenfield

Bob Alverson, Fishing Vessel Owners Association

d. Council Action: Adopt for Public Review Proposed Changes for the 2018 and Beyond Pacific Halibut Catch Sharing Plan and Annual Fishing Regulations [[mp3: 9-14-17am1@ 0:01:32](#)]

Motion 4 [[mp3: 9-14-17am1@ 0:03:00](#)]: Council approve the following alternatives for proposed changes to the Pacific Halibut Catch Sharing Plan for public review:

1. For the Washington recreational fishery, retain the current statewide season structure (i.e., manage the north coast, south coast and Puget Sound subareas under a common season) with either:
 - a. *Status Quo Quota Management*: Each subarea receives and is managed to archive, but not exceed, its own separate allocation or
 - b. *Shared Quota Management*: The south coast, north coast and Puget Sound subarea quotas are pooled and managed under a shared quota to provide a minimum of four days for an initial statewide season. Following that initial statewide season, the remaining quota would be distributed among the subareas using status quo allocation formulas.
2. Regarding the incidental halibut retention allowance in the sablefish fishery north of Point Chehalis, revise the catch sharing as follows:
 - a. When the Area 2A TAC is less than 1.5 million pounds, follow the status quo allocation formula up to a maximum allocation of 50,000 pounds. When the Area 2A TAC is 1.5 million pounds or more, increase the maximum allocation to 70,000 pounds.
3. Analyze a range of annual bag limit alternatives for the Washington recreational fishery of two to six fish per angler.
4. For the Columbia River subarea recreational halibut fishery, change the days of the week that the all depth fishery would be open to Thursday, Friday and Sunday.

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 5: Council adopt for public review proposed changes for the 2018 Pacific Halibut Catch Sharing Plan and 2018 annual fishery regulations Alternatives 1a, 1b, and 1c, along with status quo for management of the Oregon Central Coast Subarea as contained in Agenda Item G.1.b, Supplemental ODFW Report 2, September 2017.

Maggie Sommer/Dorothy Lowman (motion carried unanimously)

Amendment 1 [[mp3: 9-14-17am2](#) @ 0:00:57]: replace supplemental Report 2 with “ODFW Report 1”

Dorothy Lowman/Brad Pettinger (amendment removed with consent of the second)

Amendment 2 [[mp3: 9-14-17am2](#) @ 0:03:46]: replace Supplemental ODFW Report 2 with “ODFW Report 1”

Dorothy Lowman/Brad Pettinger (Amendment 2 carried unanimously)

Staff Summary: The Council adopted for public review proposed changes to the 2018 Area 2A Catch Sharing Plan and annual fishing regulations in Washington and Oregon recreational fisheries. No changes were proposed for California recreational fisheries.

Washington Department of Fish and Wildlife proposed four changes for public review:

1. Retain the current statewide season structure (i.e. manage the North Coast, South Coast and Puget Sound subareas under a common season) with either:
 - a. Status quo management where each subarea has its own quota and is managed to remain within that individual quota, or
 - b. Shared quota management, where the three sub-areas would be managed under a shared quota to provide for a minimum of four days of a statewide season and then the balance of the shared quota would be distributed to the subareas as usual.
2. Revise the catch sharing calculations for incidental halibut retention in the sablefish fishery north of Pt. Chehalis so that when the Area 2A total allowable catch is less than 1.5M the status quo formula would apply for up to a maximum allocation of 50,000 lbs. When the Area 2A total allowable catch allocation is 1.5M lbs or more, the maximum allocation would increase to 70,000 lbs.
3. Analyze alternatives for annual bag limits ranging from two to six fish per angler.
4. For the Columbia River subarea - change the days open for the all-depth fishery from Thursday through Sunday (4 days) to Thursday, Friday, Sunday (3 days).

Oregon Department of Fish and Wildlife proposed one change for public review regarding the Central Coast Subarea.

1. Maintain status quo, or split the Subarea into a north and south sub-area each with its own allocation. The north/south split would be at the North Florence Jetty. Three Alternatives (1a, 1b, and 1c) were described that would share the allocation between north and south 91/9 percent (1a), 92/8 percent (1.b) and 90.2/9.8 percent (1c).

Although no changes to the non-tribal directed halibut fishery were proposed, the Council asked the states and the International Pacific Halibut Commission to continue investigating options that would move the fishery away from a ‘derby’-style fishery. The Council will review analysis and

alternatives again in November, but did not anticipate changes for the 2018 fishery. The non-tribal directed halibut fishery discussion continued under Groundfish Initial Harvest Specifications and Management Measure Actions for 2019-2020 Management (see above).

H. Administrative Matters

1. Legislative Matters – Jennifer Gilden [[mp3: 9-14-17pm2@ 1:57:03](#)]

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

[Agenda Item H.1, Attachment 2](#): Comparison of four MSA reauthorization/modification bills

[Agenda Item H.1, Attachment 3](#): Congressional testimony of Mr. Dan Hull, Mr. Chris Oliver, and Dr. John Quinn regarding MSA Reauthorization

- a. [Report of the Legislative Committee](#) – Dave Hanson [[mp3: 9-14-17pm2@ 1:58:38](#)]
- b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-14-17pm2@ 2:00:37](#)]

[Agenda Item H.1.b, Supplemental WDFW Report 1](#)

- c. **Public Comment** [[mp3: 9-14-17pm2@ 2:01:47](#)]

Corey Ridings, Ocean Conservancy

- d. **Council Action: Consider Legislative Committee Report and Recommendations** [[mp3: 9-14-17pm2@ 2:03:29](#)]

Motion: None

Staff Summary: None

2. Fiscal Matters – Patricia Crouse [[mp3: 9-18-17am1 @ 1:21:59](#)]

[Agenda Item H.2, Supplemental Attachment 1](#): Executive Director's Report to the Budget Committee

- a. [Report of the Budget Committee](#) – Dorothy Lowman [[mp3: 9-18-17am1 @ 1:22:56](#)]
- b. **Reports and Comments of Advisory Bodies and Management Entities**
- c. **Public Comment**

None

- d. **Council Action: Consider Budget Committee Report and Recommendations** [[mp3: 9-18-17am1 @ 1:32:16](#)]

Motion 33: Council approve the first two recommendations of the Budget Committee in Agenda Item H.2.a, Supplemental Budget Committee Report 1.
Herb Pollard/Pete Hassemmer (motion carried unanimously)

Staff Summary: Council approved the FY 2017 Operational Budget in the amount of \$4,742,753 and the 2016 Audit results. Council staff will provide a 2018 provisional budget for Council consideration in November.

3. [Approval of Council Meeting Records](#) – Phil Anderson [[mp3: 9-18-17am1](#) @ 1:37:57]

[Agenda Item H.3, Supplemental REVISED Attachment 1](#): Draft Council Meeting Record: 240th Session of the Pacific Fishery Management Council (June 7-14, 2017) *Electronic Only*

- a. **Council Action: Approve Previous Council Meeting Record** [[mp3: 9-18-17am1](#) @ 1:38:48]

Motion 34: Council approve the draft June 2017 Council meeting record as shown in Agenda Item H.3, Supplemental REVISED Attachment 1.
Herb Pollard/Pete Hassemmer (motion carried unanimously)

Staff Summary: None

4. [Membership Appointments and Council Operating Procedure](#) – Mike Burner [[mp3: 9-17-17pm2](#) @ 1:04:23]

[Agenda Item H.4, Attachment 1](#): Proposed Revisions to Schedule 5 of COP 9

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

None

- c. **Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures** [[mp3: 9-17-17pm2](#) @ 1:11:42] & [[mp3: 9-18-17am1](#) @ 0:02:00]

Motion 26: Council appoint Ms. Meisha Key and Dr. Rishi Sharma to the two vacant at large seats on the Scientific and Statistical Committee.
Heidi Taylor/Herb Pollard (motion carried unanimously)

Motion 27: Council appoint Mr. Alex Letvin to the vacant California Department of Fish and Wildlife seats on the Salmon Technical Team and the Model Evaluation Workgroup.
John Ugoretz/Marc Gorelnik (motion carried unanimously)

Motion 28: Council appoint Ms. Melissa Mandrup to the vacant California Department of Fish and Wildlife seat on the Groundfish Management Team.
John Ugoretz/Buzz Brizendine (motion carried unanimously)

Motion 29: Council appoint Dr. Kayleigh Somers to the vacant Northwest Fisheries Science Center seat and Dr. Andrew Thompson to the vacant Southwest Fisheries Science Center seat on the Groundfish Management Team.
Heidi Taylor/Herb Pollard (motion carried unanimously)

Motion 30: Council reappoint Mr. Phil Anderson as the Council representative on the U.S. Section of the Joint Management Committee of the U.S. – Canada Pacific Hake/Whiting Agreement. David Crabbe/Marc Gorelnik (motion carried unanimously)

Motion 31: Council adopt the proposed changes in COP9 (shown in Agenda Item H.4. Attachment 1, proposed revisions to Schedule 5 of COP 9). David Crabbe/Buzz Brizendine (motion carried unanimously)

Staff Summary: The Council reviewed and approved the following appointments:

- Mr. Phil Anderson was reappointed as the Council representative to the U.S. Section of the Joint Management Committee of the U.S. – Canada Pacific Hake/Whiting Agreement.
- Mr. Rich Lincoln was identified as the designee for the Council Chair appointment to the North Pacific Fisheries Commission.
- Ms. Meisha Key and Dr. Rishi Sharma were appointed to the two vacant at-large seats on the Scientific and Statistical Committee.
- Mr. Alex Letvin was appointed to the vacant California Department of Fish and Wildlife seats on the Salmon Technical Team and the Model Evaluation Workgroup.
- Ms. Melissa Mandrup was appointed to the vacant California Department of Fish and Wildlife seat on the Groundfish Management Team.
- Dr. Kayleigh Somers was appointed to the vacant Northwest Fisheries Science Center seat on the Groundfish Management Team.
- Dr. Andrew Thompson was appointed to the vacant Southwest Fisheries Science Center seat on the Groundfish Management Team.

Mr. Brent Paine has notified the Council of his intent to resign from the Groundfish Advisory Subpanel trawl at-large seat after the November 2017 Council meeting. Council staff will be accepting nominations to replace Mr. Paine for the remainder of the 2015-2018 term.

Additionally, new Council member Mr. Brad Pettinger has resigned his seat on the ad hoc Community Advisory Board and it is anticipated that the Council Chair will appoint a new representative at the November Council meeting.

The Council adopted changes to COP 9 - Schedule 5 regarding the biennial management cycle and activities related to highly migratory species (HMS) management as shown in [Attachment 1](#) contingent upon future approval of Amendment 4 to the HMS Fishery Management Plan by the Secretary of Commerce.

5. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 9-18-17am2 @ 0:00:04](#)]

[Agenda Item H.5, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[Agenda Item H.5, Attachment 2](#): Draft Proposed Council Meeting Agenda, November 14-20, 2017 in Costa Mesa, California

[Agenda Item H.5, Attachment 3](#): Groundfish Workload Priorities

[Agenda Item H.5, Supplemental Attachment 4](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (09/18/2017)

[Agenda Item H.5., Supplemental Attachment 5](#): Draft Proposed Council Meeting Agenda, November 14-20, 2017 in Costa Mesa, California (dated 09/18/2017)

[Agenda Item H.5, Supplemental Attachment 6](#): Groundfish Workload (09/18/2017)

- a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-18-17am2 @ 0:03:06](#)]

[Agenda Item H.5.a, GMT Report 1](#)

[Agenda Item H.5.a, Supplemental EFH/RCA Project Team Report 1](#)

[Agenda Item H.5.a, Supplemental HMSMT Report 1](#)

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

- b. **Public Comment** [[mp3: 9-18-17am2 @ 0:20:51](#)]

Greg Boos, Cascadia Cross Border Law presented [Agenda Item H.5.b, Supplemental Public Presentation 1](#): American Indians Born in Canada and the Right of Free Access to the United States (*Fathali*)

- c. **Council Action: Discussion and Guidance on Future Meeting Agenda and Workload Planning** [[mp3: 9-18-17am2 @ 0:30:11](#)]

Motion: None

Staff Summary: None

I. Ecosystem-Based Management

1. [Climate Vulnerability Assessment Report](#) – Kit Dahl [[mp3: 9-15-17pm1 @ 0:01:17](#)]

[Agenda Item I.1, Attachment 1](#): Methodology for Assessing the Vulnerability of Marine Fish and Shellfish Species to a Changing Climate

- a. **California Current Ecosystem Climate Vulnerability Report** – Michelle McClure [[mp3: 9-15-17pm1 @ 0:07:04](#)]

[Agenda Item I.1.a, Supplemental NWFSC and SWFSC Presentation 1](#): California Current Fish Climate Vulnerability Assessment (*McClure*)

- b. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-15-17pm1 @ 0:33:23](#)]

[Agenda Item I.1.b, Supplemental SSC Report 1](#)

[Agenda Item I.1.b, Supplemental EWG Report 1](#)

[Agenda Item I.1.b, Supplemental EAS Report 1](#)

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

- c. **Public Comment** [[mp3: 9-15-17pm1 @ 0:47:48](#)]

Corey Ridings, Ocean Conservancy

d. **Council Discussion and Comments as appropriate** [[mp3: 9-15-17pm1](#) @ 0:50:58]

Motion: None

Staff Summary: None

2. **Fishery Ecosystem Plan Initiatives: Scoping and Selection** – Kit Dahl [[mp3: 9-15-17pm1](#) @ 0:55:12]

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-15-17pm1](#) @ 0:59:05] & [[mp3: 9-15-17pm2](#) @ 0:00:15]

[Agenda Item I.2.a, Ad Hoc Ecosystem Workgroup Report 1](#)

[Agenda Item I.2.a, Supplemental EWG Presentation 1](#) (*deReynier, pre-recorded MP3 video presentation*)

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

[Agenda Item I.2.a, Supplemental EAS Report 1](#)

[Agenda Item I.2.a, Supplemental SSC Report 1](#)

[Agenda Item I.2.a, Supplemental HC Report 1](#)

[Agenda Item I.2.a, Supplemental CPSMT Report 1](#)

[Agenda Item I.2.a, Supplemental CPSAS Report 1](#)

[Agenda Item I.2.a, Supplemental GMT Report 1](#)

[Agenda Item I.2.a, Supplemental GAP Report 1](#)

[Agenda Item I.2.a, Supplemental HMSAS Report 1](#)

[Agenda Item I.2.a, Supplemental SAS Report 1](#)

b. **Public Comment** [[mp3: 9-15-17pm2](#) @ 0:09:54]

[Agenda Item I.2.b, Supplemental Public Comment 1](#)

Corey Ridings (Ocean Conservancy), Gway Kirchner (The Nature Conservancy), Ben Enticknap (Oceana), Tom Rudolph (PEW Charitable Trusts) and Theresa Labriola (Wild Oceans)

c. **Council Action: Review Scoping and Select a Final Initiative for Further Development** [[mp3: 9-15-17pm2](#) @ 0:31:43]

Motion: None

Staff Summary: The Council decided to begin work on the Fishery Ecosystem Plan Cross-Fishery Management Plan Climate Initiative based on the scope of work described in the [Ad Hoc Ecosystem Workgroup \(EWG\) Report](#). Over the next year, the EWG proposes organizing a series of webinars on the effects of climate variability/change on the California Current Ecosystem and preparing a report describing major Council decision types that may benefit from increased ecosystem science input. The Nature Conservancy has offered to sponsor a workshop to further the objectives of this initiative, and provide information in support of a climate initiative. The EWG recommends this workshop occur in Spring 2018. At its September 2018 meeting, the Council would consider the input from these activities, its advisory bodies, and the public to narrow and focus the goals of this initiative, including the subject matter of potential Council-sponsored workshops proposed by the EWG.

J. Highly Migratory Species Management

1. [National Marine Fisheries Service Report](#) – Kit Dahl [[mp3: 9-16-17am3](#)] @ 0:00:26]

a. Regulatory Activities – Heidi Taylor [[mp3: 9-16-17am3](#)] @ 0:02:23]

[Agenda Item J.1.a, NMFS Report 1](#): Report on Highly Migratory Species Regulatory Matters

[Agenda Item J.1.a, NMFS Report 2](#): NMFS West Coast Region Updates Provided for the June 15, 2017, Pacific Offshore Take Reduction Team Webinar (*Electronic Only*)

[Agenda Item J.1.a, NMFS Report 3](#): Letter from Assistant Administrator Chris Oliver to Executive Director Chuck Tracy Responding to Council Recommendations for the Western and Central North Pacific Ocean Stock of Striped Marlin

[Agenda Item J.1.a, Supplemental NMFS Report 4](#): HMS Activities

[Agenda Item J.1.a, Supplemental NMFS Report 5](#): Notice of Availability and Proposed Rule to Implement Amendment 5 to the HMS Fishery Management Plan: Federal Limited Entry Drift Gillnet Permit

b. Science Center Activities –Gerard DiNardo

c. Reports and Comments of Advisory Bodies and Management Entities

d. Public Comment [[mp3: 9-16-17am3](#)] @ 0:06:39]

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

Geoff Shester, Oceana

e. Council Discussion

Motion: None

Staff Summary: None

2. [Swordfish Management Project Planning](#) – Kit Dahl [[mp3: 9-16-17pm1](#)] @ 0:13:08]

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-16-17pm1](#)] @ 0:20:35]

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

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

b. Public Comment [[mp3: 9-16-17pm1](#)] @ 0:41:53]

[Agenda Item J.2.b, Public Comment 1](#)

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

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

Geoff Shester, Oceana presented [Agenda Item J.2.b, Supplemental Public Presentation 2](#): (*Shester, Oceana*)

Jonathan Gonzalez, Pacific Seafood presented [Agenda Item J.2.b, Supplemental Public Presentation 1](#): (*Gonzalez, Pacific Seafood*)

Steve Marx, PEW Charitable Trusts

Gary Burke, CFSB

Theresa Labriola, Wild Oceans

Melissa Mahoney, Environmental Defense Fund

Nathan Perez, F/V Gold Coast
Cassie Burdyslaw, Turtle Island Restoration Network

- c. **Council Action: Discussion and Guidance on Future Swordfish Fishery Management Including: 1) Drift Gillnet Fishery Monitoring Provisions, 2) Observer and Logbook Data Reporting Improvements for Deep-Set Buoy (DSBG) Gear Exempted Fishing Permits (EFPs), 3) Update on DSBG EFP Permitting Process and Timeline, and 4) Other Issues as Appropriate** [[mp3: 9-16-17pm1](#) @ 1:28:56] & [[mp3: 9-16-17pm2](#) @ 0:00:00]

Motion 17 [[mp3: 9-16-17pm1](#) @ 1:32:31]: Council use the following purpose and need statements for consideration of the range of alternatives related to monitoring in the DGN fishery stemming from the September 2015 Council decision.

The purpose of the proposed action is to require full accountability in the DGN fishery to incentivize the cleanest fishing practices related to minimizing bycatch and reducing interactions with protected species (marine turtles, birds and mammals) in the DGN fishery, while maintaining an economically viable west coast based swordfish fishery.

The proposed action is needed to document bycatch and protected species interactions for future evaluation and costs and benefits of the use of DGN gear relative to other gears targeting swordfish. The evaluation will inform future Council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate the catch vs. bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

Caren Braby/Rich Lincoln

Amendment 1 [[mp3: 9-16-17pm1](#) @ 1:58:23]: Strike out the following “The purpose of the proposed action is to require full accountability in the DGN fishery to incentivize the cleanest fishing practices related to minimizing bycatch and reducing interactions with protected species (marine turtles, birds and mammals) in the DGN fishery, while maintaining an economically viable west coast based swordfish fishery.” And add the following as underlined: The proposed action to require 100% monitoring in the DGN fishery is needed to document bycatch and protected species interactions for future evaluation and costs and benefits of the use of DGN gear relative to other gears targeting swordfish.

Marci Yaremko/Marc Gorelnik (motion carried, Ms. Taylor, Mr. Hassemer, Mr. Pettinger, Ms. Lowman, and Mr. Pollard voted no)

Motion 17 (as amended) was withdrawn with consent of the second.

Motion 18 [[mp3: 9-16-17pm1](#) @ 2:36:08]: Council adopt the following purpose and need statements for consideration of the range of alternatives related to monitoring in the DGN fishery stemming from the September 2015 Council decision.

The purpose of the action is to ensure adequate information is being collected from the DGN fishery to support Council decision making on management measures.

The proposed action is needed to document bycatch and protected species interactions for evaluation of costs and benefits of the use of DGN gear. The evaluation will inform future

council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate catch vs. bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

Caren Braby/Rich Lincoln (motion carried unanimously)

Staff Summary: The Council adopted a revised purpose and need statement for the range of alternatives it adopted in September 2015 related for enhanced monitoring (human observers or electronic monitoring) of the drift gillnet (DGN) fishery as follows:

The purpose of the action is to ensure adequate information is being collected from the DGN fishery to support Council decision-making on management measures. The proposed action is needed to document bycatch and protected species interactions for evaluation of costs and benefits of the use of DGN gear. The evaluation will inform future Council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate the catch versus bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

The September 2015 Council action included protected species hard caps for the DGN fishery, which were not implemented; without a revised purpose and need statement specific to fishery monitoring, NMFS could not further consider fishery monitoring alternatives, since the rationale was tied to hard cap management. The revised purpose and need statement will allow NMFS to further analyze monitoring alternatives, including any use of new or updated technology and consideration of unobservable vessel issues.

3. [Recommendations for International Management Activities](#) – Kit Dahl [[mp3: 9-16-17am3 @ 0:08:42](#)]

[Agenda Item J.3, Attachment 1](#): Report of the Seventeenth Meeting of the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean

[Agenda Item J.3, Supplemental Attachment 2](#): WCPFC Northern Committee Outcomes

[Agenda Item J.3, Supplemental Attachment 3](#): 3rd ISC North Pacific Albacore Management Strategy Evaluation Workshop October 17-19, 2017

a. Report from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean – Gerard DiNardo [[mp3: 9-16-17am3 @ 0:13:19](#)]

[Agenda Item J.3.a, NMFS Report 1](#)

[Agenda Item J.3.a, Supplemental NMFS Report 2](#): Outcomes of the Northern Committee Meeting and the Joint Inter-American Tropical Tuna Commission and Western and Central Pacific

Fisheries Commission Northern Committee Working Group Meeting on the Management of Pacific Bluefin Tuna

[Agenda Item J.3.a, Supplemental NMFS SWFSC Presentation 1](#): The 17th Meeting of the ISC & NC13: Activity Report (*DiNardo, ISC Chairman*)

b. Report from the Joint Session of the Western and Central Pacific Fisheries Commission Northern Committee and the Inter-American Tropical Tuna Commission Working Group on the Management of Pacific Bluefin Tuna – Dorothy Lowman [[mp3: 9-16-17am3 @ 0:45:05](#)]

c. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-16-17am3 @ 0:51:40](#)]

[Agenda Item J.3.a, Supplemental Joint CDFW-NMFS Report 1](#)

[Agenda Item J.3.c, Supplemental HMSMT Report 1](#)

[Agenda Item J.3.c, Supplemental HMSAS Report 1](#)

d. Public Comment [[mp3: 9-16-17am3 @ 1:30:14](#)]

Doug Fricke

Theresa Labriola, Wild Oceans

Mike Conroy

Donald Krebs and Nathan Perez

e. Council Action: Consider Reports on International Activities and Provide Recommendations, as appropriate [[mp3: 9-16-17pm1 @ 0:00:14](#)]

Motion: None

Staff Summary: The Council endorsed the outcomes of the Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee meeting for rebuilding the Pacific bluefin tuna stock, and urged the U.S. to continue advocating for aggressive rebuilding of Pacific bluefin tuna at both the WCPFC and Inter-American Tropical Tuna Commission.

NMFS solicited Council recommendations on management measures for the U.S. domestic Pacific bluefin tuna quota. In 2017, catch exceeded 425 mt, the maximum allowed in any one year, and NMFS has prohibited landings for the remainder of the year. Since the U.S. quota is 600 mt for 2017-18, remaining quota for 2018 will be less than 130 mt. For this reason, the Council recommended a very small trip limit of around 1 mt in 2018 to account for incidental catch and discourage a directed fishery. The Council also encouraged NMFS to consider allowing a small amount of incidental landings for the remainder for 2017; otherwise, fish that will be unavoidably caught will have to be discarded.

4. [Fishery Management Plan Amendment 4: Status Determination Criteria Final Action](#) – Kit Dahl [[mp3: 9-16-17pm2 @ 0:15:14](#)]

[Agenda Item J.4, Attachment 1](#): HMS FMP Showing Proposed Amendment Changes in Final Form

[Agenda Item J.4, Attachment 2](#): HMS FMP Showing Proposed Amendment Changes in Legal Blackline (*Electronic Only*)

a. Reports and Comments of Advisory Bodies and Management Entities [[mp3: 9-16-17pm2 @ 0:21:30](#)]

[Agenda Item J.4.a, HMSMT Report 1](#)

[Agenda Item J.4.a, Supplemental NMFS Report 1](#)

[Agenda Item J.4.a, Supplemental HMSAS Report 1](#)

b. Public Comment [[mp3: 9-16-17pm2 @ 0:59:10](#)]

Steve Marx, PEW Charitable Trusts

c. Council Action: Adopt Final Highly Migratory Species Fishery Management Plan Amendment 4 [[mp3: 9-16-17pm2 @ 1:03:27](#)]

Motion 19 [[mp3: 9-16-17pm2 @ 1:03:46](#)]: Council:

1. Adopt the final Highly Migratory Species Fishery Management Plan Amendment 4 language as reflected in Agenda Item J.4, Attachment 2, with the following changes:
 - a. Under 4.1.1.4 Determining if Overfishing is occurring or a Stock is overfished (p. 39), retain a revised version of the first sentence: “The Council will monitor each managed HMS stock and determine annually, if possible, if with regard to whether overfishing is occurring and whether the stock is overfished.”
 - b. Add a table to the HMS SAFE that includes the stock-specific optimum yields (OYs) specified when the FMP was approved as referenced in Section 4.3 optimum yield (p. 40), so there is a reference point for comparison with the updated OY specifications in the HMS SAFE.
2. Approve the Highly Migratory Species Management Team’s recommended changes, as described in Agenda Item J.4, HMSMT Report 1, except as follows:
 - a. On page 2, under 4.2, 2nd paragraph, retain “The SSC will review these estimates,” but preface it with “At the request of the Council, the SSC will....”
 - b. Under 4.2, for unassessed stocks with catch history and additional information on relative abundance or stock productivity, revise the reference to Team’s role to: “The HMSMT reviews the best available stockwide catch data...” and delete the phrase, “When a status determination is deemed necessary.” [The revised sentence would begin with “The Council may recommend....”]
 - c. Under 4.2 for unassessed stocks with catch history but lacking further information on relative stock abundance or productivity, revise the reference to the Team’s role to: “The HMSMT reviews the best available stockwide catch data...” and delete the phrase, “When a status determination is deemed necessary.” [The revised sentence would begin with “The Council may recommend....”]
 - d. Under 4.2 revise the last sentence to: “No matter the method used to estimate MSY or select a proxy, the relative impact of U.S. west coast fisheries may help to inform the Council’s recommendations.”

Michele Culver/Rich Lincoln (motion carried unanimously)

Staff Summary: The Council took final action to adopt [proposed changes to the FMP under Amendment 4](#) including the [additional changes proposed by the Highly Migratory Species Management Team](#) with some [additional modifications](#) to the text.

5. [Proposed Deep-Set Buoy Gear Exempted Fishing Permits – Kit Dahl](#) [mp3: 9-17-17am3 @ 0:00:19]

[Agenda Item J.5, Attachment 1](#): Council June 2017 Recommendations on Deep-Set Buoy Gear Exempted Fishing Permit Issuance

[Agenda Item J.5, Attachment 2](#): Summary of Deep-Set Buoy Gear Exempted Fishing Permit Applications Submitted for the September 2017 Council Meeting

[Agenda Item J.5, Attachment 3](#): Letter from Mr. Bob Ball with Requested Additional Information

[Agenda Item J.5, Attachment 4](#): Resubmitted DSBG EFP Application from A. Lutoshkin

[Agenda Item J.5, Attachment 5](#): Resubmitted DSBG EFP Application from R. Rynkevic

[Agenda Item J.5, Attachment 6](#): Resubmitted DSBG EFP Application from T. Sokolova

[Agenda Item J.5, Attachment 7](#): DSBG EFP Application from R. Ellis

[Agenda Item J.5, Attachment 8](#): DSBG EFP Application from J. Foster

[Agenda Item J.5, Attachment 9](#): DSBG EFP Application from J. Hall and F. Crivello, III

[Agenda Item J.5, Attachment 10](#): DSBG EFP Application from Joshua Porter

[Agenda Item J.5, Attachment 11](#): DSBG EFP Application from Justin Porter

[Agenda Item J.5, Attachment 12](#): DSBG EFP Application from A. Rasmussen

[Agenda Item J.5, Attachment 13](#): DSBG EFP Application from A. Sidenko

[Agenda Item J.5, Attachment 14](#): DSBG EFP Application from M. Smith

[Agenda Item J.5, Attachment 15](#): DSBG EFP Application from M. Tofoya

- a. **Reports and Comments of Advisory Bodies and Management Entities** [mp3: 9-17-17am3 @ 0:03:26]

[Agenda Item J.5.a, Supplemental HMSMT Report 1](#)

[Agenda Item J.5.a, Supplemental HMSMT Presentation 1](#): Proposed Deep-Set Buoy Gear Exempted Fishing Permits (*Hellmers*)

[Agenda Item J.5.a, Supplemental HMSAS Report 1](#)

- b. **Public Comment** [mp3: 9-17-17am3 @ 0:03:26]

[Agenda Item J.5.b, Supplemental Public Comment 1](#)

Theresa Labriola, Wild Oceans

- c. **Council Action: Provide Recommendations to National Marine Fisheries Service on Exempted Fishing Permit Applications to Test Deep-Set Buoy Gear** [mp3: 9-17-17am3 @ 0:13:37]

Motion 24 [mp3: 9-17-17am3 @ 0:24:33]: Council forward the HMSMT recommendations on the current list of applicants to NMFS for action.

John Ugoretz/Marc Gorelnik (motion carried unanimously)

Staff Summary: The Council reviewed 13 Deep-Set Buoy Gear Exempted Fishing Permit (EFP) applications and forwarded 12 to NMFS for issuance based on [recommendations from the Highly Migratory Species Management Team \(HMSMT\)](#). Those EFPs recommended for preliminary approval by the HMSMT will be forwarded to NMFS with the expectation that applicants will provide the requested additional information directly to NMFS. NMFS will report back on receipt of the requested information and the Council would then make their final recommendation for issuance of those EFPs.

6. [Authorization of Deep-Set Buoy Gear and Federal Permitting](#) – Kit Dahl [[mp3: 9-17-17pm1 @ 0:00:03](#)]

a. **Reports and Comments of Advisory Bodies and Management Entities** [[mp3: 9-17-17pm1 @ 0:05:19](#)]

[Agenda Item J.6.a, Supplemental CFGC Report 1](#): Letter from the California Fish and Game Commission re: Request to consider the range of alternatives for deep-set buoy gear, including linked buoy gear, and authorize use of this gear type

[Agenda Item J.6.a, HMSMT Report 1](#)

[Agenda Item J.6.a, Supplemental HMSMT Report 2](#)

[Agenda Item J.6.a, Supplemental HMSMT Presentation 1](#): Authorization of Deep-Set Buoy Gear and Federal Permitting

[Agenda Item J.6.a, Supplemental EC Report 1](#)

[Agenda Item J.6.a, Supplemental HMSAS Report 1](#)

b. **Public Comment** [[mp3: 9-17-17pm1 @ 0:50:57](#)]

[Agenda Item J.6.b, Public Comment 1](#)

[Agenda Item J.6.b, Supplemental Public Comment 2](#) (*Full Version E-Only*)

[Agenda Item J.6.b, Supplemental Public Comment 3](#)

Theresa Labriola, Wild Oceans

Donald Krebs, Fisherman

Alexis Jackson, The Nature Conservancy

Nathan Perez, F/V Goldcoast

Steve Marx, PEW Charitable Trusts

c. **Council Action: Review and Adopt the Preliminary Range of Alternatives for Authorizing a Federal West Coast Swordfish Deep-Set Buoy Gear Fishing Including Federal Permitting** [[mp3: 9-17-17pm2 @ 0:00:14](#)]

Motion 25 [[mp3: 9-17-17pm2 @ 0:15:08](#)]: Council would:

1) Define DSBG and Permits, for the purpose of analysis as follows:

a. *Possession* –

i. Permits will be issued to an individual entity

ii. Individual entities may hold multiple permits, but permits may not be stacked on a single vessel

iii. The permit holder will assign the permit to a specific vessel

iv. The permit holder will not be required to be onboard the vessel

b. *Renewal*

i. Permits will be valid for one fishing year and expire if not renewed

c. *Transfer*

i. Transfer of permits will be prohibited until such as time as the Council feels the fishery has reached a stable state and that transfer would benefit management

d. *Gear Description*

i. The definition used in the HMSMT report (J.6.a HMSMT Report 1) of SBG and LBG will be used

ii. Gear would be marked as described in the supplemental EC report (J.6.a Supplemental EC Report 1)

e. *Gear Tending*

- i. Require that all gear be within a 5 nm diameter area and that the vessel be no more than 3 nm from the nearest piece of gear
 - f. Gear Deployment/Retrieval
 - i. Gear may not be deployed prior to local sunrise
 - ii. All gear must be onboard the vessel no later than 3 hours after local sunset
 - g. Multiple Gears
 - i. Multiple gears may be used on a trip. All landings must be tagged or marked to identify the gear used.
 - h. Geographic Area
 - i. All Federal waters offshore California and Oregon
 - i. Fishery Timing
 - i. No restrictions within the existing fishing season/statistical year
 - j. Species
 - i. All legal HMS are allowed
 - k. Fishery Monitoring
 - i. Logbooks will be required
 - ii. All monitoring requirements in the HMS FMP will be followed
- 2) The Range of Alternatives for consideration under NEPA will include:
- a. Permitting
 - i. Open Access
 - ii. Open Access north of Point Conception and Limited Entry South of Point Conception
 - 1. Limited Entry South of Point Conception Alternatives
 - a. Capacity
 - i. 50 permits
 - ii. 150 permits
 - iii. 250 permits
 - b. Qualifications to obtain permits
 - i. No qualifications
 - ii. Only HMS permittees
 - iii. Only persons with demonstrated swordfish fishery participation to be allocated based on criteria defined by the Council

John Ugoretz/Buzz Brizendine

Amendment 1 [[mp3: 9-17-17pm2](#) @ 0:47:08]: Council amend the main motion to add an option under “Capacity” for 10 limited entry permits

Caren Braby/Herb Pollard (amendment carried unanimously)

Motion as amended carried unanimously

Staff Summary: The Council adopted a [range of alternatives](#) for authorization of deep-set buoy gear and Federal permitting, and provided guidance to the HMSMT on the analysis. The Council is scheduled to review the analysis, further refine the range of alternatives, and possibly select a preliminary preferred alternative at its March 2018 meeting.

INFORMATIONAL REPORTS

[Informational Report 1](#): Saltonstall-Kennedy Grant Program – 2018 SK Grant Competition is Currently Open

[Informational Report 2](#): NMFS Published Draft List of Foreign Fisheries for Public Comment

[Supplemental Informational Report 3](#): Quinault Indian Nation Anchovy Request

[Supplemental Informational Report 4](#): Informational Report on the Marine Resources Education Program

[Supplemental Informational Report 5](#): Status Report of the 2017 Ocean Salmon Fisheries Off Washington, Oregon, and California; preliminary data through August 31, 2017

VOTING LOG

Motion 1: Adopt the agenda as shown in [Agenda Item A.5, September 11-18, 2017](#)

Dorothy Lowman/Buzz Brizendine (Motion carried unanimously)

Motion 2: Approve the draft terms of reference for the 2018 acoustic-trawl survey methodology review as shown in [Agenda Item C.1, Attachment 1](#): Draft Terms of Reference for the 2018 Acoustic-Trawl Survey Methodology Review, September 2017, and include the recommendations of the SSC in [Agenda Item C.1.a, Supplemental SSC Report](#), September 2017.

Michael Clark/Michele Culver (motion carries unanimously)

Motion 3: Council direct staff to prepare two letters, one to the Federal Energy Regulatory Commission (FERC) and the other to the California Department of Water Resources (DWR), relating to essential fish habitat for fall Chinook and the operation of the Oroville Dam and related facilities.

The letter to DWR should:

1. Set forth the Council’s prerogative under Section 305(b)(3) of the Magnuson-Stevens Act to “comment on and make recommendations to . . . any Federal or State agency concerning any [proposed] activity . . . that, in the view of the Council, may affect the habitat, including essential fish habitat, of a fishery resource under its authority.”
2. Inform DWR that:
 - the Council manages the Sacramento fall Chinook and that this stock’s largest contribution to the fishery comes from the Feather River;
 - the sole suitable spawning habitat for natural reproduction on the Feather River is in the “low flow channel,” an eight-mile stretch from the Fish Barrier Dam down to the Thermalito Afterbay Outlet;
 - habitat below the Thermalito Afterbay Outlet (the “high flow channel”) is presently unsuitable for fall Chinook spawning primarily because of lethally high water temperatures;
 - proposed activities under a Settlement Agreement will eliminate some or all of the currently available and essential spawning habitat for the fall Chinook on the Feather River through placement of a segregation weir; and
 - the proposed weir will also prevent fall Chinook from directly reaching the fish hatchery.

1. Encourage DWR to expedite implementation of the NFMS BiOp and Settlement Agreement Articles for temperature changes and habitat alterations to the low-flow and high flow channels prior to license renewal. ([HC Recommendation No. 1, revised](#)). Request that DWR proceed immediately with planning and other work that does not require advance FERC approval. To the extent that any work such as construction requires FERC approval, ask that DWR seek such approval during pendency of its relicensing application.
2. Encourage DWR to expedite the temperature changes to the low flow channel immediately, in compliance with the California State Water Quality Control Board request. ([HC Recommendation No. 3](#)).
3. Encourage DWR to prioritize developing methods to ensure that daily maximum temperatures are not exceeded. ([HC Recommendation No. 4](#)).
4. Continue to advocate for near-future solutions that directly (rather than indirectly) reduce water temp in the high flow channel. ([HC Recommendation No. 5](#)).
5. Assess reasons for reduced spawning in the high flow channel. ([HC Recommendation No. 6](#)).

The letter to FERC should:

1. Set forth the Council’s prerogative under Section 305(b)(3) of the Magnuson-Stevens Act to “comment on and make recommendations to . . . any Federal or State agency concerning any [proposed] activity . . . that, in the view of the Council, may affect the habitat, including essential fish habitat, of a fishery resource under its authority.”
2. Inform FERC that:
 - the Council manages the Sacramento fall Chinook and that this stock’s largest contribution to the fishery comes from the Feather River;
 - the sole suitable spawning habitat for natural reproduction on the Feather River is in the “low flow channel,” an eight-mile stretch from the Fish Barrier Dam down to the Thermalito Afterbay Outlet;
 - habitat below the Thermalito Afterbay Outlet (the “high flow channel”) is presently unsuitable for fall Chinook spawning primarily because of lethally high water temperatures;
 - proposed activities under a Settlement Agreement will eliminate some or all of the currently available and essential spawning habitat for the fall Chinook on the Feather River through placement of a segregation weir; and
 - the proposed weir will also prevent fall Chinook from directly reaching the fish hatchery.
3. Request that FERC:
 - require that suitable replacement habitat for fall Chinook, including thermal remediation, be in place before the implementation of the segregation weir;
 - require that provisions for continued hatchery fish production be implemented prior to implementation of the segregation weir; and
 - authorize DWR to proceed immediately with improvements to fish habitat, including satisfactory spawning temperature in the high-flow channel and low-flow channel, prior to renewal of operating license.

Marc Gorelnik/Rich Lincoln (motion carried, Ms. Yaremko and Mr. Lockhart abstained)

Motion 4: Council approve the following alternatives for proposed changes to the Pacific Halibut Catch Sharing Plan for public Review:

1. For the Washington recreational fishery, retain the current statewide season structure (i.e., manage the north coast, south coast and Puget Sound subareas under a common season) with either:
 - c. *Status Quo Quota Management*: Each subarea receives and is managed to archive, but not exceed, its own separate allocation or
 - d. *Shared Quota Management*: The south coast, north coast and Puget Sound subarea quotas are pooled and managed under a shared quota to provide a minimum of four days for an initial statewide season. Following that initial statewide season, the remaining quota would be distributed among the subareas using status quo allocation formulas.
2. Regarding the incidental halibut retention allowance in the sablefish fishery north of Point Chehalis, revise the catch sharing as follows:
 - a. When the Area 2A TAC is less than 1.5 million pounds, follow the status quo allocation formula up to a maximum allocation of 50,000 pounds. When the Area 2A TAC is 1.5 million pounds or more, increase the maximum allocation to 70,000 pounds.
3. Analyze a range of annual bag limit alternatives for the Washington recreational fishery of two to six fish per angler.
4. For the Columbia River subarea recreational halibut fishery, change the days of the week that the all depth fishery would be open to Thursday, Friday and Sunday.

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 5: Council adopt for public review proposed changes for the 2018 Pacific Halibut Catch Sharing Plan and 2018 annual fishery regulations Alternatives 1a, 1b, and 1c, along with status quo for management of the Oregon Central Coast Subarea as contained in [Agenda Item G.1.b, ODFW Report 1, September 2017](#).

Maggie Sommer/Dorothy Lowman (motion as amended carried unanimously)

Motion 6: Council preliminarily approve the following off-year science improvement workshops with further discussion and final approval scheduled for November 2017. Using [Agenda Item E.2.a Supplemental SSC Report 1](#): The follow-up workshop on catch reconstruction, transboundary issues; conditional age at length data; and follow-up on productivity workshop
Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 7: Reconsider Motion 5 from Agenda Item G.1. Pacific Halibut

Maggie Sommer/Herb Pollard (motion carried unanimously)

Motion 8: Council preliminarily approve stock assessment methodology review topics as described in [Agenda Item E.3.a, Supplemental SSC Report 1, Supplemental GMT Report 1, Supplemental GAP Report 1](#), and the recreational fisheries data CPUE from [Agenda Item E.2.a, Supplemental GMT Report 1](#) for further consideration in November.

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 9: Council put forth for public review the following preliminary preferred alternatives:

- The alternative calculation method put forth in [Agenda Item E.6.a Supplemental GMT Report 1](#) for the Pacific Halibut Discard Mortality Rates for bottom trawl vessels using EM
- A third party provider model for video review

Dorothy Lowman/Maggie Sommer (motion carried unanimously)

Motion 10: Council approve the WDFW revised process and timeline described in [Agenda Item E.7.a, WDFW Report 1](#), and approve the following items for further analysis and consideration:

- Purpose and Need statements in [Agenda Item E.7, Attachment 4](#), except as noted below and in the following alternatives
 1. Meeting the at-sea whiting fishery bycatch needs
 - Alternatives listed in [E.7.a, CAB Report 1, September 2017](#) (“CAB Report”). For 1.d, restrict review to the at-sea bycatch species.
 - Process for each as described in [E.7.a Supplemental GMT Report 1, September 2017](#) (“GMT report”)
 2. Trawl Sablefish area management
 - Recommend CAB revise the Purpose and Need Statement to address guidance in [E.7.a, Supplemental NMFS Report 2](#) (“NMFS Report”)
 - CAB alternatives
 - Consider with gear switching as a follow-on Action
 3. Revising shoreside IFQ accumulation limits
 - CAB Alternatives (as bookends)
 - GMT Recommended process
 4. Meeting shoreside IFQ sector harvest complex needs
 - CAB Alternatives except remove:
 - Increase quota issued and
 - Change management tools for some species
 - Area Restriction alternative for Relief from QP limits
 - For post season trading, include an end date
 - Add an alternative to revisit the provision which expires all QP not moved to vessel accounts by Sept 1st, as suggested in NMFS Report
 - GMT Recommended process
 5. Gear Switching
 - No action
 - Cap on amount of sablefish quota used with fixed gear (percentage based)
 - Reserved a portion of sablefish quota for use only with trawl gear (percentage based)
 - Consider with Sablefish Area Management as follow-on action
 6. (#7 in CAB report) AMP pass-through
 - Continue the pass-through until an alternative use of AMP is implemented
 - GMT Recommended process

Maggie Sommers/Joanna Grebel (motion carried unanimously)

Motion 11: Council adopt, for gear switching, a control date of 9/15/2017.

Maggie Sommers/Brad Pettinger (motion carried, Ms. Grebel, Mr. Brizendine, and Mr. Gorelnik voted no)

Motion 12: Council approve the Purpose and Need statement and the alternatives for the Catcher-Processor accumulation limits as described in [Agenda Item E.7 Attachment 4](#) for analysis and further consideration as a follow-on action

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 13: Council approve the Research and Data needs and Catch Share reviews chapters as described in [E.7 Attachment 2](#) with the [GMT recommended changes](#), the FMP Amendment language on the as-sea set asides as described in [Agenda Item E.7 Attachment 5](#) and [Agenda Item E.7, Attachment 3](#).

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 14: Council recommend approval of the overall approach and provisions applying to both trawl Exempted Fishing Permits as described in [Agenda Item E.4.d, Supplemental Staff Report, September 2017](#).

Maggie Sommer/Brad Pettinger (motion carried, Mr. Lockhart abstained and Mr. Pettinger recused himself)

Motion 15: Council approve the following additional EFP activities and the following additional EFP constraints for the areas south of 42°:

5. An exemption that would allow use of midwater gear to target non-whiting from Jan 1- May 15 in the RCA, seaward of the RA and shoreward of the RCA, in the area from 42° to 40° 10', and
6. An exemption that would allow use of midwater gear to target non-whiting in the RCA south of 40° 10' (the gear is already allowed seaward in regulation. The gear would not be allowed shoreward, as proposed by applicants)
7. Should the SFFT bottom trawl exemption (e.g., the 2017 EFP) be allowed to extend South of 42° (post the 2018 salmon forecast; see item 2 from Agenda Item E.4.d, Supplemental Staff Report): this gear would be authorized shoreward of the RCA from 42° to 40° 10', from the time of issuance through the end of the year.
8. For all EFP activities authorized in items 1, 2, and 3 above that occur South of 42°, an 80-fish Chinook bycatch cap shall apply

Marci Yaremko/Buzz Brizendine (motion carried, Mr. Lockhart abstained and Mr. Pettinger recused himself)

Motion 16: Council adopt as final stock assessments and catch only updates endorsed by the SSC for 2019-2020 management, as shown in [Agenda Item E.8.a, Supplemental SSC Report 1, September 2017](#).

Corey Niles/Joanna Grebel (motion as amended carried unanimously)

Motion 17 (as amended) was withdrawn with consent of the second

Motion 18: Council adopt the following purpose and need statements for consideration of the range of alternatives related to monitoring in the DGN fishery stemming from the September 2015 Council decision.

The purpose of the action is to ensure adequate information is being collected from the DGN fishery to support Council decision making on management measures.

The proposed action is needed to document bycatch and protected species interactions for evaluation of costs and benefits of the use of DGN gear. The evaluation will inform future council and industry decision-making on any need and design of management measures. It also will allow the Council to better evaluate catch vs. bycatch fishery performance standards it established for the fishery in 2015. This action addresses the following National Standards: National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable; as well as National Standard 1 on optimum yield; and National Standard 7 on cost benefit.

Caren Braby/Rich Lincoln (motion carried unanimously)

Motion 19: Council:

1. Adopt the final Highly Migratory Species Fishery Management Plan Amendment 4 language as reflected in [Agenda Item J.4, Attachment 2](#), with the following changes:
 - a. Under 4.1.1.4 Determining if Overfishing is occurring or a Stock is overfished (p. 39), retain a revised version of the first sentence: “The Council will monitor each managed HMS stock and determine annually, if possible, if with regard to whether overfishing is occurring and whether the stock is overfished.”
 - b. Add a table to the HMS SAFE that includes the stock-specific OYs specified when the FMP was approved as referenced in Section 4.3 Optimum Yield (p. 40), so there is a reference point for comparison with the updated OY specifications in the HMS SAFE.
2. Approve the Highly Migratory Species Management Team’s recommended changes, as described in [Agenda Item J.4, HMSMT Report 1](#), except as follows:
 - c. On page 2, under 4.2, 2nd paragraph, retain “The SSC will review these estimates,” but preface it with “At the request of the Council, the SSC will...”
 - d. Under 4.2, for unassessed stocks with catch history and additional information on relative abundance or stock productivity, revise the reference to Team’s role to: “The HMSMT reviews the best available stockwide catch data...” and delete the phrase, “When a status determination is deemed necessary.” [The revised sentence would begin with “The Council may recommend...”]
 - e. Under 4.2 for unassessed stocks with catch history but lacking further information on relative stock abundance or productivity, revise the reference to the Team’s role to: “The HMSMT reviews the best available stockwide catch data...” and delete the phrase, “When a status determination is deemed necessary.” [The revised sentence would begin with “The Council may recommend...”]
 - f. Under 4.2 revise the last sentence to: “No matter the method used to estimate MSY or select a proxy, the relative impact of U.S. west coast fisheries may help to inform the Council’s recommendations.”

Michele Culver/Rich Lincoln (motion carried unanimously)

Motion 20: Council adopt the 2019-2020 OFLs, stock categories and sigma values as provided in [Agenda Item E.9 Supplemental Attachment 6, September 2017](#), as recommended by the SSC in [E.9.a, Supplemental SSC Report 1, September 2017](#).

Maintain default harvest control rules, except adopt for preliminary analysis the following additional alternative s recommended by the GAP in [E.9.a, Supplemental GAP report, September 2017](#):

- For Lingcod South, P* of 0.45
- For California Scorpionfish, ACL=ABC (P* = 0.45)

Joanna Grebel/Buzz Brizendine (motion carried unanimously)

Motion 21: Council adopt Preliminary Management Measures in Table 1 of the GMT Report ([Agenda Item E.9 a, Supplemental GMT Report 1, September 2017](#)). Analyses pertaining to exemptions from or changes to depth restrictions for the commercial Pacific halibut fishery would apply to Oregon and California only.

- Add an option for the commercial Pacific halibut fishery to add a VMS requirement and a declaration process.
- Add an option for the commercial Pacific halibut fishery moving the nearshore RCA boundary from 100 to 75 fathom coastwide.
- Add an option to modify the commercial non trawl RCA 100 fathom boundary in Oregon to create cut outs.

Joanna Grebel/Marc Gorelnik (motion as amended, carried unanimously)

Motion 22: For 2019-2020 Groundfish management measures, add the following stock complex alternative for further analysis:

- Create a new stock complex composed of Oregon Kelp Greenling and Oregon Cabezon.

Maggie Sommers/Dorothy Lowman (motion carried unanimously)

Motion 23: Add modifications and or corrections to existing RCA lines as described in [Agenda Item E.9.a, Supplemental CDFW Report 1.](#)

Joanna Grebel/Marc Gorelnik (motion carried unanimously)

Motion 24: Council forward the HMSMT recommendations on the current list of applicants to NMFS for action.

John Ugoretz/Marc Gorelnik (motion carried unanimously)

Motion 25: Council would:

3) Define DSBG and Permits, for the purpose of analysis as follows:

- a. *Possession* –
 - i. Permits will be issued to an individual entity
 - ii. Individual entities may hold multiple permits, but permits may not be stacked on a single vessel
 - iii. The permit holder will assign the permit to a specific vessel
 - iv. The permit holder will not be required to be onboard the vessel
- b. *Renewal*
 - i. Permits will be valid for one fishing year and expire if not renewed
- c. *Transfer*
 - i. Transfer of permits will be prohibited until such as time as the Council feels the fishery has reached a stable state and that transfer would benefit management
- d. *Gear Description*
 - i. The definition used in the HMSMT report ([J.6.a HMSMT Report 1](#)) of SBG and LBG will be used

- ii. Gear would be marked as described in the supplemental EC report ([J.6.a Supplemental EC Report 1](#))
 - e. Gear Tending
 - i. Require that all gear be within a 5 nm diameter area and that the vessel be no more than 3 nm from the nearest piece of gear
 - f. Gear Deployment/Retrieval
 - i. Gear may not be deployed prior to local sunrise
 - ii. All gear must be onboard the vessel no later than 3 hours after local sunset
 - g. Multiple Gears
 - i. Multiple gears may be used on a trip. All landings must be tagged or marked to identify the gear used.
 - h. Geographic Area
 - i. All Federal waters offshore California and Oregon
 - i. Fishery Timing
 - i. No restrictions within the existing fishing season/statistical year
 - j. Species
 - i. All legal HMS are allowed
 - k. Fishery Monitoring
 - i. Logbooks will be required
 - ii. All monitoring requirements in the HMS FMP will be followed
- 4) The Range of Alternatives for consideration under NEPA will include:
- l. Permitting
 - i. Open Access
 - ii. Open Access north of Point Conception and Limited Entry South of Point Conception
 - 1. Limited Entry South of Point Conception Alternatives
 - a. Capacity
 - i. 10 permits
 - ii. 50 permits
 - iii. 150 permits
 - iv. 250 permits
 - b. Qualifications to obtain permits
 - i. No qualifications
 - ii. Only HMS permittees
 - iii. Only persons with demonstrated swordfish fishery participation to be allocated based on criteria defined by the Council

John Ugoretz/Buzz Brizendine (Motion as amended carried unanimously)

Motion 26: Council appoint Ms. Meisha Key and Dr. Rishi Sharma to the two vacant at large seats on the Scientific and Statistical Committee.

Heidi Taylor/Herb Pollard (motion carried unanimously)

Motion 27: Council appoint Mr. Alex Letvin to the vacant California Department of Fish and Wildlife seats on the Salmon Technical Team and the Model Evaluation Workgroup.

John Ugoretz/Marc Gorelnik (motion carried unanimously)

Motion 28: Council appoint Ms. Melissa Mandrup to the vacant California Department of Fish and Wildlife seat on the Groundfish Management Team.
John Ugoretz/Buzz Brizendine (motion carried unanimously)

Motion 29: Council appoint Dr. Kayleigh Somers to the vacant Northwest Fisheries Science Center seat and Dr. Andrew Thompson to the vacant Southwest Fisheries Science Center seat on the Groundfish Management Team.
Heidi Taylor/Herb Pollard (motion carried unanimously)

Motion 30: Council reappoint Mr. Phil Anderson as the Council representative on the U.S. Section of the Joint Management Committee of the U.S. – Canada Pacific Hake/Whiting Agreement.
David Crabbe/Marc Gorelnik (motion carried unanimously)

Motion 31: Council adopt the proposed changes in COP9 (shown in [Agenda Item H.4. Attachment 1, proposed revisions to Schedule 5 of COP 9](#)).
David Crabbe/Buzz Brizendine (motion carried unanimously)

Motion 32: Council adopt the [GAP recommendations](#) for open access and limited entry North of 36° and the recommendations for the California recreational fishery. Adopt the [GMT recommendation](#) to add a footnote in the trip limit table for lingcod and trawl gear.
Joanna Grebel/Buzz Brizendine (motion carried unanimously)

Motion 33: Council approve the first two recommendations of the Budget Committee in [Agenda Item H.2.a, Supplemental Budget Committee Report 1](#).
Herb Pollard/Pete Hassemer (motion carried unanimously)

Motion 34: Council approve the draft June 2017 Council meeting record as shown in [Agenda Item H.3, Supplemental REVISED Attachment 1](#).
Herb Pollard/Pete Hassemer (motion carried unanimously)

ADJOURN

The Council meeting adjourned on Monday, September 18, 2017 at 11:55 a.m.



Phil Anderson
Council Chair

November 20, 2017

Date